

## Pomerleau Refuses to Testify

# Pomerleau Refuses to Testify

2/19/75  
By Edward Walsh  
Washington Post Staff Writer

ANNAPOLIS, Feb. 18 — A lawyer for Baltimore Police Commissioner Donald D. Pomerleau said today that Pomerleau would not appear as scheduled tonight before a Maryland Senate committee that is investigating charges that Baltimore police have conducted illegal surveillance of political figures and others.

In a letter to the Senate Constitutional and Public Law Committee, George L. Russell Jr., a former Baltimore city solicitor and now Pomerleau's lawyer, said he would appear in place of the police commissioner. Sen. Edward T. Conroy (D-Prince George's), the committee chairman, said later he had approved this arrangement.

Contending that the state Senate is "being used as an instrument to disrupt the last bastion of order in Baltimore," Russell also argued in his letter that the entire investigation is illegal and immoral.

The investigation, Russell charged, amounts to a "daily rehashing of past ac-

tivity solely based on the statements of those who would like to change our system of government other than by the lawful process of the law."

The Senate committee was to meet in a closed-door session tonight to hear witnesses, including Pomerleau, testify about alleged illegal and improper surveillance activities by the intelligence unit of the Baltimore police department.

The investigation was authorized by the Senate after a series of newspaper articles charged that agents of the department's inspectional services division (ISD) have spied on newsmen, clergymen and political figures, including Russell himself when he was a candidate for mayor of Baltimore in 1971.

At a public hearing here last month, Pomerleau urged approval of a resolution that authorized the investigation and said his own men would be willing to testify in secret.

In his letter, Russell said he would appear tonight in place of Pomerleau.