

St. Pierre Hearing Begins

By Diane Maddex
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SAIPAN—The Interior Department hearing judge who was brought to Saipan to preside over the hearing into the Trust Territory's proposed firing of Chief Public Defender Roger L. St. Pierre reportedly told a closed session among the principals yesterday morning that he just naturally presumed the hearing would not be open to the public.

But he was reminded of a new civil service regulation allowing open hearings. And he evidently hadn't counted on the approximately 250 St. Pierre supporters who showed up outside the courtroom an hour ahead of time, peered through the windows and demanded to go into the hearing chambers "as our rights as Micronesians."

"We look like beggars," laughed one. Many of them were students from nearby Marianas High School who, depending on who you talked to, had either been given permission or had staged a walkout in support of St. Pierre.

Putting together comments heard during the three hours the crowd waited for the closed pre-hearing conference to end, it became obvious that those who had come to listen in on the case of the TT versus Roger St. Pierre felt that more than St. Pierre was on trial.

"It's the faith of the United States toward Micronesia.

"We're beginning to get suspicious," said Jose R. Cruz, Tinian's new representative on the Marianas Political Status Commission. Cruz recently made the reinstatement of St. Pierre a condition for the U.S. military's use of Tinian lands.

"This is strike three," he said. "First was Ambassador Franklin Haydn Williams' denial that the military wanted to take over all of Tinian. Then there was the development moratorium.

"And now St. Pierre. The U.S. preaches one thing and practices another. This man doesn't deserve this. He's championed our legal rights, and now the U.S. government is trying to take him away from us.

"We're not kidding," added Cruz about his constituents on Tinian. "No St. Pierre, no military. If the U.S. doesn't want him, we don't want the U.S."

There were cries of "right on" from others listening.

About 150 of St. Pierre's loyal following were able to squeeze into the courtroom seats and standing spaces after lunch when the public portion of the hearing finally began. Those involved in the hearing are guessing that it could last one week—or two or

three—with a final decision from the Interior Department or TT several months later. Until last week, it was not even certain that the grievance hearing would begin yesterday as scheduled. In an attempt to first get a definitive ruling on St. Pierre's government employment status, his attorney, Lawrence Speiser, sought an injunction in federal court in Washington to stop the hearing. This was denied Monday as premature and St. Pierre was told to go through with the hearing first, said Speiser. For the grievance hearing that St. Pierre requested in May, the TT government has bowed to the jurisdiction of the Interior Department. Robert C. Snashall of Portland, Oregon, a hearing judge from the department's Office of Hearings and Appeals, is presiding.

Francis F. Grambo of the department's Office of the Solicitor in Washington was sent to present the government's case against St. Pierre. Following Grambo's opening statement, the questioning of the government's first witness was conducted entirely by Marshalls District Attorney Russell W. Walker.

Speaking briefly and so softly that few could hear, Grambo presented the government's charges that St. Pierre should be dismissed from the post he held for 11 years because he used his public office for private gain, violated Interior Department regulations and failed to supervise an employee.

The TT has charged that St. Pierre improperly accepted a \$7,500 fee in 1969 from a Marshallese woman for representing her in obtaining the \$45,000 estate of her adoptive father. Anibar Timothy, the public defender representative in Majuro, has admitted that he also received \$7,500 from the woman, Mrs. Totha Samuel, plus \$1,500 of St. Pierre's fee.

In the face of these charges over the years, St. Pierre has asserted that he has committed "no legal, moral or ethical wrong" and that a ruling by a former TT Chief Justice allowing public defenders to accept fees in certain civil matters applies to his case.

During the pre-hearing conference, St. Pierre and Speiser agreed to stipulate to a statement of certain "facts not in issue" presented by the government. They did not accept as an unquestionable fact the events surrounding the acceptance and subsequent use of the fees.

Also stricken was a reference to St. Pierre's representation of Mrs. Samuel in his official capacity as public defender.

Mrs. Samuel, 39, was the only witness to take the stand yesterday. Cross-examination of her testimony by Speiser had just begun when the hearing was recessed until a late evening session.

St. Pierre intends to call witnesses from throughout the Trust Territory.

His attorney was director of the American Civil Liberties Union's Washington office from 1959 to 1970.

Dr. St. Pierre's supporters think he will win his case?

"I don't think he can win here," said Cruz. "The presiding judge is from the Interior Department, the High Commissioner answers to the Interior Department.

"But if he appeals to a federal court, then I think he'll get a fair trial."