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A States-Item **FIRST** Pitcher Asks Clark For Marcello Data

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(States-Item Bureau)

BATON ROUGE—The East Baton Rouge Parish district attorney has appealed directly to top U.S. Justice Department officials for records in the Carlos Marcello-state Capitol telephone link probe after running into a stone wall at a lower echelon, the States-Item learned today.

Dist. Atty. Sargent Pitcher called on U.S. Attorney-General Ramsey Clark and FBI director J. Edgar Hoover to produce records which he says are needed to complete an investigation he has been making on behalf of Gov. John J. McKeithen.

The desired records, it was learned, were subpoenaed by the FBI and turned over to the Justice Department.

THEY ARE toll slips of long-distance calls from a number in New Orleans, purportedly in the office of rack-ets figure Marcello.

Of particular interest are calls made to a phone once maintained under unusual security precautions in the office of the speaker of the House for the convenience of C. H. "Sammy" Downs, unpaid administrative aide to Gov. McKeithen.

The calls allegedly were made to former governor's aide Aubrey Young at this "direct line" in the Capitol, according to Life magazine, whose stories instigated the investigation. However, the "direct line" turned out to be in the speaker's office and both Young and Downs deny having received calls from

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Marcello on that phone.

EARLIER efforts by Pitcher to obtain the records from the Justice Department were shunted aside by various officials who declined to acknowledge their existence.

After weeks of fruitless efforts, Pitcher then decided to appeal directly to Clark and Hoover.

It was also learned that a U.S. Senate committee investigating wiretapping, headed by Sen. Edward V. Long of Missouri, also made an effort to obtain the same records some time in the spring of 1967.

IT WAS NOT known if the committee obtained the records and nothing has been made public on its investigation.

Pitcher has been investigating the alleged link since Gov. McKeithen returned from a meeting with Life magazine editors in New York last summer, but has yet to make a report on his findings.

The district attorney has maintained that the unavailability of the telephone records has hampered his investigation and delayed a report he plans to make to the governor.

A SEPARATE and parallel probe, which it turned out was confined to an investigation of Young's role, was made by the staff of the State Labor-management Board of Inquiry.

This investigation was ended after it was learned that the phone was not Young's direct line and it began pointing in other directions. No report on the findings of this investigation was ever made to the district attorney.

In letters to Clark and Hoover, Pitcher said that he has been trying to obtain the records covering the period June, 1966, through July, 1967. Because of the telephone company's policy of keeping records for only periods of six months, he said, he has been able to get only the records from April 1, 1967.

KEY TELEPHONE calls to a person identified as "A. Young" or "Mr. Young" were made in the summer of 1966 to the telephone in the speaker's office, according to information supplied McKeithen by Life, but not made public.

The FBI, on Dec. 2, 1966, subpoenaed telephone records covering the period from April through Dec. 2. A supplemental subpoena was issued on March 30, 1967, covering part of the same period.

Subpenas by the federal government were issued through the U.S. District Court in New Orleans. However, Louis LaCour, U.S. attorney, advised Pitcher that he had no recollection of either the subpenas or the whereabouts of the records.

"I THEN contacted the New Orleans office of the FBI and was advised that all of the information had been forwarded to the Department of Justice directly," Pitcher said.

"Therefore," he continued, "this evidence, which would otherwise have been available to the office of the district attorney and the East Baton Rouge Parish Grand Jury, is, owing to the practice and policy of the telephone company as related to me, unobtainable from any other source, except from the Department of Justice and or the FBI."

The telephone company advised Pitcher that no copy of the records turned over to the FBI had been made.

PITCHER ASKED the federal officials to make available to him either the original records, copies or permit him to view them "wherever they may be."

"As you must be aware," Pitcher wrote Hoover and Clark, "this office and the East Baton Rouge Parish grand juries of the past have always endeavored to cooperate in law enforcement with every federal agency calling upon us for help.

"In turn," he said, "we have received the cooperation of these federal agencies and, together, have been successful in handling the problems of law enforcement more expeditiously and with greater dispatch."