

Bribe Attempt Charged
JUDGE WINSBERG IS INDICTED

By CHRIS SHEAROUSE

Criminal District Court Judge Jerome M. Winsberg was indicted by the Orleans Parish Grand Jury today for offering Pershing O. Gervais a \$5,000 bribe to influence the handling of three narcotics cases.

The indictment, which specifically charges corrupt influencing involves alleged actions taken by Winsberg acting as a defense attorney before his election to the criminal district court bench.

Specifically, the indictment states that Winsberg between Nov. 16, 1970, and Feb. 12, 1971, offered to give Gervais \$5,000 "with the intention to corrupt the conduct of an official of the state of Louisiana with respect to the disposition, judgment and judicial sentencing" of three cases involving Bryan Andrew Johnson and one involving Charlene M. Saia.

THE INDICTMENT did not state specifically what official Gervais was to attempt to corrupt and neither the district attorney's office nor the Louisiana attorney general would comment on the case beyond the indictment.

Both Johnson and the Saia woman were given suspended jail sentences by Criminal District Court Judge Bernard Bagert after they pleaded guilty to drug charges. Winsberg was their attorney.

A conviction on the charge of corrupt influencing could bring a maximum penalty of \$500 fine and one year in jail.

Winsberg was allowed to go free on his own personal recognizance.

Gervais, a one-time investigator for the district attorney's office, later became an informer for the federal government in the case of Dist. Atty. Jim Garrison, two police officers and seven pinball figures.

THAT CASE centers around alleged bribes to the district attorney to protect illegal pinball operations. It is still pending in federal court here.

The grand jury began looking into the Winsberg case when federal officials turned over to the state transcripts of wiretapped telephone conversations between the judge and Gervais. There were also reported to be tapes of talks between Gervais and Judge Charles Ray Ward and former Judge Malcolm V. O'Hara.

Today First Assistant District Attorney John Volz said the grand jury would continue to look into the tapes and these allegations.

Gervais was called before the jury this morning, but there was no indica-

Continued from Front Page

tion which phase of the investigation the jury would now study.

Volz filed a motion to grant Gervais immunity from prosecution if he testifies, but Gervais' attorney, Russell J. Schonekas, opposed it on grounds that it is not in compliance with constitutional requirements concerning grand jury testimony.

Judge Alvin Oser continued the matter until 9 a.m. Wednesday and continued Gervais' subpoena until that time.

Louisiana Atty. Gen. William J. Guste was present with Volz when the indictment was returned, saying that he was asked by the district attorney to participate in the presentation of the case to the grand jury.

YESTERDAY Winsberg filed a motion to prevent the presentation of the tapes to the grand jury, but Judge Alvin Oser threw out the motion. Winsberg had until 9 a.m. to appeal that ruling to the Louisiana Supreme Court, but he did not file an appeal.

Volz said today that his office is ready to assist Jefferson Parish officials in a probe of charges that rackets figure Carlos Marcello had paid Judge O'Hara a \$5,000 bribe.

That allegation was contained in a letter to Guste written by John Wall, head of the federal Organized Crime Force in New Orleans. The letter was released to newsmen when Wall appeared before the grand jury as a witness in the Winsberg case.

According to the letter the bribe was paid to Judge O'Hara through Gervais to thwart or delay the extradition of a man to California.

Commenting on the suspended sentence given to Miss Saia, Volz said his office moved for its revocation when she was arrested in a narcotics raid on a Gentilly residence Aug. 7. More than 37 pounds of marijuana was seized in the raid.

WHEN GARRISON announced the start of the investigation on July 10 he said he felt no criminal prosecution was justified, based on the material supplied by the federal government.

He at first said he would not have the grand jury look into the case, but after pressure from Guste and outside interests, Garrison reversed himself saying the allegations were too serious not to be looked into as a matter of course.

Winsberg was a law partner of City Councilman Eddie L. Sapir.



Judge Jerome M. Winsberg



PERSHING O. GERVAIS, left, one-time investigator for the district attorney's office, is accompanied by attorney RUSSELL J. SCHONEKAS as he heads for Orleans Parish Grand Jury session. (States-Item photo by Ralph Uribe.)

Grand Jury witness

Turn to Page 4, Column 6