

Wiretap Disclosure Hurt Crime Fight, Justice Aides Feel

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Disclosures this week of wiretapping by agents of the Internal Revenue Service have dealt a stunning blow to the Federal Government's drive against organized crime, informed sources here believe.

The highly publicized anticrime effort has been deteriorating ever since President Kennedy's death, Justice Department sources said. Now, the disclosures before Senator Edward V. Long's subcommittee that some antiracketeering agents have violated the rights of privacy of suspects is likely to cripple the effort even more.

The revenue service had been the most important cog in the anticrime operation, producing the evidence for 60 per cent of the convictions. Now, with the revenue service's methods under attack, the entire effort may founder, the officials said.

At the end of the four days of hearings on illegal wiretapping by revenue agents in Pittsburgh, a high Justice Department official summed it up in these four words:

"This will kill us."

Conversations with Justice Department lawyers, revenue service officials and men who have left the drive on organized

Continued on Page 26, Column 1

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N.Y. TIMES 7-18-65

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SETBACK IS NOTED IN FIGHT ON CRIME

Continued From Page 1, Col. 5

crime produced similar reactions.

The drive had been getting by, these sources said, on the momentum it generated when President Kennedy was alive and Senator Robert F. Kennedy, then the Attorney General, was its driving force. The decline, it was reported, started on the day of President Kennedy's death.

"The next day we stopped getting information from the FBI on the Bobby Baker investigation," said a young Justice Department lawyer. "Within a month the FBI men in the field wouldn't tell us anything. We started running out of gas."

Of the 28 agencies that funneled information into the Justice Department's Organized Crime Section, the Federal Bureau of Information had been second in importance to the revenue service, the sources said.

Change by the F.B.I.

Since President Kennedy's death the F.B.I. has virtually pulled out of the effort. F.B.I. agents, the sources said, now work on their own cases, give little information to lawyers assigned to the organized crime effort, and submit their cases directly to local Federal attorneys for prosecution.

Senator Kennedy's power as the President's brother was necessary to the anticrime drive, one lawyer said, because the tough cases all had political overtones. He recalled that the

Justice Department had convicted Judge Vincent Keogh, brother of Representative Eugene J. Keogh of Brooklyn, Mayor George Chachariz of Gary, Ind., and Mayor John C. Kubachi of Reading, Pa.—all Democrats.

Nicholas deB. Katzenbach, the present Attorney General, makes the same statements that Mr. Kennedy did about pressing cases involving political corruption, the sources said.

Mr. Katzenbach has backed up the men, and there have been no reports of intervention from the White House. But the number of political cases has fallen off, the sources said, because the agents are not so certain that they will be protected.

Independent Specialists

Another element in the early successes was the development by Mortimer M. Caplin, former revenue service commissioner, of an eager group of antiracketeer specialists, who reported directly to Washington and were not closely supervised by the district and regional directors.

But Senator Long, a Missouri Democrat, disclosed this week that some agents abused this freedom by engaging in illegal wiretapping. As a result Sheldon S. Cohen, the present revenue service commissioner, promptly ordered his local directors to assume close supervision of the organized crime drive.

"I would hope we can maintain a high rate of efficiency in the organized crime drive. We will devote the same amount of man hours to it that we did before," he said yesterday.

But if the close supervision has a curtailing effect, Mr. Cohen said, "it would be a necessary effect."

Attorney General Katzenbach

tried to soften the impact of the hearings by appearing as a surprise volunteer witness Monday. He praised the achievements of the anticrime effort and called for enactment of a Federal law to legalize wiretapping in national security cases.

But after the disclosures of wiretap abuses in Pittsburgh, and the statement on Thursday of President Johnson's strong policy against wiretapping, Justice Department officials admitted privately that the wiretap bill had no chance now.

Mr. Katzenbach presented statistics to show an impressive increase in convictions in each of the last four years. But figures for the first six months of this year show a slight decrease from last year in both indictments and convictions.

However, most lawyers in the Organized Crime Section said that statistics were unreliable as

indicators of success in their business.

"One Vito Genovese is worth 25 dons pushers," one said.

Two significant signs of deterioration in the drive on organized crime, the sources said, are that some of the best young lawyers from the 1951-1963 period have left, and that morale is low among the ones that remain.

Could the momentum of the anticrime effort have been maintained if President Kennedy had lived?

"Looking back, I think Robert Kennedy's drive on crime was a national reform movement, and like local reform movements, it would tend to be a cyclical thing," said Ronald Goldfarb, a former lawyer in the Organized Crime Section who now writes books on legal subjects.

"But it would not have died. The Kennedys could have picked it up again," he said. "I don't think it can come back, as things are."

One Element received immediate ^{death} benefits