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D.C. Police Now Free of White House

By Thomas W. Lippman

Washington Post Staff Writer

For the first time since the early days of the Johnson administration a decade ago, Washington's metropolitan police department is free of policy guidance or interference from the White House.

The telephone in the mayor's command center that used to ring directly on the desks of White House counsel John W. Dean and Domestic Council assistant Egil Krogh Jr. have been removed, leaving bare patches on the wall.

The private sessions at the White House between former President Richard M. Nixon and former police chief Jerry V. Wilson are things of the past. Maurice Cullinane, the present police chief, has never met the current White House staff member assigned to District Affairs, Andre Buckles.

The crime message that President Ford sent to Congress last week did not so much as mention the city of Washington. That symbolized the complete change in the police department's relationship with the executive branch that has occurred since Nixon, with Wilson's cooperation, sought to make Washington the laboratory for his campaign pledges to reduce crime.

Three years ago Wilson was traveling around the country at the behest of the White House addressing local police chiefs on the reductions in crime that had been achieved here during the Nixon years. Those speaking engagements ended when Wilson told the White House staff that local reporters in the cities he was visiting wanted to ask only

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about the Watergate scandal which was then just beginning to erupt.

Watergate, according to present and former police; White House and Department of Justice officials, was partly responsible for the diminished interest in District police matters among White House staff members. "It was hard to talk about crime when you were perpetrating it," as a former White House aide put it.

The end of the Nixon administration's anticrime campaign, the waning of the peace movement that had thrown city and federal law enforcement officials into close working relationships, and the enactment of home rule for the District all contributed to a relaxing of ties between local police and the White House.

Both the Nixon administration in its last months and the Ford administration at its beginning, according to well placed sources, sought to put some distance between themselves and the city so that Walter E. Washington, whom the White House supported, would not be perceived as the White House's candidate in his campaign to become the city's first elected mayor in more than a century.

Now that Washington is in office and Cullinance is running the police department, city and U.S. officials say, the Ford administration appears content to let the police run an independent course. The machinery for federal assistance or takeover, in the event of a crisis that directly threatens federal interests here, is still in place, officials say, but barring such an emergency, the White House has a "hands-off" policy.

This review of the metropolitan police department's relationship with the White House and federal law enforcement agencies was prompted by a police report to the mayor last March that revealed for the first time some details of D.C. police cooperation with the Central Intelligence Agency.

Former chief Wilson, in his recently-published book, describes himself as "the only senior offical of the city government who unequivocally supported" the legislative proposals from the Nixon White House for tough anticrime measures and court reorganization.

In his first year as chief, he says, he was "persistently lobbying for enactment of President Nixon's anticrime legislation."

Cullinane, by contrast, said in a recent interview that "no one from the White House has ever talked to me in an official capacity about anything" since his appointment last December. He has dismantled, he said, the "cozy sort of arrangements" between the metropolitan police and federal law-enforcement officials that existed when he took office, a reference to restrictions placed on the dissemination of information from the police department's intelligence files on individuals and organizations.

It is still unclear exactly how "cozy" relations were during Nixon's administration and Wilson's tenure. A handful of lawsuits are still pending that claim members of the city police force committed illegal acts, such as burglary, to help federal officials with investigations of antiwar elements. In addition, a former White House official who worked with Wilson said Nixon used Wilson as an unofficial reporter on political events and personalities in the District.

In an interview, Wilson denied that he had ever played such a role. "I'll be damned if I ever had a conversation with anybody in the White House about District politics," he said. "I don't know that much about District politics, beyond what's pretty obvious."

But Paul Q. Fuqua, a friend of Wilson's who was the police department's public information officer under Wilson, said recently that "Jerry V. Wilson knows everybody. He was very keenly aware of D.C. politics, he follows D.C. affairs very closely."

Civil liberties lawyers and former members of the antiwar movement who were interviewed for this article were critical of Wilson personally and of the metropolitan police for the roles they played in such confrontations as the May 1971 Mayday demonstrations and for an intimate relationship with the federal authroities that led to such oddities as the dispatching of a team of Washington police officers to assist in security arrangements at the 1972 national political conventions in Miami Beach.

Not a single present of former city or federal official, however, had a word of criticism for Wilson or for the way he ran the department. Few went so far as former Attorney General Richard Kleindienst, who called him "a genius, a sensitive, thoughtful man, a patriot." But their general view was that the police department was thrown into working with and for the White House through a combination of circumstances beyond the city's control, going back to the Johnson administration and Wilson's predecessor .

Mayor Washington, who was sometimes bypassed in the consultations between White House officials and chief Wilson, "was not altogether comfortable with Wilson's ties to the White House," one of the mayor's closest aides said. "But it was his view that this was initiated by the White House, not by Wilson, and there wasn't much anybody could do about it."

