

# 11 Federal Narcotics Agents Face Trial

By ANDREW H. MALCOLM

Special to The New York Times

ALTON, Ill., March 5—The Federal Government will take 11 of its own narcotics agents to trial here tomorrow, charging them with violating the constitutional rights of innocent persons.

The trial, before Judge Omer Poos of Federal District Court for Southern Illinois, stems from a half-dozen drug raids conducted by the men in southern part of the state last April.

During the raids, which were widely publicized and known collectively as the Collinsville Incidents, the agents allegedly broke into six private homes without the required warrants, assaulted two men and jailed a third for three days without charge. No illicit drugs were found.

The outcome of the trial, which should last about a month, is expected to set crucial precedents for any other trials growing from mistaken drug raids. A nationwide investigation by The New York Times last year found such raids to be widespread among police forces on all levels of government.

The trial also places John F. Conroy and Miss Michael James, the Government's chief prosecutors for the trial, in the unusual position of seeking convictions that could cost the Government substantial sums in damages from more than \$1-million in pending civil suits filed by the raided families.

The 17-count indictment,

handed up last Aug. 24, named William C. Dwyer, Kenneth R. Bloemker, Dennis R. Moriarty, Dennis W. Harker, Michael Hillebrand and Leon Phillips, all of the Federal Bureau of Narcotics and Dangerous Drugs, which is now part of the new Drug Enforcement Administration.

Also named were Tom Teyssier of the Alcohol, Tobacco and Firearms Bureau and Calvin Culp of the Internal Revenue Service. Three St. Louis policemen assigned full

time to the Federal Office for Drug Abuse Law Enforcement, which also has since been merged with the Drug Enforcement Administration, were indicted, too. They are Ronald J. Olive, Donald W. Spicer and Daniel J. Duffy.

### Separate Trials

The special grand jury also charged Lester J. Anderson, a policeman in East St. Louis, Ill., with perjury and impersonating an agent of the Federal Bureau of Investigation. In addition,

THE NEW YORK TIMES, WEDNESDAY, MARCH 6, 1974

## in Illinois Today on Charges Stemming

Mr. Dwyer and Mr. Hillebrand were accused of lying to the grand jury, and Mr. Bloemker, Mr. Harker and Mr. Phillips were accused of conspiring to obstruct Federal authorities investigating the raids. All of these charges have been severed from this trial, however, and will be tried separately here next month.

All the accused agents have been suspended indefinitely without pay.

The trial will begin at 10 A.M. central daylight time,

with the 71-year-old Judge Poos who was appointed by President Eisenhower in 1958, hearing and ruling on numerous defense motions for dismissal on various grounds, including charges that Federal prosecutors prejudiced grand jurors by their "belligerent" questioning of defendants.

The courtroom is in the Federal Building in downtown Alton, a city of 39,000 people on the Mississippi River about 30 miles northeast of St. Louis. Until now, the city's biggest

claim to fame was an incident that occurred on Nov. 7, 1837, when a pro-slavery mob shot and killed Elijah P. Lovejoy, a crusading Abolitionist editor trying to protect his printing press in a warehouse that the mob had set ablaze.

But Alton is not far from a string of small Illinois cities where drug agents allegedly kicked in doors, ransacked homes and held terror-stricken families at gunpoint without search warrants last spring.

On April 19, 20 and 23, the

## From Mistaken Drug Raids

grand jury alleges, the agents raided homes occupied by John Meiners of Edwardsville, Robert Underwood, Pamela Gitto and Mr. and Mrs. George Juengel, all of East St. Louis, and James Griffin, Mr. and Mrs. Donald Askew and Mr. and Mrs. Herbert Giglotto, all of Collinsville.

The grand jury said Mr. Underwood and Mr. Giglotto were beaten and threatened while Mr. Meiners was jailed for three days without charges.

There are indications that

the defendants' attorneys will concede that the agents made a zealous mistake but committed no crime. Government lawyers will attempt to prove that the raids were willful acts.

If convicted, the men face maximum penalties of one year in jail and \$1,000 for violating a person's civil rights, a \$1,000 fine for entering homes without a warrant or probable cause, and five years' imprisonment and a \$10,000 fine for conspiring to obstruct a criminal investigation.