

# 'Scribescam' scandal explodes

*Scott Thompson reports on the revelations that the Justice Department and its journalistic allies have been rigging indictments.*

In the closing moments of Abscam appeal hearings before Brooklyn U.S. District Court Judge George Pratt, startling evidence emerged that the main Abscam prosecutor, Thomas Puccio, had held discussions to sell book and movie rights to the story over nine months before any defendants were indicted.

After first denying under oath that this was the case, Puccio took the stand a second time to make his explosive admission that he held several discussions about a book with Jack Newfield, the senior editor of the *Village Voice*. These began in late summer of 1979 when Newfield and Puccio, both political allies of the Kennedy family, shared a summer home in Martha's Vineyard.

Puccio's secret negotiations with Newfield represent grounds for his immediate dismissal from the Justice Department. Taken within the context of the many unconstitutional and irregular tactics the Justice Department used against Abscam "targets," it represents grounds for immediate dismissal of all their convictions.

Far from being an isolated incident, however, secret collaboration of the sort between Puccio and Newfield has become the modus operandi of the Justice Department. Trial-by-press "leaks" and "exposés" are now standard devices to destroy the reputations of respected citizens and force their indictment when sufficient evidence is lacking. Among other recent cases of such grossly illegal conduct are:

- Full collaboration between the Justice Department, their asset author Ovid Demaris, and New York Times Books to publish the allegations of federal witness Jimmy "the Weasel" Fratianno in a book titled *The Last Mafioso*.
- Leaked transcripts and other documents to *Long Island Newsday* reporter Bob Greene—including even the names of congressmen merely considered for entrapment in Abscam—for a book and possible movie on Abscam informant Mel Weinberg.
- Advance leaks to NBC-TV on Abscam and repeated leaks on other Justice Department targets, including the loan of federal witnesses (Jimmy Fratianno and Ralph "Little Ralphie" Picardo) to make scurrilous al-

legations linking President Ronald Reagan and key advisers to "organized crime figures."

## The Blumenthal report

On Jan. 14, in a surprise inaugural eve move, outgoing Attorney General Benjamin Civiletti disciplined seven Justice Department employees for their role in "leaks" relating to the undercover operations Abscam, Brilab, and Pendorf. In announcing this "disciplinary action," Civiletti noted that 35 investigators had worked for six months on this special internal inquiry under Connecticut U.S. Attorney Richard Blumenthal.

An examination of the publicly available facts shows that the 120-page Blumenthal report was a glaring coverup, especially in its conclusion that "offenders did not act in an organized fashion, intend to obstruct justice, or derive any personal financial gain from their actions."

What was the actual nature of the Abscam leaks?

*EIR* investigators discovered that a full three weeks before the Abscam story "officially broke," *The New York Times's* Leslic Maitland, Bob Greene of *Long Island Newsday* and a board member of Investigative Reporters and Editors, reporters for the *Washington Post*, and an NBC-TV camera crew had been briefed on when and how to break the story.

Even before Sen. Harrison Williams (D-N.J.) could read that he had been the victim of a Justice Department "sting" in his morning paper, an NBC camera crew was camped out on his lawn waiting for an interview. Such trial-by-press "leaks," appearing a full three months before a single Abscam victim was indicted, are largely responsible for all but one of the re-election bid losses of those congressmen entrapped by the Justice Department.

The Blumenthal report not only covered up the chief "conspirators" behind these orchestrated leaks, but also, as a result of Blumenthal's conclusions, Civiletti merely issued letters of censure against those who were named. The sole exception was Quentin G. Ertel,

spokesman for the New York office of the FBI, who was suspended without pay for 30 days and placed on probation.

Ertel had informed *The New York Times* that Howard Criden, an Abscam defendant, was cooperating fully with the Justice Department in an apparent attempt to destroy the possibility of a unified defense.

Two of the principal leakers not named in the Blumenthal report were former FBI Assistant Director Neil Welch and, of course, Thomas Puccio. Welch, who worked on a daily basis with Puccio to set up the Abscam “sting,” resigned shortly after the Feb. 2 story broke and is now Kentucky’s secretary of justice.

The fact that Puccio, the main Abscam prosecutor, was leaking was known to Attorney General Civiletti a full six months before the dramatic revelations during the Pratt hearings.

