

Indicted U.S.

By Curt Matthews

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The Nixon administration's war on drugs has produced a tragic list of casualties in Southern Illinois—eleven persons with grievously injured constitutional rights and the law enforcement careers of 12 narcotics officers seriously disfigured by indictment for illicit conduct.

A federal grand jury in Alton, Ill., drew up the official list of casualties a week ago when it handed down a 17-count indictment charging the narcotics agents with conducting illegal drug raids, assaulting and abusing innocent suspects, conspiring to cover their trail of misdeeds, and finally, lying before a grand jury empaneled to investigate the incidents.

Earlier in St. Louis, about 20 miles south of Alton, three of the indicted officers—all agents formerly assigned to the now disbanded Office of Drug Abuse Law Enforcement—suggested that the abuse of civil rights in Southern Illinois stemmed directly from inordinate Nixon administration pressures to get arrests and make impressive drug seizures.

In an interview with two reporters from the St. Louis Post-Dispatch, the three agents agreed that the emphasis within the Office of Drug Abuse Law Enforcement (DALE) was "to make a good showing statistically and pile up a lot of arrests."

The agents, who insisted on anonymity, claimed that "a vacuum of leadership" prevailed in the DALE program—at least in St. Louis—and that they "never knew from one day to the next who was in charge."

The Office of Drug Abuse Law Enforcement was created in January, 1972, under an executive order issued by President Nixon. The President named Myles J. Ambrose, former commissioner of customs, to head the new anti-drug agency which was staffed with 450 federal agents and about 320 officers assigned to DALE from local police forces.

President Nixon said the purpose of the newly created agency was "to drive drug traffickers and drug pushers off the streets of America."

One of the first indications that the drive against drug pushers had taken an ominous turn came on July 13, 1972, in St. Louis. On that date, 15 agents from the DALE office in St. Louis—including some of those indicted last Friday—descended on a north side home to apprehend a suspected dealer.

The men from DALE got their man, but in the process turned the man's home—occupied by his wife and children who had no connection with drugs or drug traffic—into a shambles.

Clothing and bedding were strewn about. An oil painting—unframed and of relatively little value—had been slashed. The wife of the man arrested had been preparing dinner for her family and had left her work in a pan on the kitchen range. The agents had emptied a half loaf of bread into the pan in their search for narcotics and poured out a bottle of whiskey to top off the mess.

"They did things out of just plain meanness," said Dorothy King, wife of the man arrested and a licensed practical nurse at a St. Louis hospital.

Pointing out an irregular green streak on a bedroom wall to a newspaper reporter who inspected the house the morning after the DALE raid, Mrs. King said, "Somebody threw a bottle of hair tonic against the wall. They smashed the top of the commode after they took it off to look into the tank and they poured this bottle of milk all over our clothes."

Baseboards, ceiling and wall paneling were ripped out; lamps, tables, a record player and a television set were smashed.

Mrs. King has filed suit against the government and the agents who invaded her home and seeks \$18,395 in damages.

Another incident involving DALE agents in St. Louis occurred a few months after they had ransacked the home of Mrs. King.

Sterling Bell Jr., a 29-year-old admittance clerk at City Hospital in St. Louis, a pre-dentistry student at Southern Illinois University in Edwardsville, and a man innocent of any involvement in drug traffic or use, was approached by the agents as he left work on the afternoon of Oct. 17, 1972.

