

Ellsberg Aide Is Released

Los Angeles

Anthony J. Russo, a controversial figure in the Pentagon Papers case, was freed from federal imprisonment yesterday after he agreed to testify before a grand jury.

United States District Judge Warren J. Ferguson ordered Justice Department Attorney David R. Nissen to convene the grand jury on Oct. 18 for Russo's appearance.

Russo's agreement to testify before the grand jury which indicted Daniel Ellsberg — former Pentagon and Rand Corp. analyst — for allegedly illegally stealing and possessing the secret documents, was tied to three conditions:

- That a stenographer be present at all jury sessions to make a complete transcript.

- That copies of those transcripts be given to Russo within 36 hours of each session.

- That Russo be given the right to divulge the contents of those transcripts to anyone he desires without being prosecuted.

Michael P. Balaban, of the federal Public Defender's office, said he thought the



AP Wirephoto

ANTHONY J. RUSSO
Out of jail

ruling on divulging grand jury proceedings was unprecedented.

Russo went to jail here last August 16 rather than answer questions about Ellsberg and his activities with him when both worked at Rand.

Russo complained bitterly of the treatment he received while in prison here and described guards as "paranoid."

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