

Hearst invokes Fifth Amendment privilege

SAN FRANCISCO (AP) — Patricia Hearst invoked her Fifth Amendment privilege against self-incrimination five times Thursday during a heated legal argument over whether jurors should

hear about a mysterious year in her underground travels.

With the jury out of the room, Hearst's attorney, F. Lee Bailey, accused the prosecutor of trying to obtain information from his young client for use against her "in another criminal proceedings" in the Sacramento area.

"I refuse to answer on the grounds that I may incriminate myself," Hearst said in response to the questions by U.S. Atty. James Browning.

Then the judge, saying he was mindful of rumors that Hearst might be indicted for a second bank robbery, refused to force her to speak of her whereabouts after September 1974. Her account of her travels given in direct testimony ended then.

Browning has sought to introduce evidence that would possibly tie Hearst to plans for other bank robberies after she returned to the West Coast one year before her capture last fall.

Bailey, who told reporters outside of court he no longer considered his client a victim of brainwashing, has maintained that evidence is irrelevant to the April 15, 1974, bank holdup for which she is on trial.

In her first full day under cross-examination, the defendant also said that looking back, she feels that perhaps she should have risked her life and attempted to leave the Symbionese Liberation Army when given a choice about two weeks after the bank robbery.

Browning had asked Hearst whether SLA chieftain Donald "Cinque" De-Freeze had in reality given her the

choice of freedom or remaining behind to fight, as she indicated in a taped "communique" from the underground.

"That was what he told me, but that wasn't a choice," she said, repeating again her contention that she would have been killed if she had tried to walk away.

When Browning insisted that perhaps the choice was authentic, Hearst's voice broke and tears welled in her eyes as she said, "Well, maybe I should have taken a chance."

Hearst wept again a few minutes later when Browning asked her why she had made no attempt to contact her parents.

"I felt that my parents would not want to see me again," said the young heiress.

At that point, her mother, Catherine, sitting front row of the crowded courtroom, bowed her head and cried softly.

When Browning asked if she could not have sent a letter to her parents, she replied, "I just didn't think they'd want to hear about it."

She added she also feared her parents would notify the FBI about any contact with her, and thus endanger her life.

Bailey's comments out of court followed Hearst's earlier testimony that she "is not sure" whether she was indeed brainwashed by her terrorist captors.

Explaining that he does not intend to use the term brainwashing in her bank robbery trial because "it has no medical meaning," Bailey said, "They attempted a thought conversion on her and, as in most cases, it didn't work."

"The process produces compliant behavior," Bailey said, "If it is successful, thought reform is accomplished."

"If that had happened," he said, "I would be defending Tania, not Patty Hearst."

Bailey's comments were in contrast to remarks he made early in the case, that Hearst's brainwashing would be pivotal to the defense. He has said her mental torment resembled that endured by prisoners of war.

Hearst's comment on the subject came during questioning by U.S. Atty. James Browning Jr. He cited her own words from the underground, which ridiculed speculation that she was brainwashed.

Browning referred to taped SLA "communiques" and read from the so-called "Tania Interview," a document found in an SLA hideout in San Francisco after Hearst and William and Emily Harris were arrested last September.

Q. ...When you said on the tape that the idea of your having been brainwashed is ridiculous to the point of being beyond belief, that was true?

A. I guess so, yes.

Q. Do you now feel that you had in fact been brainwashed at any time, Miss Hearst?

A. I'm not sure what happened to me.

During her first hours of interrogation by the prosecutor, Hearst broke into tears repeatedly when asked for details of her captivity. She wiped her nose with a handkerchief and sipped water.



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