

# An FBI Agent Describes His

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Shortly after midnight sometime in December 1958, four to six men armed with a camera, walkie-talkies, a device capable of making a key for a lock, and flashlights broke into a building in New York's Greenwich Village.

The men, however, were not engaged in an ordinary burglary. They were FBI agents. The building they broke into was the headquarters of the Socialist Workers party (SWP). And the object of their surreptitious entry was to search for documents "which might tend to establish" that the organization was "working for the overthrow of the government of the United States."

The break-in, the second in two months, was one of "between 50 and 90" surreptitious entries in which FBI agent George P. Baxtrum participated between 1958 and 1965, when he was attached to the FBI headquarters in New York City and assigned to spy on the SWP. He also participated in six or eight break-ins

at offices of the Young Socialists Alliance.

BAXTRUM, NOW assigned to the bureau's Madison, Wis., office, is the first FBI agent to publicly admit that he took part in allegedly illegal break-ins.

He candidly described his activities in a 259-page sworn deposition taken as part of the SWP's and YSA's \$37 million civil suit against former and present government officials that was filed in July 1973.

The suit, which seeks damages and a permanent injunction to halt alleged government harassment of legal political actions, is in the pretrial discovery stage in New York. Baxtrum's deposition was made public by the SWP today.

It was explained by an official of the organization that Baxtrum did not volunteer the details of his career, but his name, which was supposed to have been deleted, appeared among 450 pages of FBI burglary

files that were turned over to the organization in mid-March. The official said that the name of another FBI agent also was inadvertently not deleted by the FBI, and the other agent has also been subpoenaed to give a deposition.

WHILE BAXTRUM said in his deposition that he first became involved in the break-ins in November 1958 and last broke into SWP headquarters "sometime in 1965," the Justice Department is now investigating allegations that an FBI informer broke into the party's Denver headquarters as recently as early this month and turned over stolen documents to FBI agents.

A wide-ranging investigation by the Justice Department's civil rights division is continuing into allegations that FBI agents participated in burglaries over the years, and sources have indicated that some of them may be indicted.

Besides acknowledging the FBI's role in break-ins at the SWP offices.

Baxtrum also admitted that between 1958 and 1964 the FBI surreptitiously installed microphones in hotels and meeting halls where the party was holding gatherings.

He said the first time such eavesdropping equipment was installed was when the first FBI break-in at SWP headquarters occurred in November 1958, in which he participated.

"THERE WAS A top-level meeting scheduled of national leaders of the SWP," the agent testified, "and it was decided that this meeting was important enough, and information would be available from no other source, and therefore, microphones were installed."

Baxtrum, in his deposition taken on July 1, recalled that the microphones were installed in a wall, and a receiving apparatus was set up to receive transmissions from the microphones in the New York office of the FBI.

Baxtrum said he never participated in surreptitious entries until he was assigned to the New York office, and he indicated that he participated in the first such break-ins in connection with the FBI's investigation of the SWP. He said he was one of several agents assigned to investigate the party's activities in New York.

Baxtrum, who joined the bureau in 1946, said he was instructed orally by

Role in Break-ins

a section chief to conduct the break-ins. "It is my recollection," he said, "that I was told we would probably have access to national security information which we did not have access to through other means by use of surreptitious entry."

FOLLOWING INITIAL discussions about the break-ins, the agent said, "A certain period of time went by and I was advised that approval had been received from Washington." He said he did not know who gave the approval for the break-ins.

Prior to one of the first break-ins in 1958, Baxtrum said in the deposition, "It was explained to me that this procedure was somewhat delicate in nature, that the information to be obtained was important, and that every caution should be taken that it be handled successfully."

The agent testified that there was never any discussion with his superiors as to whether the surreptitious entry technique was lawful, or whether the use of break-ins to gather intelligence violated any rights of the SWP.

Baxtrum said that surreptitious entries occurred at SWP headquarters at "two, three, four week intervals." He said this was done "to allow enough time for a further enunciation of the party's top-level program and policy to take place."

THE AGENT SAID the authority of his section chief was necessary before the entries could be made, and that he would write a brief memo to this official stating that "contact was being planned" and requesting that permission be gotten for the break-ins from "the bureau in Washington."

In his testimony, Baxtrum also implicated John F. Malone, the special agent in charge of the New York office at the time. Questioned as to whether he ever had any discussions with Malone concerning the entries, Baxtrum recalled "one occasion when the matter was discussed. I was called to his office and presented with a commendation for the information of value to the United States which had been obtained. He congratulated me."

Baxtrum also said that memos regarding the entries were directed to Malone.

Prior to the break-ins, the FBI agent said, surveillances were conducted to assure that the premises were vacant and he said the break-ins were made at a time when no one was in the area and agents stood guard outside.

"INSIDE," HE added, "no lights were turned on and nothing was disturbed." He said that documents and

papers in desk drawers were examined and material of interest was photographed.

Explained Baxtrum:

"We were looking for items that would tell us whether the Socialist Workers Party was an active participant in the affairs of the Fourth International; whether they continued to hold views among their leadership tending to have a program working for the overthrow of the government of the United States.

"We were also interested in identifying the top leadership, since they use false names for the most part. There was a requirement from Washington headquarters that the residence and employment of a certain category of individuals be known, and this included some Socialist Workers Party members, and if this information was available it was noted.

The agent said he never had any knowledge as to whether the New York City police department was aware of the FBI break-ins. However, he said it was "policy" for agents participating to remove all FBI identification "in the FBI car prior to entry," an apparent precaution in case they were caught.