Vol. CCXXVI, No. 63 Raleigh, N.C., Friday, September 1 1978 113th Year

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3 Ne Yorkers charged in spills

FBI investigated Raleigh wiretaps

By CHLE C. CAMPBELL

The FBI investigated allegations in late 1973 or early 1974 that the Raleigh Police Department had conducted illegal wiretap surveillance of suspected criminals and prominent citizens, but the U.S. attorney decided there was insufficient evidence to seek indictments.

Sources close to the police department have told The News and Observer that Raleigh police used wiretapping as a routine investigative tool for two decades until the early 1970s.

"I do know as a fact that, for 20-some years, the Raleigh Police Department used that method for investigations," said one veteran police officer.

"There were never any warrants," said another veteran officer. "As far as I know, you couldn't be able to get a court order to allow you to do it.

"It was considered illegal. I did participate in it. But you do anything to catch a damn crook, as long as it's honest and fair, even if it's not legal."

Police Chief Robert E. Goodwin said Thursday that he had no knowledge of wiretapping by Raleigh police.

"I don't know anything about that," said Goodwin, who has been with the department since 1958 and chief since 1971.

When asked about the FBI probe, Goodwin said, "I suggest you ask the Justice Department about that."

Thomas P. McNamara, U.S. attorney for North Carolina's Eastern District from 1973 to 1976, said two FBI agents from Greensboro and Hickory had spent about four months on the investigation. He said he wasn't sure precisely when the investigation took place.

McNamara said police could tap a phone legally only under an order from a federal judge. He said the agents looked into two kinds of allegations: whether the depart-

See FBI ...



Robert J. Burns, Transformer Sales president ... photographed in Buffalo, N.Y. Wednesday

By JOHANNA SELTZ and RICK NICHOLS

The owner of a New York oil reprocessing company and his two sons were arrested near Jamestown, N.Y., Thursday evening on North Carolina felony warrants that charge them with dumping toxic PCB oils along N.C. roads since late July.

Robert J. Burns, 60, owner of Transformer Sales Co. in Allegany, N.Y., and his sons, Randy James Burns, 31, and Timothy P. Burns, 28, were picked up on fugitive warrants and brought to the N.Y. State Police station in Falconer, N.Y.

The three were held in the Cattaraugus County Jail for the night, said Jamest V. Burns, a N.Y. Bureau of Investigation agent.

N.C. Attorney General Rufus L. Edmisten, who announced that North Carolina's investigation "is continuing just as intensively as it did before today," said the state would seek to have the three extradited.

He said more indictments may be handed down in the case, which N.C. Bill agents and N.Y. State Police have been investigating for weeks.

The elder Burns has had close business dealings for years with B.E. "Bud" Ward Jr., owner of the Raleigh transformer company that paid Burns $95,000 to haul off 11,000 gallons of PCB oils earlier this summer.

The Burnses were indicted by a Halifax County grand jury Wednesday on seven counts each, including two felony charges of damaging public property; one count each of conspiring to damage property and one count each of committing a criminal conspiracy by dumping the hazardous oils on or about July 28.

The indictments also charged Ward only with two misdemeanor counts apiece of failure to provide proper and adequate containment each of operating an unpermitted disposal system.

Edmisten said that the Halifax County grand jury was presented evidence about PCB spills in that county, but that the company, whose name is also Transformer Sales, or other spills across the state [illegible]

"There could be a possibility of indictments [illegible] by other agents," he said.

Superior Court Judge Richard B. Allsbrook had ordered the Burnses held in custody in Halifax until [illegible] New York officers taken into custody [illegible] Edmisten said he would [illegible] today.

PCBs, [illegible] Raleigh, were discovered [illegible] mixed with Carolina Highway [illegible] state Department of Natural Resources and Community Development chemists. Bill agents/investigators from the U.S. Environmental Protection Agency, N.C. Highway Patrolmen and New York authorities have been involved in the investigation.

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MONS 001941

New Yorkers charged in spills

Gov. James B. Hunt Jr. weighed out the $85 for special praise to the effort and called on the courts to hand down the "maximum sentences possible" if the [illegible] were convicted.

The Europe fees sentences of up to 40 years each on the state felony counts alone.

Hunt said lawsuits should be filed to recover the full costs of cleaning and disposing of the contamination.

It may cost $2.5 million or more to clean up the long-lasting, industrial chemicals, which have been linked to liver cancer in laboratory animals.

N.Y. police said Burns and his sons were to be arraigned Thursday night in the southwestern New York town of Rutt. They will be given a bail hearing today, police said.

Police low over mouse after high

BALLISAW, Okla. (UPI) — In the Sequoyah County prosecutor's office they are calling him Marijuana Mouse, a crafty rodent who has developed an insatiable appetite for pot.

Under normal circumstances, the thief might be caused for his excesses and allowed to live out his short life in a permanent high. However, Marijuana Mouse's cuisine happens to be evidence being held for future criminal cases.

Every employee on the second floor of the Sequoyah County Courthouse has been alerted to stop the diminutive [illegible], but even traps have failed to stop his nocturnal [illegible].

"He's even made it into the evidence locker," said Assistant District Attorney John S. Adams. "We learned it's not [illegible]. There's a one-inch gap at the bottom."

Authorities said Marijuana Mouse also has broken into the prosecutor's office at least four times during the past month. Adams described the culprit as a "happy user."

Salvation Army raps church aid to fighters

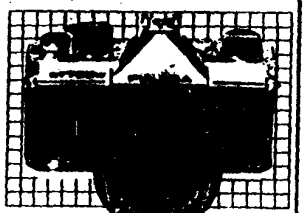
LONDON (AP) — The Salvation Army, a British-based worldwide Christian movement, has suspended its membership in the World Council of Churches because the council has given $85,000 to black Rhodesian guerrillas.

A statement in the latest edition of the Salvation Army's newspaper, The War Cry, said Salvationists were "perplexed and distressed" by the grant to the Patriotic Front, led by Robert Mugabe and Joshua Nkomo from outside Rhodesia.

The Patriotic Front is fighting Rhodesian forces for control of Rhodesia, where white Prime Minister Ian D. Smith shares power with three moderate black leaders in an interim government intended to lead the country to black majority rule.

STENMEX

See The NEW Fujica ST705W



The new Fujica ST705W rank among the most compact SLR cameras. And Fujica's photographic know-how has packed in a host of advanced features. Yet the ST705W weighs [illegible] grams [illegible]

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