

MAR 18 1970

'SPYING' DEFENDED IN NEW ROCHELLE

Surveillance at Iona Talk
by Cleaver Is Backed

By LINDA GREENHOUSE
Special to The New York Times

NEW ROCHELLE, March 17 —City Manager Murray Fuerst has defended the Police Department's technique of "selective surveillance"—a technique that led in January to charges of police spying on ordinary citizens.

It was in January that the United States Senat Internal Security subcommittee published the record of a hearing at which a New Rochelle police sergeant, John F. McCormick, testified last June 26.

Sergeant McCormick—a lieutenant—described police surveillance on the campus of Iona College here in October, 1968, when Eldridge Cleaver, the Black Panther leader, spoke at the invitation of a group of students.

The subcommittee's 300-page report included the names of local residents who had been involved in peace activities, as well as the license-plate numbers and owners of cars parked on the Iona campus while the Panther leader was speaking. Parts of the report, including some names, were picked up and published by local newspapers.

City officials had apparently been unaware of the police activity. In the midst of criticism of the police by local groups, Mr. Fuerst began an investigation. His six-page report, submitted to the Mayor and City Council, was made public yesterday.

The report exonerates the New Rochelle Police Department. Mr. Fuerst says that Sergeant McCormick participated in the coverage of the Cleaver speech merely as an observer, along with representatives of the District Attorney's Office, the Federal Bureau of Investigation and the

state police.

Photographs were taken and license numbers noted by a Yonkers detective, William E. Grogan, and distributed to the other policemen.

"Selective surveillance is the pragmatic response to protecting our liberty," Mr. Fuerst says in his report. "It is naive to assume that our democratic way of life can be preserved without intelligence-gathering concerning the activities of those who threaten its very existence."

Mr. Fuerst said, however, that the people whose names were placed in the record as being associated with the Cleaver speech were not given an opportunity to appear before the subcommittee.

"The reception and release by the Senate committee of the names of these people is, to say the least, a careless, unjudicious, prejudicial and harmful use of such information," he wrote. "The Senate committee can hardly be commended for the public use of this information."

Sergeant McCormack had been subpoenaed by the Senate panel.

Bernard Aisenberg, chairman of the New Rochelle Independent Democrats, which had charged the Police Department with using the "tactics of McCarthyism," issued a statement criticizing Mr. Fuerst's report.

"In substance, Mr. Fuerst said that if the testimony had been kept secret and not divulged by the Senate committee, all would have been well," Mr. Aisenberg said. "Secret Dossiers and secret testimony given in secret proceedings, which Mr. Fuerst defends, are the very tactics which he should condemn, for they are the hallmark of a totalitarian state."