

Anderson stands by Van Deerlin reports

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Syndicated columnist Jack Anderson testified in federal court here yesterday that he has reliable sources and documents to back up published reports that former Rep. Lionel Van Deerlin was among at least 15 congressmen suspected of using cocaine.

But Anderson said he did not know the names of the informants who provided the allegations about Van Deerlin. Anderson said the work on two columns mentioning Van Deerlin was done by two of his reporter-assistants.

And in a deposition, a Washington, D.C., police officer who wrote a memo that was also reputedly a source of information for the Anderson columns, said no one ever told him that Van Deerlin bought or used cocaine.

Anderson protested that Van Deerlin's attorney was presenting an out-of-context and "truncated" version of that deposition. His attorney, David Branson, promised that other depositions would vindicate Anderson.

Anderson was the first witness called before senior U.S. District Judge Leland C. Nielsen at the start of Van Deerlin's libel suit against Anderson.

The courtroom was crowded, largely with journalists as the trial opened, but later in the day the number thinned after the silver-haired Anderson left the witness stand.

During recesses and outside the courthouse, Anderson, 60, told reporters that he functioned as a responsible reporter in including Van Deerlin among congressmen suspected of using cocaine obtained from a drug ring on Capitol Hill.

The 71-year-old Van Deerlin, defeated for re-election in 1980 and now living in Vista, flatly denies ever using cocaine, saying he never even tried marijuana.

Tall, lean with graying hair, Van Deerlin said outside the courthouse that while Anderson may not have had any personal malice against him, he is guilty of at least "gross negligence" in his reporting.

When he filed his lawsuit in 1983, he pegged damages at more than \$5 million, but any amount would be determined by the court if there is a finding of libel. Van Deerlin, a former newspaper and television journalist, served in Congress for 18 years as a Democratic representative from the South Bay.

His suit is based on two of Anderson's "Washington Merry-Go-Round" columns. The action alleges that in a July 7, 1983, column, Anderson reported that more than 15 members of Congress were alleged customers of a Capitol Hill cocaine ring.

Then, in a column on April 27, 1983, he named Van Deerlin as one of "three (congressmen) from California" referred to in the first column.

Van Deerlin's attorney, Michael Aguirre, said in his opening trial statement that the articles were "false and defamatory" and he would prove that Anderson acted with "actual knowledge of the falsity."

He said The Washington Post and The Tribune here both refused to run the April 1983 column and Tribune editor Neil Morgan wrote to Anderson, saying he was holding the column and also asking for a copy of a July 1982 investigative report and the identity of three informants Anderson referred to.

Anderson, Aguirre said, responded to Morgan's letter, saying he had held back the names of the informants for more than a year and decided he would continue to do so until their names surfaced individually in the press.

But Anderson, responding to Aguirre's questions on the witness stand, said he could not identify the three informants, which purportedly were a source for the column.

He said he did not have personal contact with the informants.

In testimony, he said two of his reporters, Indy Badhwar and Jack Mitchell, had done the legwork for the columns and he functioned largely in the role of editor.

The columns, he said, also were based on a July 3, 1982, handwritten memo by Washington Metropolitan Police detective Michael Hubbard.

That memo was to Rep. Robert Dornan, R-Calif., in response to his request for information gathered on an alleged cocaine ring headed by former congressional page Douglas C. Marshall, who was arrested later with two other suspects, Troy Todd and Robert Finkel.

The memo said, in part, that "intelligence" gathered indicated that at least nine, and possibly more, congressmen may have been using cocaine purchased through the Marshall distribution organization.

Among those identified in the memo was Van Deerlin.

A copy of the Hubbard memo was provided to Anderson's staff from Dornan's office.

Anderson and his reporters also had met with Dornan and he agreed to keep them posted on anything Hubbard might develop.

Aguirre wanted to call Hubbard, Badhwar and Mitchell as witnesses yesterday, but they were not available. It had been agreed on informally in earlier proceedings that they would be available.

Because they are not here, Aguirre began reading into the trial record depositions he had taken from them earlier in Washington.

Hubbard, in the segments read by Aguirre and his co-counsel Michael Crowley, said he never told Anderson or his two reporters that Van Deerlin violated narcotics laws, nor had anyone ever told him that Van Deerlin was seen buying or using cocaine.

The detective also said that he had no contact with either Badhwar or Mitchell from April 1981 to April 1982.

Aguirre also referred to depositions taken from Badhwar and Mitchell in Washington in September 1984.

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Abstract (Document Summary)

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