

U.S. Probes Alleged Spying,

Bugging Ended Plan to Name Wilson to DEA

By John M. Goshko
Washington Post Staff Writer

The Ford administration dropped plans to make former D.C. Police Chief Jerry V. Wilson head of the Drug Enforcement Administration because of fears that his nomination would become entangled with allegations that Washington police used electronic bugging to spy on antiwar groups.

Investigation of the bugging incidents, some of which allegedly took place during Wilson's tenure as chief from 1969 to 1974, have contained no suggestions that Wilson himself was involved in any illegal surveillance activities.

Nevertheless, it has been learned that

concern about possible embarrassing publicity prompted the sudden decision by the White House last month not to nominate Wilson as head of the agency spearheading the federal drive against narcotics abuse.

At the time, there were published reports that the administration dropped Wilson because it expected heavy Senate opposition to his confirmation. According to these reports, the nomination was opposed by Senate liberals, resentful of Wilson's handling of the 1971 "May Day" antiwar demonstrations, and by conservative senators, angered by his advocacy of reduced penalties for marijuana possession.

Wilson told The Washington Post that this was the reason cited by Deputy Attorney General Harold R. Tyler Jr. when Wilson was informed that he was no longer under consideration for the DEA job. Wilson said, "I was told that there was concern about a major and difficult confirmation fight and that they didn't want to go through such a battle."

However, The Post has determined that there was no visible opposition to Wilson in the Senate. A canvass of senators named in various reports as opposed to his nomination failed to turn up any who said that they would have voted against him.

Instead, the reports of an expected tough

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confirmation fight resulted from leaks apparently inspired by the White House to disguise backing way away from Wilson.

According to reliable sources, the White House had no evidence to suggest that Wilson personally was involved in any illegal electronic surveillance or that he had any knowledge of such activities. But, the sources added, there was a feeling that he bore the ultimate responsibility for anything that happened in the D.C. police department during his time as chief.

As a result, the White House decided that to proceed with his formal nomination would cause the bugging allegations to surface and create unfavorable publicity for the administration and for DEA, already troubled by controversy and criticism.

Asked about this, Wilson said yesterday that the bugging allegations had never been mentioned to him by administration officials as a possible bar to his getting the DEA post. He did concede though: "We had very extensive discussions about the whole range of intelligence activities while I was chief, and I could tell it was a subject about which they were nervous."

In these discussions, he said, he had reported details of two bugging incidents during his time as chief. Both, he asserted, were legal because one of the parties involved consented to the monitoring.

He described one as a joint operation of the D.C. police intelligence unit and the Secret Service. The other, he said, had

been referred to publicly in the Rockefeller commission report on domestic intelligence activities and the D.C. City Council's investigation of the "May Day" disturbances.

"I wasn't aware of them at the time they occurred because our procedures called for approval from the deputy chief in charge of intelligence rather than me personally," Wilson said. "But I had no reason to hide them. They were perfectly legal; and if they had come to me, I would have approved them."

The decision to drop Wilson apparently caused some friction between the White House and the Justice Department. Although Wilson was not nominated, it was known that the Justice Department had picked him in June as its choice for the DEA job and that the White House initially had concurred in the recommendation.

Sources said that the Justice Department had argued for going ahead with the nomination. The department reportedly took the position that Wilson was not accused of any wrongdoing and that his connection with the bugging allegations was so peripheral that it did not represent a block either to his confirmation or to his ability to effectively head DEA, which is part of the Justice Department.

However, the sources added, this position was opposed by persons on the White House Domestic Council, who emphasized the risks of too much adverse publicity; and in the end, it was their argument that prevailed.

Burglary by D.C. Police

Radical Groups Said to Be Target of 'Bugs'

By Timothy S. Robinson
Washington Post Staff Writer

Federal prosecutors are conducting an extensive investigation of detailed allegations that undercover Washington police officers and FBI informants used apparently illegal electronic surveillance methods to spy on radical groups here between 1968 and 1972.

