

ADL files unsealed by San Francisco court

by Jeffrey Steinberg

On Oct. 1, California Superior Court Judge Lenard Louie ruled that some of the files seized in two raids on the offices of the Anti-Defamation League of B'nai B'rith (ADL) in the San Francisco Bay Area and Los Angeles will be unsealed and released to the victims of the ADL espionage. Last December, Judge Louie had sealed all the materials seized by San Francisco police in the first series of raids on the ADL offices and the home of ADL dirty-trickster Roy Bullock, arguing that he had to preserve the integrity of the ongoing police investigation into how the ADL had obtained classified police and California Department of Motor Vehicles (DMV) data on tens of thousands of American citizens. In April of this year, police again raided the ADL offices in Los Angeles and San Francisco and carted off thousands of additional files that had been withheld by ADL officials during the first raids.

At a hearing on Sept. 10, Judge Louie was informed by San Francisco Assistant District Attorney John Dwyer, the man in charge of the 10-month probe of the ADL, that the criminal investigation had been completed and that his office would complete its review of the case by Nov. 9, the date on which a new grand jury is to be empaneled. The ADL has been exerting enormous behind-the-scenes pressure on District Attorney Arlo Smith and other city officials to resolve the case without further criminal indictments.

So far, the only person charged is former San Francisco police inspector Tom Gerard, who was indicted in May of this year on five felony counts. In the criminal complaint filed against Gerard, Bullock was also charged with illegally possessing classified DMV and police data on over 1,000 California residents. Although Bullock has not yet been indicted, the fact that the district attorney spelled out specific felony acts strongly suggests that he will be also be brought up on charges. Others who have been identified by sources in the district attorney's office as targets of the probe are Irwin Suall, director of the ADL's Fact-Finding Division; San Francisco ADL regional director Richard Hirschhaut; Los Angeles ADL regional director David Lehrer; and Judge Bruce Einhorn, former ADL president for southern California and the ADL's secret paymaster to Bullock.

The decision by Judge Louie to selectively open the ADL

files on individuals and organizations is a serious setback for the ADL, which had been angling to have all of its files returned without being publicly released. At stake for the ADL is its tax-exempt status and potentially \$25 million in civil fines. Last May, former U.S. Rep. Paul N. McCloskey, Jr. (R-Calif.) filed a class action suit on behalf of the victims of the ADL's illegal spying operation. He has already filed discovery motions, and the ADL is desperately attempting to block them by claiming they are a "news organization" protected by California's shield laws.

Another Pollard scandal?

Another time bomb was set ticking during the hearing before Judge Louie on Oct. 1 when Gerard's attorney James Lassart reported that the FBI has so far refused to release any documents from their two-and-a-half-year probe of Bullock. Not even the district attorney's office has received copies of the FBI investigative file, according to Lassart.

The FBI began its probe of Bullock's activities in 1990 as part of an investigation into espionage by the South African government. FBI agents probing South African efforts to obtain information about high-technology research in Silicon Valley discovered that Bullock had been selling information to two South African agents known as "Humphries" and "Louie." As the result of court-ordered wiretaps on Bullock's phone, the FBI discovered that he was regularly tapping into classified police and even FBI data bases, obtaining confidential information on American citizens.

CIA documents turn up

In November 1992, the FBI turned the primary jurisdiction in the case over to the San Francisco Police Department. However, even after the initial SFPD raids on the San Francisco and Los Angeles ADL offices and the homes of Bullock and Gerard, the FBI continued its probe. Bullock and another former ADL employee, David Gurvitz, were interrogated by the FBI in January 1993; and in April, following the discovery of a Gerard briefcase loaded with classified Central Intelligence Agency documents at a police gymnasium, the FBI announced that it was back on the case.

When Lassart raised the issue of the mysterious FBI files in court, ADL attorneys became noticeably uncomfortable. The disclosure of the FBI investigative file could prove to be another devastating blow to the ADL. Sources close to the police probe of Bullock, Gerard, and the ADL say that there are mountains of documents that could surface during a trial of any of the potential defendants and that would "devastate" the ADL.

Robert I. Friedman, a reporter for the New York tabloid *Village Voice* and the author of two lengthy stories on the ADL in recent months, reported in April that convicted Israeli spy Jonathan Jay Pollard has written to friends and relatives that a top official of the ADL was a pivotal player in his spying.