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Carter and 14 others acquitted in CIA case

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P NORTHAMPTON, Mass. — Amy Carter, Abbie Hoffman and the 13 others were acquitted yesterday of all charges stemming from a 1986 campus demonstration against the CIA, a verdict that a defense attorney said "legitimizes nonviolent student protest."

After three hours of deliberation, the jury of four women and two men returned a verdict that was greeted by cheers in the packed courtroom in state Superior Court.

Attorney Leonard Weinglass, a veteran defender of actions involving civil disobedience, said that the outcome "de-legitimizes the illegal actions of the CIA."

A smiling Carter, the daughter of former President Jimmy Carter, used the victory to blast her father's successor.

"This shows that the people don't have to take all the stuff forced down their throats on television by Reagan," she said.

Charged with misdemeanor counts of trespassing and disorderly conduct, which carried jail terms of up to six months, Carter and the other defendants did not deny that they had occupied a building and blocked buses after a protest in November at the University of Massachusetts at Amherst.

Rather, they contended in the eight-day trial that their actions in opposing CIA recruiting on campus were justified because they were trying to stop far worse national and international crimes committed by the agency in Central America.

Using this unusual "necessity defense" as the cornerstone of their case, they marched a parade of former government officials, ex-CIA agents and a now-estranged Nicaraguan rebel leader past the jury.

The defense witnesses included former U.S. Attorney General Ramsey Clark, former CIA agents Ralph McGehee and John Stockwell, and

Daniel Ellsberg, whom Weinglass defended after the release of the Pentagon Papers nearly two decades ago.

They testified that the CIA had consistently violated U.S. law, the Geneva Convention and the U.N. charter by plotting assassinations and the overthrow of governments through covert operations.

The defendants' determined efforts to "Put the CIA on Trial" were accompanied by a continuing side-show outside the courthouse.

Blue-jean-clad pickets urged motorists to honk if they opposed the agency's policies, and the frequent celebrity news conferences, full of idealism and vigor, often seemed more reminiscent of Hoffman's 1960s past.

The trial opened with a bomb threat. An Uncle Sam started appearing daily in the town square with a tattered American flag.

Yesterday, it all proved successful.

"How sweet it is!" Hoffman told a crowd of supporters. "This is just the beginning!"

Those on trial included 12 people who were charged with trespass when they refused to leave the university's Munson Hall following a daylong protest Nov. 24. State police dressed in riot gear finally carried many out of the building.

The other three defendants, including Carter, 19, a student at Brown University in Rhode Island, were charged with disorderly conduct. They had linked arms and sat in front of the buses assembled to carry the protesters away.

In the high-ceilinged courtroom where Calvin Coolidge once argued points of law, prosecutor Diane Fernald argued the case as a simple criminal incident absent of international or political issues.

In closing arguments to the jury yesterday, she said the students could not be excused for breaking the law. They must be held accountable for their behavior, she said, "just as [they] are asking the CIA to be accountable."

Fernald denied that the protest met the criteria for the necessity defense, which requires that a "clear and present" danger must have provoked the students' action. They must have reasonably expected that they could remedy that danger, she said, and must have had no alternative to their illegal act.

"Your verdict, if it is guilty, will not indicate your position on the CIA, it will not indicate your position on foreign policy," Fernald said.

But Hoffman, who represented himself, told the jury, "It isn't the defendants that have operated outside the law. It's the CIA."

He said the demonstration was necessary because grass-roots democracy was dwindling in the United States.

"I hear it from my own kids," said Hoffman, 50. "They say, 'Dad, you're so quaint to have hope.'"

But whether the jury agreed with the necessity defense remained unclear. Its acquittal may have been based on a decision that the defendants had a legal right to be in the university building and thus had not trespassed.

The jurors, whose oldest member was a 77-year-old retired union railroad worker, refused to comment as they were escorted through a back door of the courthouse.

"We expressed our opinion in our verdict," one said.

Weinglass, who said the university had sought a showdown on the case, predicted that increasing numbers of students now will resort to civil disobedience on campuses.

"It will encourage further nonviolent student protests," he said.

At the Central Intelligence Agency spokeswoman Kathy Pherson said the agency would have no direct comment on the verdict.

But she said, "People should be aware that the CIA is an intelligence agency and not a policymaker. We don't make the policies. People have the right to make their protest. That's what it's all about."

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