On Oct. 8, 1980 former Rep. John Murphy (D-N.Y.) filed papers against NBC, its president Fred Silverman, NBC News President William Small, and NBC reporters Jessica Savitch and Brian Ross. In a press statement on the same day, Murphy charged NBC with lying about the nature of his involvement in Abscam.

In response to this suit, NBC agreed to carry a full retraction of any misstatements, and further revealed that its reporter Brian Ross had merely repeated as “fact” information leaked by the Justice Department.

Commenting on this, Rep. Murphy stated:

“Let there be no mistake as to what was afoot in February of this year—the Brian Ross episode was no accident. Federal investigators and prosecutors were deliberately leaking falsities and misinformation in an almost hysterical race to destroy public figures about to become enmeshed in Abscam.

“Not content with selectively leaking edited tapes, contrived innuendo, and the like, the government ‘sources’ lied to their preselected crew of reporters. . . .

“Leaking seemingly incriminating evidence selectively was reprehensible.

“Leaking lies was despicable.”

Murphy reported his findings from NBC to Attorney General Benjamin Civiletti in a letter dated Oct. 31, 1980. In that letter he stated:

“In October 1979 I met with Michael E. Shaheen, Jr., of the Justice Department’s Office of Professional Responsibility to discuss the constant stream of lies about me by a few Justice Department employees. He said he was appalled at the evidence I gave him and indicated that it was one of the ‘worst’ cases of law-enforcement leaks he had ever seen; he promised a thorough investigation, nothing ensued. . . .

*“Incidentally, while Mr. Shaheen was present, my lawyer received a call from Mr. Jack Newfield, a favorite ‘leakee’ of some U.S. Attorneys in New York. Newfield actually had the contents of the letter from me to you of*

*October 2, 1979 asking you to investigate Justice Department leaks to Newfield. My lawyer had hand-delivered a copy of that letter to the U.S. Attorney’s Office in New York just 24 hours earlier. I would call that a pretty fast leak, wouldn’t you Mr. Attorney General? [emphasis added].”*

It is now known that the probable source of the leaks to Newfield was Thomas Puccio, the head of the Organized Crime Strike Force handling Abscam for New York’s Eastern District.

### **Stage-managing a case**

When Puccio retook the stand in the Pratt hearings to correct his apparent flirtation with perjury, he not only admitted discussing a book on Abscam “fairly frequently” with Newfield, but showed more than a little familiarity with the financial arrangements and how he might benefit.

Puccio admitted that he had “one or two discussions” as well with Newfield and his agent Esther Newberg. After categorically denying that “any figures in terms of dollars” were mentioned, Puccio finally blurted out that he had “glanced at” a contract in which Newfield’s “unnamed collaborator” was to get a \$40,000 advance.

Newfield himself revealed to reporters for the *Daily News* two days after Puccio’s Feb. 16 testimony: “I’m not sure I’m even going to do the book. I want to wait and see if [Senator] Williams is convicted. Otherwise it may not be worth doing.”

In short, Puccio’s receipt of a \$40,000 book advance, as well as untold royalties from book sales and movie rights, hinged on his ability to convict Senator Williams and other Abscam defendants.

Testimony equally as explosive as Puccio’s presented by two New Jersey prosecutors, Ed Plaza and Bob Weir, at the Pratt hearings reveals that there were no lengths to which Puccio and the Civiletti Justice Department would not go to obtain those convictions. Plaza stated that his first major doubts about the handling of Abscam arose when he stumbled upon a transcript in Puccio’s Brooklyn office in July 1979 of a conversation between Abscam informant Mel Weinberg, Senator Williams, and another Abscam target, Camden, N.J. Mayor Angelo Errichetti.

The conversation was a “rehearsal” at which Weinberg coached Williams because of the “Arab way of doing business” he must “come on strong” with representatives of the phony Abscam “sheikh,” even though the financing Senator Williams wanted for retooling a titanium mine was perfectly legitimate.

It was such efforts to “stage manage” evidence, among other outrageous acts, that led Philadelphia U.S. District Judge John Fullam to reverse the two earlier Abscam convictions on Nov. 26, 1980. Commenting on

the Williams case in his decision, the Judge stated:

"Mr. Weinberg engaged in an extensive coaching session. In effect, the Senator was told that, whereas both he and the representatives knew that the proposed venture was entirely legitimate, that it would not be expected to use his official position to advance the interests of the enterprise, it would be helpful if the Senator were to impress the sheikh with the importance of his position in the Senate, and his knowledge of other important persons in the government. . . .

