

Socialists Win Damages

FBI Program of Disruption Ruled Unconstitutional

By Margot Hornblower
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NEW YORK, Aug. 25—A 36-year FBI effort to disrupt the Socialist Workers Party through wiretapping, bugging, "black-bag jobs," anonymous letters and harassment was illegal and "patently unconstitutional," U.S. District Court Judge Thomas Griesa ruled today.

The case, filed by the party in 1973, involves one of the most extensive counter-intelligence operations by the federal government to infiltrate and neutralize organizations suspected of "subversive activities."

Such operations were abandoned after the Justice Department issued new domestic intelligence guidelines in 1976.

Griesa awarded the party \$264,000 of the \$40 million it had sought in damages for invasion of privacy. The damages included \$42,500 for "disruption activities by the FBI," \$96,500 for "surreptitious entries by the FBI" and \$125,000 "for the FBI's use of informants."

According to the court, the Federal Bureau of Investigation planted 1,300 informers in the party and its offshoot, the Young Socialist Alliance, between 1960 and 1976, paying them a total of \$1.7 million. During the 1960s one of 10 members of the party were paid by the FBI and three of them ran for public office on the party's ticket.

However, the judge said, "There is no evidence that any FBI informant ever reported an instance of planned or actual espionage, violence, terrorism or efforts to subvert the governmental structure of the United States."

The FBI committed 193 burglaries, or "black-bag jobs," and photographed or removed 9,864 documents, the judge said in awarding the party \$500 for each burglary for "the harm to its privacy interest."

The party has about 2,000 members nationwide.

Leonard Boudin, a constitutional lawyer and attorney for the Socialist Workers Party, a small Trotskyite offshoot of the Communist League, called today's decision "unique. It is the first judicial decision on what the FBI did during this terrible period. Never before has a court examined in depth, made a case study of decades of intrusion by the FBI into the political affairs of an organization."

FBI and Justice Department spokesmen declined comment on the 210-page opinion.

The case was tried in 1981, after years of court battles over disclosure of massive FBI files under the Freedom of Information Act. The transcript of the three-month trial filled 9,000 pages, plus six file drawers of documents and 2,000 pages of briefs.

In 1978, the court held Attorney General

Griffin Bell in contempt for refusing to turn over the files of several FBI informants, but the contempt citation was later overturned and a special court master appointed to review the files.

In 1941, 18 party leaders had been convicted of advocating violent overthrow of the government, but the FBI investigation over the next four decades found that any members advocating "violence or disorder as an organizational policy were expelled" and members were instructed not even to use marijuana because "it would embarrass the organization."

Informers reported on "the marital or cohabitational status, marital strife, health, travel plans and personal habits" of party members, the judge said.

Beginning in 1961, FBI agents carried out 46 "disruption" operations designed to cause "internal mistrust and strife, by weakening [the party's] alliances with other groups, by hampering its scheduled activities and by other means," the judge said. "There was not legal authority or justification for such operations."

For example, the FBI leaked information in 1961 about the criminal record of a party candidate for Manhattan Borough president. In 1969, it sent an anonymous letter to a black party candidate calling him a "monkey," in a major effort to disrupt relations with the civil rights movement.

The FBI also continuously interviewed the employers and landlords of party members in an effort to create a climate of "paranoia." Party members were listed on the FBI's "Security Index" and lost federal jobs as a result.

Despite the intensive investigation, the judge found, "There was not one single prosecution of any member of the SWP or the WSA for any terrorist or revolutionary act of any kind."