

LEGISLATION

Public money for House races?

Support for public financing is centered among freshmen and sophomore members who fear rightwing opposition.

By Georg Zola

WASHINGTON

WORKING QUIETLY SINCE Congress reconvened on Jan. 19, chairman of the House Administration committee Frank Thompson (D-NJ) and Common Cause have been working on a compromise amendment to the Federal Elections Campaign Act that will authorize partial public financing of congressional elections.

A similar measure died in the committee last October for lack of support from a majority of its Democratic members. However, this time Common Cause and supporters from outside the committee are hoping to produce a measure that will appeal to a majority in Congress.

For the past three months Common Cause volunteers have been working to muster support for a public financing bill in the home districts of congressmen who oppose it. At the same time David Cohen, president of Common Cause and Fred Wertheimer, senior vice-president, have been pressuring the Democratic leadership in the House to pass a bill in time for the November elections.

For tactical reasons the measure is ex-

pected to be brought up on the floor and won't be included in the other package of amendments to the FECA the House Administration committee is currently considering.

Action on the measure is expected in late March. Supporters are opting for full House action on the floor, rather than running the risk that the amendment will die in committee again.

Sources close to the committee say that there have been major disagreements among Democratic members of the committee as to whether members of Congress should join the President in getting elected to public office at least in part with public funds. (Jimmy Carter and Gerald Ford each received \$21.4 million in public funds for the general election alone in their bids for the presidency in 1976.)

They say that Reps. Frank Annunzio (D-IL) and Mendel Davis (D-SC) are among the strongest committee opponents against partial public financing of congressional elections.

Annunzio's and Davis' opposition can be explained in part by the fact that in the past they have had only token opposition in their bids for re-election.

In the 1976 general election Annunzio raised \$82,176 and spent \$77,220 to get re-elected. His Republican opponent raised only \$6688.

Davis raised \$53,464 and spent \$59,442 in his successful campaign. Presumably he also used about \$6,000 leftover from his last campaign. His Republican opponent raised only \$1,800.

Although a final measure hasn't been drafted, this is what Congress is expected to vote on when the amendment comes before the full House.

If the amendment passes, only congressional general elections would be affected and a ceiling of \$150,000 for campaign ex-

penditures would be set for candidates who accept public funds.

The limit on matching funds would be set at \$50,000, leaving candidates to raise the other \$100,000 from private sources if they could.

Once it becomes evident who the candidates in the general election will be, usually after a primary, they would have ten days to notify the Federal Elections Commission if they want to accept public funds or not.

If one candidate decides against accepting public funds, the spending ceiling for the other candidate would be lifted entirely and the limit of his matching funds would be doubled to \$100,000.

"The bill will be drawn to provide incentives to all candidates to accept public funds," said a committee staff member.

Only contributions of \$100 or less would qualify for matching funds, with only one \$100 contribution or contributions totaling \$100 per person covered. A candidate would have to raise \$10,000 in \$100 contributions before qualifying for matching funds. After that only contributions in blocks totaling \$10,000 would be matched, up to \$50,000. This means that if a candidate raises only \$17,000 in \$100 contributions, only \$10,000 would be matched because the remaining \$7,000 falls \$3,000 short of the \$10,000 block.

The funds for the public financing of elections would come from the one dollar write-off most Americans authorize for public elections when they file annual federal income tax returns.

Other amendments expected to be drawn up by the committee would reduce labor's and business' involvement in congressional elections. Current laws allow labor and business groups to contribute a maximum of \$5,000 per candidate per

group. The amendments would reduce this by half.

Common Cause recently released a report that showed that during the first ten months of 1977, less than a year after the 1976 general elections, special interest groups had made contributions totaling \$2.4 million to incumbent congressmen.

Business and political groups led the list of contributors with contributions totaling \$987,800, while labor groups gave \$844,000. Their combined totals amount to 76 percent of all contributions made during the first ten months.

Individual contributions would still be limited to a maximum of \$1,000 per person per candidate. A candidate opting for matching funds would be allowed to spend a maximum of \$25,000 from his own funds for his campaign.

Support for public financing is centered mostly among the freshmen and sophomore members of Congress, many of whom are still paying off debts from their first campaigns. They want public financing to be available in time for the 1978 elections.

More than anything they fear a blitz of contributions from right wing groups to their prospective opponents in November. The right feels that many first and second term congressmen will be vulnerable in November.

Privately, supporters see only a 50-50 chance of the measure passing the House. They say that in spite of their support for the measure, the House Democratic leadership favors it only reluctantly and will make no attempt to save the legislation if it runs into trouble on the floor.

Opponents in the Senate have already promised a filibuster to kill any measure reaching the Senate floor, even if it affects House elections only.

Georg Zola is a reporter in Washington.

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HUMAN RIGHTS

Rights violated in Charlotte case

Even though the government witnesses were paid for their testimony, the Charlotte Three have not been given a new trial.

By Bob McMahon

CHARLOTTE, N. C.

