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## Supreme Court to Weigh Mitchell's Wiretap View

By ROBERT M. SMITH ial to The New Y

WASHINGTON, June 21—The Supreme Court agreed today to decide whether the Government may engage in electronic sur-veillance of people and groups it suspects of being subversive without first getting the ap-proval of the courts. The issue is crucial to both the Administration and political dissidents. Attorney General John N. Mitchell has argued that deny-ing the Government the right to spy electronically on these groups would make the Con-stitution "a suicide pact." He contends that "never in our history has this country been Coultionary elements." Civil libertarians have argued, on the other hand, that giving the Government a free two fourts argued that deny-confronted with so many rev-

nistory has this country been confronted with so many rev-olutionary elements." Civil libertarians have argued, on the other hand, that giving the Government a free hand to engage in such surveil-lance — unrestrained by the courts—would violate the Fourth Amendment's injunction against "unreasonable searches and seizures." In their brief to the Court, the lawyers arguing against the Government asserted that they eavesdrop on foreign spies, be-cally and in many instances directly, connected with for-eign interests." "If the two could be separat-dor a catastrophic transition from freedom to bondage." White Panther Case In the case the Court agreed to hear today, Federal District Judge Damon J. Keith of the Eastern District of Michigan ordered the Justice Depart-ment to turn wiretap transcripts over to Lawrence Mr. Plamondon is a member

transcripts over to Lawrence R. Plamondon. Mr. Plamondon is a member of the White Panther party who has been accused of con-spiracy in the bombing of a Central Intelligence Agency of-trice in Ann Arbor, Mich. The judge made his ruling on the ground that the con-the ground that the con-the United States Court of Ap-peals for the Sixth Circuit up-to, and we do not find, one written phrase in the Consti-tution, in the statutory law, or in the case law of the On the ground that the con-the United States Court of Ap-peals for the Sixth Circuit up-to, and we do not find, one written phrase in the Consti-tution, in the statutory law, or in the case law of the President, the Attorney forcement from the restric-tions of the Fourth Amend-

See NYTimes 9 Apr 71, this file.

See NYT 20 Jun 72 (Supreme Court ruling, 8-0, against Justice Department), this file.