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We, the People

'Detention Cells' Real Object of Probe Of F. B. I. by Civil Liberties Unit

By JAY FRANKLIN.

The current investigation of the Federal Bureau of Investigation by the Civil Liberties Unit of the Department of Justice is aimed at one phase of the G-men's activities which hitherto have escaped political attention.

In spite of congressional agitation, Attorney General Robert H. Jackson is not deeply concerned with either wire tapping or the Detroit "dawn arrests" of Spanish Loyalist sympathizers. In the case of the dictaphone addicts of the F. B. I., use of wire tapping by J. Edgar Hoover's merry men started under President Hoover's administration and has just been directly forbidden by Mr. Jackson, who sees no justice in denouncing Mr. Hoover for doing as he was authorized to do during the last nine years.

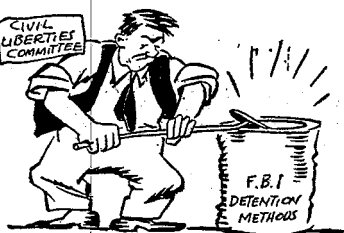
Similarly, responsibility for the Detroit arrests lies clearly with Jackson's predecessor, Associate Justice Frank Murphy of the Supreme Court, and the present Attorney General feels that his personal responsibility begins with the conduct of the F. B. I. under his own attorney generalship.

At the same time, Bob Jackson is not impressed with the liberal criticism of F. B. I. Director Hoover for what he did in the Mitchell Palmer red scare of 1919 or for his highly educated sense of publicity. On the contrary, he feels that Edgar Hoover did a remarkably efficient job in smashing the kidnap racket and breaking up the Dillinger and other gangs, and that national publicity is a small price to pay him for a very efficient performance.

Detention Cells Under Fire

The real gravamen of the investigation now being conducted by Henry Schweinhaut of the Civil Liberties Unit, while taking in the Detroit case, is the F. B. I. system of "detention cells." This is one of the real and fundamental abuses of the G-man set-up: the maintenance of special, secret detention cells in most, if not all, regional offices of the F. B. I. Mr. Schweinhaut already has before him affidavits charging that citizens under arrest have been lodged in these cells for varying periods. His investigation is expected to disclose whether or not these secret F. B. I. hideaways have been used to deprive arrested persons of their constitutional rights—availability of legal counsel, bail, habeas corpus—and whether the F. B. I. has kept prisoners in these cells for unreasonable lengths of time. Even if no such violations are disclosed—and there is prima facie evidence that they have occurred—the very existence of such cells is a serious threat to democratic processes of law and to the integrity of the Bill of Rights.

From the narrow political point of view alone, it is silly to charge Mr. Thomas E. Dewey of New York with using similar illegal and unconstitutional devices in his junior G-Man drive for political prominence, so long as the Federal Government itself engages in the same criminal short cuts as the Republican "racket buster."



On the score of Hoover's personal publicity—the business of "basking in the Florida sun" and the photographers' flashbulbs, the hot anti-red pronouncements and the effort to make America "spy-conscious"—the Attorney General is not deeply concerned. More serious in his opinion are the current claims that Hoover is being "smeared" deliberately in a carefully directed "New Deal attack," and the growing suspicion that friends of the F. B. I. chief, either in or outside of the department, are taking the opportunity to present J. Edgar Hoover as a "martyr" to political jealousy.

'Smear' Campaign Charged

The basis for the charge that "high New Dealers" are out to "get" Hoover appears to be the fact that Senator George Norris opened up the current criticism of the Bureau and its director, though as much as a month ago newspaper stories accused the Corcoran-Cohen team of engineering a "smear campaign." The apparent effort of Mr. Hoover's friends to turn justified criticism into a "smear," making the F. B. I. director a "martyr," is having unfortunate repercussions for the latter.



One thing Attorney General Jackson will not tolerate is intra-departmental intrigue and sniping, and of late "leaks" to friendly newspapermen by Hoover admirers have become more and more frequent, not legitimate news tips, but indirect snipe attacks on other department officials.

A campaign of this sort is the one most calculated to antagonize Hoover's superior and to force him to modify his present intention of not pre-judging the case against the F. B. I. It has long been the custom to charge that criticism of J. Edgar Hoover or the F. B. I. was motivated by politics or personal pique; if Bob Jackson finds iron-clad proof that the F. B. I. is engineering the present attack on other departmental officials, our No. 1 G-man may find himself on the skids he has so long and so skillfully avoided.

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