

Writings
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The F.B.I. Computers

Wherever law enforcement is discussed seriously in this country, there are usually grave incantations about the right of privacy and about how unthinkable the development of a national police force would be. Such views are given regular and ritualistic expression in the Department of Justice and in the Federal Bureau of Investigation.

Yet the Department of Justice is on the verge of taking a step which alarms privacy advocates both in the White House and on Capitol Hill and is also giving deep concern to local law enforcement agencies throughout the country. The department has given the F.B.I. tentative approval to expand its computerized criminal information system in a way that would permit it to monitor the long-existing cooperative criminal information exchange program run by the states.

The problem, as usual in cases of this kind, is that the decision to expand up to technological capacity is being taken before all of the basic philosophical and policy issues have been resolved.

The first issue to be confronted is the danger which the F.B.I.'s intrusion into an area of local law-enforcement activity presents to the delicate balance between Federal and local law-enforcement activities. A White House official has warned Attorney General Saxbe that the Justice Department proposal could "result in the absorption of state and local criminal data systems into a potentially abusive, centralized, Federally controlled communications and computer information system."

Beyond the threshold problem, the privacy issue raises enormous difficulties. Senators Sam J. Ervin of North Carolina and Roman Hruska of Nebraska have been attempting to work out legislative guidelines and standards on such issues as the nature of the information to be collected, the nature of the information to be disseminated, the methods of verifying the information and the length of time stale information is to be retained in the computer banks.

As usual in cases of bureaucratic over-reaching by the F.B.I., the rationale is efficiency. Senator Ervin had the perfect answer for that when he told F.B.I. Director Clarence Kelley: "For one man to have control of crime data might be more efficient. But, this country wasn't based on the idea of efficiency so much [as] it was based on the idea of power diffused."

The precipitate decision to permit the F.B.I. to enlarge on its already bloated power ought to be deferred until the impact of the decision has been thoroughly explored with local law enforcement agencies and until all of the disturbing questions about possible invasions of privacy are settled by the development of more adequate legislative protections for the right of privacy.