

Tapes Are Target

WINSBERG ASKS WIRETAP BAR

Criminal District Judge Alvin Oser today denied a motion by attorneys for Judge Jerome Winsberg to suppress the use of wiretapped conversations presented to the Orleans Parish grand jury in its investigation of the judge's dealings with informer Pershing Gervais.

Attorneys for Judge Jerome Winsberg today asked Criminal District Court to block the use of wiretapped conversations in the Orleans Parish grand jury investigation of the judge's dealings with Pershing O. Gervais.

In an unprecedented move, attorney Mitchell Herzog asked Judge Alvin Oser to suppress the tapes of telephone conversations between Gervais and Winsberg and "other illegally obtained evidence" being placed before the grand jury.

Winsberg's connections with Gervais, the former district attorney investigator turned federal informer, have been the subject of a grand jury investigation since early June.

GERVAIS IS THE government's chief witness against Dist. Atty. Jim Garrison and nine others accused of bribery in connection with illegal pinball operations.

The wiretapped conversations between Gervais and Winsberg, judge of Criminal District Court, Division C, were turned over to the grand jury by federal officials, as were certain other Internal Revenue Service records.

Louisiana Atty. Gen. William Guste, who pressed Garrison to conduct the investigation, said the tapes also included conversations between Gervais and Judge Charles Ward and former Judge Malcolm V. O'Hara.

In arguing against the motion, first assistant district attorney John Volz said the move could destroy the grand jury system.

THE USE OF evidence would not prejudice the defendants' case because there would still be time to suppress it after the grand jury acts, he said.

Additionally, he argued, there was no way anyone outside of the grand jury could know what was being given to the jury.

Volz further argued that tomorrow is the last regular meeting day of this grand jury and that there is nothing to insure that the same action would not be taken by the new grand jury.

Oser was expected to rule on the motion later today.