

# Berrigan Defense Attacks Informer

Examiner News Services

HARRISBURG (PA.) — The Berrigan defense hammered away today at the past criminal record of government informer Boyd Douglas Jr., including the fact he had passed \$50,000 to \$60,000 in bad checks during the year before he turned 21.

The cross-examination by former Attorney General Ramsey Clark came on the 12th day of testimony in the government's drive to convict the Rev. Philip Berrigan and six other antiwar activists of plotting to kidnap Henry Kissinger.

Douglas denied the FBI had planted him to spy on the activists.

He repeated previous testimony that when he met Berrigan in the Lewisburg, Pa., Penitentiary in April 1970 — where both were inmates — Douglas lied in their initial conversation.

#### Falsified Facts

The 31 year old ex-convict, responding to questions by Clark, who is heading the defense team of seven attorneys, told the conspiracy trial jury that he falsified facts when he told Berrigan he was angry at the government in the settlement of a civil suit for injuries suffered in prison and that he had been promised a parole.

Q.—You were misleading him?

A—Yes.

Q.—The first time you ever talked to him?

A—The first time.

Q.—You told him you wanted to get even with the government?

A—Yes.

Q.—And that was not true?

A—Yes.

Q.—And the FBI told you to tell him that?

A—It did not.

#### Files Demanded

The defense began its cross-examination after a morning argument before U.S. District Judge R. Dixon Herman in which it demanded again that the government supply "everything it has" on Douglas in the files of the FBI and the Bureau of Prisons.

Chief prosecutor William

Lynch objected, calling the demand "a fishing expedition into the Washington files of the FBI."

Lynch said defense lawyers were trying "to change this from a prosecution of these defendants to a prosecution of Boyd Douglas."

Clark brought out that Douglas had smuggled at least one document out of Lewisburg Penitentiary before Berrigan was ever sent there in 1970 on draft board vandalizing charges.

#### Kidnap Threats

A main part of the government case rests on letters between Berrigan and the other defendants that Douglas allegedly smuggled in and out of the prison.

They contained alleged threats to kidnap President Nixon's aide and to blow up Washington federal building heating tunnels.

The seven vigorous opponents of the war in Vietnam are accused also of plotting to vandalize draft boards in nine states.

Clark failed in several attempts to get Douglas to say that the FBI had urged him to begin smuggling letters before Berrigan arrived at the prison. Douglas said he smuggled out an official memo saying Berrigan was scheduled to arrive about two days before the actual arrival.

He took the memo to Professor Richard Drinnon, chairman of the Bucknell University History Department, Douglas said, because Drinnon previously had asked him for information about when the priest was arriving.

#### In Notebook

Douglas said he smuggled the letter inside his classroom notebook, which he used at Bucknell under a prison study-release program.

In the defense's opening attack on the credibility of Douglas Clark said Douglas never went beyond the 10th grade in high school, yet was permitted to enter the study release program

which permitted him to attend classes at nearby Bucknell.

Clark had Douglas go through a long recital of past crimes, including two federal prison terms for forgery, arrest for assaulting an FBI man with a pistol, and several attempts to escape from prison beginning in 1962.

Douglas testified he had been arrested in Acapulco, Mex., at the end of 1962 (when he was 21) and deported to the United States. That was his first federal arrest — when he was met on a footbridge at Laredo, Tex., by the FBI.

"You announced at that time that the FBI had been looking for you for three years," Clark said, showing him a newspaper clipping.

#### Bad Checks

"You also said you passed between \$50,000 and \$60,000 in bad checks in the previous year?" Clark asked.

"Yes, I admitted it in court," Douglas said.

Clark ticked off a list of eight states in which the bad checks had been passed and also asked him about auto theft charges in San Antonio, Tex., and East Lansing, Mich.

"I recall I took a car, but I was never prosecuted," Douglas said.

He said he was arrested for impersonating Air Force and Army officers in 1964 and was "given a discharge by the Army for trial by civil court.

Also listed was a larceny conviction in Hong Kong in 1962. Prosecutor Lynch interposed that the larceny amount was only \$30.

"That makes it \$60,030," Clark remarked.

#### Reno Arrest

Among other arrests were one in Reno, Nev., involving five or six phony checks, one involving a scheme to defraud an insurance company in 1962 in Rochester, N.Y., and one as early as 1958 — When he was 17 — on a charge of writing bad checks in Bellfontaine, Ohio.

Douglas testified the gov-

## Bail for Mrs. Horn Ordered

PHILADELPHIA — (UPI) — Mrs. Zoia Horn, 53, of Modesto, Calif., jailed for contempt last Friday after she refused to testify at the "Harrisburg Seven" trial, has been ordered released under \$5000 bond.

Allen Black, attorney for the former Bucknell University librarian, asked the U.S. 3rd Circuit Court of Appeals to free her on bail yesterday.

The court granted the order pending a hearing tomorrow on Mrs. Horn's appeal of a contempt order imposed by trial Judge R. Dixon Herman in Harrisburg.

Mrs. Horn, imprisoned for refusing to testify despite a grand of immunity, is now employed as head of public services at the Stanislaus County Library in Modesto.

ernment had not given him immunity from prosecution for carrying out the Berrigan-arrival memo and that he had not asked for immunity in the letter smuggling.

He said he met with special FBI agents on a Lewisburg, Pa., picnic ground in early June, 1970, and they "read me my rights and had me sign a paper."

He had been recruited to furnish the FBI information on June 3.

#### Prosecution

"They told me I was subject to prosecution in regard to those letters," Douglas said. "A few days after that, one of the special agents told me the U.S. attorney had declined to prosecute on those letters — that if I wanted to I could assist in the investigation of these individuals.

"That's the only time at all that anything was said about prosecution."

He gave copies of all messages to the FBI, he testified, but the bureau turned down in October, 1970, the \$50,000 price tag he put on his services.

He said he got "several hundred" dollars for expenses and \$1500 for information delivered about a Rochester, N.Y., draft board raid.