

## The Schiro Years: XVII

# Jim Garrison Called

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In Collaboration with Allan Katz

(C. 1971, Victor H. Schiro)

District Attorney Jim Garrison, who entered the 1970s beginning his third term in office, emerged during the 1960s as one of the most powerful political figures in the city and the state.

Garrison achieved national prominence as he successfully waged battles against Bourbon Street strip joints and B-drinkers and incumbent criminal court judges. He came off with nothing worse than a draw in a clash with the Legislature and also in a rather memorable battle with me. In fact, the only real defeat ever suffered to date by Garrison came in 1969 at the hands of a jury of 12 New Orleanians who in 52 minutes threw out his charges that Clay Shaw conspired to assassinate President John F. Kennedy.

For Jim Garrison, it's been a remarkable and fascinating career — especially when you consider that in the view of many political observers it was only by a lucky fluke that Jim was first elected in 1961.

AT THAT TIME, Garrison, a former assistant city attorney, first ran for DA. It was the same campaign in which I managed to spring an upset victory in the mayor's race.

The incumbent DA at that time was Richard Dowling, an Old Regular who was felt to be politically vulnerable. The major competition for Dowling was not expected to come from Garrison, however, but from Irvin Dymond, a very capable attorney.

Garrison ran for DA on the platform that he would be a full-time district attorney. When Dymond was asked on a television debate whether he would be a full-time DA, he replied curtly that he could not live on the \$15,000 salary then paid the DA and if the voters wanted a full-time DA they should cast their ballots for someone else.

# 'Formidable Politician'

That was sufficient for many voters. Although I did not endorse a DA candidate in the campaign on the grounds that a district attorney must be independent, many of my ward leaders worked for Garrison. They effectively reminded voters of Dymond's remarks in the TV debate.

I am sure many people have wondered how history might have been changed had Dymond answered the question about being a full-time DA a bit more diplomatically that night on television in 1961. It's just another lesson in basic politics about speaking softly.

OF COURSE, THE FINAL touch of irony is that it was Dymond, almost a decade after the 1961 election, who led the defense for Clay Shaw in his acquittal from charges of conspiring to murder the late President.

At any rate, Garrison was able to spring his own upset in the 1961 elections.

Garrison soon began to crack down on the Bourbon Street strip joints that were violating the law. As mayor, I had no objections to that and, from a legal standpoint, was not in a position to make any comment anyway. If Garrison had the evidence, it was his duty to take these cases to the courts where they could be settled properly — one way or another. Those crackdowns marked the beginning of the end for "wicked" Bourbon Street, of course. The problems that many of the strip joints have today actually began in 1961 with Garrison's crackdowns and continued enforcement of existing laws. (I should note that police officers assigned to the DA's office were instrumental in the crackdown, and that during my administration the vice squad rigorously enforced the laws and we successfully curbed the activities of barkers luring in customers for clubs.)

The new DA also soon ran afoul of the incumbent Criminal Court judges. This led to his famous clash with the Legislature, which censured Garrison. He promptly found another way to skin

the cat and began working for the election and appointment of Criminal Court judges he favored. Garrison supported John J. McKeithen in the 1964 gubernatorial race and exercised considerable influence on the governor's appointment of judges for new sections and vacancies.

TODAY, SIX OF THE 10 judgeships are held by men either appointed to their jobs since Garrison took office or elected with his aid.

By 1965, with elections coming up for both Garrison and myself, the DA was at the peak of his popularity. He had established a reputation as a forceful fighter for change, was highly effective with the mass media and had generally established an enviable name for himself.

And, it was at precisely that point when I had a head-to-head confrontation with the District Attorney.

A few months earlier, in November, 1964, a bar owner named Clarence Bielosh reported that his safe had been stolen. The safe eventually was found in a canal. Investigating police officers found some football gambling cards floating next to the safe.

Several months after the safe was recovered, reports began circulating that Bielosh allegedly had made a payment of \$600 to someone in Garrison's office to destroy illegal football cards in the safe.

POLICE SUPT. JOE Giarrusso told me he felt there was also an implication in the reports that police officers might be involved. He said an investigation ought to be launched to clear up the matter once and for all. Garrison, who had assigned his own investigators to the matter, was incensed when police investigators sought to question the DA's personnel and examine his office records.

Garrison felt any efforts by police investigators to look into matters involving his office infringed on his prerogatives.

As the controversy grew hotter, I found myself trapped exactly in the middle. On the one hand, my police chief felt this was a matter that needed to be investigated and cleared up to remove any suspicion of police involvement or to take proper action if warranted. On the other hand, I was faced with a furious DA who was warming up to take dead aim at my jugular in an election year.

