

# **Marlene Chalmers Locked Up, Then Let Go ; Judge Sets \$ 50,000 Bond In Immigration Case**

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**Byline:** Bill Miller , Charles W. Hall, Washington Post Staff Writers

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## **Body**

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**Marlene Chalmers** spent several hours in a federal **lockup** yesterday, but it could have been a lot worse. She could have spent the entire weekend in jail. She got so hysterical when five federal agents came to get her on Friday night, the feds backed off.

This is the round of adventures titled: "**Marlene**, the Deportation."

Yesterday the agents returned to **Chalmers**'s condominium in Alexandria and, in an agreement worked out with her lawyers, finally accompanied the estranged wife-or-companion of billionaire Jack Kent Cooke to the **Immigration** and Naturalization Service's office.

For a while, it looked as though she would remain in the government's custody at least overnight as authorities prepared for a deportation hearing. But thanks to some last-minute heroics by her lawyers, **Chalmers** was freed on a \$ **50,000 bond**.

She left the INS office in Arlington in a limo.

Now the government's long-running battle to deport **Chalmers** appears headed to a federal courthouse in Alexandria, where her lawyers intend to open a new, last-ditch **set** of appeals stemming from a 1988 deportation order.

The past few days have been especially tumultuous because an **immigration** appeals panel recently turned down her appeal to remain in the United States. That ruling is why the five INS agents came to her door Friday night at the Watergate at Landmark complex. INS officials said they were following the usual procedures in handling likely deportees.

But **Chalmers** wouldn't **let** the agents in, **setting** off a long standoff.

Her lawyers worked out an unusual compromise in which **Chalmers** could stay in her place over the weekend, but had to surrender yesterday. In the meantime the INS agents would check **up** on her by hanging around the complex and by calling her regularly to make sure she was there.

The details emerged at a hearing late yesterday afternoon before U.S. District **Judge** Claude M. Hilton. **Chalmers**'s attorneys -- Robert S. Bennett, Thomas A. Elliot and Laura Ingraham -- had rushed to the courthouse to get a **bond**

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set so that Chalmers wouldn't have to spend the night in a Manassas jail, where the INS had intended to take her. Bennett complained repeatedly during the hearing about the federal agents' tactics in arresting his client.

"She became quite hysterical in the apartment because they were going to take her into custody," said Bennett, who took the case that night. "We had a very dangerous situation, we thought."

Bennett is a veteran attorney and player on Capitol Hill who was special counsel to the Senate Ethics Committee during the Keating Five investigation and who now represents embattled Rep. Dan Rostenkowski (D-Ill.). He contended that there was no reason to lock Chalmers up in the first place, let alone to handcuff her and perform a full body search, as the authorities did in Arlington yesterday morning.

"The INS wants to say that she wants to flee, but the nature of the whole dispute is she wants to stay here," Bennett said. "She wants to stay in Washington. ... It would be a terrible injustice for this lady to be locked up."

Assistant U.S. Attorney Rachel Ballow cited media reports of Chalmers being spotted last month at the Mexican villa of David Chalmers, who, depending on whether you believe Jack Kent Cooke, is either her current or former husband. She noted that one reason Marlene Chalmers's INS appeal was turned down was because she had left the country at least seven other times while appealing a deportation order, in apparent violation of federal law. Ballow urged the judge to set a \$ 1 million bond. "Here's someone who has the resources to do many things."

Hilton decreed, however, that Chalmers "is obviously not going anywhere," and he criticized the agents for showing up at her doorstep late Friday, saying: "Everybody can play cute. These Friday evening arrests are calculated for one thing, and that's to keep somebody in jail over the weekend."

The judge set the \$ 50,000 bond about 4:15 p.m., giving the legal team 45 minutes to post it at the clerk's office. They beat the deadline as Chalmers, who did not attend the court hearing, waited in her tiny cell at the INS office.

Chalmers was smiling as she left the office by limo before 6, waving cheerily to a horde of reporters.

"Thank you very much!" she yelled out. And then, "Bye, everybody."

She rode off before answering one very important question:

Who is paying for all this?

Jack Kent Cooke, asked last night if the bills would be coming to him, declined all comment, except to say that he was "just enjoying a glass of wine." He sounded in remarkably good spirits.

## Graphic

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PHOTO, A SMILING MARLENE CHALMERS LEAVES THE INS OFFICE IN ARLINGTON YESTERDAY AFTERNOON. HARRY NALTCHAYAN

## Classification

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