

Prosecuting Saddam



Tom Luedke '86 helped prosecute Saddam

The following article appeared in the Topeka Capital-Journal, Topeka, Kan., Wednesday, January

10, 2007. Washburn Law alum, Tom Luedke '86, served as an American prosecutor who helped Iraqi prosecutors try their case against Hussein. This article is re-printed with permission from the Topeka Capital-Journal and author Steve Fry.

Topekan helped convict Saddam

Attorney rode to court in armored vehicle

There is no doubt in Tom Luedke's mind that Iraqi dictator Saddam Hussein was guilty of killing 148 Iraqi men, the youngest of whom was 12.

None.

"No, the truth came out," said Luedke, who had been an assistant U.S. attorney assigned to Topeka when he was one of only 12 American prosecutors chosen to aid Iraqi prosecutors trying Saddam before the Iraqi Higher Tribunal.

Saddam more than had his opportunity to defend himself in court, Luedke said, adding that the trial was the Nuremberg trial of our time.

"It's probably the most significant crimes against humanity trial since Nuremberg," he said.

As for Saddam's execution by hanging on Dec. 29, "no one was more responsible for incalculable human suffering than Saddam. He got what he deserved. There's no question about that."

For nine months ending in July, Luedke lived and worked in Baghdad during the trial of Saddam. The overriding concern was security.

Luedke, 48, rode to the courthouse in a Rhino, an armor-covered bus, escorted by Humvees in front and behind. He carried a 9-mm pistol everywhere but the courtroom and heard hostile rockets and mortars outside the courthouse.

In Topeka, Luedke prosecuted primarily drug cases but also white-collar crime, tax cases and felony possessions of firearms. Luedke also prosecuted Michael McElhane, a high-ranking member of the Aryan Brotherhood. In December 2002, McElhane was sentenced to 30 years in federal prison for crimes linked to heroin distribution in prison.

Luedke's assignment to Iraq started when the U.S. Department of Justice requested volunteers to help prosecute Saddam.

"Wanting to do my part, I volunteered and was accepted" in August, Luedke said.

Luedke lived and worked in the "international zone," the triangle-shaped area considered to be the safe area. The city also had the "red zone," a high danger area.

"You leave the security of the international zone, and there's basically no security," Luedke said. Kidnapping was a "cottage industry" in which victims were snatched to be traded back for ransom, Luedke said.

Luedke arrived in Baghdad on Oct. 15, 2005, and the case started four days later. Luedke worked on two cases. The first was the Dujail prosecution of Saddam for the killing of 148 men and boys, who

were linked to gunshots fired at a Saddam motorcade as it passed through the defendants' village. Saddam was executed after he was convicted in that case.

Of the 148 people killed, all were tried on one day by Saddam's Revolutionary Court, one lawyer defended all 148, at least 50 of the 148 were killed during interrogation or before they were tried, and more than 20 of those killed were younger than 18, Luedke said.

"He never expressed any remorse for that," he said.

Luedke also worked on the Anfal case, the prosecution of Saddam and others for the alleged destruction of eight Kurdish villages and incarceration or killing of the villagers. That case is being tried now.

At times during the Dujail case, Luedke would escort victims of the Saddam regime during visits to the courtroom. One time, Saddam alleged he had been "tortured" by Americans, who he accused of taking his watch. The victims laughed at Saddam.

"The lion pays no attention to the monkeys chattering in the trees," Saddam said in response.

Starting in January 2006, Luedke was in court daily assisting Iraqi prosecutors with trial strategy and evidence.

Sometimes Luedke was within arm's reach of Saddam, whose appearance belied his lethal actions.

"He appeared to be a grandfatherly old guy," he said.

Outside the courthouse, there were some tense moments.

Another time Luedke was running along the Tigris



River for exercise when he heard a rocket pass over, then explode about 75 yards away. Returning to the trailer where he lived, Luedke learned another rocket had punched through two nearby trailers before burying itself in the ground without exploding.

"I started thinking you could get hurt over here," Luedke said.

Iraqis appreciated the work the prosecutors were doing, Luedke said. On the streets, people shook the hand of the lead Iraqi prosecutor and praised his work, he said.

TOM LUEDKE

- Moved from Iowa to Topeka in 1980.
- Played linebacker on the Washburn University football team.
- Graduated from Washburn University School of Law in 1986.
- Osage County assistant attorney.
- Served in Marines as active duty judge advocate general from 1987 to 1990, then in reserves until 1996. Promoted to captain.
- Became assistant U.S. attorney in October 1990.
- Served on Saddam prosecution team from October 2005 to July.
- Saddam convicted on Nov. 15.
- Saddam hung on Dec. 29.

By Steve Fry
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