

# Protest Leader's Phone Was Tapped

The Justice Department has disclosed that it tapped phone conversations of Mayday protest leader Bradford Lyttle, but in connection with a national security investigation, not Lyttle's arrest May 6 for assaulting a policeman here.

The government made the disclosures in documents filed Wednesday in Superior Court. The documents were filed after Lyttle's attorneys demanded that the government reveal when, where, why and whether Lyttle's conversations were tapped.

In their documents, the government acknowledged only that it had performed the taps. It provided the court with transcripts of the tapped conversations in which Lyttle participated, but asked that they be kept secret for reasons of national security. For the same reason, the government refused to disclose any other details about the taps.

Defending the refusal, U.S. Attorney Thomas A. Flannery said in a memorandum that the government is only required to release transcripts and details about the taps if the taps were performed illegally.

"It is our contention that (the taps on Lyttle were) . . . lawful," Flannery wrote.

Lyttle, a cochairman of the People's Coalition for Peace and Justice, one of the groups that led the Mayday demonstrations here, was arrested May 6 in front of the Justice Department and charged with assaulting a policeman with a bullhorn. His trial is scheduled to begin early next year.

Lyttle's voice was overheard by FBI agents, at a place that

was not his premises, according to one document filed in the case by Attorney General John N. Mitchell. The "overhearings," Mitchell said, "occurred on various occasions during the course of national security electronic surveillance."

That surveillance, which Mitchell said he had authorized, "was deemed necessary to protect the United States against the overthrow of the government by force or other unlawful means, or against any other clear and present danger to the structure or existence of the government," Mitchell wrote.

Asked for further details about the security investigation, a Justice Department spokesman said he could not elaborate beyond what was in the documents.