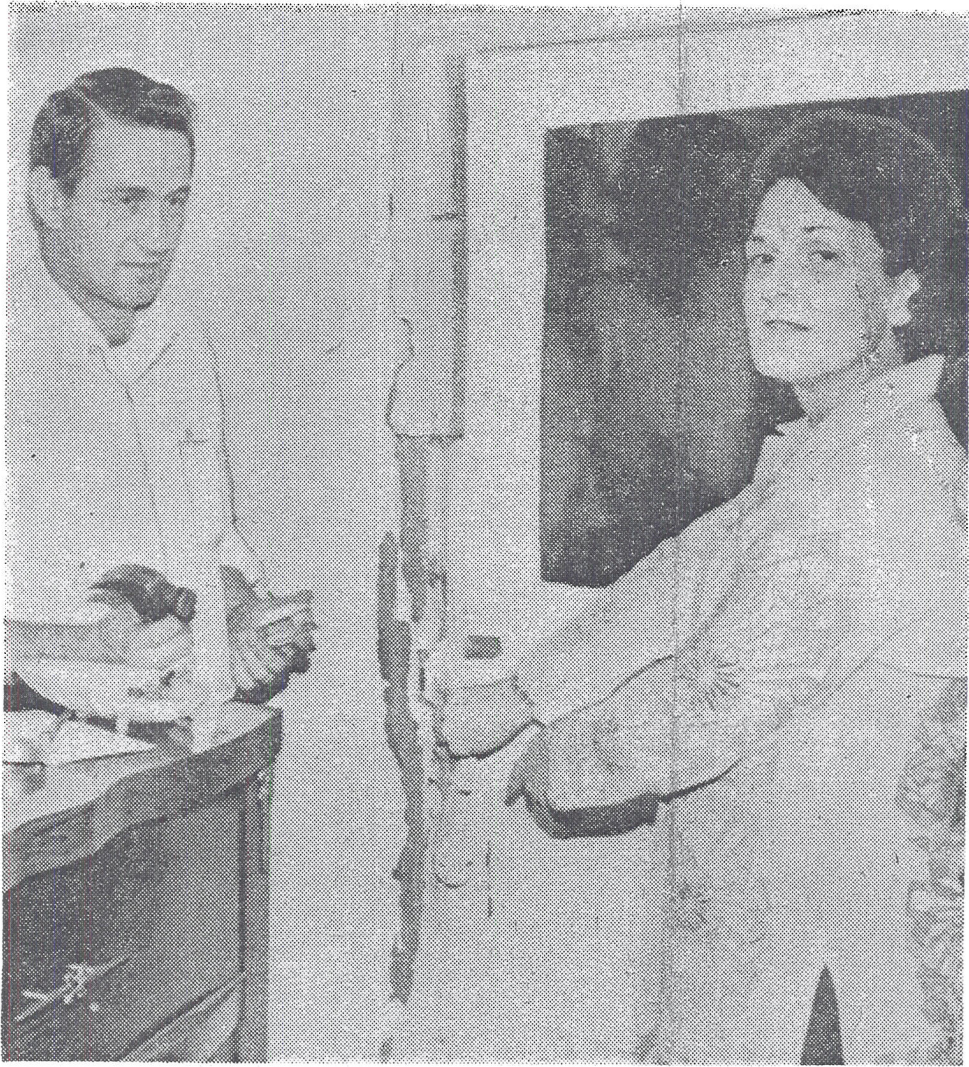
Bell expalined later: "I had just got off work at 3:30 p.m. and I was walking to my car. I heard some guy hollering 'Hey, hey!' I turned and saw this man. He said, 'You no-good . . . son-of-a-bitch, I want some identification.'"

"I said, 'What?' and he repeated the same thing. I said 'Who are you?' and he flashed a gold badge and said something I didn't understand. He seemed very nervous and excited. We were standing in front of Malcolm Bliss Mental Hospital and I thought he was some nut from there."

"I turned to walk. He grabbed me by the shoulder and cocked his fist like he was ready to swing. I beat him to the punch. The next thing I knew I was jumped by four other guys. None of them had on uniforms. They got me on the ground, hit me, kicked my head, and I kept asking, 'Who are you?'"

In July, Sterling Bell filed suit in federal court in St. Louis contending not only that he was mistakenly assaulted by federal narcotics agents on the street but also

Drug Agents Blame



Associated Press

Mr. and Mrs. Donald Askew of Collinsville, Ill., show where they say federal narcotics agents broke in a door, upset a chest, and terrorized them during a mistaken raid.

beaten by the agents after he was taken into custody. He has identified some of those indicted for later assaults suspected drug dealers as the men who accosted him. He seeks punitive damages.

Neither Mrs. King nor Sterling Bell are among the 11 "official" casualties named in the grand jury indictment released a week ago. The incident involving thee two occurred in St. Louis, outside the jurisdiction of the grand jury in Alton. Both Mrs. King and Bell testified before the grand jury, however.

Another unofficial casualty is a six-year-old child not mentioned in the indictment. On April 20 of this year, as the "war on drugs" was heating up in Southern Illinois, 15 agents from the DALE office in St. Louis took up positions in the home of Robert Underwood and Pamela Gitto in East St. Louis. Underwood and Mrs. Gitto had been indicted for distribution of heroin six months earlier with Underwood pleading guilty and Mrs. Gitto maintaining her innocence.

Mrs. Gitto explained later what happened when the DALE agents made another call at her home:

"Two agents knocked at the front door and asked Bob (Underwood) if they could come in . . . I was sitting on the sofa . . . I heard someone say, 'That's it.'

"The next thing I knew a man called Dennis had a gun to my head . . . In a matter of 30 seconds there were 15 to 17 agents in the house . . . I was escorted upstairs with a gun in my back . . . Another agent was up there. He had a gun pointed at my 6-year-old child. When he saw me, he lowered the gun."

Mrs. Gitto says that the narcotics agents needlessly broke down doors in her house, scattered food, pulled bathroom fixtures from the walls and sprinkled dirt from a vacuum cleaner bag as they searched for drugs. None were found. She has gone to court seeking \$100,000 in damages.

The indictment returned in Alton specifically mentions the raid on the home of Underwood and Mrs. Gitto. The grand jury charges that the agents from DALE raided the home without search or arrest warrants and that Daniel J. Duffy, a St. Louis policeman assigned to the DALE office, struck Underwood "numerous times" while he was handcuffed to a chair.

Dennis R. Moriarty, one of the DALE agents involved in the altercation with Sterling Bell, held a gun to Underwood's head while he was handcuffed.

The day after the raid in East St. Louis, the agents from DALE returned to an-

other nearby Illinois community and broke into the home of John Meiners, a mild mannered young salesman for the General Electric Co. who lives in Edwardsville, Ill.

