

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

- - -

BEFORE THE FEDERAL GRAND JURY

- - -

Stenographic transcript of proceeding
had and evidence presented before the Federal Grand Jury
of the United States District Court for the Eastern
District of Pennsylvania, 601 Market Street, Room 3415,
Independence Mall West, Philadelphia, Pennsylvania, on
Thursday, August 1, 1996, commencing at 10:20 a.m., before
Barbara Leacott, Court Reporter-Notary Public.

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TESTIMONY OF: SHAWN KENNY

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APPEARANCES:

MICHAEL SCHWARTZ, ESQUIRE
Assistant United States Attorney

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I N D E X

SHAWN KENNY

EXAMINATION

PAGE

BY MR. SCHWARTZ

2

1 (Whereupon, the court reporter was sworn in.)

2 - - -

3 (SHAWN KENNY, after having been first
4 duly sworn, was examined and testified as follows:)

5 - - -

6 EXAMINATION

7 - - -

8 BY MR. SCHWARTZ:

9 Q. Could you introduce yourself to the grand jury?
10 Tell them your name?

11 A. Shawn Kenny.

12 Q. What is your current address?

13 A. 

14 Q. What is your current occupation?

15 A. US Army.

16 Q. What's your rank?

17 A. Private E2.

18 Q. When did you start with the Army?

19 A. It was February 3rd of '95.

20 Q. And how old are you now?

21 A. Twenty-four.

22 Q. Where were you born?

23 A. Cincinnati, Ohio.

24 Q. And who did you live with as you were growing up?

25 A. My father mostly.

SHAWN KENNY

1 Q. When you were growing up before you were 18 was
2 there a time that you ran away from your home?

3 A. Yes, there was.

4 Q. And approximately when was that?

5 A. When I was 16.

6 Q. Why did you run away from home?

7 A. I was involved in a skinhead gang.

8 Q. Tell the members of the grand jury what your
9 meaning of a skinhead gang is or what you were involved
10 with at the time when you were 16?

11 A. It was a youth, young guys, music centering around
12 but we had racialist beliefs. We were drawn into a Nazis,
13 Nazi symbols, swastikas and stuff and signs.

14 Q. As you are motioning to the grand jury you appear
15 to be pointing to your arms. Do you have a number of
16 tattoos from the time when you were a skinhead?

17 A. Yes, these are from that era when I was 16,
18 skinhead related.

19 Q. After you ran away from home when you were 16 did
20 you eventually return to your home?

21 A. Yes, I did.

22 Q. And did you go through and graduated high school?

23 A. Yes, I did.

24 Q. Did you graduate high school on time?

25 A. Yes.

SHAWN KENNY

1 Q. And what year was that?

2 A. Class of '91.

3 Q. When you went back to high school did you still
4 consider yourself to be a skinhead?

5 A. Yes, I did.

6 Q. And after high school did you meet a person by the
7 name of Peter Langan?

8 A. Yes, I did.

9 Q. Where did you meet him?

10 A. It was at a Christian Identity Church in Northern
11 Kentucky which is right across the river from Cincinnati.

12 Q. Explain to the grand jury what you understand the
13 Christian Identity Church to be?

14 A. It's a philosophy of white separatists, white
15 supremacy in it, religious form. A lot of them are
16 related to the Area Nations when, which has that same
17 philosophy.

18 Q. Does the Christian Identity Church that you met
19 Peter Langan in have people from other organizations that
20 attend?

21 A. Yes, it did.

22 Q. What type of organizations attend that Christian
23 Identity Church?

24 A. Klan, Klu Klux Klan, Skin heads. That's about it.

25 Q. And you said you met Peter Langan at this Christian

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1 Identity Church in Arkansas?

2 A. It was in Kentucky.

3 Q. I'm sorry in Kentucky.

4 A. Yes.

5 Q. Did you over the course of time do anything illegal
6 with Peter Langan?

7 A. Yes, I did.

8 Q. Tell the grand jury what types of illegal things
9 you did with Peter Langan?

10 A. We had a scam, KMart scam which involved in
11 returning merchandise and getting more money back than
12 what we had paid for it, because it was gotten out of the
13 store at that time a lesser price through the scam.

14 Q. When you say "KMart scam" that's the KMart
15 department stores? You would do the scams there?

16 A. Yes.

17 Q. What other types of illegal things did you do with
18 Peter Langan?

19 A. We had planned on robbing banks and armored cars.

20 Q. And with respect to the illegal things that you did
21 with Peter Langan during what time period did they occur?

22 A. Between the year of '93, or '92 and '93 into '94.

23 Q. Did you meet a person during this same time period
24 of the name Richard Guthrie?

25 A. Yes, I did.

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1 Q. How did you meet Richard Guthrie?

