

PH: Here is a clip from today's NYTimes reporting further about the civil suits vs FBI over SWP mail cover, etc. I think it should be read with care and without total belief. I find it difficult to believe, for example, that Saint Edgar~~s~~ folded his wings in 1963. However, this leaves no doubt that there was a cover on during the time Oswald could have written and we believe did. I will be taking it up with JL. Nice touch: this appears the day Porter pleads guilty to lying to the FBI and he will be punished. But lying by the FBI is not punished, even judicial lying. If JL has tried to get the court papers, this will remind him to tell you and save you the time and trouble. If you have or are getting, please tell him so he won't take the time. HW 1/28/74

F.B.I. TELLS OF FILE ON JERSEY GIRL, 16

Admits It Saw Subversion
in Letter to Socialists She
Wrote in School Project

1/28/74

By JOSEPH F. SULLIVAN

Special to The New York Times

NEWARK, Jan. 27 — The Federal Bureau of Investigation has admitted it is keeping a "subversive" file on a 16-year-old high school girl who wrote a letter to the Socialist Workers party as part of a school project.

In papers filed in answer to a suit brought by Lori Paton of Chester, N.J., the F.B.I. also disclosed that it had ordered a



Lori Paton

criminal investigation into Miss Paton's activities. J. Wallace LaPrade, the agent in charge of the Newark office of the F.B.I., previously had denied that the girl was being investigated by the bureau.

The extent of the F.B.I. investigation and the existence of a "mail cover" on the Socialist Workers party headquarters in New York between Jan. 23 and May 16, 1973, were disclosed as a result of proceedings instituted by Frank Askin, a lawyer with the Constitutional Litigation Clinic at Rutgers University Law School.

Mr. Askin, a cooperating at-

torney with the New Jersey Chapter of the American Civil Liberties Union, is representing the girl in her action to force the F.B.I. to expunge her name from its records and to pay

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F.B.I. KEPT FILES ON JERSEY GIRL, 16

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\$65,000 in damages.

The suit also is termed a class action representing "all American citizens who wish to exercise their rights under the First Amendment to engage in lawful correspondence with minority political parties without being the objects of covert and overt surveillance and interception of their mail . . ."

If the suit succeeds, it could lead to court-imposed limits on F.B.I. surveillance. Bureau officials in Newark and Washington have refused to comment on the case. Earl Kaplan, a lawyer with the internal security section in the Department of Justice, also has refused to let agents answer Mr. Askin's questions concerning routine bureau investigation procedures, asserting that they are privileged.

The Government's disclosure was the second it had made in the last month regarding surveillance of the Socialist Workers party. Last Jan. 7, also in reply to a suit, the Government acknowledged that it had conducted "electronic surveillance" of Socialist Workers party members from 1945 to 1963 and that the F.B.I. had a program to disrupt the party from 1967 to 1969.

Miss Patton became the target of inquiry as a result of a request on Jan. 11, 1973, by L. Patrick Gray 3d, then acting F.B.I. director, to the post office for a "confidential arrangement regarding a mail cover" on the national headquarters of the Socialist Workers party, 410 West Street, New York.

Mail Cover Explained

A mail cover is a type of surveillance in which all the data on the outside of first-class letters are copied and the

contents of second- third- and fourth class mail examined before it is forwarded to the target of the surveillance.

About this time Miss Paton was enrolled in a social studies course at West Morris-Mendham High School. As part of a class project she wrote a letter to the Socialist Labor party but misaddressed it. The letter went to the Young Workers Alliance, an affiliate of the Socialist Workers party.

As a result of her letter, the organization sent her a copy of its newspaper and some printed material.

Special Agent John P. Devlin checked the Paton family's credit, the employment of the girl's father, Arthur Paton, and drew from Police Chief Edward Strait of Chester the information that no member of the family had a police record.

He then went to the high school to check the girl's background and interests. When the school principal, Richard Matthews, told him the girl was still a student and the contact with the political organization was part of a school exercise, the agent left before the girl or her teacher could reach the office.