

# Agents, Counsel Talks Barred

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FBI agents under investigation for allegedly committing burglaries have been ordered not to talk to their lawyers about their case until the lawyers are cleared to receive secret government information.

Justice Department sources have confirmed that the department's Civil Rights Division is investigating at least 20 FBI agents involved in intelligence-gathering burglaries during the past five years. The probe involves possible violations of the civil rights of American citizens.

The FBI agents were given the instructions about their lawyers in a teletyped message from FBI headquarters last Friday, according to Jack B. Solerwitz, an attorney representing some of the FBI men.

The restriction suggests that the Justice Department probe involves break-ins that the FBI considers sensitive national security matters.

"My clients have been told they are the targets of an investigation of surreptitious entries," Solerwitz said in an interview Wednesday.

He declined to say how many of the agents he represents or to identify them. But some are assigned to the FBI's New York office, he said.

Solerwitz said department investigators telephoned the FBI men at their homes during the weekend of June 12 to inform them they were under investigation and that they would be advised of their right to keep silent and to retain an attorney.

A teletyped message from FBI headquarters June 16 advised the agents to hire private lawyers, Solerwitz said.

"The Justice Department has made it clear to these agents that they will not be provided counsel" by the government, he said. Under current policy, the department refuses to provide lawyers to defend employees in criminal investigations.

Solerwitz is representing the agents for free in his capacity as attorney for the

Federal Criminal Investigators Association.

The FBI message June 18 instructed the agents not to disclose details of the case until their attorneys get security clearances. Solerwitz said he doesn't know how long it will take to get the clearance. Such clearances normally are processed through the FBI and the department.

Solerwitz said he has concluded from conversations with the chief prosecutor that the investigation will reach into the supervisory ranks of the FBI.

It could not be determined which or how many organizations or individuals may have been burglarized by the FBI during the past years.

The five-year period is significant because statute of limitations precludes federal prosecutions for civil rights offenses more than five years old.

The disclosure that break-ins were conducted since 1971 contradicts the FBI's insistence that burglaries against domestic targets ended in 1966. The Socialist Workers Party was one target of FBI burglaries. FBI documents released to the party in connection with a lawsuit against the bureau disclosed that agents burglarized party offices or homes of members 94 times from 1960 through 1966.