

Fate of Political Files Weighed

By Tom Curtis

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HOUSTON, Jan. 10—City officials are trying to decide what to do with more than 1,000 noncriminal files that they say local police assembled during the past decade on politically active citizens.

The police chief says ultimately he will give them to the mayor. A city councilman wants a blue-ribbon committee named to investigate them and decide how to dispose of them. And the Houston chapter of the American Civil Liberties Union today filed suit seeking to prevent their destruction and to put them into the hands of a federal judge.

Police Capt. B. G. Bonds, who was recently put in charge of the files, says nothing will happen to them anytime soon. Because of a complicated cross-reference system, it will require months to weed out noncriminal information.

Mayor Fred Hofheinz, a liberal Democrat, confirmed at a news conference this week that the files exist and that the name of Rep. Barbara Jordan (D-Tex.) was in them. She is from Houston. He said he had ordered his police chief, Carrol Lynn, to purge political information from the files, which were maintained by the department's Criminal Intelligence Division.

Hofheinz said he learned of the files' existence shortly after taking office a year ago but delayed action until he was sure he had "administrative control" of the police department.

Herman Short, Chief Lynn's

immediate predecessor, said police kept files on "radical types and subversives" during his almost 10 years in office but said he recalled none on Rep. Jordan.

Short said the department didn't investigate "citizens who didn't need investigating." He added, however, that it did "routinely watch anything that looked like it might be a significant danger to the city's welfare."

As police chief, Short consistently refused to accept federal funds for his department, saying he feared it would lead to federal control. Houston was then the largest city to decline such aid.

Short also was a strong public supporter of George Wallace's presidential campaigns. His department was frequently charged with brutality by black citizens. Whether Hofheinz would fire Short was a major issue in Hofheinz's unsuccessful first campaign for mayor in 1971 as well as in his successful one in 1973. Hofheinz won in 1973 with overwhelming black support.

George Strong, a top Hofheinz aide, said information on liberals, blacks and civil libertarians makes up the bulk of the non-criminal files, although radicals, moderates and conservatives also appear in them. He said the files consist of an index-card system that refers to lengthy reports of rallies, meetings and surveillances. About half of the files consist of newspaper clippings, he said.

Chief Lynn said the files reflect that in one case six plainclothes officers were assigned to cover a women's liberation meeting. He said equally

heavy surveillance was maintained on a speaker before a meeting of the Harris County Democrats, the liberal wing of the local party. Lynn also said he believed a number of files were destroyed in the waning days of the previous city administration.

Hofheinz said the files contain information on "hundreds" of his friends and workers in his 1973 campaign. He said some of the files concern sex lives and some of the information was obtained by wiretapping, which is illegal

in Texas unless performed by a federal agent under court order.

City officials have confirmed that files were also maintained on U.S. Rep. Bob Casey, a conservative Houston Democrat.

The ACLU class-action suit seeks a temporary injunction to preserve the files and deliver them under seal to a federal court for inspection. Ultimately the suit anticipates damage claims and a permanent injunction against maintaining noncriminal files.