

# Court-Ordered Wiretaps Down by Half Since 1971

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In the debate over government wiretapping, there is one oddity that stands out: People are talking about it more but the government, apparently, is doing it less. Government wiretapping—at least that part of it accounted for in public records—has declined considerably in the past two years. If the current pace is maintained, the number of court-authorized wiretaps this year will be less than half what it was in 1971.

The government is required to report the number of wiretaps it places by a judge's authority on the gamblers, narcotics peddlers and other organized crime figures that are permissible targets under 1968 legislation. (It doesn't have to say how many it placed in so-called national security cases—those that don't require court orders.)

In 1971 U.S. agents around the country reported that they had installed 281 wiretaps. In 1972 that number had decreased to 205 taps. So far this year the

Justice Department reports 100 wiretap installations. At that rate, 1973 may end with about 130 wiretaps installed. That would be the least since the wiretap law was first used in 1969.

The Justice Department won't say why this decline has set in. Its officials have expressed some concern about keeping wiretaps under tight control but have not indicated they disapprove of their use or a wish to cutback.

One reason has been offered by Sen. John McClellan (D-Ark.), the patron-senator of federal wiretapping law. Last April he suggested that the Justice Department had shifted its emphasis from gambling cases to narcotics peddling.

It is more difficult, he said, to get a court order for a wiretap in drugcases than it is in gambling cases. Gamblers make extensive use of the telephone and are relatively easy to spot. One phone tap usually leads to exposure of other gamblers.

Serious-minded narcotics peddlers, on the other hand, avoid the telephone if possible, reducing the govern-

ment's chances of getting a tap on their lines. Hence, the government is reducing wiretapping because it cannot use as much in the re-targeted war on crime.

Others in Congress think there may be other reasons, such as the current Watergate-induced backlash against wiretapping.

"There's a certain amount of gun-shyness about wiretapping now," said a Senate aide familiar with the Justice Department's wiretapping policies. "The public at-

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titude is not good, and that may be because of Watergate. I don't know for sure, but I suspect that Justice is bending over backwards now to cut down the number of taps they're using."

The Justice Department will say only that the "need" for wiretaps is less these days.

Even though the use of wiretapping is declining, it still embraces a large number of people and their conversations in this country, and it costs the government a considerable amount of money.

In 1972, for example, there were only 205 wiretaps installed and the average one was in use for only 16 days. But each of those taps picked up, on the average, conversations of 66 persons whom the agents were able to identify.

On the average, each wiretap produced a total of 1,023 separate, intercepted conversations, of which 614 were

deemed to be "incriminating." But the Justice Department's record, then, 6 of every 10 intercepted conversations produces something that could be used in prosecution.

However, the value may be diminishing. In 1969, the first year the wiretaps were used, 82 per cent of the interceptions were judged to be "incriminating." That fell to 71 per cent in both 1970 and 1971 and then to 60 per cent last year.

It is a pretty expensive process, wiretapping. It requires a lot of men to sit around in rooms waiting to tape and log the intercepted conversations. Most of the approximately \$2 million Justice spent on wiretaps last year went for manpower.

Each tap cost an average of \$9,795, according to an analysis compiled from the annual reports that are presented to the Administrative Office of the United States Courts.