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FBI Admits Violation of Its Anti-Hijack Rules

Nashville, Tenn.

A government attorney said yesterday the FBI acknowledged it violated its own anti-hijack regulations when a small plane landed in Jacksonville, Fla., at gunpoint in October 1971. Three persons, including the pilot, were shot to death.

Neil Peterson, assistant U.S. attorney, said James O'Connor, then in charge of the FBI response to the hijacking, had given written testimony to the effect that the FBI action did not conform to written guidelines.

His comments came during a hearing in U.S. District Court for preliminary motions in the civil suits which ask for a total of \$2.5 million from the government. The lawsuits were filed on behalf of the widow of the slain pilot, the son of the man and wife who were slain and the owner of the Nashville plane.

Gilbert Merritt Jr., the Nashville lawyer who filed the lawsuits, is seeking to force the FBI to make avail-

able to him the text of the anti-hijacking regulations.

Those killed were pilot Brent Downs, 29, and Mr. and Mrs. George Giffe, all of Nashville. Giffe had hijacked the plane, owned by Big Brother Aircraft Inc. of Nashville, and kidnaped his estranged wife at gunpoint.

The twin-engined plane had landed at Jacksonville under orders from Giffe to refuel, theoretically so it could proceed to Cuba.

The lawsuits accuse the FBI of overruling pilot Downs' request to fuel the plane without interfering — and claims that decision resulted in Giffe's shooting himself, his wife and the pilot.

Peterson argued that the plaintiffs in the case did not need to know the regulation in the preparation of the lawsuit, since O'Connor already had admitted that the FBI did not follow it.

He claimed that the security of other airplane passengers required that the guidelines remain secret.

Associated Press