

A Tale of Mitchell And Wiretapping



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UNDER former Attorney General John Mitchell, the Justice Department held up a law enforcement grant until a consultant resigned who had opposed Mitchell on wiretapping.

As irony would have it, the consultant was none other than Sam Dash, the Georgetown University professor now running the Senate's Watergate probe. Now Dash will be Mitchell's cross-examiner.

There is yet another irony. The study, which Dash helped to prepare, contained a stirring statement by Mitchell against illegal wiretapping. Now Mitchell has been implicated, according to sworn testimony, in the illegal tapping of Democratic Party telephones.

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THIS unusual tale of happenstance began in 1969 when the Attorneys General for the 50 states were looking for a top consultant to help with a nationwide study of their roles in criminal cases. They selected Dash, a recognized expert in the field.

The Justice Department funded the study with two grants for \$68,000 and \$159,000. The first 580-page study was issued in February 1971, with a laudatory endorsement from Mitchell. The study identified Dash as the top consultant.

But not long afterward, Mitchell sought the right to use wiretaps in domestic cas-

es without court approval. Dash denounced Mitchell's stand as an invasion of constitutional rights.

When the state Attorneys General sought another \$84,000 to continue the study, the funding machinery suddenly broke down. The staff was dissolved except for a single dedicated woman who worked without salary, paying expenses out of her own pocketbook.

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THROUGH the grapevine, Kentucky Attorney General John Breckinridge, chairman of the 50-state organization, got word that the pursestrings might possibly be loosened if Dash were dropped. Breckinridge refused to take the hint, but Dash himself broke the deadlock.

"The project is too important," he told them. "I don't want to jeopardize it. I'll withdraw."

His name was removed as a paid consultant and, as if by magic, the roadblock was lifted. The \$84,000 was granted within weeks. Still another \$112,000 grant came through without problems.

Footnote: Before his speech opposing Mitchell's wiretapping plan, Dash's crime institute at Georgetown University received federal grants of \$101,000 and \$60,000. But after his speech, Dash's group was passed over by the Justice moneybags.