

FBI Must Reinstate Long-Haired Clerk

By John Katz

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The Civil Service Commission has ordered the FBI to reinstate a 22-year-old night-shift fingerprint clerk fired on April 10 for refusing to cut his hair.

At a press conference yesterday afternoon, officials of the American Civil Liberties Union, which defended the clerk, hailed the commission ruling as the first step in restoring "full citizenship" to employees of the FBI.

The civil service ruling was unusual in that the FBI is normally exempt from civil service rulings and regulations on the firing of employees.

ACLU attorney Robert Fitzpatrick said the commission heard the case because the clerk, Joseph Hamm, of Alexandria, is a Vietnam veteran, entitled to the protections of the Veterans Preference Act.

Hamm, a student at Northern Virginia Community College, has supported himself since April through veterans benefits, and a fund collected secretly by sympathetic fellow workers in the FBI fingerprint division, said Fitzpatrick.

The ACLU attorneys said that, in a letter to the Civil

Service Commission defending its grooming standards, the FBI stated that the average American compares FBI agents "in his mind's eye" against "Inspector Erskine (played by Efrem Zimbalist Jr.) or Special Agent Colby of 'The FBI', a popular television program (shown on the ABC network)," and that failure to meet those standards could cause "a lessening of public confidence in the FBI."

The commission, however, found that Hamm, as a night employee (3:30 p.m. to midnight) "has no contact with the general public," and his hair style is "acceptable, conventional, contemporary and fashionable in today's society."

Hamm, said the ACLU, had been suspended twice before he was fired, after refusing repeated requests to cut his hair. The disciplinary actions were taken while J. Edgar Hoover was still FBI director, and continued under his acting replacement, Patrick Gray.

The ACLU released the FBI hair guidelines issued under Gray, who is generally consid-

See HAIR, C3, Col. 1



EFREM ZIMBALIST JR.
... image of FBI?



JOSEPH HAMM
... "full citizenship"

FBI Must Rehire Long-Haired Aide

HAIR, From C1

ered to be more liberal in hair and dress regulations than his predecessor. The guidelines were obtained during litigation.

The new regulations state that:

- Hair is to be combed back along the sides so it does not cover any portion of the ear and should be kept at such a length that, if combed straight down, would not extend below the middle of the ear.

- Hair should be of moderate length in the front and combed so it does not cover the eyebrows. Hair at the back of the neck shall be cut or groomed so it does not extend over the top of the shirt collar.

- Sideburns cannot extend below the bottom of the ear lobe, and hair shall not extend

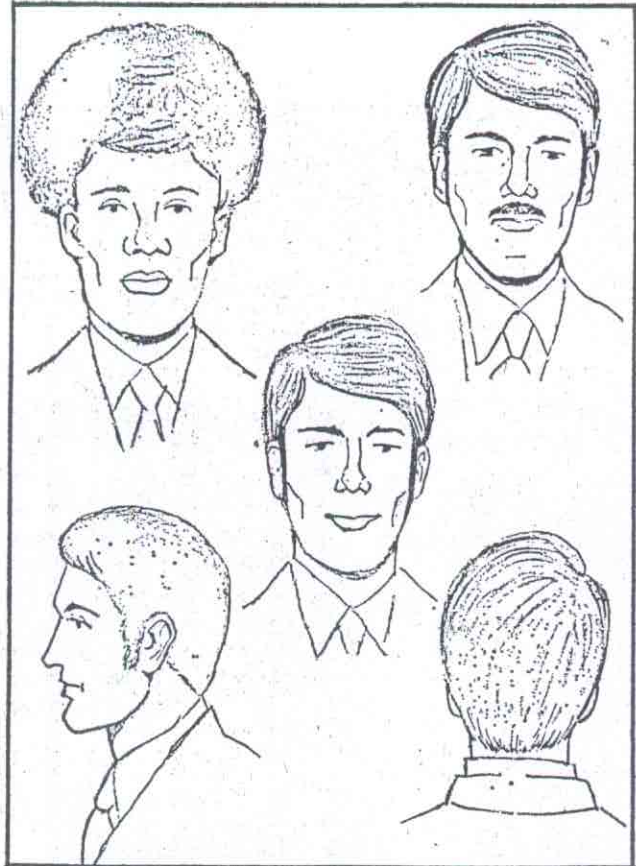
forward in the fashion of "mutton chops."

The regulation state that mustaches are permissible if of moderate length and neatly trimmed and beards can be worn only in the case of a medically certified skin ailment.

The FBI has 15 days to appeal the civil service ruling, and Fitzpatrick said he was told informally by FBI officials that they would probably not appeal. The FBI declined to comment on the case.

The commission ruled that the FBI's action was "arbitrary, capricious and unreasonable" and ordered Hamm reinstated with full back pay.

"We believe the FBI has for too long operated as a separate enclave in which employees are forced to abandon their basic constitutional rights when they enter," said Fitzpatrick.



FBI Sketch

These are drawings issued to FBI personnel depicting hair lengths and stylings acceptable to officials.