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Wiretaps Void Huge E. Bay Dope Case

By William O'Brien

What had been labeled last year as the biggest-ever heroin raid in the Bay Area by the government's Organized Crime Strike Force has been tossed out of court here because of illegal wiretapping.

U.S. District Judge Stanley A. Weigel ruled that, though strike force agents had gone through proper motions to secure authorization to tap telephones of two suspects, bureaucratic procedures in upper echelons of the Justice Department had left them with the approval of nothing but inferior officials never empowered to deal with wiretaps.

The Justice Department here announced today it will seek authorization from higher levels to appeal Judge Weigel's decision.

E. Bay Raids

The decision involved the coordinated raid by a 50-man special strike force Feb. 27, 1971, in the Southern Alameda County communities of Fremont, Union City, and Hayward.

Twelve persons were arrested. Slightly more than 15 pounds of heroin valued at \$2 million was seized along with \$40,000 in cash, seven automobiles, and an assortment of firearms.

U.S. Attorney James L. Browning Jr. held an unprecedented Sunday news conference to announce results of what was then believed the most productive narcotic raid.

Evidence Suppressed

He also disclosed portions of the conversations which had been overheard via wire taps by strike force agents.

Yesterday, the wire taps proved to be the initial downfall of the case. Acting on a motion to suppress the evidence gathered during the taps, Judge Weigel found that although the Omnibus Crime Bill authorizing taps specifically called for the request to be made by either the Attorney General himself or a chief assistant specially designated with that authority, the applications for Alameda County taps had been made by three lesser attorneys general never conceived of by the crime bill as having such power.