

POST JAN. 11, 1967
Bobby Baker
Figure to Get
\$903,232

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The Justice Department must pay \$903,232 in damages to Fred B. Black Jr., a once-prominent Washington lobbyist and former business associate of former Senate aide Robert G. (Bobby) Baker, because the FBI illegally eavesdropped on him 12 years ago in a Washington hotel room, a federal judge ruled yesterday.

The ruling by U.S. District Court Judge Charles R. Richey marks the first time the federal government has ever been ordered to pay damages growing out of an illegal surveillance, according to attorneys for the Justice Department and for Black.

"I'll be damned," said Black, when informed of the award by a reporter yesterday afternoon. He hastily added that he probably will never see any of the money, since the government has outstanding tax bills against him that his attorneys said totalled \$900,000.

The ruling apparently ends—at least on the trial court level—a series of criminal and civil cases arising out of the FBI's placing an illegal microphone in a wall of Black's suite at the Sheraton-Carlton Hotel on Feb. 7, 1963.

The bug operated for 2½

See BLACK, A4, Col. 5

BLACK, From A1

months and there have been reports that information gathered on the illegal tap, pertaining to some of the country's highest political officials at the time, was disseminated to various law enforcement agencies.

The Justice Department said yesterday that no decision had been made on whether to appeal Judge Richey's order, which followed a three-week trial last summer to assess the amount of damages against the government.

In awarding the money to Black, Richey expressed displeasure that the Justice Department had refused to turn over documents during the trial relating to the surveillance. The Justice Department had claimed executive privilege on the documents, a claim rejected by Richey nearly a year ago in a ruling in which he said, "Any evidence which concerns the government's illegal acts are not privileged."

Since the documents were not turned over, Richey said, he had to accept Black's claims as to the harm caused by the surveillance.

Of the total award, Richey granted \$843,232 to Black for lost income.

Before the FBI hid its microphone in Black's hotel suite walls, he had been making at least \$542,779 a year, according to his tax returns.

However, after the eavesdropping went on and reports on it were filed with the Organized Crime and Racketeering Section of the Justice Department and 26 other government agencies involved in the

fight on organized crime, his income dropped to \$4,500 in 1965 and \$2,500 in 1966, according to Richey's opinion.

Black was indicted in March, 1963, on criminal income tax evasion charges, and convicted in May, 1964.

But during Black's appeal of that conviction, the U.S. solicitor general informed the Supreme Court of the illegal bugging, saying further that FBI reports about it were "captioned anti-racketeering since these dealt with [Black's] possible affiliation with organized crime activity in the U.S." The solicitor general made it clear that there was no sug-

gestion that "any wrongdoing on the part of [Black] was uncovered by the monitoring."

Black, 60, is unemployed and has been involved in various business ventures over the past few years, all of which failed, Richey pointed out.

Richey awarded \$80,000 to Black for loss of reputation as a result of the illegal spying.

He said Black had been under "enormous mental and psychological stress and strain" as a result of his two criminal trials and the public linking of his name with organized crime, and had been "embarrassed and humiliated."



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