2 A. At one of the times I was at Pete's home on Bigler
3 Street he happened to be there.

4 Q. When you say "Pete" you mean Peter Langan?

5 A. Yes.

6 Q. And Bigler Street is that a town in Cincinnati?

7 A. It's a street in Cincinnati.

8 Q. Did you do anything illegal with Richard Guthrie?

9 A. Yes, I did.

10 Q. What types of things did you do that were illegal
11 with Richard Guthrie?

12 A. The same activities as with Pete.

13 Q. Did you do illegal activities with both Peter
14 Langan and Richard Guthrie together?

15 A. Yes, I did.

16 Q. And what type of activities were they?

17 A. Planning on robbing banks and armored cars.

18 Q. And did you discuss with Peter Langan and Richard
19 Guthrie what you would do with the proceeds of these
20 armored car and bank robberies?

21 A. It was to fund the cause, the movement or whatever.
22 Buy guns, ammo, distributed out to other people,
23 like-mindedness groups to further their cause.

24 Q. You said you did illegal things with Langan and
25 Guthrie during the time period of '92, '93 and into '94;

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1 is that correct?

2 A. Yes.

3 Q. Why didn't you continue with illegal activities
4 with Langan and Guthrie after 1994?

5 A. All the jobs that we had planned and were going to
6 do together none of them had come about. I got the
7 feeling initially that it wasn't going to work with these
8 people. I guess I was getting kind of cold feet. And
9 then secondly and the main thing I guess would have been
10 my wife and kids, was putting a really bad strain on my
11 marriage. And it was from my wife the ultimatum was them
12 or her. So the decision I made was to try and start
13 distancing myself with them.

14 Q. What did you decide that you were going to do?

15 A. I joined the military.

16 Q. In December of 1995 where were you?

17 A. In the Army, Fort Benning.

18 Q. In Fort Benning, Georgia. Were you approached from
19 agents from the FBI at that time?

20 A. Yes.

21 Q. Had you had any previous contact with agents from
22 the FBI?

23 A. No.

24 Q. Did you agree to cooperate with those agents when
25 they came to you at Fort Benning, Georgia?

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1 A. When I first started talking to them I wasn't
2 really divulging anything. I was a kind of stone walling.
3 But by the end of our conversation on that same day I was
4 willing to work with them.

5 Q. Why did you agree to cooperate with the FBI?

6 A. Just to, I don't know, get this chapter of my life
7 closed and get it behind me.

8 Q. That meeting that you agreed to cooperate with the
9 FBI had the FBI given you any promises as to what would
10 happen to you as a result of your cooperation?

11 A. No, they didn't.

12 Q. Did you tell the FBI details about your own
13 involvement with Guthrie and Langan in their planning to
14 rob banks and armored cars?

15 A. Yes, I did.

16 Q. Did the FBI at that meeting tell you that they were
17 looking to find Richard Guthrie to arrest him on federal
18 charges?

19 A. Yes, they did.

20 Q. Did you assist the FBI in finding Richard Guthrie
21 so he would be arrested?

22 A. Yes, I did.

23 Q. Do you have a written agreement with the government
24 concerning your involvement with Guthrie and Langan?

25 A. Yes, I do.

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1 Q. And what is your understanding of that agreement?

2 A. Basically it gives me immunity against anything I
3 say against myself in return that I tell the truth and
4 help out and give all the information I have pertaining to
5 Richard and Pete.

6 Q. Let's go back to the time period that you were
7 planning to rob banks and/or armored cars with Guthrie and
8 Langan.

9 During that time period did you talk
10 about a person by the name of Mark Thomas?

11 A. Yes, we did.

12 Q. Who told you about Mark Thomas?

13. A. Richard.

14 Q. Richard Guthrie?

15 A. Yes.

16 Q. What did Richard Guthrie tell you about Mark
17 Thomas?

18 A. He said that he was pretty radical. He was
19 somewhat like us as far as his philosophy. He's a
20 Christian identity preacher.

21 Q. What was your understanding of what Richard Guthrie
22 meant when he said that Mark Thomas was someone like us?

23 A. Somebody that was a revolutionary type mentor;
24 wasn't afraid of having guns around his place like some of
25 the other pastors and people in the identity movement

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1 were.

2 Q. Did you discuss with Richard Guthrie whether Mark
3 Thomas would have any involvement with your plans to rob
4 armored cars or banks?

5 A. It was hoped that he would be able to filter young
6 people as recruits to us.

7 Q. And what did you discuss with Richard Guthrie about
8 recruiting young individuals through Mark Thomas?

9 A. Can you say that again?

10 Q. Sure. What did you discuss with Richard Guthrie
11 concerning recruiting young people through Mark Thomas?

12 A. Well, first of all Richard had known him personally
13 and was kind of hesitant that he might be thought of as a
14 finger FBI agent or something.