Gerald M. Caplan, who was general counsel to the police department under Wilson and is now director of the Justice, said that before home rule "the police chief had always been in a position in which there was White House input. In fact there was less under the Nixon team than there was under Johnson," Caplan said.

It was President Johnson who created, in 1965, a presidential commission on crime in Washington and directed that its recommendations—one of which was the intelligence unit—be implemented.

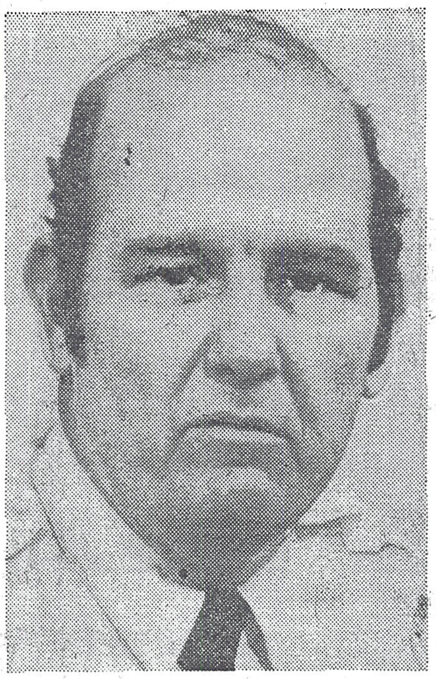
At the time Nixon took office, in January, 1969, the police department here was under severe strains from a variety of sources.

Major crime, which had soared after the 1968 riots, reached more than 200 reported offenses daily. Relations between the mostly-black community and the mostly-white police department, poisoned by the riot, were continunig to deteriorate. There were racial and political tensions within the department as well, partly attributable to the belief that former Rep. John McMillan (D-S.C.) controlled upper-level promotions. Police officials were openly complaining that criminal law decisions handed down by the U.S. Court of Appeals here limiting interrogation of suspects were undermining their work.

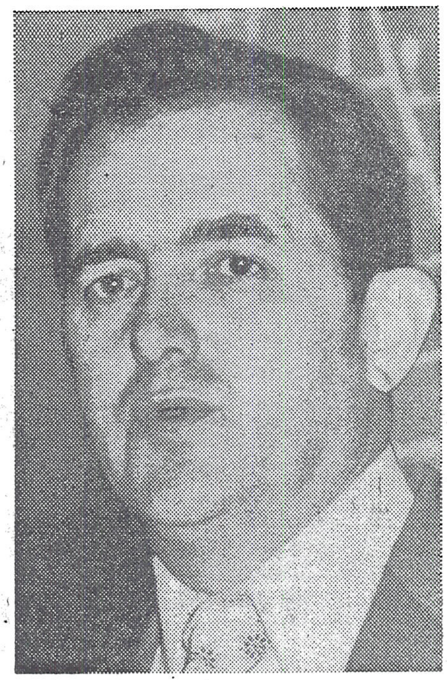
A promise to crack down on crime in the streets was a major feature of Nixon's campaign for the presidency in 1968. Once he was elected, however, he and his Attorney General, John N. Mitchell, soon found that the federal government had little control over street crime and crimes of violence, which were mostly dealt with by municipal police forces and state or local prosecutors. The obvious exception was the District of Columbia.

One of the principal administration officials involved in developing an anticrime program here that would fulfill the administration's pledges was Donald E. Santarelli, former deputy assistant attorney general. Santarelli declined to speak for attribution for this article, but his comments in a recent on-the-record interview with the quar-

EGIL KROGH JR.
. . . national example sought



JERRY V. WILSON
. . . backed tough measures



MAURICE CULLINANE
. . . dismantled "arrangements"

terly periodical Public Interest were almost the same as his comments on background in an interview for this article.

As a strategist of the "law and order" program, he reported to Nixon and Mitchell "that the federal government simply did not have the machinery or authority to deal with crime in America outside of the District of Columbia."

Therefore, according to Egil Krogh, who was for a time the District of Columbia liaison man on the President's Domestic Council staff, the White House decided to wage a war on crime here and use the results as a nationwide example.

When the new administration opened the war on D.C. crime, it moved on several fronts. One objective was to get rid of chief Layton because, Krogh said recently, "it became clear to Mitchell that Layton wasn't the guy for a vigorous law enforcement program."

The selection of Wilson, then the department's director of field operations who had won praise or his handling of the force during the riots and during both civil rights and antiwar demonstrations, was not dictated by the White House but did have presidential approval, several sources said.

Federal and District officials agree that neither Nixon nor any member of his staff was interested in telling Wilson how to cut crime, only in making it clear to him that the numbers had to go down. "When Nixon was satisfied that Wilson was the right man, he turned his attention to other matters," an aide to the mayor recalls.

