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U.S. Should Attempt to Call Garrison's Bluff

In New Orleans there is a district attorney named Jim Garrison who has made an all-out gamble that in this country a prosecutor can get away with anything, and so far his gamble looks good. There is, however, one small chance of stopping him, and that is what this column is about today.

American criminal justice is full of cases where prosecutors have abused their office with impunity, but the records show few parallels for the ruthlessness with which Garrison has apparently violated the rights and liberties of various individuals in building up his Kennedy assassination extravaganza.

He has concocted so many different plots to explain the president's murder that it is impossible to recall all of them. Likewise, it would take a computer to keep up with the endless charges of conspiracy, perjury, bribery, etc., he has brought against an incredible cast of characters, especially those who have either opposed him or not played ball.

Garrison played it safe at first by concentrating on convicts, ex-convicts, sex deviates, dope addicts and various underworld inhabitants. Nobody cared too much what happened to them.

But now the huge, 6-foot-6 district attorney is resorting to raw intimidation to stop others, including the press, from exposing his methods of gathering evidence to support his weird conspiracy charges. His latest victim is Walter Sheridan, a respected reporter for the National Broadcasting Company, whom he has charged with attempted bribery.

If Garrison gets away with this, no critic of his investigation will be safe from prosecution on one charge or another. They may all be acquitted in the end, but the prospect of indictment and trial, even on trumped-up charges, is well calculated to frighten off opposition.

Sheridan's investigation in New Orleans was part of NBC's admirable television expose of the district attorney's assassination circus. After the broadcast, Garrison struck back by accusing Sheridan of trying to bribe one of the prosecutor's conspiracy witnesses.

Where is all this going to end? A few weeks ago Garrison's unofficial chief investigator, William Gurvich, quit in disgust, saying the prosecutor "has no case against Clay Shaw—there is no case." And then he added, "My complaint is the way people have been treated. No human being should be ruined and disgraced because of another man's irrational theory."

But what can the victims do? One alleged witness has sued Garrison for \$50 million for slander, but prosecutors are historically immune from such suits. Both the Louisiana and the American Bar Associations have been asked to disbar Garrison, but no action is in sight. The New Orleans Crime Commission has asked the Louisiana attorney general to investigate the prosecutor, but he says he doesn't have the authority.

Some days ago I went over these facts with Lawrence Speiser, the director of the American Civil Liberties Union in Washington. Speiser, an established authority in his field, believes there may be an

answer, and that it lies in the possibility of the Justice Department seeking a criminal indictment of Garrison on charges of depriving individuals of their constitutional rights (Section 241, 242, Title 18, U.S. Code). In a letter to Atty. Gen. Ramsey Clark, Speiser says:

"District attorneys must, of necessity, have wide discretion in utilizing their offices for law enforcement and prosecution purposes. Nevertheless, it seems apparent that Mr. Garrison is indiscriminately using his power to bring criminal charges in order to intimidate those who disagree with him. Such activities do not appear to be an effort to arrive at the truth, but, instead, to silence critics."

The Speiser letter urges Jus-

tice to make an "immediate investigation" of the district attorney's activities. Clark has already shown his devotion to civil rights and civil liberties, and he has also made it known that he is not impressed with Garrison's wild charges, but the Speiser request presents Justice with two problems.

The first is that there have been few successful prosecutions under the statute in question, but as against that there have been few cases where the apparent transgressions were so blatant. The other problem is that Garrison undoubtedly would try to make local political capital by charging federal interference. Still, that is a small risk to take if there is some chance of making Garrison face up to a reckoning.