

POLICE RED SQUAD TOLD TO DISBAND

Michigan Judge Also Orders
Destruction of 50,000 Files

LANING, Mich., Jan. 18—A judge has ordered the Subversive Activities Unit of the Michigan state Police disbanded and its files on 50,000 persons destroyed after ruling that two state laws authorizing creation of the 29-member "Red Squad" violate the state and Federal constitutions.

Two attorneys of the American Civil Liberties Union said they would appeal the decision Friday by Judge Thomas L. Brown of Ingham County Circuit Court because he did not require the state police to notify those on whom data were collected so that they could examine their files.

The Red Squad, which has an annual budget of more than \$750,000, was created under a criminal syndicalism law of 1931 that makes it a crime to advocate terrorism as a means of achieving industrial or political reform. A subversive activity law of 1950 also authorized the unit.

Judge Brown described as "ridiculous" a section of the law of 1931 making display of a red flag a felony and prima facie evidence that one advocates anarchy.

He said both laws and the existence of the Red Squad had a "chilling effect" on rights of free speech, assembly and petitioning the government for redress of grievances.

The state police have acknowledged that no arrests have been made under either law. The Michigan Attorney General, Frank Kelly, agreed in court that the two statutes were unconstitutional.

Judge Brown ruled in a lawsuit to end the Red Squad, filed last April by Zolton Ferency, former Democratic candidate for governor, on behalf of the Human Rights Party of Michigan, which Mr. Ferency now heads.

Two years ago a separate lawsuit to disband the unit was filed in Detroit by 13 persons. They are represented by Richard Soble and George Corsetti, who said they wanted all people on whom files were kept to be given a chance to examine them before the files were destroyed.

Mr. Corsetti charged that the files had been used to ruin

careers and reputations.

He said there was evidence that materials from the squad's files on workers who organized health and safety grievances at the Chrysler Corporation had been turned over to Chrysler security officials. A Chrysler spokesman said the company had no such material in its personnel files.