According to Krogh, "Wilson wa under any illusions. If he hadn't the job someone else would hav brought in. . .the White House did say actually how to do the police work, nobody had the expertise for that. Just the opposite, we told him to tell us what he needed."

Also in the first year of Nixon's first term, a Justice Department team under Santarelli drafted a court reorganization bill and a crime bill for the District, with several objectives: lessen restrictions on the apprehension and interogation of suspects by police, reduce the lengthy backlogs in court that had allowed untried felony suspects to roam the streets on bail for months, and eliminate the jurisdiction of the liberal-dominated U.S. Court of Appeals over criminal law in Washington. These are the legislative proposals that Wilson says in his book he was supporting.

One of the bills' sections was the so-called "no-knock" law, allowing police under certain circumstances, to enter homes without announcing themselves.

"If I were setting up legislative priorities, I probably wouldn't have bothered with it," Wilson said in an interview. "From the Justice Department perspective, it looked like a good way to sort of do something that had sor of a law and order connoctation. Probably the best effect of it was that it di verted all the liberals away from the important thing in that statute, which was that it got the appeals process fo the District of Columbia out from un

der that Bazelon court." This was a reference to Chief Judge David L. Bazelon of the U.S. Court of Appeals, one of the principal writers of rulings that had restricted police interrogation of suspects and the prosecution of juvenile and mentally-ill offenders.

Mayor Washington, according to some sources, had been told that his cooperation with the Nixon crime war was a condition of his keeping his appointive position. As a result, he allowed Wilson to work directly with the White House, the Justice Department and the Law Enforcement Assistance Administration on matters involving the police department.

"The Mayor was not an active party," said a former Justice Department official familiar with the roles played by the leading characters at that time. "He was an agreer, to put it bluntly."

Still, the crime figures continued to climb through 1969. In early December, at a meeting of the newly-formed Domestic Council at Camp David, John Ehrlichman passed on the orders he had just received from Nixon: crime in the District would come down, or a new team of officials would be installed in the city.

"I called (deputy mayor) Graham Watt and he was given the message," Krogh said. "Either there would be a dramtic turnabout or there would be a new D.C. government. That was the opening shot in the war on crime."

Ordered by Mitchell to increase the size of the force from 3,600 to 5,100 men, even though he did not think such a boost was needed, Wilson sought the aid of the Defense Department in recruiting. He got it, in the form of authorization to recruit on military bases and early release from active duty of military personnel going into police work.

This sudden sharp increase in the number of policemen enabled Wilson to hire substantial numbers of Blacks, which aided his program of improving community relations.

The police asked for helicopters. They were provided. The city asked for high-power street lights. They were forthcoming. Money for uniforms, equipment, radios, was made available by the administration. So were funds for narcotics programs.

Federal-District cooperation developed rapidly in late 1969 and early 1970. Wilson, under pressure to reduce crime, informed his District commanders that if the statistics did not begin to improve in their neighborhoods, they would be transferred to desk jobs, and that would end their chances for promotion. While the force grew, the system of dealing with arrested suspects was also beefed up, with the expansion of the U.S. attorney's prosecution staff and new narcotics treatment facilities. President Nixon made a personal visit to police headquarters to emphasize his support for the war on crime.

Wilson, Krogh and others interviewed for this article said that it was the knowledge among rank and file police officers, amd among the city's residents, that the President was backing the anticrime campaign fully, that led to its apparently dramatic results: a halving of the reported incidence of major crime between early 1970 and early 1972, when Wilson's abortive speaking tour began.

There appears to have been a remarkable meeting of the minds between Republicans and Democrats, and federal and local officials, over the waging of the war on crime.

"I don't recall anything that was imposed on Jerry Wilson without his consent," former deputy mayor Watt said. "He wouldn't have accepted being told what to do. We put together in 1970 a very extensive program of things we thought were essential. We didn't quite ask for the moon but almost. We had a clear mandate from the President that it had to be turned around. We talked about what it would really take. To a great extent people like (former Krogh assistant) Geoffrey Shepard got us what we wanted, to do that which the President asked us to do."

So Wilson had the power of the President and the munificence of the federal treasury at his disposal; and the White House benefited from this partnership by being able to claim success in the war on crime in the only city where federal control was direct.

At the time of the Camp David meeting, according to memorandums made available by Krogh to Public Interest, White House strategists envisioned a 1972 re-election campaign based on the claim that Nixon had "mounted the most massive effort to control crime in the nation's history. Statistical results will come from the District of Columbia, where the administration has direct control over the number of police and the comprehensiveness of the drug fight."