"Even more disturbing is the fact that, in a pre-prosecution memorandum dated December 12, 1979, and submitted to his superior . . . Thomas Puccio, Esq. . . . no mention is made of Weinberg's coaching of Senator Williams; only the tape of the actual meeting with the sheikh is referred."

According to Plaza's testimony at the Pratt hearings, Puccio not only concealed evidence of "coaching" to his superiors, but also to the grand jury which indicted Williams. When Plaza discovered that the case against Williams had been "stage managed," he and Weir confronted Puccio in a heated July 9, 1979 meeting.

Days later the Newark FBI office received a blistering telex message from Washington stating that they were to be excluded from access to all further tapes and transcripts dealing with Abscam unless specifically authorized by Puccio. A special meeting was nonetheless called on Aug. 9 to discuss the Williams "coaching session" at which Plaza demanded that Weinberg stop putting "words in people's mouths."

Weinberg, whose continued immunity on an earlier extortion conviction depended upon making four cases, became visibly enraged and shouted at Plaza, "If I can't do that, we won't make no cases." After this confrontation, orders came from Puccio's office that Plaza was to have no further access to Weinberg.

Weinberg's advice to "come on strong," which created the appearance of guilt to grand jury members and, no doubt, created a videotape transcript ideal for use in a book or movie under consideration by Puccio, is solid proof of entrapment as Judge Fullam concluded. Any crimes committed during Abscam were the creations of the Justice Department

## Scribescam overview

The massive pattern of leaks and collaboration between Puccio and Newfield in Abscam is merely the tip of the "Scibescam" scandal. An equally glaring case is that of a joint effort by the Justice Department and its journalistic asset Ovid Demaris in the recently published book *The Last Mafioso*.

In this book, Jimmy "the Weasel" Fratianno, an admitted 11-time murderer now on the payroll of the Federal Witness Protection Program, smears as organized-crime-linked such respected constituency leaders

as: Teamsters international vice-president Jackie Presser, who was named a labor adviser by the new administration; former San Francisco Mayor Joe Alioto, who already successfully sued *Look* magazine for running similar Fratianno slanders; and entertainer Frank Sinatra, a friend of both Attorney General William French Smith and President Reagan.

In an interview with *EIR*, New York Times Books editor Hugh Howard, who oversaw the Fratianno book, admitted that the Civiletti Justice Department had provided Demaris with documents and access to Fratianno. "The FBI made available to [Demaris] selected documents and because of his close relationship with the FBI people a great many other documents that maybe should and maybe shouldn't have been given. I don't know. But he had just remarkable material to work with."

The question is raised whether the FBI also provided documents on Presser, Alioto, and Sinatra, who have never been convicted of any crime whatsoever.

Fratianno was also "loaned" by the Justice Department to NBC-TV to do a major slander on its Sixty Minutes against the President and Attorney General William French Smith. William Safire, a notorious "calumnist" at the *New York Times* also went with unsubstantiated statements of Fratianno to attack Smith. Among Safire's close associates is McCarthyite attorney Roy Marcus Cohn, a friend and business partner of Joe "Bananas" Bonanno, with whom Fratianno has been linked as a partner in organized crime.

Another federal witness used by NBC-TV to attack Secretary of Labor Raymond Donovan is convicted murderer Ralph "Little Ralphie" Picardo. A day after Senate confirmation hearings found nothing to substantiate Picardo's charges against Donovan, NBC had Picardo repeat those allegations on nationwide TV. It is believed that the connection between NBC and Picardo was arranged by Walter Sheridan, former head of the Justice Department's "get Hoffa squad" who is now chief investigator for Sen. Ted Kennedy (D-Mass.) on the Senate Labor and Human Resources Committee.

An even more blatant case of Justice Department collaboration involves *Newsday* reporter Bob Greene who is finishing a book on Abscam informant Mel Weinberg. According to sources close to Jack Anderson, the original manuscript is replete with confidential transcripts and documentary material.

Greene is a board member of Investigative Reporters and Editors, which with the Fund for Investigative Journalism and the Center for Investigative Reporting, maintains a stable of Justice Department-linked journalists. It is to these "press prostitutes" and a complicit media network that the Justice Department turns whenever it plans a major attack upon civil liberties and constitutional government as in Abscam.

