

Dr. Roger,

8/14/84

I've just received a copy of the NYTimes 7/22/84 story headed, "F.B.I. Kept Close Watch on Douglas." It is based on FOIA disclosure the Times managed not to state specifically was to "a Douglas biographer, James F. Simon, Dean of the New York Law School."

I'd like to get a correct address and indication that disclosure was to him, if you would please help. I've some stuff that may well excite him on the Ford effort to get Douglas impeached, which the FBI did help by supplying records to Ford. Briefly it is that Douglas Caddy and E. Howard Hunt also helped Ford with that and by a Caddy book with which Hunt was associated when they were both with the Mullen agency and what has not been disclosed <sup>or otherwise</sup> ~~officially~~ Hunt was still CIA. Caddy, if you do not recall, was the original lawyer for the Watergate burglars, arranged by Hunt. And for their book they used the return address that was a cover CIA return address in D.C. I've even got a xerox of their book, along with fairly full documentation. Also, our first unelected President plugged a later Caddy book, an antilabor one.

If for any reason you'd like an excuse to phone the law school dean who might be interested in this, please do.

Hope you are well, happy and prospering. We are OK. May be some interesting developments in one of my FOIA cases before the DC appeals court. I've <sup>caught</sup> ~~caught~~ the FBI/DJ in overt fabrication and other significant lying. Because of their other excesses and the principles involved, the ACLU Foundation represents me on appeal and the Public Citizen Litigation Group represents <sup>me</sup> ~~us~~.

Best regard to Sylvia when you are in touch with her.

Best wishes,

## F.B.I. Kept Close Watch on Douglas

A longtime friendship between J. Edgar Hoover and William O. Douglas soured in the McCarthy era when the Federal Bureau of Investigation began to question the Justice's loyalty as a result of his views about the rights of Communists, according to F.B.I. documents.

Consequently, the bureau kept track of Justice Douglas's political statements, scoured his judicial opinions and checked on his friends and neighbors for evidence of subversive influences.

According to the 500 pages of files obtained under the Freedom of Information Act, the unlikely friendship between the F.B.I. Director and the Associate Justice who spent 36 years on the Supreme Court lasted from the late 1930's through the early 1950's. The decline in their relationship started after Justice Douglas's 1951 dissent in *United States v. Dennis*, in which the convictions of the national officers of the Communist Party for conspiring to overthrow the Government were affirmed by the Court.

### Ties Embarrassed Hoover

Over the next few years, Mr. Hoover became embarrassed by his ties to the increasingly outspoken and liberal Justice. When the Justice Department requested information about Justice Douglas in 1954, a notation was affixed to the F.B.I. files: "Attached memorandum does not include the following information not believed suitable for dissemination: Douglas has had cordial relations with [the bureau] since 1937."

In another bureau memorandum prepared for the Attorney General, it was noted that in several cases where the Supreme Court ruled "against issues which appeared to be Communist-supported, Justice Douglas rendered dissenting opinions, indicating his stand favorable to these issues." However, the bureau's analyses were deleted before the memorandum was sent.

According to a Douglas biographer, James F. Simon, dean of the New York Law School, "Douglas was a strong anti-Communist" and his "sentiments

were not different from Hoover's in that way." Nevertheless, the documents show that in 1954, Gov. Arthur B. Langlie of Washington sent a report to Attorney General Herbert Brownell Jr. regarding a "colony of Communist sympathizers" living in the area near Justice Douglas's cabin in La Push, Wash.

### Report Listed Douglas Guests

The report, prepared by the Washington State Police at the Governor's request, contained information from a police investigator and various confidential informers. It was turned over to the bureau for investigation.

Among other things, the report listed a number of guests who attended a party at Justice Douglas's cabin, guests found by the Washington State Police to be "not the type to be associated with any real American."

One Douglas friend of "doubtful loyalty" named in the report was Owen Lattimore. Mr. Lattimore, who had been accused of participating in a State Department espionage ring, reportedly used the Douglas cabin for two weeks after testifying before the Senate Subcommittee on Internal Security. Mr. Lattimore was later acquitted of a perjury charge.

The state patrol was not only concerned with home-grown Marxists. The Washington officials apparently believed that the area around Justice Douglas's cabin, near a naval air station and a beach, might make a good landing area for Soviet forces.

### Bureau Faults Report

After two and a half months, the bureau determined that the Washington State Police report was a poorly veiled attempt by the Governor to gain favor with Attorney General Brownell so he could obtain a judicial appointment. The bureau concluded that there was no large-scale Communist activity in the area.

But agents did follow up on the Lattimore-Douglas connection. In May 1954, the bureau interviewed a friend of Justice Douglas's about the Justice's association with Mr. Lattimore. According to the friend, Justice Douglas had been asked to join the Communist un-

derground. Preparations were made to interview Justice Douglas about the story but the files show no record of this being done and the matter was dropped without further explanation.

Several years later, according to the documents, the bureau investigated allegations of connections between Justice Douglas and organized crime and of interests in gambling concessions in the Dominican Republic. Justice Douglas was president of the Albert Parvin Foundation, which was set up by the owner of a Las Vegas casino.

The documents indicate that material resulting from this investigation was turned over to Representative Gerald R. Ford in 1970 when he called for the impeachment of Justice Douglas.

At that time, the Justice believed that the bureau had concealed listening devices in his office and as a precaution he carried on important conversations in the hallway. There is no evidence in the documents, however, that electronic surveillance was used to listen to Justice Douglas's conversations.

Upon completing an investigation, the special House Judiciary subcommittee concluded that there were no grounds for impeaching Justice Douglas.

Though the bureau's files on Justice Douglas cover the time period from 1937 until two years before his death in 1980, the bureau showed no active interest in him after 1971.