It was not a pleasant decision but I felt that the investigation had to go on to some logical conclusion. My reasoning was that it is far worse to back away from a problem than it is to go in and face it.

FINALLY, ON JUNE 24, 1965, Garrison dramatically announced he was sending 21 questions to the mayor which would be followed by a visit to me from his investigators to get answers.

Well, I have to concede it was a brilliant tactical move on Garrison's part. The questions, in fact, were nothing

but a lot of hot air that had little to do with the Bielosh case or the independence of the DA or anything else. However, the newspapers carried the story as if I had been firmly nailed to the wall—just the kind of headlines that are every elected official's nightmare.

Viewed closely, the questions were nothing to be afraid of. In fact, some were a little silly. However, it was not the questions that were to be feared but the impact that the entire splash might have on the public mind that concerned me.

The first thing I did was take a deep breath. This was no time to be pushed into a hasty statement such as Mr. Dymond made in 1961. In the end, I decided that I wouldn't enter into a shouting match with Garrison and that the investigation of the Bielosh affair would continue.

THE NEXT DAY, I issued a terse reply to Garrison, not indicating directly whether I would answer his questions but saying:

"If you have any information or knowledge of illegal or improper actions by any elected official or other persons, including me, it is your sworn duty to institute formal proceedings in these cases." I phrased it even more succinctly in a television interview on the Mid-Day program by saying, "Put up or shut up."

In fact, I had no intention of directly answering those aimless questions.

Judge Malcolm O'Hara.

The only other time that Garrison and I found ourselves at cross-purposes was in the trial of Clay Shaw. I had known Clay for many years in his role as managing director of the International Trade Mart. I did not believe for a minute that he had anything to do with the murder of President Kennedy, although I did not believe the Warren Report had gotten the whole truth of the assassination. I have always believed there was a conspiracy.

Some of my friends urged me to make a statement defending Clay. I considered the idea and decided that would be improper for me to do so. In the first place, it was a matter totally in the jurisdiction of the DA and wholly outside my area of legal responsibility. It would have been an intervention in a matter that was outside my control for me to get involved. Beyond that, any action by me could only muddy the waters, making the case a controversy of local politics.

FINALLY, I BELIEVE in the American system of justice and its ability to do right. One of the blessings of our democracy is that we have the privilege of facing a jury of fellow citizens and reply to any charges brought against us. The case was resolved as it should have been—in the courts.

It was a good jury made up of a cross-section of New Orleanians, the kind of people I have worked with for many, many years. I have always had faith in their judgments.

What of Jim Garrison in the 1970s? In my opinion, he remains one of the most formidable political figures in the state. In fact, if his health permitted, I believe he would be a very tough and capable candidate in a statewide race. Health is the major unknown factor in Jim's future. He has been troubled by a back infection for some time now. In addition, the Clay Shaw case cost him some of his support among middle- and upper-income voters in his last campaign although he handily won reelection in the 1969 first primary.

Garrison's strength today is his ability to put together a coalition of black voters and lower-income white voters. Jim is one of the few figures in politics today who can bring together these two groups which are usually at political odds. It will be interesting to see, if his health permits him to run for office again, if he can keep this coalition together and recapture some of the voters he appeared in 1969 to have lost.

Regardless of what the future holds, Jim Garrison in the 1960s was a colorful, dramatic and always-controversial figure in New Orleans. I suspect that in years to come, historians will find him one of the more interesting people of his time.

(Tomorrow: Schiro Assesses Some of the Political Figures of His Era.)

Once an elected official gives credence to that kind of thing, he might as well pack his suitcases and return home.

From that point onward, the path of the investigation was downhill. Garrison sent five of his investigators to my office to search my records for evidence of wrong-doing. They found nothing. Garrison also permitted police investigators to question his staff and examine his records. No evidence of wrong-doing was found. The matter ground to a close.

Shortly after, Jim Garrison and I had lunch together. We both managed to laugh a little about our confrontation. I assured him that I wasn't the least bit afraid of him. He assured me he wasn't the least bit afraid of me. That marked the end of our one and only public quarrel. I was glad it was over and he probably was also.

STILL, THERE WAS a lesson in it for me and for other elected officials. Public opinion polls taken prior to June when the clash began and sometime afterwards showed that my support with voters had taken a sharp drop. Garrison had swatted me hard not many months before an election, proof of his ability to leave a scar on anyone with whom he crosses swords.

In the elections that November, I edged out Jimmy Fitzmorris after enduring Hurricane Betsy, an appendectomy and Jim Garrison. The DA won a huge victory over Criminal Court