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# U.S. rejects early parole for Mandel

Washington (Special)—The full nine-member U.S. Parole Commission has rejected former Governor Marvin Mandel's appeal for early release from prison, upholding an October decision by a lower panel that he not be freed before May 14, 1982.

The commission also refused early parole for W. Dale Hess, a co-defendant in the political corruption trial, but reduced by four months the earliest possible release date for another co-defendant, Harry W. Rodgers, to January 13, 1982. The lower panel originally set that release date at May 14, 1982.

Since last May, Mr. Mandel and Mr. Rodgers have been serving their three-year sentences at the federal prison facility at Eglin Air Force Base in the Florida panhandle. Mr. Hess is at the federal prison at Maxwell Air Force Base in Montgomery, Ala.

The commission, which reached its decision here Thursday and announced the finding yesterday, was the last stop in the appeals process for the three men, who had objected to the decision of a four-member panel of commissioners that met October 2.

Bob Stevenson, a Department of Justice spokesman, said yesterday that the decision was not appealable. However, other sources said that though there was no direct appeal, there were other avenues available, such as filing suit in the courts to challenge the parole commission's guidelines for release.

Mr. Mandel's lawyer, Arnold M. Weiner, said yesterday that he was not certain whether he would do that.

As for his client's reaction to the ruling, Mr. Weiner said the former governor was disappointed with the decision but "I am certain that he will face the future with the same determination he has exhibited over the past five years and that he will make the most of his lot."

A Baltimore radio station, speaking with Mandel by telephone, said the former governor believed the decision meant he was being treated differently than any other prisoners, "even those involved in Watergate."

"I have been surprised all along by the action because of the . . . severity of it and the fact that I am totally denied parole," he said.

Mr. Mandel, Mr. Rodgers, Mr. Hess and three businessmen, Irvin Kovens, William Rodgers and Ernest N. Cory, were convicted in 1977 of mail fraud and racketeering in connection with a scheme to influence legislation affecting the now defunct Marlboro race track.

Last month, Mr. Kovens, who has been in declining health, was released from the federal prison in Lexington, Ky., where he underwent heart bypass operations.

William Rodgers is serving a one-year sentence in a Baltimore work release program. Mr. Cory, the only defendant who was not imprisoned, was placed on probation.