

WEATHERMEN CASE IS DROPPED BY U. S.

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Disclosure of Security Data
Feared by Government in
Trial of 15 Radicals

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DETROIT, Oct. 15—The Government decided to drop a major case against 15 Weathermen radicals here rather than undergo a searching court hearing on how it had obtained its evidence.

Federal District Judge Damon J. Keith, who had issued a sweeping order last June 5 for the Government to disclose whether it had used burglaries, sabotage, electronic surveillance, agents provocateurs or other "espionage techniques" against the Weathermen, granted today the Government's motion to dismiss.

The dismissal was another in a series of cases prepared by Guy L. Goodwin, chief of the litigation section of the Internal Security Division in the Justice Department, that have been dismissed or lost by the Government.

Mr. Goodwin, a roving prose-

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cutor, has directed grand jury investigations against radicals across the country. He brought indictments in the recent Florida case involving the Vietnam Veterans Against the War, in which the verdict was not guilty, and in several Weathermen cases.

The lawyers for the 15 radicals said today that the Government has dropped the case because a wide-ranging hearing would have disclosed illegal acts such as burglary, mail searches and wiretaps to obtain evidence.

Gerald B. Lefcourt, one of the defense lawyers, said in a news conference that the hearing would have shown that a 1970 plan drawn up by the Nixon Administration for domestic intelligence-gathering would have had a really big impact.

President Nixon has said that the proposal, which was

disclosed in the Watergate hearing, "never went into effect."

The main elements of the intelligence plan were breaking and entering, mail covers, which included opening mail and photostating it, and increased domestic wiretapping.

U. S. Attorney's Motion

Ralph E. Guy Jr., United States Attorney for the Eastern District of Michigan, is presenting the Government's motion, said that in an effort to carry out Judge Keith's order sworn statements had been obtained from the White House, the Central Intelligence Agency, the Federal Bureau of Investigation, National Security Agency, the Department of the Treasury, the Department of Defense, the Secret Service and the Intelligence Evaluation Committee of the Justice Department that none of the agencies had engaged in any illegal conduct in the case.

Mr. Guy said, however, that the Government had chosen to dismiss the case because it would have had to handle "foreign intelligence information deemed essential to the security of the United States."

The motion said that Judge Keith's order "permits inquiries which may lead to disclosure of this vital national security information."

The case arose out of the indictment in December, 1970, of 15 Weathermen accused of plotting a campaign of bombing and terrorism during a meeting at Flint, Mich., in December, 1969.

Status of Defendants

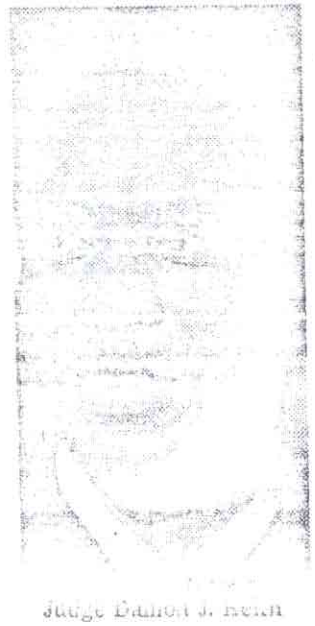
Two of the defendants, Robert Burlingham, now an editor of Ramparts magazine, and Russel Neufeld, who publishes a prisoners' newsletter in New York, turned themselves in at the time of the indictment. Mark Day, now a staffer at West State University in Ohio, turned himself in this fall. Two others, Dianne Doughy, a veterinary nurse and Linda Evans,

who lives on a farm in the Southwest, were captured almost three years ago.

The other 10, which included such prominent Weathermen leaders as Mark Rudd, Bernadine Dohrn and William Ayers, went underground, made it more difficult for them to travel and that shortly thereafter the level of terrorism and bombings had gone down.

Mr. Lefcourt called the case a "malicious prosecution, an abuse of the Bill of Rights from one end to another to punish the defendants" without the aim of ever bringing them to trial. Mr. Guy disputed this, saying that "we had a good case."

At the news conference five of the defendants who did not go underground said that the long litigation over three and one-half years had disrupted their lives, but that it had also made them and, in some cases, their parents more aware of the abuse of Government power.



Judge Damon J. Keith