

Detroit FBI Office File Destruction Eyed

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The Justice Department has learned that many files in the FBI's Detroit field office were destroyed five years ago and it attempting to determine whether their destruction involved any misconduct by FBI officials.

Informed sources said yesterday that Attorney General Edward H. Levi has ordered a review of the incident because some of the files contained details of the Detroit office's role in the FBI's now discredited Counterintelligence program (Cointelpro).

Cointelpro was a covert campaign of frequently illegal harassment and disruption carried out between 1956 and 1971 against such groups as the Communist Party, the Ku Klux Klan, black militant organizations and anti-war protesters.

The controversy triggered by disclosure of this "dirty tricks" campaign recently prompted Levi to promulgate tough new rules for the FBI's conduct of domestic security investigations.

The Justice Department is still wrestling with the question of whether any FBI officials should be prosecuted for their parts in Cointelpro and such related activities as the illegal burglaries of suspect groups.

For these reasons, the sources said, Levi now wants to determine whether the Detroit incident was merely a cleaning out of outdated records or an attempt to destroy possibly incriminating evidence against FBI officials.

The sources stressed that Levi's staff has not reached any conclusions. But, the sources added, if preliminary review turns up any signs of wrongdoing, the matter will be turned over to Justice's internal inspection arm, the Office of Professional Responsibility.

According to the sources, the records apparently were destroyed in 1971 at a time when the Detroit field office was moving to new quarters.

The discovery that records had been destroyed was made recently during a routine annual inspection of the Detroit office by FBI auditors, the sources said.

When the matter was reported to FBI headquarters here, the bureau's director, Clarence M. Kelley, determined that some of the missing documents might involve "matters under current criminal investigation." He then ordered aides to send the report to Levi.

The present head of the Detroit field office, Robert E. Kent, had no comment when contacted by telephone yesterday.

Spokesmen at FBI headquarters would say only that before the Detroit office's move to new quarters in 1971, "some files were destroyed under archival rules." This was a reference to the standards set by the U.S. Archives, governing when and under what conditions federal agencies can dispose of files in their possession.

The FBI spokesman said the rules vary considerably, depending on the nature of the documents involved. Some, they noted, can be destroyed after six months, while others must be held for up to 20 years.

The spokesman said they were unable to specify how the rules on documents destruction would apply to files in a category like Cointelpro. Under a moratorium imposed in January, 1975, before the opening of the Senate intelligence committee hearings on FBI security activities, the bureau agreed not to destroy any Cointelpro-related documents until the committee completed its work.