

# Spying Rules Set By Police

By Charles R. Babcock  
Washington Post Staff Writer

D.C. Police Chief Maurice J. Cullinane has issued what a top aide calls the nation's strictest rules to prevent abuse of police intelligence gathering activities.

But though they praised Cullinane's new order yesterday, two key members of the City Council said they felt the Council still would have to write its own rules governing police intelligence operations.

Cullinane's 29-page directive, which goes into effect Aug. 1, limits intelligence gathering to criminal activities, spells out restrictions on using photo and electronic surveillance, and sets out strict review procedures to ensure against collection of noncriminal information.

The order follows disclosures last year in The Washington Post that undercover police officers spied on anti-war and civil rights activists in the late '60s and early '70s.

Councilman Julius W. Hobson Sr., himself a target of that surveillance, has introduced a bill to prohibit "unlawful surveillance" of noncriminal activity.

He said yesterday that he thinks Cullinane's order is a good one.

"I don't quarrel with it," he said. "The details are fine. But it's an administrative order that can be rescinded. The chief can change his mind, or a new chief could. This is too sensitive an area to be left to one man. The Council should act."

During a hearing on Hobson's bill Friday, D.C. Police Insp. Robert L. Zink complained that the measure was too vague and would hurt the department.

Yesterday he elaborated: "That bill had only about two pages of particulars. There is nothing definitive about what the department can and cannot do. We wouldn't know what's being

legislated against.

"We tried to be very concise in our order and it took 27 pages to spell out the specifics," Zink said.

Willie J. Hardy, chairwoman of the City Council's public safety committee, said yesterday that the chief's order "does not negate the responsibility of the Council."

The public safety committee has been wrestling with the issue of police spying for more than a year without reporting a bill. It held hearings on the undercover D.C. police activities last

See SPYING, B4, Col. 1

THE WASHINGTON POST  
B4 Sunday, July 11, 1976

## Rules Set On Spying By Police

SPYING, From B1

summer. But the investigation has been hampered, Hardy said, because a court has not yet ruled on the legality of subpoenas the Council issued to some of the officers involved.

Hardy said yesterday it is "quite possible" her committee would combine part of the Cullinane order, the Hobson bill and another bill introduced last year by City Council Chairman Sterling Tucker.

"The chief has cooperated with us and kept us informed about his new guidelines," she said. "It's a good beginning."

Insp. Zink, head of the department's intelligence or "investigative services" division, said yesterday he was confident the new guidelines were the toughest of any department in the country.

"If the members of the City Council read the order carefully, I think they'll see the difference between criminal and noncriminal activity is taken care of completely," he said.

The new directive states the department will pursue its intelligence objectives

only through legitimate means in accordance with current law and in recognition of the constitutional rights of all persons."

Files will be kept only on criminal figures or persons suffering mental disorders, and that information will only be kept for a specific investigative purpose, the order said.

It prohibits the gathering of details about a person's family or friends or his religious or sex life, except if related to an organized crime activity, prostitution or a pre-employment check for work within the department.

The order also sets out in detail the selection and training process for investigators, and the use of undercover officers and informants.

It gives specific instructions for authorizing such techniques as personal surveillance. For instance, surveillance for less than eight hours can be approved by the officer in charge of the unit. For more than eight hours, a higher officer must approve, and for "extended" periods the division director's authorization is required.

Detailed steps for filing and releasing the information are outlined in Cullinane's directive.

Reference is made throughout the order to constant review of the files by superior officers and removal and destruction of material that doesn't meet the guidelines. It also calls for periodic audits of the files to ensure compliance.

Councilman Hobson said he wasn't satisfied with the order because it doesn't spell out penalties for violations. His bill calls for \$3,000 fine.

He noted that Cullinane recently sent him the file of material gathered while he was under surveillance several years ago. "There were newspaper clippings, reports about meetings I'd attended. Nothing criminal of course, just a ridiculous collection. I was amazed they'd waste their time," he said.

Insp. Zink said the new departmental guidelines would preclude a repetition of such noncriminal surveillance.