IN OCTOBER 1957 BLACK ACTIVIST T.J. Reddy and an integrated group of friends visited the Lazy B Riding Stable near Charlotte. Turned away, they returned the next day with more friends including Charles Parker—reporters and TV cameramen. Parker, a black, was allowed to rent a horse. A minor integration incident closed successfully.

Five years later this almost-forgotten episode engulfed Reddy, Parker and their friend and co-worker Jim Grant in a not-yet-concluded nightmare.

The Lazy B Riding Stable had burned Sept. 24, 1968. Fire investigators at the time did not mention the possibility of arson publicly.

In January 1972 Grant, Reddy and Parker were suddenly arrested and charged with burning the Lazy B. Convicted that July, they received 25, 20 and ten year prison terms respectively.

The mainstay of the state's case was testimony by Theodore Alfred Hood and Walter David Washington. Together Hood and Washington told a vivid story of participating with the three defendants in a militant underground group called

the United Souls, which practiced the use of guns and fire-bombs, and had burned the riding stable's barn in revenge for the 1967 integration incident.

Hood and Washington also testified against Jim Grant and Ben Chavis—defendants in North Carolina's Wilmington 10 trial (ITT, Feb. 1)—in a federal trial in Raleigh, N.C., in April 1972. Both had long prison records and faced serious new felony charges, dropped in return for their testimony in the two trials.

Throughout the Charlotte trial, the courtroom atmosphere suggested the real offense of the three defendants—repeatedly labelled "black militants" by prosecutor Thomas Moore—was their political activism.

The prosecution allowed no Jews and only one black—an elderly, half-deaf woman—on the jury.

Four witnesses testified that Jim Grant had been visiting them in Pennsylvania in September 1968, at the time he had supposedly masterminded the incendiary activities of the "United Souls."

Moore's cross-examination of these four centered on their political associations. He sought to link them to radical groups like Students for a Democratic Society to discredit their testimony.

One witness, Joe Hahn, asked to list all the groups he belonged to, began with the Republican party, then went through a long list of stamp collectors' clubs. He checked membership cards in his wallet to see if the list was complete. Moore also looked in the wallet, then triumphantly denounced Hahn as a "card-carrying member of the American Civil Liberties Union."

The sentences handed the Three were far longer than usual in arson cases where no one was injured. In his sentencing speech Judge Frank Snapp made it clear

that he had set long terms because he found the defendants to be "a danger to society" as "violent revolutionaries."

Concern in Charlotte over the political character of the case led in 1974 to an investigation by the *Charlotte Observer*. The paper discovered that federal agents had concealed payments to the witnesses and evidence contradicting their trial testimony.

Hood and Washington were paid at least \$4,000 each for their testimony. The deal was approved by then Assistant Attorney General Robert Mardian of the Internal Security Division of the Justice department because their testimony could lead to prosecutions of "leading militants" Grant and Chavis.

The deal was set up by federal Alcohol, Tax and Firearms (ATF) agents William Walden and Stanley Noell, who did most of the investigation for the state in the Charlotte 3 trial. (The two agents also assisted N.C. authorities in building the case against the Wilmington 10.)

Washington told Walden that he had not seen who set fire to the Lazy B barn. On the witness stand, however, he described watching Parker and Reddy fire-bomb the building.

The jury and the defense did not know about his earlier contradictory statement. Hood denied on the stand that he had received any payment for his testimony.

Armed with this new evidence, Grant, Reddy, and Parker sought a new trial. The court appeals that have followed have been slow and frustrating.

After sitting on the case for 17 months, N.C. Superior Court Judge Sam Ervin III denied their appeal. Ervin ruled that the state would have been required to turn over the concealed evidence to the defense had it come from its own agents, but that federal agents helping the state need not

tell all they knew or the tactics they used to obtain it. Higher state and federal courts, including the Fourth U.S. Circuit Court of Appeals on Feb. 4, 1978, have declined to review or overturn Ervin's ruling.

The case is being appealed to the U.S. Supreme Court. Grant and Reddy are out on bond at this time. Parker was paroled after serving over two years of his term.

"At this time," says Grant, "We're not looking to the courts for justice," especially "given how the Supreme Court has gone recently, not just on civil rights but also on other matters."

A campaign has been mounted seeking a pardon of innocence—or at least commutation of sentences to time served—from North Carolina Governor James Hunt.

Like the Wilmington 10, the Charlotte 3 have been adopted by Amnesty International as "prisoners of conscience." Both U.S. Senators and the Governor of Connecticut, Grant's home state, have called upon Hunt to pardon the Three.

Hunt, whose recent decision to leave the Wilmington 10 in jail on reduced terms angered human rights activists, is reportedly no more receptive to the Charlotte 3.

Jack Cozort, Hunt's legal adviser, has reportedly told Charlotte 3 defense committee members angrily that the governor had spent enough time on the Wilmington 10. Hunt, Cozort said, "doesn't even want to think" about the Charlotte 3 "for at least six months."

For more information: N.C. Political Prisoners Committee, P.O. Box 2712, Charlotte, NC 28201.

Bob McMahon is a North Carolina freelance writer.

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