

# Senate authorizes probe of police actions

AP 1/30/75

ANNAPOLIS (AP)—The Maryland Senate, in action unparalleled in the memory of its members, authorized a standing committee Wednesday to conduct an investigation of police surveillance activities.

The probe, which could begin hearing testimony next week, will focus on the Baltimore City Police Department but could expand to include others in the state if the Constitutional and Public Law Committee feels there is evidence to warrant the broadening.

A resolution authorizing the investigation and giving the committee power to subpoena witnesses passed 29-17 after opponents unsuccessfully argued that allegations of illegal police spying should be considered by state's attorneys and grand juries, not the legislature.

Sen. Frederick C. Malkus, the Dorchester County Democrat who is the Senate's senior member in terms of service, said he could not recall in his 28 years in Annapolis a similar mandate being given to a standing committee.

The resolution was introduced by Sen. Verda Welcome, D-Balt., in the wake of

published allegations that the Inspection Services Division (ISD) of the Baltimore Police Department had conducted illegal surveillance.

The alleged spying was directed at politicians, clergy, members of the news media and activists in civil rights and anti-war organizations, according to the published accounts.

Donald D. Pomerleau, the city police commissioner, denied before the committee earlier this month that ISD agents had conducted illegal spying on persons not tied to actual criminal wrongdoing.

Pomerleau said the ISD regularly forwarded copies of its surveillance reports to the Baltimore mayor and state attorney general as well as other law enforcement agencies, such as the FBI.

It was expected that Pomerleau—whom no senator defended during the floor debate—will be one of the first witnesses called to testify under oath.

Sen. Edward Conroy, D-Prince Georges and the committee chairman, said the subpoena power won't be used "unless people we consider vital to the

investigation refuse to appear."

During the debate on the resolution, several senators voiced concern that they may have been targets of police surveillance.

"I would say that every one of us has been under surveillance," said Sen. Alfred Lipin, D-Agne Arundel. "My phone at home and in my office clicks like everyone else's."

Lipin voted against the resolution, however, saying he thought the probe would produce grandstanding by politicians and spread unnecessarily to other police departments.

Malkus, who also opposed the measure said: "I was investigated by the FBI." He did not elaborate except to indicate it was connected with a political campaign and that nothing came of it.

Sen. Harry McGuirk, D-Balt,

supported the resolution with this statement:

"All of us have the feeling of surveillance, all of us have the feeling our phone is being tapped, that we are being taped.

"If we can only prove some of these allegations are false, we can allay the fears of the people of the city and of the state," McGuirk said.

Conroy said that although the primary focus of the probe will be Baltimore City, the committee also will look into vague allegations that unconstitutional surveillance may have occurred in Anne Arundel and Baltimore counties.

Supporters of the broadly worded mandate to the committee defeated several attempts on the floor to restrict the investigation to Baltimore City.