

Russo Weeps as He Tells Jury About Change in Views on War

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By MARTIN ARNOLD
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LOS ANGELES, April 9 — Anthony J. Russo Jr., one of the two defendants in the Pentagon papers trial, testified for the first time today and wept as he told how his feelings about the war in Vietnam, and finally his life, had been changed by a captured member of the Vietcong.

Mr. Russo readily admitted what he had been saying publicly for months — that he had helped his friend and co-defendant, Daniel Ellsberg, Xerox the Pentagon papers.

But mainly his testimony concerned the war and the emotional effect it had on him.

It was the 66th day of the trial, and the courtroom was packed but hushed. Mr. Russo's first few answers were stilted, but then the words flowed.

He was in Vietnam for two years for the Rand Corporation, he said, mostly interviewing Vietcong prisoners. He said he remembered in particular his interview with a prisoner whose file number was AG-132.

AG-132 was "the strongest man I ever met, his constitution and his personality," the witness said. And then Mr. Russo started to cry.

That prisoner "specialized in the education of young people; his job was to teach them to do theater, to set up group sessions on how to write songs," Mr. Russo said.

"We talked two whole days in that cell, that jail in Saigon," he said. His wife, Katherine Barkley, who does not use the

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name Russo, sat in the first row, her chin in her hand, biting her lip.

Mrs. Patricia Ellsberg sat behind her, tears rolling down her face. Next to Mrs. Ellsberg sat her son, Robert, staring at Mr. Russo.

Voices in Villages

The prisoner, Mr. Russo said, "explained to me for the first time what the people in the villages thought of all this—the voices in the villages had never been heard—and I had thought up to then that the Vietcong were indoctrinated fanatics, but that man was really committed."

"In the second day he recited poetry to me, and he sang some songs to me," Mr. Russo recalled. "Even now, everything about it comes back to me." He apologized for crying.

Mr. Russo, in a sense, has been the forgotten man in this trial. Most of the publicity has gone to Dr. Ellsberg, but Mr. Russo could face 25 years in prison and a \$30,000 fine if he is convicted on the three counts against him—espionage, theft and conspiracy.

Dr. Ellsberg is charged with five counts of espionage and five counts of theft and is jointly charged in the conspiracy count. He could be sentenced to 105 years in prison and fined \$110,000.

Grand Jury Defied

So far, only Mr. Russo has spent time in jail. He served more than six weeks in the summer of 1971 for refusing to testify before a Federal grand jury investigating the case. Many legal authorities believe that had he testified he would not today be a defendant.

Mr. Russo, 36 years old, worked in the development of the nation's first space capsule, as an employe of the National Aeronautics and Space Administration. He is a bulky man with thin hair that is often in disarray. Today it was neatly combed, and he was wearing a somewhat rumpled brown tweed sport jacket.

Normally, he is an affable man, smiling and joking, who greets people as "brother," who often speaks in the jargon of the "revolution" and who refers to the prosecutors, but only in their hearing, as "pigs."

Several times during this trial he has been admonished by the judge for his conduct in court, and once severely so when he wrote the words "the people" on the bottom of an exhibit. Today he spoke quietly



United Press International

Anthony J. Russo Jr. arriving at courthouse yesterday in Los Angeles.

and with easy articulation from the witness chair.

First, his attorney, Leonard I. Weinglass, led him through a series of questions concerned with the criminal aspects of this case, with 10 of the 20 top secret documents in the trial before him, he was asked when he had seen those documents before.

"Back in the fall of 1969 when I Xeroxed them," he answered.

"Previously to that had you ever seen them?" Mr. Weinglass asked. "No," the witness answered.

Since he helped copy them, has he seen them? he was next asked. "Only here in the courtroom," was the answer.

He said that the copying took place on about eight occasions over "several weeks" and that it had been done "over a flower shop at an advertising agency in Hollywood."

One night, he said, "I told myself, 'My goodness, these papers have top secret markings. We should be a little more careful than that.'"

Laughter and Sadness

There was some laughter at that point, but mainly the spectators appeared touched by his testimony. Mr. Russo, after waiting months to tell his story, seemed overwhelmed that the moment had arrived. Most of the spectators strongly favor the defendants, and some appeared to share Mr. Russo's emotion.

He told of working at Rand

on the cost analysis of the F-111 military aircraft, which he said was "so sophisticated that it's still under development."

"It never got off the ground. They sent some to Vietnam, and they crashed," he said.

He told of writing a report for the Air Force on "anti-personnel weapons."

"In Vietnam, half the tons dropped were antipersonnel weapons," he said. "Sometimes they don't go off, and they were attractive to kids. In many areas kids would take them home and show them to their family, and then it would go off and kill them."

Because of his report, he said, "I was kind of secretly hoping that the Air Force would see how bad they were and

stop using them. But they escalated their use, and by now they've dropped six million tons of them."

Refugee Camps Described

He told the jury about the refugee camps in Vietnam and said that "no one ever knows where to go" after a village is bombed out.

"It's a frightful prospect" for the villagers, he said, going to those camps, where "they were supposed to get food and 10 cents a day" subsistence money.

Mr. Russo was born in Suffolk, Va., and was graduated from Virginia Polytechnic Institute as an aeronautical engineer in 1960. In 1961, he entered Princeton as a graduate fellow in plasma physics, then transferred to the Woodrow

Wilson School of Public and International Affairs.

He earned a master's degree in aeronautical engineering in 1963 and a second one, in public affairs, in 1964, both at Princeton. He joined the Rand Corporation in June, 1964, and then spent two years in Vietnam.

Mr. Russo left Rand in January, 1969, having become politically radical. He transferred his interest to the problems of the Los Angeles slums.

At the start of the trial, Mr. Russo summed up his view of the charges against him this way: "Dan is charged with giving the Pentagon papers to me. I am charged with receiving them. Congress and the newspapers received the documents too, but the executive

chose to prosecute me for receiving them instead."

It was Mr. Russo who insisted that such so-called radicals as Tom Hayden, the antiwar activist, be called to testify at this trial. Dr. Ellsberg concurred in the decision, but some of the defense attorneys and consultants opposed it.

Aide to Be Renominated

WASHINGTON, April 9 (AP)

—The White House announced today that President Nixon intended to nominate Benjamin F. Holman to another four-year term as director of the Justice Department's Community Relations Service. Mr. Holman, a former newsman in Chicago, New York and Washington, has held the \$38,000-a-year post since April, 1969.