

The Washington merry-go-round

F-Pack
8/21/75

Jack Anderson

With LES WHITTEN

WASHINGTON — The prevailing political lore has Richard Nixon and Richard Daley written down as mortal enemies. According to Republican gospel, the Chicago mayor was to blame for Nixon's presidential loss in 1960.

As knowledgeable Republicans tell it, Daley "stole" the 1960 election from Nixon by stuffing the ballot boxes for John F. Kennedy in greater Chicago. This supposedly cost Nixon the crucial votes that lost Illinois and, thereby, the nation.

But whatever sleight-of-hand Daley may have executed with the 1960 ballot count, the former President doesn't hold it against him. We have the word of witnesses who heard Nixon say so.

Not even the men around Nixon knew how their boss felt about Daley until the Saturday after the 1970 congressional elections. They were gathered at the Key Biscayne, Fla., presidential retreat for a political post-mortem.

It was a back-stabbing session, with the likes of H.R. Haldeman, John Ehrlichman, Charles Colson and John Mitchell proposing appropriate punishments for their political enemies.

Mitchell brought up Daley's name. The time for retribution had come, he suggested, for the 1960 transgression. As attorney general, Mitchell promised happily that the mayor would be "cut to shreds" by a Justice Department investigation. Obviously, Mitchell expected an approving comment from the President. But there was dead silence; Nixon was impassive. The conversation started to move uneasily to another subject.

Then Nixon spoke. Witnesses recall his emphatic words. He said: "Dick Daley always met me when I came to Chicago. In 1968, he rode in from the airport with me. Oh, he's a brass-collared Democrat. But he's a patriot. He has always supported me whenever the country was at stake, and I don't care if he's a Democrat or a Republican, I like him."

It is a matter of record that the Justice Department ripped into the Daley political machine. But "hizzoner," for some reason, was never touched.

TAINTED TRANSCRIPTS: The House intelligence committee is now investigating our charges that inaccurate FBI transcripts have jeopardized the rights of the accused in federal prosecutions.

Chairman Otis Pike, D-N.Y., has sent two lawyers, Tim Oliphant and Dick Vermeire, to examine over a hundred pages of transcripts, which the FBI has stamped as "Evidence" in criminal

investigations.

We have already checked these transcripts against the original tapes. We found more than 30,000 errors, many of them serious. Working with us was Washington's celebrated private eye, Dick Bast, who is now assisting the congressional attorneys.

Meanwhile, we have also examined the transcripts that were used to help convict Oklahoma's former Gov. David Hall and codefendant W.W. "Doc" Taylor of attempted bribery charges.

Using a simple \$29 cassette player,

made in Taiwan, we were able to detect hundreds of errors in the transcripts. One government transcript, for example, quotes the governor as telling his secretary of state, John Rogers: "I want you to do something that will help us both and . . . (inaudible)."

But when we listened, we heard Hall clearly say: ". . . and won't have anything to do with the state." In other words, the governor wasn't asking Rogers for a favor that had anything to do with his state duties. Yet not until the two defendants were well on their way to conviction was an amended FBI transcript made available, with an accurate transcription of the inaudible phrase.

But other mistakes were never corrected. For example, the government charged that an attorney named Kevin Mooney had sought to bribe Rogers on defendant Taylor's behalf. Rogers is heard on the tape demanding bribe money from Mooney in exchange for letting Taylor handle the investment of \$10 million in state pension funds.

In a clear voice, Mooney states that Taylor was "most concerned and pretty much shook up" at the idea of a bribe. But the government transcript makes it read that Taylor was "less concerned and pretty much sure" to pay the bribe.

Again, Mooney declares "I can't" pay the bribe. But the transcript reads, "All right now," which gives exactly the opposite meaning.

Mooney is also heard on the tape as warning Rogers that a cash bribe "would ruin you and him." But the government transcript omits this crucial statement as "unintelligible."

Once again, Mooney tells Rogers flatly that "I ain't in this," meaning he wants nothing to do with the bribe attempt. But this is also marked "unintelligible."

Finally, Rogers demands: "Are you going to pay me or not?" We heard Mooney reply clearly: "I wouldn't." Yet his answer, according to the government, is "unintelligible."

Another time, Mooney declares that Taylor is aware he would be "disobeying the f law" to pay cash. Yet this is recorded in the official transcript as "he's just being a f liar."

In addition to the errors, there are long, unexplained gaps in the tapes, some sounding suspiciously like erasures.

Yet the FBI certified the accuracy of the final transcripts, the Justice Department used them at the trial and federal Judge Fred Daugherty, though he barred them as evidence, allowed them to be used in cross-examination and arguments.

U.S. Attorney William Burkett, the prosecutor, admitted to us that even the FBI-approved tapes contained numerous errors. He insisted, however, that the errors did not effect the outcome since the jurors were able to listen to the scratchy tapes for themselves. A veteran lawyer at the Justice Department told us that someone should be "hung" if the errors were made intentionally.