

Judge Blames Mitchell as He Dismisses 11 Cases

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MIAMI, May 31 (AP)—United States District Court Judge William Mehrrens said Thursday he had suppressed wiretaps showing "overwhelming" evidence of guilt in 11 Federal gambling, narcotics and bribery cases because former Attorney General John N. Mitchell "believed he could ignore an express command of Congress."

"It is with the greatest reluctance that I suppress the evidence in this and the other 10 cases," Judge Mehrrens said in the order. "The evidence of guilt derived from the wiretaps is overwhelming."

But Judge Mehrrens said he was forced to act because a

hearing here last month, at which Mr. Mitchell was subpoenaed to testify, showed that the wiretap orders were illegally authorized.

The Omnibus Crime Act provided that only the Attorney General and a few designated assistants could authorize wiretaps. But it was disclosed during the hearings that others in the Justice Department signed wiretap authorizations while Mr. Mitchell was Attorney General.

"A series of thorough and extensive investigations extending over a period of months are, in effect, wasted and it is quite clear that the officers in

the field had no means of knowing that the applications were improperly authorized," the judge said.

"The blame for this waste of public resources, however, does not rest with the court," he said. "It lies squarely in the office of the Attorney General of the United States."

"For some reason unknown to this court, the highest law enforcement officer in this country [Mr. Mitchell] believed he could ignore an express command of Congress."

The cases involved in the ruling were from several states and were consolidated for a single hearing on the wiretap issue.