15 Q. Stop for a second. Richard Guthrie thought that he
16 may be mistaken for an informer, government agent in the
17 eyes of whom?

18 A. Mark Thomas. So I was to clarify. He wanted me to
19 go speak with Mark and validate who Richard was.

20 Q. Richard Guthrie wanted you to go meet Mark Thomas
21 and say that Richard Guthrie was not an informer or
22 government agent?

23 A. Right. But I didn't have to say it. It wasn't
24 vocalized. I was to present a package of material to him.

25 Q. Did you ever meet Mark Thomas?

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1 A. Yes, I did.

2 Q. And when did that occur, what event or what
3 happened when that occurred?

4 A. There was a skinhead concert which was sponsored on
5 his property.

6 Q. Was that Mark Thomas was sponsoring a skinhead
7 concert?

8 A. Right.

9 Q. And where was Mark Thomas' property?

10 A. It's a town in Pennsylvania, Megongia (phonetic).

11 Q. And were you going to travel to this town in
12 particular to meet Mark Thomas at the concert?

13 A. Yes.

14 Q. Where were you at the time?

15 A. In Cincinnati, Ohio.

16 Q. Did you tell Richard Guthrie that you were going to
17 go to the skinhead concert at Mark Thomas'?

18 A. Yes.

19 Q. Did Richard Guthrie say anything to you about your
20 trip?

21 A. Just wanted me to give him a package of material,
22 it was fake identification materials, and present that to
23 Mark and hopefully in attempts that he would accept and
24 that way would verify that Richard was on the up and up.

25 Q. Did you see the packet of materials that Richard

SHAWN KENNY

1 Guthrie wanted you to deliver to Mark Thomas?

2 A. Yes, I did.

3 Q. And what was contained in that packet of materials?

4 A. It was blank baptismal certificates, blank birth
5 certificates, blank insurance cards, auto and health, and
6 instruction booklet and various other items I'm not
7 exactly sure of. There was more in there than just that.

8 Q. When you say an "instructional booklet" what do you
9 mean by that?

10 A. Light blue covered book. It was called a New ID in
11 Soglandia.

12 Q. Can you spell that for the court reporter?

13 A. S-O-G-L-A-N-D-I-A.

14 Q. So it's New ID In Soglandia. What does in
15 Soglandia mean?

16 A. Soglandia meaning SOG means Sog Occupied (phonetic)
17 Government. So it was a little word he had made up to go
18 with it.

19 Q. In addition to being white supremacists, this group
20 that you were involved in at the time were they also
21 anti-Jewish?

22 A. Oh, yeah.

23 Q. And was that part of the ideology?

24 A. Yes.

25 Q. And the instruction booklet was light blue you

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1 said; is that correct?

2 A. Yes, light blue color.

3 Q. Did that have any significance?

4 A. That's the color Area Nations uses.

5 Q. And this instruction booklet was for what purpose?

6 A. It taught you how to utilize the materials that
7 were in the packet, to go ahead and put all the
8 information together, go ahead and get a driver's license
9 under an alias, under a different name.

10 Q. And did you view these materials before you brought
11 them to Mark Thomas?

12 A. Yes, I did.

13 Q. And did you evidential meet Mark Thomas at his
14 property in Pennsylvania?

15 A. Yes, I did.

16 Q. And explain to the grand jury what happened?

17 A. When I got to his property I wasn't formally
18 introduced to him. I was able to pick him out of the
19 crowd. There was less than a 100 people there. I
20 approached him and told him that I had, well, I introduced
21 myself and I told him that I had something for him from a
22 friend who had given him a chain saw. That was in
23 reference to Richard Guthrie had given him a chain saw
24 months back that I guess he scammed them from KMart and
25 that's how Mark would know we were talking about the same

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1 person.

2 Q. You said scam them from KMart; is that correct?

3 A. That was part of the fraud scheme, right.

4 Q. All right.

5 A. So after it was verified we were talking about the
6 same person he was very receptive to talk to me. We took
7 a walk. He had woods away from everyone else. That's
8 when I gave him the package of fake identification
9 materials. Told him basically what it was going to be
10 used for. Didn't have to go into much detail. Most people
11 in the right wing know the value of having fake
12 identification, different names and what not.

13 Q. Did Mark Thomas accept this package?

14 A. Yes, he did.

15 Q. Did he see what was inside of it?

16 A. Yes, he did.

17 Q. Did you take out the materials from the package in
18 front of Mark Thomas?

19 A. Not all. Just basically pulled out here's B, C.
20 Here's this. The instruction book I got out and said
21 basically follow that and you will be good to go.

