

DATA SHOW ARMY USED INFORMANT

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Court Papers Deal With an Infiltration in Military Trials in West Germany

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WASHINGTON, Sept. 3—The United States Army placed an informant among a group of American lawyers defending soldiers before military courts in West German garrisons, according to documents made public today at the Federal District Court here.

The three-quarter inch sheaf of documents included statements by Army intelligence personnel, cablegrams, and internal reports. It became public in a law suit filed against Secretary of Defense James R. Schlesinger by the American Civil Liberties Union on behalf of the Lawyers Military Defense Committee and several other groups.

The suit charged that the Army had violated the civil rights of American civilian and political organizations in West Berlin and West Germany.

According to the Government's documents, the Army believed that stolen classified documents had been delivered to Senator Lowell P. Weicker, Republican of Connecticut, and John Sheahan, a Bonn correspondent of CBS.

In a statement filed by the Government, it said that the informant was permitted to penetrate the Heidelberg office of the lawyers committee in an effort to gain information about the stolen documents and not to intrude on the lawyer-client relationship. It said that his "case Officer," the army intelligence agent assigned to direct the informant, had forbidden him to become involved in legal counseling.

However, John Shattuck, the A.C.L.U. lawyer, said after the documents were released that "they showed this informant had access to the files and inner workings of the legal office."

It is illegal for the Government to intrude on the privacy of the lawyer-client relationship whether the intrusion takes place here or abroad so long as the client is an American citizen.

The documents also provide a look into how the Army used, directed and paid a secret informant. Certain deletions had been made in the material to protect the identity of the informant, known as number 1351.

The informant was apparently a young American citizen who had established credentials in the antiwar groups around the United States garrison in West Berlin. His case officer, Sgt. Carl E. Maze Jr., filed an affidavit on his activities.

First 1351 reported that Mr. Sheahan had allegedly shown classified military documents to members of the antiwar groups.

Sergeant Maze's affidavit said that 1351 discovered he might get leads to the documents in the Heidelberg office of the lawyers committee and went there posing as a person interested in giving "legal counseling" to G.I.'s. Sergeant Maze said that he told 1351 "that the military intelligence would discontinue its association with him and could not use him if he became a legal counsellor."

Sergeant Maze said that later the informant "described an unsigned letter to Senator Weicker from a Berlin military intelligence agent and military intelligence documents attached to it which he had seen in Heidelberg."

The informant was paid about \$170 expenses for his Heidelberg trip and several \$50 "bonuses" for his information.