

The Weathermen and Mr. Civiletti

by Donald Baier

The Chairman of the National Democratic Policy Committee charged Oct. 26 that Carter Attorney General Benjamin Civiletti had acted to quash outstanding federal warrants against Kathy Boudin and other members of the Weather Underground terrorist group two years ago, at the same time Civiletti's Justice Department was concentrating its firepower on securing the Abscam indictment of Senator Harrison Williams (D-N.J.) and other congressmen. Warren Hamerman stopped just short of naming Civiletti as personally responsible for the deaths of two police officers and a private security guard in the Oct. 20 bank robbery shootout in suburban Rockland County, New York, where the notorious Boudin and other Weather Underground leaders were finally arrested. But Hamerman left little doubt that he regarded the murdered law officers as casualties of the Civiletti Justice Department's reorientation away from investigation and prosecution of violent crime in favor of "white collar" sting operations against labor, business, and political leaders like Senator Williams.

"In the wake of the Oct. 20, 1981 terrorist acts of Kathy Boudin," Hamerman said in a statement, "the U.S. Senate should move to conduct a full investigation of the actions by the U.S. Department of Justice in the Weathermen cases. It is not too late to bring those responsible for these needless deaths to justice."

Civiletti is currently telling reporters that "I don't have any particular recollection of events" at the time that federal charges against Boudin, Jeffrey C. Jones, and other Weather Underground fugitives growing out of the 1969 "Days of Rage" riots in Chicago and the 1970 town-house bombing in New York were dropped. Yet he and other Carter Justice Department and FBI spokesmen have previously implied and continue to suggest that the decision was the result of a legal technicality. One such account was given in the Oct. 21, 1979 *New York Times*: "Otis Cox, an FBI spokesman, said in Washington that the warrants had been dropped because the state of Illinois 'dismissed the case.'"

On the same day, the *Washington Post* reported, "The FBI has quietly ended its 10-year pursuit of six Weather Underground leaders, but arrest warrants remain in effect in Cook County [Illinois], a top local prosecutor

said yesterday. State felony warrants charging aggravated assault and mob action by the six continue, First Assistant State's Attorney Barry Gross said."

The Weather Underground was not the only terrorist group to benefit from Civiletti, Hamerman noted:

"In all, 16 persons, either accused fugitives or convicted of crimes stemming from political terrorism were pardoned or had their charges dropped during the time that Civiletti was a top official of the Department of Justice. These individuals include Lolita Lebron, Irvin Torres, Rafael Cancel Miranda and Oscar Collazo, all freed from prison sentences resulting from an armed attack on the U.S. House of Representatives in 1950; Imari Obadele, Addis Adabba, and Karim Njabafundi, all of the Republic of New Africa and imprisoned in 1971 on charges ranging from possession of stolen weapons to murder; Carleton Armstrong and David Fine, wanted in connection with the bombing of the University of Wisconsin Army Research Building in which one student died; and Eldridge Cleaver, former leader of the Black Panther Party faction which worked closely with the Weather Underground."

Police in Mississippi made arrests Oct. 27 in which the "Republic of New Africa" figured prominently. Law enforcement officers increasingly act on the hypothesis that a terrorist command apparatus exists linking a variety of groups, from the FALN to the Weather Underground to the May 19 Coalition, and that the terrorists operate as one network.

A 1974 subcommittee of the Senate Internal Security Committee held hearings on the Weather Underground. The record of those hearings showed, among other things:

- On Dec. 19, 1969, Boudin was indicted by the Cook County grand jury for mob action stemming from the October 1969 Days of Rage.
- On March 6, 1970, Kathy Boudin fled from the Greenwich Village town-house at 18 W. 11th St. after the Weatherman bomb factory at that address exploded.
- On April 2, 1970, Boudin was indicted by a federal grand jury for conspiring to cross state lines to incite riots.
- On July 23, 1970, Boudin was among 13 Weathermen charged by a federal grand jury in Detroit with conspiracy to blow up police stations in New York, Chicago, Detroit, and Berkeley, California.

Former Attorney General Civiletti responded to a reporter's suggestion that it "had been a mistake" for the government to drop charges against Boudin et al.: "Why do you say that? . . . Why would the existence of charges or a particular charge have anything to do with whether these particular acts would have occurred?" When the reporter responded, "They might have been brought to justice," Civiletti objected. "I don't follow what you said," he replied. "There are several leaps of faith there."