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Computer Check

FBI Denies Data File a Threat To Civil Rights

Washington

The FBI spelled out safeguards yesterday intended to insure that its controversial computer system of crime information does not infringe upon individual rights.

In its first detailed explanation of the system, the bureau said that anyone listed in the criminal history section of the computer bank, which now has records of more than 431,000 persons, can challenge the accuracy of his file.

Further, the FBI said in its January law enforcement bulletin, the automated section includes only records of persons charged with serious offenses and its information will be made available only to criminal justice agencies such as police, courts and probation and parole agencies.

Last summer Massachusetts Governor Francis W. Sargent and four members of congress filed a petition with the Justice Department asking that the Computerized Criminal History file be suspended on the ground that it threatened basic constitutional rights.

Specifically they charged that the file, a part of the FBI's National Crime Information Center, permits the dissemination of inaccurate and outdated criminal records, fails to prevent unauthorized access to the files, and does not allow individuals the right to review and correct their files.

Sargent has refused to allow Massachusetts to join the

system. He was joined in his petition by Senators Edward W. Brooke (Rep.-Mass.), and Harold E. Hughes (Dem-Iowa) and Representatives Michael J. Harrington (Dem-Mass.) and Barry Goldwater Jr. (Rep.-Calif.)

In a strong defense of the computer system, FBI director Clarence M. Kelley wrote in the bulletin:

"The NCIC is not, as some have alleged, a secret intelligence-gathering network filled with loosely managed and frivolously gathered information concerning anyone coming to the attention of the police. The facts about NCIC stand out in bold contrast to such assertions.

"It is a widely publicized law enforcement program which is firmly rooted in statutory authority. It is most prudently managed and directed by skilled professionals of the criminal justice system."

Only six states — Arizona, California, Florida, Illinois, New York and Pennsylvania — have supplies the FBI with criminal history records for the national file. The bureau is strongly urging other states to join the system.

The FBI said the file will not include information on juveniles (unless one is being tried as an adult) or such charges as drunkenness, vagrancy, disturbing the peace, violating a curfew, loitering, turning in a false fire alarm, breaking traffic laws (except manslaughter, hit-run or drunk-driving, all of which would be included) and such nonspecific charges as "suspicion" or "investigation."

Information may be retrieved "by authorized criminal justice agencies only," the bureau added, and information "is not authorized to be disseminated for use in connection with licensing or local or state employment, other than with a criminal justice agency, or for other uses unless such dissemination is pursuant to federal and state statutes."

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