

Court Orders FBI Purge of Some Files

FBI - II

The FBI must delete any records of "nonserious" criminal offenses in its 24.1 million files on individuals charged with crimes, a federal judge ruled here yesterday.

Such offenses include drunkenness, vagrancy, traffic violations and juvenile offenses, and are no longer placed in the FBI files. They were included in FBI records compiled before 1973, and those pre-1973 records are the ones affected by the order of U.S. District Judge John Lewis Smith Jr.

Smith said the FBI must delete the nonserious criminal records of persons more than 35 years old if they request it. The FBI itself must erase nonserious records for persons under 35 when it converts to a computerized record-keeping system next year, he ruled.

Smith also told the FBI it must inform local and state agencies when a person challenges any information in his or her FBI files and that the pending challenge does not have to be reflected on the criminal record itself.

Expressing concern over the agency's file-keeping systems, the judge also told the agency it should consider new methods of keeping its records up-to-date.

"The FBI cannot proceed undisturbed by the serious danger to individuals caused by unreported dispositions (of cases) and 'stale' files, nor can it totally relegate responsibility for such deficiencies to local agencies and courts," Smith said.

The rulings came in a suit filed by a Texan who is seeking to have portions of his FBI criminal record erased.