

Long Haul Indicated in Kissinger Kidnap Plot

THE WASHINGTON POST Thursday, Jan. 27, 1972 A 31

Jury Selection

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HARRISBURG, Pa., Jan. 26—A Navy career man told U.S. District Judge R. Dixon Herman today that he believed ever so strongly, "as the old cliché goes, that no one is guilty until proven."

But the man will not serve on the 12-member jury that will decide the case of seven defendants charged with conspiracy to kidnap presidential adviser Henry Kissinger, bomb tunnels in Washington and raid federal offices.

He was one of five persons dismissed by the judge from the shrinking group of prospective jurors being questioned. Thirteen were questioned today. Now 57 of the original 175 persons called for jury duty have been dismissed for various reasons.

On the stand for more than 45 minutes as the judge, defense and prosecution attorneys began the examination of each prospective juror, the navy man in many ways represented the difficulties the court is expected to encounter during the jury selection phase.

"I'm a Catholic . . . I've never known a priest to be-

come involved to the extent that these priests allegedly did . . . I now have divorced that from my mind," said the man, trying at all points to express himself fully.

Three of the defendants are Catholic priests—the Rev. Philip Berrigan, brought here for trial from Danbury federal prison, and the Rev. Neil McLaughlin and the Rev. Joseph Wenderoth, both parish priests in Baltimore.

The spirits of defendants and their supporters were lifted late today when they learned that the Rev. Daniel Berrigan is to be paroled and that the brothers have been nominated for the Nobel Peace Prize.

Both Berrigan brothers currently are serving federal prison terms for their conviction in 1968 for destroying Selective Service records.

The questioning revealed that more than half of the persons questioned seldom, or never, read newspapers and magazines. And most said they had no views on the Vietnam war.

Asked if she had ever discussed the Mylai massacre, the co-manager of a bar in Lewistown said, "What?"

"You don't know what I mean?" said defense attorney Paul O'Dwyer.

"No," replied the woman, who said she purposely made a point of not reading anything that could lead to arguments in the bar . . . "And we don't allow people to talk about politics and religion." The first day of questioning of individual jurors showed

the prosecution attorneys consistently concerned with whether the prospective jurors would be able to put aside their feelings about the propriety or impropriety of the Vietnam war.

While most said they would be able to table such feelings, one woman said, "I don't know. I've been a mother 25 years. For a mother, children

come first. You are affected by Navy depot and deals at whether you like it or not." Chief prosecutor William Lynch also repeatedly asked witnesses if they would be able to set aside their religious affiliation in judging the evidence of the case.

Questioning of the Navy man revealed that he holds a government security clearance and now works at a near-

least indirectly with ballistic missiles.

He also testified that he "cannot acclimate myself to" people with long hair and unconventional clothing. Defense lawyer J. Thomas Menaker

had suggested that some of the witnesses who are likely to testify in the case would fit such a description.

Saying he was anxious for these people in this "fascinating" case to "have their day in court," the man finally was disqualified after he said he was not sure whether the pressures imposed on him by working for the government in a classified capacity would impair his ability to find the defendants innocent.

Among those prospective jurors dismissed today were a middle-aged woman who is a matron at a jail, and a retired Army officer who said the only magazines he read were Playboy and Better Homes and Gardens and said he had worked in counterintelligence during his more than 20 years in the Army.