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Judge Denies Jury To Ex-CIA Agent

Alexandria, Va.

U.S. District Court Judge Oren Lewis denied former CIA agent Frank Snapp's request for a jury yesterday and opened his book-publishing trial with a warning that "nobody has got a right to divulge classified information."

CIA Director Stansfield Turner then took the witness stand and accused Snapp of breaking his word and damaging the agency by publishing "Decent Interval" — his best-seller about the fall of Saigon — without CIA clearance.

Lewis, in a series of stern rulings, indicated Snapp may have a tough time beating the federal lawsuit that seeks to make an example of him as a means of stopping other agents from writing unauthorized books based on their CIA experience.

Although Snapp's attorneys said the government has not claimed the book divulged any classified matter, Lewis called that a matter of "semantics" and said he disagrees with the defense view of what is classified.

The federal lawsuit before Lewis' U.S. District Court asks to have Snapp found in breach of his CIA secrecy pledge by failing to allow the agency to read and censor the manuscript before publication. As punishment, it asks that all royalties from the book go to the government.

At the outset, Lewis dismissed Snapp's request for trial by jury on the grounds there is no factual dispute to be decided.

He waived aside opinions that wide-spread First Amendment free speech issues are involved and said, "this case is limited to whether the CIA has the legal right to enjoin this man from doing what he acknowledges he has done."

The central issue, the judge said, is: "Does an individual under the basic law of a fiduciary (trust) relationship ... have a right to get inside information, plans, modus operandi, and then resign and divulge it to the whole wide world?"

"We are not going to try the fall of Saigon here," he told Snapp's lawyers at one point, and, cutting off another line of questioning



AP Wirephoto

FRANK SNEPP
Author left courthouse

about CIA leaks, added:

"We are not going to make the CIA be exposed anymore than they have been."

Snapp's attorneys said they could show their client had an oral agreement with agency officials that superceded the terms of the written secrecy oath. Lewis rejected that line of defense.

"I am not going to permit him to bury the terms of this contract," he said. "The contract is very clear."

The defense attorneys seem disheartened.

"Given the court's rulings, there is not much I can do here," one of them told Lewis.

In his testimony, Turner said Snapp had given him "an unequivocal affirmation" before resigning that he would honor his secrecy oath.

"I took Mr. Snapp at his word," Turner said. "I trusted him."

United Press

Solar Hot Water

Geneva

A luxury hotel has inaugurated a solar energy hot water system which, it says, will cut fuel costs by 25 percent.

Reuters