

# 8-Woman, 4-Man Jury Picked to Try Ellsberg

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LOS ANGELES, July 21 — A jury of eight women and four men was impaneled in U.S. District Court here today to try Daniel Ellsberg and Anthony Russo on espionage, conspiracy and theft charges in connection with disclosure of the top-secret Pentagon papers.

The jury, mostly middle-aged, includes 11 whites and one Japanese-American.

None of the jurors has read the papers, a history of American involvement in Southeast Asia that was made public more than 13 months ago, but eight of them said they had heard of the study or of the Ellsberg-Russo case before coming to court.

During detailed questioning by U. S. District Judge W. Matt Byrne Jr., eight of the jurors insisted they hold absolutely no opinion on the Vietnam war. Two expressed mild antiwar views and two seem to support the Nixon administration's policy of gradual withdrawal.

There are no college graduates on the jury. Several jurors said they had recently been the victims of crimes, including one woman whose son-in-law was murdered in San Francisco.

The panel was selected after 46 potential jurors were individually examined in 10 days. Altogether, 55 persons were excused from jury service for various reasons, including possible bias.

Final selection of six alternate jurors, who would serve if any of the 12 now seated are disqualified during the trial, was delayed until Monday.

If several bitter pretrial disputes between prosecution and defense attorneys are resolved in time, presentation of the government's case against Ellsberg and Russo will begin Tuesday afternoon. The trial

is expected to last at least two months.

These are the members of the jury:

- Louis J. Asta, a furniture finisher who completed his grammar-school education in Italy and speaks heavily accented English. Asked whether he could read portions of the Pentagon papers in evidence, he said, "I do my best . . . I try my best."

- Ann Bracci, a computer operator at a Los Angeles bank whose brother served with the Marines in Vietnam. The only member of the jury who appears to be under 40, she said she "used to think" that American involvement in Vietnam was "justified." (Exact ages and other personal data on the jurors have been withheld under court order.)

- Sally Gordon, an elderly West Hollywood housewife who cut out magazine articles about the Pentagon papers last year but never got around to reading them. She said her sister had told her that "she didn't think the boys (Ellsberg and Russo) did anything wrong."

Opposed by the prosecution for jury service, Mrs. Gordon was included only through a last-minute decision by the defense to abandon one of its peremptory (without cause) challenges.

She caused a tense moment in the courtroom when, after being sworn, she attracted the judge's attention to say that her "conscience" was bothering her about not having told him there are four attorneys in her family. She was nonetheless permitted to serve, after saying that this would not affect her judgment.

- Mitsuru Oshita, who goes by the nickname "Pete." He is a civil engineer for the Los Angeles County highway department.

- Dora P. Bahena, the wife of a retired postal clerk who said she "may have read head-

lines" about the Pentagon papers case.

- Lurlyne R. Conhaim, a former secretary, who said of the war, "I wish it were over . . . I just wish the boys would come home."

- William F. Abata, a maintenance man whose nephew was killed in an accident in Vietnam two years ago. He said that he reads only the sports pages of the newspaper.

- Mary E. Ostgaard, a former worker in a Head Start anti-poverty program who said she "felt guilty" about not reading the Pentagon papers. On the war, she observed that "we should finish what has been started."

mail-room worker for a De-

- Paul E. Clearwaters, a mail-room worker for a Defense contractor. He called himself "not much of a news-hound" and said that "an unfortunate set of circumstances" had gotten the United States involved in Vietnam.

- Frances L. Morgan, a retired grocery checker whose husband died a month ago. She said she had once seen Ellsberg on the Dick Cavett Show" and that she distrusts the accuracy of the news she watches on television and reads in newspapers.

- Anne M. Wiegand, a former real estate salesman whose husband is a night club piano player. She said, under Judge Byrne's questioning, "I would like to see us get out of Vietnam—but not without dignity and honor for our country."

- Ardis C. Turnbull, a housewife who was on a tourist visit to Washington when the Pentagon papers were first published. Her assertion that "I just don't feel that they (American troops) should be there (in Vietnam)" was the strongest antiwar view of anyone selected for the jury; but she said her view is "not strong enough to march or anything like that."