

THE STATES-ITEM

Garrison Becomes Defendant; Now Shoe Is on Other Foot

By JACK WARDLAW

District Attorney Jim Garrison, who has spent the last four years defying the federal government, now finds himself facing criminal charges in U.S. court.

It was March 1, 1967, when Garrison's men led a handcuffed Clay L. Shaw through the courthouse facing a charge of conspiring to kill President John F. Kennedy.

Today it was Garrison in custody, taken from his lake-front home to be fingerprinted like any suspect at the federal courthouse.

BEFORE HE started his Kennedy probe late in 1966, Garrison had a history of success in using the federal authority for his own ends.

He won an historic victory before the U.S. Supreme Court when he beat a state court conviction for criminal libel.

The landmark decision overturned a \$1,000 fine levied against the DA in state court for his criticism of the Criminal District Court judges here.

The decision left a wide latitude for the criticism of public officials in the performance of their duties.

Since then, Garrison has come in for a large share of criticism himself for the legal fiasco that resulted from his Kennedy assassination probe.

SHAW WAS THE only person arrested and charged with conspiring to kill Kennedy, and after a lengthy trial it took a jury less than an hour to reject Garrison's case against him.

Garrison's subsequent attempts to prosecute Shaw for perjury on the basis of his testimony in that trial were thwarted by the federal courts.

Federal District Judge Herbert W. Christenberry, in enjoining Garrison from further prosecution of Shaw, let loose a scathing criticism of the DA and the methods he used in the entire Shaw case.

In a 21-page opinion issued May 27, Judge Christenberry said the perjury charge "was brought in bad faith."

THE JUDGE called the proceedings "continuing harassment" and added:

"This court, considering all the evidence, finds that Garrison undertook his baseless investigation with the specific intent to deprive Shaw of his rights under the . . . Constitution."

Garrison struck back with a vitriolic attack on the judge and the federal courts in general, apparently leaving himself open for a contempt citation. However, Judge Christenberry did not take action.

During the years that the Kennedy probe was in the headlines, the big bad federal government was the villain, according to Garrison.

The Central Intelligence Agency, the DA maintained, was deeply involved in the assassination plot and subsequent efforts to cover up what really happened.

GARRISON constructed an elaborate story in which the CIA, the FBI and other federal agencies cooperated with

anti-Castro Cuban exiles and mysterious other parties.

It all fell apart when it came to a court of law. Now, Garrison must turn to the same system of justice that saved his victims to preserve his own freedom.

Now Garrison, elected in 1961 as a reform candidate, stands accused of collusion with organized crime.

IRONICALLY, Garrison has long maintained that there is no organized crime in New Orleans. Whenever the matter has come up in the past, Garrison's reaction has been to hale those making such charges before the grand jury, with the implicit threat that if they had insufficient evidence to prove the claims, they themselves would face prosecution.

Now, the shoe is on the other foot. Like any other defendant, Garrison is innocent of the charges until proven guilty. But now it is Garrison on the defensive.

It's a new ball game.