

CIA (D)

# FBI Still Breaking In, Probe Finds

SFChronicle MAY 11 1976

Washington

The FBI still conducts break-ins against intelligence targets without getting a court order, a special Senate intelligence committee report said yesterday.

The Senate investigators said such surreptitious entries are made mainly to plant hidden microphones and other recording devices, but occasionally the missions have turned into raids for other information.

The FBI assured the committee that in recent years, at least, the "opportunity" to expand the entries into multi-purpose burglaries has been "exploited" only against foreign agents.

The report said that according to an FBI memorandum supplied to the committee last fall, in the course of installing electronic bugs, "There has been occasions when observations and recordings were

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made of pertinent information contained within the premises."

The release of the report coincided with a statement by FBI Director Clarence Kelley that it is "my great desire to dispel any thought that the FBI can't be trusted."

Kelley made his remarks as a follow-up to a weekend speech in which he said the FBI was sorry for past abuses.

The Senate committee report said that special teams of FBI agents have carried out more than 1000 surreptitious entries without judicial warrants since World War II. "Despite the questionable legality of the technique and its deep intrusion into the privacy of targeted individuals."

More than 200 of these were so-called "black bag jobs" — burglaries conceived and conducted not for the sake of planting a bug but for other purposes such as "physical search and photographing or seizing documents."

Such entries included a long series of break-ins, perhaps as many as 92 of them between 1960 and 1966, against the Socialist Workers party and affiliates, such as the Young Socialist Alliance, the report said.

"The door is locked with a master padlock only," said one FBI memo laying out detailed plans for a post-midnight burglary on YSA headquarters in New York City. "Previous spot checks on numerous occasions have shown that there is a very limited amount of pedestrian and automobile traffic after 12 midnight . . . Entrance will be made between the hours of 12 midnight and 4 a.m., June 30, 1960."

In addition to the estimate of more than 200 "Black Bag jobs," the report said the FBI has installed more than 500 bugs without warrant since 1960 "against intelligence and internal security targets," a technique which "the Justice Department still permits."

The bureau also submitted a chart showing that it has carried out 491 surreptitious entries to install hidden microphones "in criminal investigations" since 1960.

Ninety-seven of these entries were made under the authority of court orders since 1968, when the Omnibus Crime Control Act legalized electronic eavesdropping under judicial supervision and other restraints.

Senate intelligence committee staffers said neither the Justice Department nor the FBI offered any clear explanation of why warrantless entries to eavesdrop on "foreign espionage or intelligence" targets are still considered necessary when warrants could be obtained from the courts under the provisions of the 1968 law.