

Portrays Her as 'Revolutionary Feminist'

Tennessee

Taped Patty Conversation Stirs Dispute Over Rights

SAN FRANCISCO (AP) — A legal dispute erupted yesterday over the taped jailhouse conversation in which Patricia Hearst portrays herself as a "revolutionary feminist."

"I think the U.S. attorney is jeopardizing his whole case by these tricks he's using," Terence Hallinan, Miss Hearst's attorney, said of the tape of Miss Hearst's conversation last Saturday with childhood friend Patricia Tobin.

"I'VE HEARD of taping prisoners in jail before,

(Continued From Page One)

script through public records was "unethical."

U.S. ATTY. James L. Browning Jr., who subpoenaed the tape recording of words between Miss Hearst and a visiting friend, insisted yesterday that it was legal and admissible as evidence. He said the only jail conversations that would be privileged were those between Miss Hearst and her attorneys.

U.S. Dist. Court Judge Oliver J. Cartec said excerpts from the transcript became public because they were included in information given to experts who are to decide if Miss Hearst is mentally competent. He said the transcripts had not been brought before him as evidence.

"The U.S. attorney prepared a summary for the use of psychiatrists and psychologists which included part of the transcript," Judge Carter said. "I have instructed them they can have anything they want."

HE SAID federal rules of criminal prosecution and evidence specify that material given to court-appointed witnesses gets filed with the court clerk and thus becomes part of the public record.

On the tape, Miss Hearst told Miss Tobin that her politics had changed "from way back when" and that she didn't want to be released from jail on bail if it means becoming "a prisoner in my parents' home."

Publicity concerning the transcript brought angry reaction from Patty's mother, Catherine. She and her husband, *San Francisco Examiner* President Randolph A. Hearst, cut short a jail visit with their daughter Thursday night.

MRS. HEARST told newsmen seeking comment on

yeah. It's something you kind of warn all your clients about ... But by the time we were alerted to it and warned her, the tape was already made. The interesting thing was that the FBI knew something about it and was right there and subpoenaed the tape and had them the same day," Hallinan added.

Two days after that conversation, the newspaper heiress signed an affidavit swearing she was brainwashed into cooperating with her captors.

Hallinan said release of excerpts from the tran-

(Turn to Page 12, Column 1)

the transcript they were "a bunch of ghouls" as she and Hearst left the San Mateo County jail where Patty has been held since her Sept. 18 capture.

"You've already condemned Patty in the press," Mrs. Hearst said. "That's what you've done, tried her and found her guilty in the press."

In Sacramento, meanwhile, a deputy district attorney confirmed that law enforcement officers were investigating the possibility Miss Hearst was involved in an April 21 bank robbery in which a woman was killed.

DEPUTY DIST. Atty. Geoffrey Burroughs said of the investigation of the Carmichael bank holdup:

"We are looking at any evidence that would tend to indicate any involvement on the part of the people who were picked up in San Francisco."

Asked if that included Miss Hearst, Burroughs said: "We are investigating to see if there was any connection."

AT LEAST one piece of currency taken in that holdup reportedly was found in the house where Patty was arrested.

Miss Hearst already faces federal bank robbery charges here for her alleged role in the SLA holdup of the Bank of Hibernia two months after members of the terrorist group kidnaped her on Feb. 4, 1974.

San Mateo County Asst. Sheriff Gene Stewart said Miss Hearst's attorneys were told the night Miss Hearst was admitted to the jail that her conversations over the prison's close-circuit telephone line

might be recorded.

"THEY ASKED us if they could inform their client of this and we said of course," Stewart said.

He said tapes routinely are made on most persons charged with felonies "for one purpose and one purpose only, to protect our security. We generally listen to them once and erase them so we can use them over again."

Asst. California Atty. Gen. Edward O'Brien said law and court decisions support the legality of the practice because of the need for security and "the basic idea that a person in jail cannot expect privacy provided in free society."