

BLACK CRITICIZED ON D.C. TESTIMONY

Other Psychiatrists of Race Decry Support of Chapin

By PAUL DELANEY

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The testimony of a black psychiatrist in the Watergate case of Dwight L. Chapin, President Nixon's former appointments secretary, has enraged a number of black psychiatrists.

The psychiatrist, Dr. Elvin Mackey Jr., testified in Federal District Court here several weeks ago in support of Mr. Chapin's motion to change the site of his trial. The former White House aide contended that he could not get a fair trial in the District of Columbia, which is 75 per cent black. He contended that the District's black population was anti-Nixon.

Dr. Mackey also gave the court an affidavit describing what he called "widespread feelings of anger, hostility and rage" among the city's black population.

The motion by Mr. Chapin was denied by Judge Gerhard A. Gesell, who termed the contention of prejudice "an affront to the jury system."

Mr. Chapin is charged with four counts of perjury in his testimony before a Watergate grand jury about his relations with Donald H. Segretti, who was convicted in a political espionage case.

Last week, Dr. Mackey became a topic of discussion at the monthly meeting of the Alliance for Psychiatric Progress, an organization of black psychiatrists. One psychiatrist said that blacks in the profession were furious with Dr. Mackey, who has declined to comment on the controversy.

The contention of prejudice and the testimony of Dr. Mackey were criticized by Dr. Charles Prudhomme, a long-time practitioner in Washington.

'Serious Ramifications'

"Dr. Mackey's testimony was unfortunate," Dr. Prudhomme remarked. "It had potentially serious ramifications. All persons who went on trial in connection with Watergate could make the same contention and say they couldn't get a fair trial because the city voted for Senator McGovern in 1972."

Dr. James P. Comer, associate dean of the Yale Medical School, said that Dr. Mackey had made an improper analysis.

"There is no evidence to support his analysis," Dr. Comer said in a telephone interview from New Haven. "He just didn't know what he was saying. He didn't think of the social and political implications. My phone started ringing soon after his testimony, and it's still ringing. Black psychiatrists are furious."

"I think that the way blacks voted in 1972 was an indication that they don't approve of the Nixon Administration. But it does not follow that they wouldn't give people in the Nixon Administration a fair trial. I haven't talked to a single black psychiatrist who agreed with Dr. Mackey."

"If you were to buy that argument, then you could conclude that that is the case for the majority of people in America at the moment."

Several black psychiatrists said that a black lawyer, Belford V. Lawson, 3d, had called them asking them to give the testimony Dr. Mackey ultimately gave.

"I listened to him and tried to talk him out of it," Dr. Prudhomme said. "I told him that kind of testimony, that blacks were incapable of giving fair judgment, would turn back time, that it just wasn't true. Further, I told him it would throw a bad light on the judiciary in Washington."

Several other psychiatrists turned down Mr. Lawson, and

one hung up on him. A psychiatrist said Dr. Mackey refused to comment on any aspects of the matter. Associates said he was sorry he had given the testimony, but that he still believed he had been accurate. They said also he had charged that some of his comments were taken out of context.

One doctor noted that Dr. Mackey had become "only the second black involved in the Watergate mess, and it's too bad he did it this way." The other was Frank Wilks, the security guard at the Watergate complex who called the police after finding a door lock taped to keep it open for the five burglars who were subsequently apprehended.

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