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Key Wiretaps Barred in Heroin Case

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A \$2 million heroin case was dismantled in United States District Court here yesterday when a judge suppressed two incriminating wiretaps.

Judge Stanley A. Weigel ruled the authorization for the taps on two Southern Alameda county residents a year ago were faulty.

A jubilant defense attorney, Earle A. Partington of the federal Public Defenders office, said, "The wiretaps were clearly illegal. This knocks out 99 per cent of the case."

APPEAL

Jack O'Donnell, special attorney with the Organized Crime Strike Force here said only. "It is our intention to appeal Judge Weigel's decision.

Judge Weigel continued the case until the appeal is resolved.

The case was the Strike Force's initial effort here, culminating in an early Sunday morning raid in Hayward, Union City and Fremont by a 50-man force of narcotics agents.

They seized 15.4 pounds of what was described as "very high grade" heroin, then the largest haul in the

Bay Area.

The argument by Partington and ten other attorneys was the authorization to apply for the wiretaps was faulty.

WIRETAPS

Congress said only the Attorney General or certain designated special assistants might authorize application to a judge for wiretaps.

Judge Oliver J. Carter here, who authorized the taps, was led to believe Will Willson, chief of the department's criminal division, had requested the taps.

In fact, Judge Weigel learned, two other attorneys had requested the taps, signing Willson's name.

Willson had delegated his wiretap request authority to these assistants. But, Judge Weigel said, that was not the intention of Congress.