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## Grand Jury System Is Assailed Here

By LESLEY OELSNER

Prof. Samuel Popkin of Harvard was there, recounting his experiences before the Boston grand jury that is looking into the case surrounding public disclosure of the contents of the Pentagon papers. It was a "humiliation," he said, and a "fishing expedition," with the prosecutor twisting each of Mr. Popkin's answers and even his refusals to answer.

Sister Jogues Egan was there, too—at an all-day conference at the New York University Law School. She told of being called before the grand jury investigation the alleged plot to kidnap Dr. Henry A. Kissinger, and said "it would have been easier" to be indicted herself.

And Colin Neiburger, a self-described "peace activist," said that when he appeared before the Detroit grand jury that was inquiring into the Capitol bombing, the prosecutor peppered him with questions about bombs, but that the grand jurors simply "played poker and solitaire and didn't listen."

There were other such accounts yesterday—of being subpoenaed, questioned, and then often cited for contempt for refusal to testify.

### Allegations Discussed

There were also reports, at yesterday's session on the grand jury system, from prosecutors who had conducted grand jury

investigations, and from lawyers who had defended the subjects of those investigations. There were statements by journalists and by law professors.

Though the conference had been called because of the increasing incidence of grand jury investigations of so-called "political" cases, it was not until late in the afternoon that the discussion turned to that subject and to specific allegations that the Nixon Administration was using the grand jury system for political purposes.

The conference, moderated by Telford Taylor of the Columbia Law School, was jointly sponsored by the Committee for Public Justice, an affiliate of the American Civil Liberties Union, and New York University's Arthur Garfield Hays Civil Liberties program.

### 'Took Us So Long'

Those who had testified before juries recounted their confusion and sense of being "harassed." Prosecutors, such as Edward M. Shaw of the United States Attorney's office here, told how they needed to use the juries' power to compel testimony if the prosecutors were to build their cases.

Only in bits and pieces, such as the testimony of Sister Egan, did the central issue—or allegation—begin to emerge. And so, about 4:30, when most of the participants were shifting about in their chairs after hours of

sitting, a few of the panelists started to try to draw the threads of the discussion together.

Robert Silver, an editor of The New York Review of Books, noted there were "over 18" grand juries across the country who had called "dozens of people who are doing political things—mostly dissident political things."

Martin Fleisher, a professor of political science at the City University, said, "The fact that discourages me, frankly, about this conference, is the fact that it took us so long to get around to the problem."

Peter Weiss of the Center for Constitutional Rights suggested what appeared to be the majority view, that the lawyers should "co-opt" the grand jury system by engrafting onto it such things as the right of a witness to have a lawyer with him in the jury room.

Arthur Kinoy, the civil liberties lawyer, said, "The present Administration is using the institution of grand juries—deliberately—as an instrument of terrorization. There isn't any honest person looking at the present situation who isn't frightened to death."