

Ousted F.B.I. Aide Sues Hoover

(Two-part headline; the other on CIA.)

Ex-Clerk Fights Discharge

By FRED P. GRAHAM
Special to The New York Times

WASHINGTON, April 20 —

A 25-year-old bachelor, dismissed by the Federal Bureau of Investigation for an indiscretion with a woman friend, sued the bureau's director, J. Edgar Hoover, today for violation of his right of privacy.

Thomas H. Carter, a former clerk in the bureau's fingerprinting division, said that Mr. Hoover had dismissed him for "conduct unbecoming an employe of this bureau" after F.B.I. agents pried into the intimate details of his relationship with the woman.

Mr. Carter contended in the suit that Mr. Hoover had violated his constitutional right of privacy by dismissing him after "it was reported that he had had a girl friend in his apartment overnight."

Contending that the "arbitrary and capricious" discharge had harmed his future job opportunities, Mr. Carter asked the Federal District Court here to restore him to his job, with back pay.

According to the suit, Mr. Carter was called before the agent in charge of his division Aug. 8, 1965, and was informed that "a complaint had been made against him."

"Over plaintiff's objection, he was forced to admit that his girl friend of long standing had come from Texas to visit him [and] that she had stayed overnight in the two-bedroom apartment with his three other roommates," the suit said.

It asserted that Mr. Carter had been required to write and sign a memorandum giving "specific details" of the incident. Eight days later he received a letter from Mr. Hoover discharging him as of that day, it said.

Two weeks later, Mr. Carter's lawyer requested a review of the action and Mr. Hoover refused it.

The incident stirred a mild controversy in the Senate last January when Senator Sam J. Ervin Jr.'s Subcommittee on Constitutional rights mentioned it in connection with a report on its investigation of invasion of employe privacy by Government agencies.

Three Roommates Resigned

"In one such complaint, an F.B.I. employe was queried extensively about his personal life, and then required to write a detailed statement of the hours spent" with the woman, the Senate report said. It went on:



The New York Times

CITED IN SUIT: J. Edgar Hoover, the F.B.I. director, has been sued by former agency clerk who was dismissed for an indiscretion with a girl friend.

"A week later, the employe was given a letter summarily discharging him as of the close of the working day, and was told he had no way of appealing the decision.

"Three other F.B.I. employes who shared an apartment with him reportedly were harassed by the agency for their continued association with him and finally resigned."

Since the bureau is exempted by law from civil service requirements and other Federal hearing and appeal procedures, Mr. Carter's only legal recourse was the suit for reinstatement.

Asked about Mr. Carter's discharge, an F.B.I. spokesman said, "Bureau employes know we have high standards of conduct here. They know they can be fired for conduct which could reflect discredit upon the bureau."

The spokesman said all bureau employes understood that conduct such as that involved in Mr. Carter's case was ground for discharge. He said this policy was specified in the bureau's handbook for employes, which he said was classified "confidential" and could not be released.

The handbook, obtained from other sources, provides as follows:

"Personal misbehavior of bureau employes reflecting unfavorably upon them or the bureau, and neglects of duty cannot be tolerated. Any such misconduct or any neglect or duty or allegation of such nature must be promptly reported to

the bureau by an employe learning of it."

Under "Embarrassing Situations," the handbook requires employes to report all their own or their fellow employes' transgressions, including parking tickets.

Mr. Carter, who earned \$4,930 a year, is from Kentucky. He is an Air Force veteran who served two years in Japan.

His suit also listed as defendants the United States and Attorney General Nicholas deB. Katzenbach. It alleged that the discharge also violated Mr. Carter's rights against self incrimination and of due process of law and liberty.

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