22 Q. Did Mark Thomas tell you that he would have any use
23 for the materials that you had given him?

24 A. Yes, he did.

25 Q. What did Mark Thomas tell you?

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1 A. He said he had several people who would be
2 interested, who would be able to utilize it.

3 Q. During the time period that you were at Mark
4 Thomas' place for this concert did you have any contact
5 with Richard Guthrie?

6 A. Yes, I did.

7 Q. How did you have that contact?

8 A. He had called there. I was outside. This is after
9 the meeting with Mark. And Mark Thomas had come and got
10 me out of the crowd and said there was a phone call for
11 me. I didn't know. He didn't indicate who it was at the
12 time. I went in his house and upon answering the phone I
13 found out it was Richard.

14 Q. So Richard Guthrie had called Mark Thomas' house,
15 Mark Thomas came and got you?

16 A. Right.

17 Q. And you went inside and on the phone receiver was
18 Richard Guthrie; is that correct?

19 A. Yes.

20 Q. And what did Richard Guthrie say to you?

21 A. He just asked is everything going all right. How's
22 the trip. It was implied. I mean as far as how things
23 were going with me and Mark which on the phone we tend not
24 to say too much. So it's just everything was going all
25 right. It was a very brief conversation. And then I told

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1 him I would talk to him when I got back to Cincinnati.

2 Q. After that meeting with Mark Thomas at the concert
3 have you had any other direct contact with Mark Thomas
4 ever?

5 A. No.

6 Q. When you first joined the Army in 1994 did you have
7 a date that you were suppose to report?

8 A. I was suppose to leave in November 14th of '94 but
9 I actually didn't leave until February 3rd of '95.

10 Q. Prior to that initial November 1994 reporting date
11 did you meet with Richard Guthrie?

12 A. Yes, I did a few days prior to me leaving or
13 initially when I was going to leave.

14 Q. And what was the purpose of you meeting with
15 Richard Guthrie a few days prior to the time that you were
16 suppose to leave for the US Army?

17 A. For me it was just kind of a farewell. Didn't want
18 to totally break ties, burn my bridges. It was just a way
19 to figure out how if I ever needed to get a hold of him to
20 verify that with him.

21 Q. And during that meeting with Richard Guthrie did
22 he, did Richard Guthrie say anything to you concerning his
23 ongoing efforts and plans to rob banks or armored cars?

24 A. Yes, he indicated things were going quite well for
25 him. He said they had been very successful.

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1 Q. What was your understanding as to why Richard
2 Guthrie was telling you about his ongoing plans to rob
3 banks or armored cars?

4 A. I still feel they wanted to come underground with
5 me. I was kind of like a fence sitter.

6 Q. Deciding whether you were to do the bank robberies
7 or join the Army?

8 A. Right.

9 Q. And during that meeting when Richard Guthrie said
10 that things were going well with the plans to rob banks
11 and armored cars did Richard Guthrie mention anything
12 about his recruiting efforts?

13 A. Yeah, he said that they had some young guys that I
14 might know but he didn't go into any more details. He
15 kind of stopped himself short.

16 Q. What was your understanding as to what Richard
17 Guthrie meant by we had some young guys that you may know?

18 A. Well, me being a skinhead I would of imagined that
19 he meant that they had some skin heads working with them.

20 Q. In addition to the testimony that you've provided
21 this morning to the grand jury have you met with the FBI
22 agents on a number of occasions and provided much greater
23 detail concerning the events we were talking about?

24 A. Yes, sir.

25 Q. And are you prepared to provide further details in

SHAWN KENNY

1 any further court proceeding about the events that we've
2 been talking about?

3 A. Yes.

4 MR. SCHWARTZ: Does anyone have any
5 questions?

6 THE JURY: (No response.)

7 MR. SCHWARTZ: All right. Thank you
8 very much.

9 (Whereupon, the witness was excused at
10 10:45 a.m.)

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1 STATE OF NEW JERSEY:

2 :SS

3 COUNTY OF BURLINGTON:

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5 I, Barbara Leacott, Court

6 Reporter-Notary Public within and for Burlington County,

7 Commonwealth of New Jersey, do hereby certify that the

8 foregoing testimony of SHAWN KENNY was taken before me at

9 Federal Grand Jury, Room 3415, on Thursday, July 25, 1996;

10 that the foregoing testimony was taken in shorthand by

11 myself and reduced to typing under my direction and

12 control, and the foregoing pages 1 to 18 contain a true

13 and correct transcription of all of the testimony of said

14 witness.

15

16

Barbara Leacott
BARBARA LEACOTT
Notary Republic

17

BARBARA LEACOTT
NOTARY PUBLIC
BURLINGTON COUNTY, NJ

18

My Commission
expires
April 12, 2000

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