## Who's who in Scribescam

The official chain of command for operations like Abscam, Brilab and Pendorf, starts from former Attorney General Benjamin Civiletti, to his assistant heading the Criminal Division Philip Heymann, to David Margolis, head of the Organized Crime Strike Force. It includes the following:

**Benjamin Civiletti:** Kennedy family protégé who went straight from law school to become an assistant to Baltimore U.S. Attorney Joe Tydings in 1961. Tydings ran JFK's 1960 Maryland presidential campaign and worked on RFK's so-called war on organized crime. From his later position at the Baltimore law firm of Venable, Baejer and Howard, Civiletti helped run the "dump Agnew first" aspect of Watergate. In payment for running Jimmy Carter's 1976 Maryland campaign, Civiletti was named assistant to Attorney General Griffin Bell.

During Civiletti's tenure in the DOJ, violent crime prosecutions dropped dramatically while "white collar crime" prosecutions, previously nonexistent as a category, took up the majority of Justice's resources. Some 20 members of the Weatherunderground, Republic of New Africa, and other terrorists (including one who threatened to kill a President) have been released from prison or pardoned.

With his Watergate background, Civiletti ran Koreagate, the perjury proceedings against former CIA director Richard Helms, and the coverup involving kickback scandals of Representative Eilberg, Representative Flood, and the Vesco affair, which threatened to sink the Carter administration.

**Philip Heymann:** Civiletti's assistant directing the Criminal Division. Heymann was directly implicated in the coverup of Robert Vesco's attempt to buy his way out of immigration problems with the Carter administration in 1979.

**Irvin B. Nathan:** Heymann's immediate subordinate. Nathan ran the operation to cover the dirty tracks in Abscam, including the character assassination of Plaza and Weir in his Jan. 6, 1981 memo.

**David Margolis:** Director of the Organized Crime Strike Force (OCSF) who coordinated the field operations in Brilab, Abscam and Pendorf.

**Thomas Puccio:** Director of the Brooklyn OCSF and coordinator of Abscam at the field level as well as chief prosecutor in the five primary Abscam cases. Puccio was directly involved in the attempt to cover

up the government's outrageous entrapment of the defendants in Abscam.

**Jack Newfield:** Senior editor of the notorious *Village Voice*, which ran a character assassination of Abscam defendant Rep. John Murphy during the "covert" phase of Abscam. Newfield, "a close, personal friend" of Puccio, part of the Kennedy political apparatus, shared a summer home with Puccio on Martha's Vineyard during the Abscam investigation. Newfield has a \$40,000 advance-fee contract to write a book on Abscam prosecutions. The contract includes another \$40,000 for Puccio as coauthor.

**Bob Greene:** Senior editor of Long Island *Newsday*, which along with the *New York Times*'s Leslie Maitland leaked the Abscam investigation on Feb. 3, 1980, prior to indictments, thus severely prejudicing the cases. Greene is now writing a book with Abscam operative Mel Weinberg. Greene is chairman of the executive board of Investigative Reporters and Editors (IRE). IRE and Greene recently were found guilty of maliciously inflicting psychological pain on Nevada businessman Kemper Marley in their "investigative" reporting on the Tom Bolles case.

**Ovid Demaris:** Justice Department literary asset who has just published a book with Jimmy "the Weasel" Fratianno, put out by New York Times Books for use in the Reagagate operation.

The "investigative journalist" circuit is used by the Justice Department as street thugs to commit character assassinations against DOJ targets based on "leaks" from the Justice Department. The fraudulent exposés run are then "objectively reported" on by the *New York Times* or NBC-TV. This yellow journalism is run through Jack Anderson's Fund for Investigative Journalism, whose Woodward and Bernstein peddled the Watergate hoax; the Investigative Reporters and Editors, who ran the coverup of the drug traffic in the Southwest under the pretense of investigating the Bolles murder (the story was syndicated in Long Island *Newsday*); and the West Coast's Center for Investigative Reporting whose material is published by *Mother Jones* and Pacific News Service.

Each of these operations has involved slandering union leaders, public officials, and businessmen in order to create a trial-by-press climate for the Justice Department. This is exactly the scenario being reenacted in the current Reagagate operations.