

3 witnesses still claim immunity

Associated Press
SAN FRANCISCO — Despite grants of immunity, three persons who reportedly saw a cheerful Patricia Hearst in a Symbionese Liberation Army hideout are battling to stay off the witness stand at her bank robbery trial.

The prosecution planned to call the three again today at Miss Hearst's trial. Its attempt to elicit testimony Tuesday was lost in a protracted legal wrangle.

U.S. Atty. James L. Browning wants the witnesses to testify at a special evidentiary hearing outside the presence of the jury that Miss Hearst apparently stayed with the SLA of her own free will.

U.S. District Court Judge Oliver J. Carter signed a limited form of immunity for the three Tuesday, but the first witness called after Carter's action, Jamellea Mumtaz of Oakland, promptly invoked 5th Amendment protection against self-incrimination.

Attorneys for the other two witnesses, Ronald Tate and Retimah X, both of San Francisco, said each intended to plead the same constitutional right.

All three were called to testify as rebuttal witnesses to counter a move by defense attorney F. Lee Bailey to suppress as evidence a taped admission from Miss Hearst that she voluntarily joined the SLA in the April 15, 1974, bank robbery.

Bailey also does not want the jury to hear the testimony of Thomas Dean Matthews, a 19-year-old Los Angeles area man once held captive by Miss Hearst and SLA members William and Emily Harris.

Matthews testified at the hearing Tuesday that Miss Hearst told him she freely joined the SLA and showed skill and expertise with semi-automatic weapons.

Carter agreed to a form of immunity that does not prohibit prosecution in the future against the three who refused to testify but insures that their testimony at Miss Hearst's trial cannot be used against them.

It was learned the three were neighbors in the predominantly black section of San Francisco where the SLA hid for several months after kidnapping Miss Hearst on Feb. 4, 1974.

SLA leader Donald "Cinque" DeFreeze reportedly introduced them to Miss Hearst, and they said she proudly told them of her revolutionary exploits with the terrorist group. She seemed happy, they said.

Shortly before the bank robbery, Miss Hearst said in a tape

that she had joined the SLA. She renounced that tape during testimony Monday as she did all SLA communiques containing

her voice. She said she feared for her life from the time she was abducted until her arrest last Sept. 18.

Miss Hearst, daughter of San Francisco Examiner president Randolph Hearst, is on trial on charges that she willingly participated in the bank robbery. If convicted, she could receive a maximum sentence of 35 years in prison.

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