

C.S.K. 2/11/45

Law Teacher Seeks Curbs On Snooping

Local police forces should be stripped of their power to eavesdrop on citizens through wiretaps or other snooping devices, a Columbia University professor declared yesterday.

The professor, Alan F. Westin, also advocated a new legal procedure for challenging the use of surveillance devices by any authorities.

These were among conclusions reached by Westin after a three-year study of invasion of privacy. His paper was discussed yesterday at the American Political Science Association's convention here.

Westin said "... The history of police-force use of eavesdropping is sufficiently stained with misconduct throughout the Nation" to warrant restrictions. He proposed limiting the power to district attorneys, state attorneys general, the FBI, Treasury and military agencies.

He said in an interview later that in the two States where police wiretapping is totally banned, Pennsylvania and Illinois, police still are using listening devices "surptitiously."

Any authorities permitted to eavesdrop should be subjected to more restraints than are now imposed, he continued.

He suggested creation of a public agency to confront officials who request judicial permission to use the devices. He described the agency as a "sort of public defender" that would challenge the need for surveillance when authorities sought a warrant to use listening devices.

Westin also suggested that a panel of judges hear requests for such warrants. Currently five states allow a single judge to issue warrants at the request of police. Westin said his change would eliminate the practice of judge-shopping by police who know that some judges look more favorably on the practice than others.