

2 Wisconsin Bar Groups Probe FBI Bugging of Lawyer's Office

By Edward S. Kerstein

Special to The Washington Post

MILWAUKEE, Wis., Dec. 11

An FBI agent's testimony that he installed electronic eavesdropping equipment to monitor conversations in a Milwaukee lawyer's office in 1963 is being investigated by a committee of the state bar of Wisconsin and the Milwaukee Bar Association.

Joseph E. O'Connell, an FBI agent made the disclosure Nov. 3 before Federal Judge Omer Poos in Springfield, Ill., during the income-tax evasion trial of Frank P. Balistrieri, a Milwaukee night club operator.

O'Connell did not identify the name of the lawyer, but attorney Maurice J. Walsh, Chicago, chief counsel for Balistrieri, disclosed in open court that O'Connell had broken into and bugged the downtown office of another Balistrieri attorney—Dominic H. Frinzi—from April 22 to Oct. 3, 1963.

Walsh's disclosure was based on 84 pages of documents purporting to show the reports of monitoring by 23 FBI agents assigned to eavesdrop on the conversations of Frinzi and three of his law associates—Nicholas Catania, Edward Neubecker and Angelo Greco, who also is a Wisconsin Assemblyman.

Walsh had asked Judge Poos on Nov. 15 to order the Government to produce the FBI's

tape recordings and logs of all monitored conversations in the office of Frinzi.

The Government did so but Walsh contended the records were incomplete.

"All that was given to us were conclusions and editorialized comments of what the FBI agents heard in their eavesdropping activities," he said. "As far as the FBI electronic surveillance is concerned, the Government has furnished only what it wanted to.

"We don't have the names of the FBI agents who monitored the conversations in Frinzi's office. We want the opportunity to question them as to the extent of the information they obtained from the bugged conferences in the law office."

Charles McNelis, a Washington trial lawyer in the tax division of the United States

Attorney's general office, told Judge Poos that the tapes on which conversations from Frinzi's office were recorded had been erased. He said there were no other records of the monitored conversations than what the Government had turned over to the defense.

Judge Poos told Walsh that he had studied in chambers the FBI monitoring reports and had concluded that the logs showed "the material monitored had nothing to do with this tax case."

"I have deleted from the trial of the case all of the wire bugging evidence obtained through FBI monitoring; I have also excluded all illegally obtained evidence in the raid of the bookkeeper's apartment," he said. "What else can I do?"