

Affidavit in Socialist Workers Case

# Ex-Agent Says FBI Bars 'Corrupt Practices' Data

By Robert Pear

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A former FBI agent, in a confidential affidavit, says the government is withholding informant records from the Socialist Workers Party to prevent disclosure of "corrupt practices" by the FBI.

Moreover, he says that, contrary to the testimony of a senior FBI official, agents in the field did not routinely make a "pledge of confidentiality" to informants.

The statements are contained in a 36-page affidavit given to the Justice Department by M. Wesley Swearingen, a former FBI agent now living in California. A copy was obtained yesterday by The Washington Star.

The Socialist Workers Party, in a \$40-million damage suit against the government, is seeking 18 informant files as evidence to support its contention that the FBI harassed and disrupted the party.

"WE HAVE TO show the court specific instances of burglary, disruption and dirty tricks," said Roger Rudenstein, coordinator of the Political Rights Defense Fund, a New York group raising money to assist the party in its lawsuit.

Attorney General Griffin Bell has refused to surrender informant files on the ground that informants are "one of the most valuable sources of information for use in criminal law enforcement and counterintelligence."

U.S. District Judge Thomas P. Griesa, who is presiding over the five-year-old suit in New York, has ordered the government to turn over a cross-section of informant files relating to the Socialist Workers Party and its youth affiliate, the Young Socialist Alliance. Justice Department lawyers are appealing that order, and a decision is expected in the next few weeks.

Swearingen, who worked on the investigation of the radical Weather Underground from the FBI's Los Angeles office, said in his affidavit that

"the FBI has for years encouraged informants to break into persons' homes and organization offices to steal records or evidence."

HE CONTINUED, "Agents did and still do have tremendous fear that disclosure (of informant files) would injure the agents and possibly place them in positions to be prosecuted by the Department of Justice for their corrupt informant practices."

The files, he said, "will show how informants obtain information directly through stealing records and membership lists."

For example, Swearingen said, FBI agents in Los Angeles "borrowed" complete membership lists for the American Indian Movement and opened an investigative file on each member.

Also, he said, agents exaggerated the number of their informants and inflated their value by giving them credit for assistance in locating fugitives when, in fact, they played little or no role.

Rather than focusing just on individuals and groups under FBI investigation, Swearingen said, "informants were encouraged to be vacuum cleaners and obtain and report everything they knew."

FAR FROM making an absolute pledge of confidentiality to informants, the FBI often pressured them to testify when it appeared that a particular crime could be successfully prosecuted, Swearingen said.

His statements run contrary to sworn testimony given in New York by James B. Adams, who, as associate director, is the highest-ranking FBI official under Director William H. Webster.

Adams said informants would be threatened with brutal retaliation if they were publicly identified.

But Swearingen said, "Mr. Adams cannot cite one instance where the SWP physically assaulted anyone identified as an FBI informant."

The ex-agent said he "never heard even a rumor that the Weather organization had retaliated against anyone who furnished information to the FBI."

Adams' testimony about the value of informants was based in part upon information supplied to FBI headquarters by various field offices.

"The field offices told the bureau what it wanted to hear," Swearingen said, charging that agents fabricated stories for the purpose.

Michael E. Shaheen Jr., head of the Justice Department's Office of Professional Responsibility, an internal watchdog agency, said yesterday that he was investigating Swearingen's allegations. But he declined to comment on the merits of the charges.