

F.B.I. IS ACCUSED OF AIDING A CRIME

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'Camden 28' Informer Says
He Acted as 'Provocateur'
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PHILADELPHIA, March 15—

The informer who collaborated with the Federal Bureau of Investigation in the "Camden 28" case said in an affidavit filed today that the bureau had used him as a "provocateur."

The informer, Robert W. Hardy of Camden, N. J., said the raid on draft board files in Camden last Aug. 22 could not have happened without his leadership.

He had gone to the F.B.I. after learning of the plan last June, he said, "to stop the action" and to see that the group, which included his friends, did nothing that would "hurt" them.

He said the F.B.I., in constant touch with him for two months preceding the raid, told him to watch developments and paid for the gas, trucks, van, tools and groceries needed by those planning the project. Mr. Hardy's affidavit was attached to a pretrial motion filed in Federal District Court in Camden by a lawyer for one of the defendants seeking the dismissal of the indictments against

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all 28.

Mr. Hardy said the defendants lacked the know-how to carry out a raid on the draft files. He added that they had seemed to have dropped the idea until he rekindled interest by instructing them, while working with the F.B.I., in how to detect and avoid burglar alarms, by providing ladders, tools and instruction on how to break into a fifth-floor window of the Camden post office-building with the aid of tape and drills, by providing special bits for use on glass, by providing schematic drawings of the draft board office as well as the entire building, by renting vehicles and by outlining strategies.

The accused were arrested shortly after draft records were removed from the files. Some were arrested in the act of removing the records. They are free on bail on charges of conspiracy, breaking and entering, theft and destruction of Government property and interfering with the Selective Service Act.

Mr. Hardy said he provided the affidavit on Feb. 28 after a meeting in Woodbury, N. J., with the Rev. Michael J. Doyle of Camden, a defendant who has been his parish priest, and David Kairys of Philadelphia, Father Doyle's lawyer. The informer said he supplied the document "because it is important that the truth come out." The informer said the F.B.I. had assured him from the beginning that the arrests would be made before the raid actually took place, that his friends among the "Camden 28" would be prosecuted for nothing more than conspiracy and that they would not go to jail.

F.B.I. agents here told him the raid was allowed to proceed, he said in the affidavit, because "the higher-ups, someone at the Little White House in California, they said, which



Associated Press

Robert W. Hardy

I took to mean someone high in the F.B.I. or Justice Department, then in California, wanted it to actually happen."

Mr. Kairys said in an interview here that "this is not law enforcement, it is the F.B.I. acting illegally as a political force."

"That the F.B.I. was told to make it happen and then to sit and watch it happen indicates that the Government was not interested in preserving those pieces of paper [draft records] but was trying to stop an antiwar movement," he said.

"It is a case of manufacturing crimes to support repressive policies and the political futures of persons in power."

He said the "misuse" of informers was becoming a common F.B.I. technique. He cited the role of Boyd Douglas, an informer in the "Harrisburg 7" case now being tried in Harrisburg, Pa. In his motion seeking dismissal of the indictments, Mr. Kairys charged entrapment in violation of the Constitution and Federal law.

His motion said the crimes

charged to the 28 defendants were committed "by, for and with the indispensable assistance of the Government."

"Without the actions, expertise and material and moral support of the F.B.I. informer," the motion stated, "the conspiracy would have remained abandoned and the entry into the post office building and the destruction of draft board files, which the F.B.I. sat and watched for over two hours, would never have happened."

Today was the final day for filing pretrial motions. The Government has two weeks to answer.

Inquiries of the F.B.I., Justice Department and White House today produced no comment.

"We never comment on matters before a court," the F.B.I. spokesman in Washington said.

Mr. Hardy, who had been an F.B.I. informer in previous cases, said that when he asked the agency what to do in this case he was told to keep agents posted. He did so daily, he said, and was paid on an hourly basis that worked out to a rate of \$60 a day, plus expenses.

In his affidavit, Mr. Hardy said he told the F.B.I. "many times" that the raid "couldn't have happened if I wasn't there."

"I was in command or at least equal to John Grady," he said. This was a reference to John P. Grady, a New York man who allegedly was a leader of the Camden group.

Mr. Kairys praised Mr. Hardy as "courageous" for providing the affidavit and asked the court for a protective order restraining the Government from harassing or harming him.

The Rev. Milo M. Billman, a Camden minister and one of the defendants, said in a telephone interview that he was "delighted" with the affidavit and "astonished" at the depth of the F.B.I. involvement. Most of the defendants are members of the Roman Catholic antiwar Left like those

in the Harrisburg 7 case. The first of a dozen draft board raids by Catholic activists was in Catonsville, Md., in 1968. Among those participating in that raid were the Rev. Philip Berrigan and the Rev. Daniel Berrigan. Father Philip Berrigan is among the seven antiwar defendants in Harrisburg.

Mr. Grady was co-chairman of the Catonsville 9 defense committee. Other defendants in the Camden case are from New York, Boston, Philadelphia, Camden, Washington and other Eastern and Middle Western cities.