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NATIONAL DESK

2 Floridians Talk of How They Taped The Speaker

By RICK BRAGG (NYT) 851 words

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Correction Appended

John Martin said he and his wife, Alice, were on their way to Jacksonville, Fla., to do some Christmas shopping on Dec. 21 when they picked up a "part of history" on their hand-held police scanner.

What they heard was Speaker Newt Gingrich, discussing with other high-ranking House Republicans how to react to ethics committee charges against him, the same day that the Georgia Representative had promised not to use his office and allies to orchestrate a response.

When the Martins recognized who was speaking, "I was so excited to think I had actually heard a real politician's voice," said Mrs. Martin, at a news conference here on Monday about the tape. "We were thrilled."

The middle-aged couple -- he is a maintenance man at a school and she is a teacher's aide -- are active in both the National Education Association and the Democratic Party in their home county of Columbia in northern Florida, so they have a keen interest in politics. Mr. Martin said they had used a small tape recorder to record the conversation, planning to play back the voice of the famous politician someday for their grandson, who is expected to be born in three weeks.

But as they listened, they changed their mind. They took the tape to their Representative, Karen L. Thurman, a Democrat, and later, on her advice, took the tape to the senior Democrat on the House ethics committee, Representative Jim McDermott. They said that they had not given the tape to the press but that politicians had.

"They did what good citizens ought to do, which was contact their Congressperson," said the couple's lawyer, Larry Turner. He said partisan politics had not played a role in their decision to come forward.

The New York Times reported last Friday that a couple in Florida unsympathetic to Mr. Gingrich had provided a tape of the telephone call from a police scanner that had picked up a cellular transmission. The article also reported that a Democratic Congressman had made a copy of the tape available to the newspaper.

It may seem unlikely that an unassuming couple from northern Florida, who just happen to be politically active Democrats, would eavesdrop on a high-level, questionably appropriate Republican conversation, and tell about it. But, Mr. Turner said, that is exactly what happened.

"I feel we did the right thing," Mr. Martin said. Comparing the situation to a scenario in which he might overhear the President or some other high-ranking official discussing an issue of national security with a foreign enemy, he said it was his "civic duty" to tell.

The couple could face prosecution -- some Washington Republicans are insisting on it -- although Mr. Turner

said no charges have been filed so far. It is a violation of state and Federal law to eavesdrop on a cellular or hard-wired telephone conversation intentionally.

Mr. and Mrs. Martin said they never believed that it would lead to this, when they recognized that voice. (Their lawyer would not permit them to use the Speaker's name in the news conference.)

They first took the tape to Representative Thurman at her Florida office. She listened to it, said Mr. Turner, then referred the Martins to Mr. McDermott.

They were in Washington last week to attend a reception for incoming House freshmen, the kind of thing that people active in national politics at the local level are invited to.

Mrs. Martin said she and her husband had hand-delivered the tape to Mr. McDermott. "He took the envelope in his hand and said he would listen to it," she said.

Mr. and Mrs. Martin are both active in the education workers union in Florida, and through that, the Democratic Party. He once served as treasurer of the Columbia County Democratic Executive Committee. She was once its secretary.

Politics is almost a hobby with them. They eat meals with political programs playing on the television in the background. He said their two children used to kid them about it.

Another hobby is their scanner. They pick up all kinds of transmissions, and bought a newer, more powerful unit over Christmas. "To the horizon," he answered, when asked its range.

They had the scanner, which Mr. Martin said he uses "at the stock car races in Daytona," on the car seat between them on Dec. 21 when they picked up a cellular phone conversation about 9:45, reportedly from a phone owned by Representative John A. Boehner, a Republican, who was driving through northern Florida.

They recognized the most prominent voice in that conference call and recorded it on a recorder that Mr. Martin said he used "to record stupid jingles and stuff off the TV, and off the radio in the car." He said he also used the recorder for things he needs to do.

Correction: January 15, 1997, Wednesday

An article yesterday about the Florida couple who said they taped a cellular transmission of a conversation involving Speaker Newt Gingrich referred incorrectly to Representative Karen L. Thurman of Florida, to whom the couple first took the tape. Ms. Thurman's office said she did not listen to the tape.