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Judge Orders FBI to Open File

ST. PAUL, Minn., March 6 (UPI)—A federal judge angrily criticized the Federal Bureau of Investigation today—saying it has “deteriorated badly”—and ordered the agency to open all its files on the occupation of Wounded Knee, S.D.

U.S. District Court Judge Fred Nichol, upset over confusing statements involving inaccessible FBI documents, said he wanted the files intact in his chambers.

He said he wanted to inspect them before the end of the week along with attorneys for the prosecution and defense in the trial of American Indian Movement leaders Dennis Banks and Russell Means.

Prosecutor R. D. Hurd said he did not think the FBI would agree.

Then Nichol, in one of his loudest outbursts since the trial started nine weeks ago, told a courtroom in which several FBI agents were seated:

“I don’t care what the FBI agrees or disagrees on. I used to think the FBI was one of the best bureaus to come down the pike, but now I think it has deteriorated.”

“It has deteriorated badly and I don’t care how many FBI agents are in the courtroom to hear this.”

Nichol then shouted: I would just like to see the FBI try to disregard one of my orders.”

The judge’s remarks—with the jury out of the courtroom—followed arguments about a citizens petition drawn up during the 1973 Wounded Knee occupation. There were unexplained notations on the list of petition signatures furnished by the FBI.

Nichol Tuesday halted testi-

mony in the trial until the petition issue was cleared up.

On several occasions in the trial, the judge from South Dakota has scolded the defense. This was the first time he had leveled an angry blast at the prosecution.

Banks and Means are on trial for their participation in the 71-day occupation. Each is charged with 10 felonies.