There was another and far less straightforward side of the working relationship between metropolitan police and the federal government during the Nixon-Wilson years. That was the combined effort to predict, control and deal with the seemingly endless round of demonstrations that were occurring here at the rate of more than one per day.

"Due to the National scope of the antiwar movement," Chief Cullinane said in his March 7 report to Mayor Washington on the activities of the police department's intelligence division, "it soon became evident our intelligence program could not operate in isolation, since demonstrations in this city generally attracted from 50,000 to 250,000 persons. Close ties were developed with federal and municipal agencies across the country in order to facilitate the gathering of data relative to number of participants and mode of transportation."

The intelligence division was founded, on orders from President Johnson, after an International Association of Chiefs of Police study found it was needed to help the police anticipate riots and penetrate organized criminal activity. But by the time Wilson became chief, antiwar demonstrations had replaced the threat of ghetto disorder—which had already occurred—as the intelligence division's chief preoccupation.

Financed partly by the Defense Department and partly by the Law Enforcement Assistance Administration, the intelligence division enrolled agents in local universities, infiltrated agents into protest groups and student organizations, and assembled files on persons and organizations, sharing the information with federal agencies, including the CIA.

During those years when the antiwar movement was most active, 1969 to 1972, the police department also:

- Dispatched a team headed by Insp. Theodore Zanders, a crowd-control expert who now heads the intelligence division, to direct security planning for the 1972 national conventions in Miami Beach. The team included members of the department and paid agents who were not members of the department, whose role was to spy on protest groups.
- Exchanged information, equipment and training with the CIA. According to Zanders, Cullinane and the Rockefeller commission report, city police officers were trained in lock-picking, surveillance and electronic eavesdropping. CIA recruits were sent to the police department for what Zanders calls "stress training," simulated arrest and interrogation to test their reactions.

During President Nixon's first inaugural, before Wilson became chief, and during the 1971 Mayday demonstrations when antiwar groups attempted to disrupt the city by closing highways and buildings, the CIA lent agency vehicles to the police. According to the Rockefeller report, this was done to enable the police to use CIA radio frequencies.

A city official familiar with all these operations who participated in interagency discussions about the antiwar movement said recently that "the intelligence (gained from these efforts) was political s---, designed to show that the commies were coming and our precious institutions were under attack.

White House officials and the FBI, he said, "convinced themselves that the worst possible things were going to happen, so they spent millions and learned nothing. This stuff was no threat to the mayor, so part of our role was to counter the heavy-handed approach while they wanted disruption. Wilson had to decide who his boss was."

He did not say what he believed Wilson's decision to have been, leaving unanswered a question that still sparks vigorous debate among persons involved in the events of those years.

Former members of the antiwar movement suggest that the metropolitan police under Wilson committed acts of outright illegality, such as burglarizing homes and offices of movement leaders or installing unauthorized wiretaps. Although there was clearly ample opportunity and perhaps incentive for the police to do such things, little substantial evidence has been brought forward to show that they did so.

Still in litigation is the question of why Wilson issued the orders that led to the arrests of some 7,000 persons, many of them innocent bystanders, during the 1971 Mayday demonstrations. Lawyers for some of those arrested are trying to show through testimony that Wilson was ordered to do so by Mitchell and Kleindienst, who allegedly wanted to secure the photographs and fingerprints of the demonstrators for study by the Justice Department's interdepartmental intelligence unit, then headed by Robert C. Mardian.

All the principal figures in those legal cases, including Wilson, insist that he made the decision on his own, as he made all the operational decisions, to carry out what he understood to be Nixon's orders: that the city be kept open.

"There is no question," Wilson testified in one case, "but that the Justice Department issues instructions with regard to demonstrations and always has, and as a practical matter I think one could interpret that as chain of command — there was no question during the Poor People's Campaign (of 1968) that when we met with (Attorney General) Ramsey Clark and he spoke that we were supposed to do what he said without going and asking the mayor if he agreed."

On Mayday, Wilson said, "I had no instructions to make arrests. The only specific instructions I had were from the President, who said to deal firmly but fairly with violations of the law."

Wilson was plagued during his tenture by periodic suggestions that he was currying favor with Nixon because he was, or wanted to be, in line to succeed J. Edgar Hoover as head of the FBI.

Now out of law enforcement, teaching and studying at American University and writing a weekly column for The Washington Post, Wilson said, "Nobody ever asked me about (the FBI directorship) except the news media. The President, when he asked me to stay in 1972, said that if I would stay for another two years he would give me another government post if I wanted it. I didn't want one."

According to Krogh, Wilson was never a serious candidate for the FBI job because he lacked a college degree.

"I don't think Wilson expected any reward," Krogh said. "The reward was he could stay on as chief. No deals were made. It was a job that was going to take three or four years, he did it and he left."