The prosecutors have been told by former law enforcement officers and police informants that electronic "bugs" were hidden in rooms and placed on telephones and that police officers committed at least one burglary to spy on the radicals, according to sources familiar with the investigation.

Some of the information gathered in this manner was then shared with the Secret Service and the Central Intelligence Agency, the sources said, and the CIA allegedly provided at least one of the electronic bugs and other technical assistance for the surveillance.

The month-old investigation by the U.S. attorney's office here is still focused on gathering details of specific instances of allegedly illegal activity and determining whether high-level D.C. police or FBI officials were aware of any of it, the sources said. U.S. Attorney Earl J. Silbert said yesterday he could not comment on the investigation.

However, Silbert has met with D.C. Police Chief Maurice J. Cullinane to discuss

the investigation and assure it high priority. The FBI, CIA and Secret Service also were informed of the investigation when their possible involvement was discovered.

The Justice Department and the Senate select committee chaired by Sen. Frank Church (D-Idaho), both of which are conducting broader investigations of CIA violations of its charter, are also being kept informed of the probe's progress.

Sources familiar with the prosecutors' investigation said they have been told that surveillance occurred with "some frequency" at the height of antiwar organizing here and increased at the time of major protest demonstrations.

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The sources said that one alleged burglary involved a police officer who broke into a home or office and removed a "specific and significant" piece of property. There were other occasions, the sources said, when informants and undercover agents allegedly rifled files or photographed documents without search warrants, although they did not break into any buildings.

"Some of the (undercover) agents were told to get information," said one law enforcement officer involved in the investigation. "They got it the best way they could."

There is no evidence at this point that top police, FBI or CIA officials instructed any of their agents or informants to commit illegal acts or plant electronic recording devices, the sources said.

Two officials of law enforcement agencies being investigated by the federal prosecutors blamed any allegedly illegal electronic surveillance on untrained police officers who were college graduates newly hired for undercover work.

These undercover officers were told that recorded conversations could be used

legally if one party actually taking part in the conversation was aware of the bug, one source said. However, some officers may have left recording devices in rooms or telephones while they were not present, which would be illegal, the sources said.

The statute of limitations would bar prosecution now for illegal wiretapping that occurred before 1970. However, illegally obtained information may have been used in criminal prosecutions and disclosure of that now could result in reversals of convictions or civil suits charging government misconduct.

During the period involved in the federal prosecutors' investigation, 1968 to 1972, Washington teemed with antiwar groups, ranging from the Quakers to the admittedly violent Weather Underground, each protesting the war in Vietnam in its own way.

It was the responsibility of the D.C. police department, under then Chief Jerry V. Wilson, to compile information on the activities of these groups, monitor major demonstrations and try to determine in advance when violence might occur.

The Rockefeller Commission report on domestic activities of the CIA revealed that the CIA also was monitoring antiwar

and other dissident groups during that period, collecting information on them as part of its nationwide Operation Chaos.

The CIA and D.C. police also placed informants within various dissident groups in the Washington area, according to the Rockefeller Commission, but there have been no previous allegations of electronic surveillance.

The D.C. City Council held hearings last July on the Rockefeller Commission's information about the activities of the D.C. police department's intelligence unit, including the fact that it kept raw intelligence files on local activists and politicians.

Chief Cullinane had previously acknowledged that the CIA had provided technical assistance for the local police's

intelligence activities, including the outfitting of "two lamps capable of intercepting oral communications." Cullinane did not explain the need or use of such equipment in his report to the City Council.

The Rockefeller Commission gave this version of that incident:

"In late 1968 or early 1969, CIA asked to provide the (D.C. police) department with transmitters which could be planted in several lamps to be placed in the apartment of a police informer who frequently met with members of dissident groups. The lamps were provided to the CIA and the transmitter devices were installed in the lamps...The lamps were then placed back in the police informer's apartment by the police."