

# Leslie Bacon Freed In Capitol Bombing Surveillance Issue Voids Charge In Bombing of the Capitol in '71

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By United Press International

WASHINGTON, Aug. 4—The Justice Department announced tonight that it had dropped a perjury indictment against Leslie Ann Bacon in connection with the bombing of the United States Capitol March 1, 1971.

The department said it had sought the dismissal of the indictment and obtained a Federal District Court's permission to do so "because the decision was made not to answer defendant's motions of disclosure of electronic surveillance" regarding the case.

The department would not say what the nature of the surveillance was or what persons were involved. The Fed-

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eral Government recently has dropped several criminal prosecutions as a result of a Supreme Court ruling broadening the obligation of the Government to tell a defendant how prosecution evidence was obtained when it was connected with wiretapping.

Miss Bacon was charged in a Federal indictment last March 24 with perjuring herself in a previous grand jury appearance in which she was questioned about the Capitol bombing.

The charge specified that while she had testified that she had never visited the Capitol building on grounds, she had in fact visited the building and a House office building on Feb. 28, 1971.

She is the only person to be charged with any offense relating to the pre-dawn bombing, which destroyed a washroom in the Senate wing of the Capitol but caused no injuries or major structural damage.

The Justice Department said it did not know the whereabouts of Miss Bacon, who has been free on bond on the perjury charge.

Miss Bacon, then 19 years old, was arrested in Washington April 27, 1971, as a material witness with "personal knowledge" of the March 1 bombing of the Capitol, according to the Government.

She was subsequently flown to Seattle, where she appeared before a Federal grand jury that the Justice Department said was looking into that bombing and other matters

"relating to national security."

The arrest was made by Federal Bureau of Investigation agents during a raid on a youth commune here where Miss Bacon lived with alleged members of the Mayday Tribe, a group that was organizing antiwar protests in Washington.

She lived across the street from Rennie Davis, a prominent antiwar organizer, who charged after her arrest that the F.B.I. had been harassing Mayday Tribe members.

Invoked 5th Amendment

The Seattle grand jury sessions were closed, but Miss Bacon was allowed to consult with her lawyers between questions. They reported that she denied knowing anything about the Capitol bombing, but that she invoked the Fifth Amendment, protection against self incrimination, later when the questioning turned to an attempt May 4, 1970, to bomb a New York City bank.

Federal indictments alleging illegal actions on her part in relation to weapons and explosives associated with the New York incident are still outstanding, the Justice Department said.

The perjury charge was dismissed under a provision of Federal law that permits the United States Attorney General or a United States Attorney to do so "with leave" of a Federal court.

Federal District Judge Walter T. McGovern granted leave in Seattle for the dismissal, the department said.