

# DA Probe Jury Is Called

By RAY LINCOLN

U.S. District Judge E. Gordon West today authorized a special federal grand jury to investigate bribery charges against District Attorney Jim Garrison and nine other persons.

At the same time, the Metropolitan Crime Commission announced its intention of initiating "citizen action" to remove Garrison from office.

The court order provides that the jury will be empaneled Aug. 2 "for a time of 18 months unless it completes its work earlier," according to a statement by the U.S. attorney's office.

**THE GRAND JURY**, according to the court order, "shall inquire into of-

fenses against the criminal laws of the United States committed within the Eastern District of Louisiana as provided by law," the statement said.

Judge West's order was signed upon application by U.S. Attorney Gerald J. Gallinghouse through first assistant U.S. attorney Julian R. Murray Jr. and John Wall, attorney in charge of the U.S. Justice Department's Organized Crime Strike Force here.

Evidence will be presented to the grand jury by the U.S. attorney's office and the strike force "relating to numerous cases that have been under investigation during the past year," the statement said.

**METROPOLITAN** Crime Commission president G. Alvin Bertel and managing director Aaron M. Kohn disclosed the commission's move in a news conference today at International House.

They said a petition will be filed in Civil District Court requesting a trial based on "available evidence to support removal" of Garrison.

Bertel said the action will be taken by commission members on their own behalf and on behalf of other citizens and groups who have urged Garrison's removal.

**UNDER THE** Louisiana Constitution, he said, a petition signed by at least

25 citizens may be filed in Civil District Court asking removal of any public official for "high crimes and misdemeanors in office, incompetency, corruption, oppression in office or gross misconduct."

Kohn said such a suit will be filed as soon as the "mass of material available" is reviewed, digested and evaluated by attorneys.

The MCC initiative follows refusal by Gov. John J. McKeithen and Attorney General Jack P. F. Gremillion to take action against Garrison as requested by the commission.

**"THE STATE** constitution clearly describes the course of action which can

be taken by our governor," Bertel said. "A simple written request from him to the attorney general makes it mandatory that the latter assume the burdens for court action against the accused official. In addition, the attorney general may do so on his own initiative.

"It is an alarming indication of irresponsibility in the highest offices of our state that both the governor and our attorney general deliberately have chosen to reject public obligation in the Garrison matter.

"At stake is the correction of conditions which for years have provided

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protection for the criminals and persecution of the innocent who happen to get in Mr. Garrison's way."

**BERTEL** said although only 25 signatures are required on the petition, "we believe there are many hundreds of people who would like to sign it," and invited interested persons to telephone the MCC at 524-3148 so they can be contacted when the petition is ready.

"Among other things," Bertel said, provisions must be made for the possibility of failure of such a removal action. In that event, Mr. Garrison would be entitled to recover all of his court costs and attorneys' fees. Persons of means will be asked to provide an escrow fund as insurance against that possibility, no matter how remote."

Kohn said the civil court action, and the evidence to be submitted, will not involve the current federal bribery

charges against the DA, which still are awaiting action.

**THE MCC** director said attorneys have estimated the court proceedings may cost the petitioners as much as \$50,000 to \$75,000, and noted that anyone who signs the petition is legally liable for defense costs if Garrison wins the case.

Kohn said it is his understanding the court "must entertain the petition and act upon it." The court may upon request appoint an attorney to represent the petitioners, and Garrison will have the right to cross-examine the witnesses.

Since no precedent for such action exists, said Kohn, it is not clear whether a trial by jury will be called for.

"We are firmly convinced," Bertel said, "that an opportunity to present the total evidence of Mr. Garrison's misconduct before an impartial court will result in overwhelming justification for his removal."