

# Probe by U.S. Agents Political, Mandel Says

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Gov. Marvin Mandel made an extraordinary telephone call last year to Attorney General Richard G. Kleindienst in which he complained that federal agents in Maryland were investigating him and trying to embarrass him politically.

In the call, Democrat Mandel said he told Kleindienst, a Republican, that state police would arrest federal agents in Maryland if the agents continued to try to distribute a photograph taken at a political fund-raiser that showed the governor with a twice-convicted Baltimore nightclub owner.

Mandel's political sensitivities about federal investigators are shared by some other Democratic governors.

"I resent this activity," Mandel said he told Kleindienst. "You've got 45 agents in the state and I've got 400 or so state police. I'll have them (the federal agents) trailed.

"If they so much as spit on the sidewalk, I'll have them locked up," Mandel recalled telling the United States' top law enforcement officer.

Kleindienst, who confirms the telephone conversation, but denied that Mandel made such a threat — "He did not threaten me in any way" — assured Mandel that the investigations of the strike force, a group of federal agents, were in no way directed at the gover-



GOV. MARVIN MANDEL  
... 'I resent this ...'

nor and were not political in nature.

While Kleindienst would not reveal the details of the conversation, other sources have confirmed that Mandel complained about a photograph of himself and Bernard Brown, a well-known

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figure on "the Block," Baltimore's gaudy East Baltimore Street strip. Mandel believed the picture was seized by federal agents and then offered by them to television stations.

Kleindienst specifically declined to say whether the photograph was discussed. Mandel said the photograph was taken at a political fund-raiser.

The Washington Post has learned that the Mandel-Brown photograph was offered to two Baltimore television stations, but it is not known who made the offer. The photographs were never shown on the air.

Mandel said recently he believed that at the time of the photograph incident, the strike force was seeking to link him to underworld figures.

The governor's suspicions, which he and many other Maryland Democrats still hold, stem in part from the increased activities of federal law enforcement agencies in the Baltimore area, particularly the strike force.

Mandel recently disclosed his conversation with Kleindienst at a time when a federal grand jury in Baltimore County investigating alleged contract kickbacks there.

The governor's revelation followed the well-publicized federal indictment of a Democratic state senator, Clarence Mitchell III, on income tax charges and the dramatic arrest of a Demo-

Democratic member of the House of Delegates, James A. (Turk) Scott, on federal narcotics charges.

Scott's arrest was preceded by a series of page-one stories in the Baltimore News-American saying that an unnamed member of the legislature was under investigation. Mandel attributed the stories to leaks from federal agents and became further alarmed, he said, when he learned that a second television station had come into possession of the photograph.

To many Democrats, including the governor, the arrest of Scott in the shadow of the State House suggested an attempt by either the strike force or George Beall, the Republican U.S. attorney, to embarrass Maryland Democrats their seat of power.

Mandel's suspicions are shared by some other Democratic governors and when they gathered last month in Ohio for a session of the Democratic Governors Caucus they discussed what they felt was the increasing politicization of the federal anticrime effort.

Gov. John Gilligan of Ohio, interviewed later, said, "I would have thought it heresy a few years ago to say it, but I think FBI and Justice Department are a thoroughly political operation. I don't think there is any question but they said, 'You rake over those guys (Democratic governors) and

if you can get anything on them, nail them to the wall.'"

In Maryland, much of the suspicion is centered on the Federal Strike Force, an inter-agency group composed of investigators from various federal agencies. The Strike Force, unlike the grand juries and the investigations carried out by the U.S. attorney's office, does not report to authorities in Baltimore, but directly to the Justice Department in Washington.

Since moving into Maryland in 1970, the Strike Force has caused the indictment of 72 persons. One of those indicted — and convicted — was Bernard Brown, the man in the controversial photograph.

Brown and Mandel have known each other for years; Mandel was Brown's attorney more than a decade ago. They have met twice since Mandel became governor in 1969, Brown said, and each time a photo was taken of the two together.

In May, 1971, a nightspot Brown once managed was raided by Strike Force agents during a sweep of "the Block." Brown and others say the agents found a photo of Mandel and Brown in the club's office. Brown said the photo was taken by his own photographer at a 1969, \$100-a-person fundraiser for Mandel.

"When you go to a fundraiser, you go for a picture," Brown said. "You're not go-

ing to pay \$100 for a goddam corned beef sandwich."

He said another photo was taken at a different time by a Mandel photographer when Brown visited the governor to seek state aid for handicapped children. He couldn't remember when the second photo was taken.

Federal sources confirm that the strike force has one or both of the pictures, but they deny that federal agents leaked the photos to either WJZ or WBAL. A federal source said the pictures were being held as evidence, but he would not say against whom or in what connection.

Nevertheless, Maryland officials, including Mandel and his staff, are convinced that the pictures were given to the press by federal agents.

Mandel said he made his call after Kleindienst became attorney general, (March 31, 1972). Kleindienst, who has since resigned but is serving pending Senate confirmation of Elliot L. Richardson, could not recall the date of the call.

"He (Mandel) was very upset and expressed his concern that the strike force over there was unfair and unjustly pursuing investigations against certain persons, so far as he was concerned, for political reasons," Kleindienst said in an interview.

"I said I didn't know anything about it, but would find out and call him back. I made two or three inquiries and assured him that my investigators in Maryland were not prosecuting anyone for political reasons."

Kleindienst characterized the conversation as "pleasant" and "brief," which is not the way Mandel and his aides describe it.

Kleindienst observed that it is "always easy to believe that it (an investigation) is for political purposes."

"I always require that if we're investigating a Democratic office-holder we have more evidence than in a normal case," the attorney general said.