

FBI Disciplines 6 Agents For Role in Wiretap Probe

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FBI Director Clarence M. Kelley last month disciplined six FBI employees for their handling of an investigation into an illegal wiretap in Virginia, according to an FBI spokesman.

Apparently one of those disciplined was James E. Decker, special agent in charge of the FBI's Richmond office. Decker and four other agents had been temporarily reassigned to the Washington area last year after the Justice Department began a grand jury investigation into the wiretapping incident.

Homer Boynton, deputy assistant FBI director, declined to say what had happened to Decker, but did disclose that Kelley last week named Charles E. Price, a member of the bureau's Washington investigations staff, to replace Decker as permanent agent in charge of the Richmond office.

Boynton said an internal FBI investigation, begun May 28, after the Justice Department declined to prosecute

any of the Richmond agents, "revealed no criminal intent" by the bureau employees. "However, there were several violations of FBI rules and procedures," he said.

Based on those violations, various administrative steps have been taken against the six employees, he said. The steps included transfers from the Richmond office, reduction in pay grade and suspension without pay from five to 30 days, he said.

Boynton declined to identify employees affected, describing the action as "an internal, administrative matter" and saying that the FBI as a matter of policy never discloses such information.

The bureau can withhold the information under the federal Privacy Act, which has provisions that "supersede" the federal Freedom of Information Act, he said.

Until Boynton's statement, the investigation was generally thought to be focusing on the actions of only five Richmond agents. All were suspended with pay briefly in August, 1975, when the investigation was opened.

Although Boynton refused to disclose details of what violations the bureau investigation disclosed, it had been known from the outset that the agents had failed to confiscate the wire tapping device they had discovered the Richmond police had placed in a vacant Richmond apartment. A source close to the investigation last year said that the agents' initial report on the discovery of the device was "less than complete."

Since then a Richmond man, claiming he was the subject of the wiretap, has filed a \$3 million lawsuit against Richmond police and two FBI agents. An assistant U.S. attorney who supposedly gave the FBI agents their initial advice on landing the incident has resigned.