

Berrigan Defense Claims Informer 'Deal'

Examiner News Services

HARRISBURG (P.a.) — The Harrisburg Seven defense implied today that a key government witness was given unusual privileges — including freedom, a town apartment and money — in Lewisburg Penitentiary once he became an FBI informant.

The implications came during cross examination of Robert L. Hendricks, former associate warden at Lewisburg, about Boyd F. Douglas, expected to be the star witness in the government's attempt to prove that the Rev. Philip F. Berrigan and six other anti-war activists plotted to kidnap Henry A. Kissinger.

Hendricks was asked whether he knew that while Douglas was a "study release" prisoner at Lewisburg, he had an apartment in town, a charge account, a phone in the apartment, once got a \$1500 check and rode in private cars.

Hendricks answered "no" to all such questions.

Meanwhile four reluctant witnesses linked to Douglas and described by the government as integral parts of the alleged conspiracy were granted immunity from prosecution today and ordered to testify.

If they still refuse to answer questions, they could be jailed for contempt. Jane Hoover, 22, Mary

Sandel, 23, Patricia Rom, 26, and Zoia Horn, 53, had invoked the Fifth Amendment yesterday on grounds of possible self incrimination.

U.S. District Court Judge R. Dixon Herman, in signing the immunity orders, said he was protecting the women from all future prosecution in the case, except for perjury or contempt.

The Misses Hoover and Sandel were students at Bucknell University where Douglas was attending classes on a work-study program. Miss Rom and Mrs. Horn were employed in the university library.

Chief prosecutor William Lynch told the jury of nine women and three men in his

opening statement Monday that the coeds and Miss Rom were part of a communications network that helped Douglas smuggle letters in and out of the penitentiary for Berrigan.

Former Attorney General Ramsey Clark, who heads the defense team, charged yesterday the government is guilty of discrimination and illegal use of a prison informer in prosecuting the Harrisburg seven.

Clark sought futilely to cross-examine Hendricks on the propriety of using Douglas for spying while he was an inmate.

Lynch objected to Clark's questions and Herman told Clark: "You're far afield."

He then asked: "Have you ever heard of an indictment of any other individual for transportation of letters in and out of prisons?"

Lynch again objected heatedly and the judge said: "Now, Mr. Clark, you know that's not proper."

"I don't know it at all," Clark said. "It shows the motive of the government."

Then, when he asked whether an open flow of letters was not prison bureau policy, Herman advised him: "You're not going to testify, Mr. Clark. If you want to make a statement, come up here to a sidebar (private conference at the bench)."

"Do you know that in a

penitentiary like Dauphin (the local county) there's no restrictions on letters?" Clark asked Hendricks.

"That's extremely improper," Lynch shouted. "Very improper," the judge said. The matter was settled at a bench conference.

Hendricks testified that the FBI, aided by prisoner-informer Douglas, penetrated a secret communications network set up by Berrigan within 10 days after it began.

Father Berrigan is accused of sending a letter to Sister Elizabeth McAlister from his federal prison cell at Lewisburg, Pa., to plot the kidnaping of Kissinger.