
DATA COLLECTION

Dossier-building, one of the more obnoxious aspects of surveillance, affects many kinds of victims—political dissenters, arrestees, recipients of public welfare and medical care, school children, people who contribute to political parties, people who buy on credit, people who bank. In sum, dossier-building is likely to affect anyone who isn't a hermit.

The fundamental notion of dossier-keeping is anathema to civil libertarians. The assumption is that a person's history is his or her horizon. For instance, if a person is arrested once (not necessarily even convicted), that person may be denied a job, or a license, or credit. (In a Louisiana CLU case a person was denied a work *permit* because of a 19-year-old arrest record.)

The ACLU now has a Data Collection Research Project.

The Project's mandate led it naturally to Watergate this summer. The Project was able to disprove the White House's denial that persons on its "enemies" list had been targeted for government harassment. Half the 189 "enemies" (97) told the Project what has happened to them. Twenty-seven per cent have had their taxes audited at least once. Fifteen per cent were investigated by the FBI or other federal agencies besides IRS. Seventeen per cent said their phones had been tapped, and another 13 per cent thought their phones probably had been tapped. Seven reported burglaries. Other reported problems were mail in-

terception, seizure of phone records, and interference with business activities.

One prime target of ACLU activity is the so-called Bank Secrecy Act. The Act requires banks to photocopy all checks and turn over to the Secretary of the Treasury any reports he wants on individuals' banking transactions. The national ACLU and the Northern California ACLU both have challenged the law. Northern California won a partially favorable decision, striking down the reporting requirement for domestic transactions. The government has appealed that decision to the Supreme Court, and the CLU has cross-appealed to broaden the ruling to eliminate, also, the recording requirement.

The privacy of bank records is at issue in another CLU case now before the Supreme Court. In that case the New York CLU and ACLU are suing the FBI for inspecting the bank records of a peace group. By inspecting the records, the Bureau was able to learn the names of some of the organization's leaders and supporters.

Ohio won a state law requiring expungement of records of first offense convictions after one year for misdemeanors, after three for felonies.

Tennessee CLU won a consent order to expunge all Nashville arrest records from the police department central record service and the state Bureau of Investigation files, and to have these records recalled from the National Crime Information Center.
