

Clearing of Mayday Campers Blamed on Permit Violations

By Maurine Beasley
Washington Post Staff Writer

Deputy Attorney General Richard G. Kleindienst testified yesterday that the government's decision to break up the Mayday antiwar encampment in West Potomac Park did not represent an attempt "to frustrate" the demonstrators' vow to disrupt the city.

Appearing under subpoena at a Superior Court hearing, Kleindienst became the first top administration official to be called to court to answer questions about the govern-

ment's surprise decision to close the encampment on May 2.

The closing came one day before the demonstrators were scheduled to carry out their avowed aim of "shutting down the government." It is under attack in the court action as an illegal move prompted by the government's aim of preventing demonstrators from using the park as a staging area for mass disruptions.

In his testimony Kleindienst said that the decision to lift the permit allowing the group

to gather in the park was made after government officials learned of an "escalation" of violations of drug laws and other statutes at the site.

He also said that the chief attorney for the demonstrators, Philip M. Hirschkop, had agreed with the administration that the situation in the park was "out of control" and that the permit should be lifted.

This assertion was contradicted by Hirschkop, who followed Kleindienst to the stand. According to Hirschkop, Kleindienst told him on Sunday, May 2, that the administration had decided to clear the camp "to gain a tactical advantage for the metropolitan police department for Monday."

Kleindienst appeared in response to a subpoena issued on behalf of 56 persons charged with illegal entry at the park on May 2. They were arrested after they refused to leave voluntarily, police say. More than 200 persons initially were arrested when police cleared the park after the permit was lifted, but charges were dropped against all except the 56.

Kleindienst testified that Hirschkop met with Justice Department officials on May 1 and "volunteered (that) the situation was out of control, that the permit was being flagrantly violated and that it should be revoked . . . I told him we were going to revoke the permit, but I did not choose to tell when it would be revoked."

According to Kleindienst, the crowd at the park "escalated from several hundred . . . to 75,000 to 80,000 by the evening of Saturday, May 1, and reports coming to us about violation of the permit and the criminal laws of the United States escalated in about the same proportion and degree as the numbers escalated."

He cited the violations as

"open, flagrant and notorious violations of marijuana and dangerous drug laws" and of permit stipulations that the demonstrators not put up tents or build campfires, fueled mainly by "destruction of government construction materials and park benches," he said.

Hirschkop testified that he met with Kleindienst on Sunday following breaking of the camp and that there was "no mention of the violation. The only thing he mentioned to me was that they had wanted to head off Monday," Hirschkop continued.