

# Plea Bargain Eyed for Karl

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Lawyers for both sides in the Karleton Armstrong case have been bargaining for a deal to permit Armstrong to plead guilty to reduced charges, The Wisconsin State Journal learned Wednesday.

If agreement is reached, Armstrong could raise a political defense to the 1970 bombing of the Army Mathematics Research Center, and the state would avoid a lengthy and costly trial.

Although none of the lawyers directly involved would confirm the plea bargaining talks Wednesday, New York Atty. William Kunstler did.

KUNSTLER, who said he spent several hours with Armstrong last weekend, said Armstrong's main concern is gaining an opportunity to show the relation of the bombing to the war and its weaponry.

Kunstler said he and defense Atty. Melvin Greenberg told Armstrong that opportunity was not likely to come during the trial, since evidence

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WILLIAM KUNSTLER



KARL ARMSTRONG

on the legality of the war has not been permitted in any other trial that was considered "political."

Kunstler said he told Armstrong that the only certain way of getting his message across is to plead guilty and then request a "mitigation" hearing at which he could call any witnesses he liked.

Serious negotiations on a change of plea are believed to have begun earlier this week, and reached a critical stage Wednesday, after a meet-

ing among U.S. Atty. John Olson, the federal prosecutor; Asst. Atty. Gen. Michael Zaleski, the state prosecutor; and Greenberg.

ANY BARGAIN almost certainly will encompass both state and federal charges, although Armstrong's extradition from Canada last March was formally only for trial on state charges.

Armstrong, 26, faces a maximum penalty of life plus 60 years in prison on state charges of first degree murder and four counts of arson; and life plus 70 years in prison on federal charges, which include conspiracy to damage government property and depriving Robert Fassnacht, who was killed in the blast, of his civil liberties.

What was estimated to be a two-month trial on two of the state charges — murder and arson — has been scheduled for Oct. 15, Armstrong's 27th birthday. A plea probably would come before then.

"KARL'S MA'N preoccupation has been with the fact that he wants to present evidence of his motivation going to the war in Southeast Asia and

## Armstrong Counsel Seeks a 'Plea Bargaining' Deal

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the attempts through peaceful means to stop it," Kunstler said.

Although Armstrong obviously could testify at his trial, it is likely that other persons who would attempt to relate the AMRC to the war would be unable to testify, Kunstler said.

He expressed doubts that Armstrong would triumph at a trial where such testimony was excluded.

"He will be convicted. How can he not be?" Kunstler said. "On a conventional basis, the evidence against him is extremely strong."

"I DON'T THINK it is possible to get an acquittal unless the jury is able to look beyond the case to the war," he said.

From the time he was arrested in Toronto a year and a half ago, Armstrong has maintained he is charged with political crimes.

Although he was technically extradited to stand trial on state charges, Olson said earlier this week that Armstrong would be vulnerable to the federal indictments once he was released from jail and "given an opportunity" to return to Canada.

Since his extradition, Armstrong has been in the Dane County Jail in lieu of \$450,000 cash bail.

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