

Maryland-Virginia briefs

Pomerleau Files Suit Against Probe

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BALTIMORE (AP)—Four persons, including city Police Commissioner Donald D. Pomerleau, have asked the federal court to declare a state Senate committee probe of alleged illegal police spying unconstitutional.

The suit, prepared by former City Solicitor George L. Russell Jr., was filed Thursday with U.S. District Court Judge R. Dorsey Watkins. No date has been set for hearings in the case.

Besides Pomerleau, the plaintiffs include Maj. Bernard F. Norton, head of the department's Inspectional Services Division; Joseph W. Pugh, an ISD officer, and Terry Josephson, a former ISD officer who left the department in 1971 but returned this year as a patrolman.

The suit said the five month-old investigation by the Constitutional and Public Law Committee into charges of illegal surveillance by the ISD has violated the plaintiffs' constitutional rights.

It described the investigation as a witch hunt and a star-chamber proceeding designed to force Gov. Marvin Mandel to remove Pomerleau as police commissioner.

It also said the committee was trying to make political capital during the probe and accused Sen. Edward T. Conroy, committee chairman, of injecting "his own personal political prestige into the controversy by his public utterances so as to destroy any possibility of objectivity."

The plaintiffs said they represent 43 present and former ISD members who have been affected by the investigation which "deliberately exposed them to conviction in the public mind of criminal conduct."

The Senate committee investigation began earlier this year following reports that the ISD had complex files and spied on politicians and other public figures.

A city grand jury that looked into the charges ad

journalized earlier this month without returning any indictments in the case. The panel's preliminary report said it had found no evidence of criminal activity by the ISD.