

News Analysis

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Was Alioto A Victim of GOP Plot?

By Jim Wood

Was Mayor Alioto the victim of a West Coast Watergate-style conspiracy?

The circumstances surrounding accusations against the San Francisco Mayor in 1969 and 1970 are being reappraised by many following disclosure of clandestine Republican attempts to discredit Democratic leaders.

Involved in the accusations against Alioto were:

- Former U.S. Attorney General John Mitchell, now being questioned by government investigators in connection with political espionage, including the Watergate incident.

- John Ehrlichman, President Nixon's chief domestic policy adviser who resigned Monday as a result of the Watergate disclosures.

- Egil "Bud" Krogh, former White House aide who suddenly took a leave of absence from his new job as undersecretary of transportation Wednesday to "work out his problems." Krogh has now admitted he super-

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vised the break-in of Daniel Ellsberg's psychiatrist's office after being ordered by his chief, Transportation Secretary Claude S. Brinegar, to tell what he knew about the Pentagon Papers case.

2-Pronged Attack

The attack on Alioto had two prongs. One was an article in Look Magazine attempting to link him to the Mafia. Published Sept. 23, 1969, the article was written by two young reporters, Lance Brisson and Richard Carlson, and contained what Alioto has called "wholesale disclosure of confidential government documents and confidential government in-

formation."

Although neither of the reporters at that time had established any particular reputation, their notebooks showed they had information from the files and records of:

- The United States Attorney General's Office;

- Federal Bureau of Investigation;

- Internal Revenue Service;

- Federal Bureau of Narcotics;

- United States Department of Customs;

- United States Department of Immigration and Naturalization;

- California Criminal Identification and Investigation Bureau;

- Los Angeles Police Department.

Other Reports

Reports of electronic surveillance and "mail intercepts" also were turned over to the authors by the FBI. Alioto told the Senate Committee on Computers, Data Banks and the Bill of Rights two years ago.

"How did they stumble upon such willing assistance from law enforcement agencies?" Alioto asked the senators.

Alioto's suggestion was that the cooperation had been ordered by higher-ups in government. In those days, however, Watergate was merely the name of a posh apartment complex and Alioto's charges had little impact.

Adding to Alioto's suspicions was an incident that occurred two days before the Look article was published and three days after the Mayor filed a libel suit against the magazine.

Coincidence

The two authors were summoned to New York to discuss the suit with Look officials. In the Look offices the same day, according to court records, was Henry Petersen, a U.S. assistant attorney general who worked with William Hundley. (Both men have gone on to play prominent, though opposing, roles in the Watergate investigation, Hundley as Mitchell's defense coun-

sel; Petersen as the head of the Watergate inquiry, though his closeness to others in the case prompted demands for an independent prosecutor.)

Petersen's presence at Look magazine that day was explained as a coincidence, that Look was considering establishing an organized crime reporting unit and that Petersen's advice was being sought, since Petersen and Hundley were experts on organized crime.

Because the young authors apparently were given access to government records and because their article dealt with Alioto's supposed link to organized crime, the mayor's partisans have found it difficult to regard Petersen's presence as a coincidence.

In the second prong of the attack, the anti-trust suit, the footprints of high-level government interest were to form a path seemingly leading to the White House.

Civil Action

The Alioto anti-trust action began as a civil action in the State of Washington. It followed disclosures in the Seattle Times and the Oakland Tribune concerning payments Alioto, then in private practice, made to John O'Connell, who was then attorney general of the state of Washington.

The newspapers knew the check number, the payee, the date and amount of a check written by Alioto to O'Connell. Alioto has said he is satisfied that the information could have come only from Internal Revenue Serv-

ice records. The reporters, quite properly, aren't saying.

But court records do show that for a civil suit on the West Coast, the Alioto case attracted high level attention in the national capital.

Slade Gorton, attorney general for the State of Washington, the man principally responsible for the civil suit against Alioto, said in depositions taken April 9-12, 1971, that he met twice at the White House with John Ehrlichman and once with Ehrlichman's assistant, Krogh.

The dates of the two Ehrlichman meetings, according to the depositions, were late October or early November, 1969, and October 7,

8 or 9, 1970. A Gorton assistant handling the Alioto case was at the second meeting. The date of the meeting with Krogh was February 3 1971, according to the depositions.

Brisson Meeting

In addition, Gorton met once with Brisson, one of the two young authors of the Look article on Alioto.

Gorton said Friday in a telephone interview that he did not actually meet with Ehrlichman on the Alioto matter. (This statement appears to be in conflict with his deposition in which he said the case was discussed.)

Gorton said he did, however, write to Ehrlichman to protest the "interference" of Justice Department in the civil suit he was handling. He says that the initiative for involving the White House was his and that it came only after his protests to the Justice Department to quit "interfering" were of no avail.

He confirmed in the interview that he did meet Krogh, Ehrlichman's assistant, in Washington, D.C., on Feb. 3, 1971, to discuss the Alioto matter. The mayor's partisans find it impossible to believe that the President's office would become involved in a civil suit on the other side of the Continent unless there were political implications.

Persistence

The Justice Department persisted, however, and finally obtained an indictment against Alioto, charging bribery. Mitchell himself announced the indictment from Washington, an action that fed Alioto partisan allegations the case was politically inspired since the grand jury which handed down the indictment was on the West Coast. Clearly this was no ordinary case.

But when the case came to trial, a jury, as in the Look case, exonerated Alioto.

Alioto has observed that: "Nobody had a right to make the kind of attacks that have been made on me, that I am a member of the Mafia, to contrive such a criminal charge that a federal judge looks at two prosecutors and asks 'why did you ever bring this case?' and throws it out.

"John Mitchell had an obsession with bugging people's phones. Maybe he's so henpecked at home he had to work out his aggressions with whatever he was doing at the office, which happened to be control of the most awesome power — the criminal justice process."