

Webster to Announce Action Against FBI Agents Today

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FBI Director William H. Webster is scheduled to announce today what disciplinary action he will take against FBI field agents and supervisors who took part in allegedly illegal break-ins, wiretaps and mail openings during a search for radical fugitives in the early 1970s.

There were indications that Webster has decided to penalize some of those involved. But the sanctions against specific individuals could not be learned yesterday.

Attorneys for some of the 60 or so agents involved said yesterday they had heard nothing about Webster's pending actions. Jack B. Solwerwitz of Mineola, N.Y., said, though, that his clients had vowed to fight even the mildest form of censure because they fear it would open them to liability for civil suits.

Webster has been trying to deal with the sensitive internal problem since Attorney General Griffin B. Bell turned it over to him last April.

That was just after the Justice Department brought grand jury indictments against former acting FBI director L. Patrick Gray and two former top aides for authorizing illegal acts in search of the radical Weather Underground in 1972 and 1973.

Gray, W. Mark Felt, once No. 2 man in the bureau, and Edward S. Miller, who headed the domestic intelligence division, were charged with conspiring to violate the civil rights of friends and relatives of member of the terrorist group.

Bell said at the time that he used his prosecutorial discretion to limit indictments to those with the greatest responsibility.

Webster's internal review of the conduct of those who transmitted and carried out the break-in orders stalled at first when agents claimed they had

been given immunity by Justice prosecutors.

More recently, Webster has expressed concern about whether it is fair to discipline some agents when others just as culpable had retired during the investigation.

For instance, Robert Shackelford, former head of the internal security section at bureau headquarters, retired recently. He has acknowledged destroying some break-in files now being sought by defense attorneys for Miller.

Webster told a luncheon meeting of Washington Post editors and reporters in mid-October that he also was concerned about the bureau's internal procedures after a 1972 Supreme Court decision made it clear that warrants were necessary for wiretapping domestic groups.

"What did the bureau do about it so the people in the field would clearly know what they were being asked to do was potentially—if not in fact—in violation of the law?" he asked.

Webster said then that his internal investigators had reviewed 8,000 documents and conducted many interviews relating to the agents' conduct.

"I think I've got a feel of where I'm going to go," he said. "It's just a question of trying to present it with sufficient clarity so that what I think is right will be understood. Whether it's agreed with or not is something else."

The director is considered by many to be in a "no win" position. If he does little or nothing to discipline those involved, it is sure to be noted that FBI agents have been severely reprimanded or even fired in the past for conduct many people consider less serious than breaking into someone's house.

On the other hand, some would ask how agents can now be given letters of censure or some other penalty for actions that earned many of them letters of commendation and even cash awards at the time of the break-ins.