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Rev. Philip

Berrigan

Wins Parole

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In a highly unusual move, the United States Parole Board yesterday paroled antiwar priest Philip Berrigan, effective December 20.

The Josephite priest is serving a six-year sentence imposed in 1968 for destroying Draft Board records and a concurrent two-year term that was imposed earlier this year for smuggling letters in and out of Lewisburg Penitentiary to a nun.

The seven-member board's unanimous action was unusual because parole authorities normally defer cases when a prisoner has a conviction under appeal. Father Berrigan and Sister Elizabeth McAlister, who received a one-year sentence for smuggling letters, have appealed the smuggling convictions to the U. S. Court of Appeals in Philadelphia.

"In our judgment, it was a propitious time" to release Father Berrigan, Maurice H. Sigler, Parole Board chairman said. Sigler said the board received a flood of letters on Father Berrigan's case, the heaviest mail since he took over as chairman five months ago. But he said the letters had no effect on the board's decision.

TERM

Earlier this year, the Parole Board had turned down Father Berrigan for parole, but freed his brother, the Rev. Daniel Berrigan, who was ill. Father Daniel Berrigan was serving a three-year term for joining his brother and seven others in

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burning draft records at a Catonsville, Md., Selective Service Board office in 1968.

Several high-ranking Catholic prelates were among those who wrote the board urging that Father Philip Berrigan be released. They included Lawrence Cardinal Shehan, archbishop of Baltimore, and the Rev. Matthew J. O'Rourke, head of the Josephite order.

The board's action surprised friends and associates of the imprisoned priest.

"I can't believe it," said Sister McAlister, who was reached at her convent in New York. "It's great." Because her conviction has been appealed, she has never served any of her sentence.

INTERVIEW

The nun, who has been visiting Father Berrigan weekly, said he was interviewed Monday at the federal correctional institution at Danbury, Conn., by two Parole Board examiners.

"He was impressed by the interview, but we understood the board was not going to hear the results until January and make its decision then," Sister McAlister said.

"We were all surprised," said former Attorney General Ramsey Clark, one of Father Berrigan's attorneys. "We had been gearing up for the hearing in January."

TRIAL

Clark was a defense attorney at the trial earlier this year in Harrisburg, Pa., of Father Berrigan, Sister McAlister and five others on charges of conspiring to kidnap presidential adviser Henry A. Kissinger and to blow up Washington, D.C., heating lines as an antiwar act.

The jury deadlocked on the conspiracy count, voting 10 to 2 that no conspiracy existed, but convicted the priest and the nun on the letter smuggling charges, the only time such a conviction had been handed down.

"I'm overjoyed that at long last Father Philip will be out of prison," Clark said. "We have to be thankful he is out, but releasing him now does not overcome past injustices of the case the government brought against him."

The Justice Department decided in September not to retry the defendants on the conspiracy charge.

REPORT

No conditions are attached to the priest's parole other than the standard requirements that he report periodically to a probation officer and that he travel only with permission, Sigler said.

Father Berrigan's parole plan calls for him to be assigned to the Josephite headquarters in Baltimore, where he will concentrate on minority problems and recruiting persons to work in that area.

Father Philip Berrigan began serving his six-year sentence July 5, 1968, but he was released a few months later as his convictions were appealed. He was returned to prison in April, 1970.

His full term would have expired Sept. 14, 1975.