

Files on Sacco-Vanzetti Are Released; Frankfurter Phone Tap Authorized

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FRAMINGHAM, Mass., Sept. 12—State police officials today released their files on the Sacco and Vanzetti murder case, including a document authorizing a wiretap on Felix Frankfurter, then a defense attorney for the Italian anarchists who were executed here in 1927.

State police were ordered by the Massachusetts secretary of state's office on Aug. 24 to make their records on the case available to the public.

State Public Safety Commissioner John F. Kehoe Jr. had objected to disclosing the material on the grounds that "the right to privacy does not cease when an individual dies."

Bending to appeals from historians and the news media, Massachusetts Secretary of State Paul Guzzi finally ruled that a state law, which exempts from public inspection investigatory materials whose disclosure would prejudice effective law enforcement, was not applicable in this case.

Following a massive search of police files in several storage areas throughout Massachusetts, the state police finally released the 1,100 pages of documents today.

The papers include trial transcripts, memoranda, letters and investigatory reports from the controversial case.

Among the paper was found a letter dated Aug. 1, 1927, from Massachusetts Attorney General Arthur K. Reading, authorizing the commission-

er of public safety to tap the telephone or telegraph wires at the Duxbury home of Frankfurter, a Harvard law school professor, to obtain "official information."

Frankfurter served as a defense attorney for Sacco and Vanzetti and wrote a scorching article in Atlantic Monthly magazine calling for a new trial for the pair in April of 1927, shortly before they were electrocuted.

Nicola Sacco and Bartolomeo Vanzetti were executed in Boston in Charlestown Prison on Aug. 23, 1927.

They were convicted of a payroll robbery at the Slater and Morrill shoe factory in the old mill town of Brockton, about 20 miles from Boston, and of killing a guard and the paymaster.

Interest in the case recently surged with the issuance of a proclamation by Gov. Michael Dukakis, calling the Sacco-Vanzetti murder trial unfair because of prejudice against foreigners and a national climate of political intolerance.

Kehoe said today he would not make a judgment on the significance of the just-released information because "it is obvious that this is not a complete set of records on the entire case."

"I have no explanations for the wiretap," he told reporters at a news conference here, "and I am not furnishing my opinion on the documents. There is just not sufficient material to make an opinion."

Author Roberta Struss Ferierlicht, who spent about 10 years researching and writing her account of the Sacco-Vanzetti trial and execution, "Justice Crucified," called the wiretap by the prosecution of the defense, "absolutely unscrupulous."

"We know Sacco and Vanzetti didn't receive a fair trial," she said. "The fact that the prosecution was so desperate as to tap Frankfurter's phone shows just how unscrupulous they were."

"Somebody wanted them killed," she said. "And they were willing to go to any lengths to convict them."

Ferierlicht, who also founded a New York-based group called "The Committee for Justice for Sacco and Vanzetti," said each new piece of evidence uncovered fills in historical gaps in the case and points to the pair's innocence.

"If enough new information is uncovered we may eventually be able to really prove that Sacco and Vanzetti were innocent," she said.