Meiners, who had no involvement with narcotics prior to the raid on his home, was roused from sleep at 3 a.m. and pushed against the wall as the DALE agents ransacked his residence. A pistol was placed to his head and according to a \$2.8 million lawsuit he later filed, he was subjected to verbal and physical abuse.

The agents who entered his home were dressed in casual clothes and displayed no warrant—but they were thorough in their search. A hole was knocked in a dining room wall, the front door was smashed, and a window broken. The apparent basis for the raid was government knowledge that Meiners lived with one of four men who allegedly conspired to sell cocaine to a DALE agent last Nov. 28. Meiners said he was out of town when the alleged transaction took place.

Nonetheless, the DALE agents marched him off to the city jail in St. Louis and held him for 77 hours—without charge and without permitting him to call a lawyer.

The grand jury indictment says: "William C. Dwyer (a DALE agent) did,

'Vacuum of Leadership'

without probable cause or an arrest warrant, seize, arrest and detain John Meiners, thereby causing him to be detained in the St. Louis city jail for a period of three days after which he was released without charges being placed against him . . ."

The "abuse of process" climaxed about the time Meiners was released from jail—on April 23. It was on that date that two teams of DALE agents swooped through Collinsville, Ill., a suburban St. Louis community, and mistakenly invaded the homes of Mr. and Mrs. Herbert Giglotto and Mr. and Mrs. Donald Askew.

The Giglottos have told their story many times since, how 15 armed men, scruffy looking and dressed in hippie style clothes, broke into their home and terrorized them for more than 20 minutes.

"We were sound asleep and at 9:30 we heard a noise and a loud bust, and I got about three steps out of bed, and I went and looked up the hall, and about that time I saw men, all with pistols. One had drawn one, and he cocked it to my head and threw me down.

"They threw me down on the bed on my stomach and put hand cuffs behind my back and pointed a pistol and says, 'You so-and-so, you move, you're dead. I'm going to shoot you.' And my wife started screaming. 'Don't shoot him,' and then he took the gun and put it to her and said, 'You shut your mouth.'"

The DALE agents conducted themselves much the same way when they arrived a little later that evening at the home of the Askews. The couple had just sat down to a late supper when their dog began to bark in the living room.

"My wife ran in there to see what was going on and she says, 'My God, there's a man out here at the window.' By this time there was somebody at the kitchen door, so I got up and went over there and pulled the curtain apart and seen this guy standing there with a riot gun or a sawed-off shotgun . . . There was one guy



MYLES J. AMBROSE
. . . cited "aberrations"

standing next to him and another guy at the storm door.

"They were hippie looking, long haired and dressed like my boy. I was holding the door and they kicked it, so I hollered to my wife, 'Got call the police!' So she went into the living room to pick up the phone and there was a man at that window with a gun and he said, 'Don't call the police!'"

Neither the Askews nor the Giglottos have ever been involved in drug traffic or drug use.

The federal indictment says that the narcotics agents entered the two homes on April 23 without benefit of search warrant or probable cause. The Askews and the Giglottos have each filed \$1 million lawsuits against the government claiming violation of their civil rights.

Media accounts of the late April raids in Collinsville focused attention on the pattern of abuse that appeared to characterize the DALE activities in the St. Louis area.

Myles Ambrose, who left the DALE program in early July when it was merged into the new Drug Enforcement Administration headed by John R. Bartels Jr., insisted that the incidents in Southern Illinois were mere "aberrations" of the Nixon campaign against drugs. In his final press conference, Ambrose pointed out that DALE agents made 7,308 ar-

rests in 1972, executed 1,537 search warrants, and received zero complaints on the execution of 97 no-knock (unannounced) search warrants.

Ambrose's statistical summary overlooked the lawsuit filed in St. Louis by Mrs. King last year following a no-knock search of her home and the blossoming pattern of abuse in cases where no warrant of any kind was obtained before a search or arrest.

National surveys of drug law enforcement activities subsequent to the Collinsville incident have revealed numerous cases of heavy handed tactics by narcotic agents, including a case in California where an innocent man was shot and killed.

Bartels, who is acting director of DEA, has established a new set of guide lines aimed at curbing the abuses revealed in Southern Illinois and elsewhere. He has also promised intensified training of narcotic agents and closer supervision of their activities. Earlier last month he initiated action to dismiss from government service six of the eight federal agents charged in the indictment released in Alton.

One problem revealed in the indictment of the 12 law enforcement officers—eight federal agents and four local policemen—is the lack of maturity and experience that characterized the St. Louis office of DALE. Of the men named in the indictment, only three are over 30 years of age and most have less than five years of law enforcement experience.

The agents interviewed by Post-Dispatch reporters in St. Louis admitted exercising poor judgment. In a five day period last April, they broke into six private homes, according to the indictment, but found drugs in none of them.

Said one local police officer assigned to the DALE unit in St. Louis: "We were sent to do a job and we thought we had the complete support of everyone from the President to the President's down."