

# 'Best Friend' of Vet Defendant Shows Up as Government Witness

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GAINESVILLE, Fla., Aug. 17—The fourth in a series of late-revealed government informers in the trial of eight antiwar protesters charged with riot conspiracy testified today that he had continued to inform the FBI regularly about the activities of one of the defendants for the last year.

The informer, Emerson L. Poe, was described by the defendant, Scott Camil, as his "best friend" until he showed up as a government witness this morning.

And the defense is attempting to prove in a hearing before U.S. District Court Judge Winston E. Arnoff that the informer was their own client for at least four days last summer during a grand jury probe that resulted in the indictment of the eight defendants, and continued to be privy to defense strategy because of that attorney-client relationship.

Defense attorney Morton Stavis, saying "There is no case in the litigation history of the United States" that has involved such a situation, immediately asked that the case be dismissed. Arnoff has not ruled on Stavis' request.

Poe denied at the hearing out of the jury's presence that he had passed on any information concerning defense strategy, or that he had been privy to that information. He often became hostile to defense attorneys as they attempted to press him for details of conversations with defendant Camil or about how often they had met since the indictment was returned last year.

The defense contends that the details are necessary, since Poe testified that he called Gainesville FBI agent Claude Meadow "anytime I had contact with Scott Camil." They say practically all of those contacts pertained to

the conspiracy case and defense planning, a contention detailed under oath by Camil's girl friend, Nancy McCoven, who is also a defense legal assistant in the trial.

The appearance of Poe as a government witness visibly shook Camil. A previous FBI informer testifying this week was Charles Henry Becker III, described by defendant Peter Mahoney as his "closest friend." Mahoney said today he would not be surprised if the next government witness "came from the defense table."

Defense sources said that Camil often defended Poe against charges that he was an informer, and that Poe was asked before the trial to help provide background information on prospective jurors.

The dispute over whether Poe's friendship with Camil while an FBI informer and his alleged attorney-client relationship marked an intrusion into the defense camp was the latest in a series of delays in the three-week-old trial.

Judge Arnoff held a series of evidentiary hearings when two FBI agents with electronic gear were found in a telephone wire room adjacent to defense attorneys' offices, at the end of which he ruled that no evidence was found to support defense contentions that their offices were being monitored.

A one-day recess was called at another point when prosecutors turned over 10 hours of tapes made by a government witness, and another one-day recess was called when a member of the sequestered jury became ill.

The defendants are charged with conspiracy to riot at the Republican National Convention in Miami Beach last summer. They claim the charges were fabricated by the Nixon administration in an attempt

to justify the Watergate break-in and discredit the Vietnam Veterans Against the War.

Poe was subpoenaed along with 22 other Vietnam Veterans Against the War to be present at a grand jury hearing in Tallahassee the week of July 10 of last year. It was around this period that the attorney-client privilege claimed by the defense allegedly began.

Defense attorney Dorris Peterson said the relationship began on Saturday night, July 8, when Poe came to Camil's house, where lawyers and subpoenaed witnesses were discussing the case. Miss Peterson said she asked Poe to get another attorney because the defense was already "overwhelmed," but that Poe asked her to be his lawyer.

Later in Tallahassee, according to a hearing transcript read by Miss Peterson, Justice Department attorney Guy Goodwin told a federal judge that none of the persons being represented by defense lawyers—including Poe—were informers.

Assistant U.S. Attorney Jack Carrouth, however, claimed that the only reason Poe signed a retainer form was that "these lawyers from New York"—a reference to defense attorneys who are from the New York-based Center for Constitutional Rights—"were standing at the top of the stairway at the courthouse soliciting witnesses."

He claimed that because of that citation, Poe could not have kept from signing retainers claiming they were his lawyers without disclosing his dual role.

When asked by Judge Arnoff how much of Carrouth's version the defense attorneys disputed, attorney Stavis replied, "Every word." Judge Arnoff then scheduled the hearing on the issue.