

FBI Must Destroy File

Newark N.J.

Lori Paton, the teenage girl who became the subject of a federal investigation as the result of a classroom exercise, won her fight yesterday to force the FBI to destroy all records pertaining to the incident.

In a nine-page opinion, U.S. District Judge A. Coolahan ruled that there was no legal justification for possession of the file by the FBI and said, "the existence of those records may at a later time become a detriment" to the 17-year-old girl. He ordered the files "removed from the custody of the government and destroyed."

But Coolahan rejected Miss Paton's claim for \$65,000 in damages and refused to grant so-called "class" relief aimed at preventing the FBI from continuing to conduct the type of surveillance that led to the existence of a "subversive" file on the girl because she wrote to the Socialist Workers party to gather information for a political science course.

Frank Donner, director of the American Civil Liberties Union's project on political surveillance and author of several books on the subject



UPI Telephoto

LORI PATON
Class project

of government surveillance, said the ruling appeared to be the first of its kind in the nation.

Frank Askin, attorney with the Rutgers Constitutional Litigation Clinic, filed the suit on behalf of Lori and William Gabrielson, chairman of the West Morris-Mendham high school Social Studies Department. Askin said he will probably appeal the denial of the class relief to the U.S. Court of Appeals in Philadelphia.

"While we're happy for

Miss Paton that the records will be destroyed we think the decision is inadequate," Askin said. "It means the FBI can continue to interfere with political inquiry and keep records on innocent people," Askin said.

The incident began early last year when Miss Paton wrote a letter requesting information on the Socialist Labor party as part of her work in a social studies project entitled "From Left to Right," which sought to explore various political ideologies.

By mistake she addressed the letter to the Young Socialists Alliance, that is affiliated with the Socialist Worker's party.

About that time, L. Patrick Gray, the former acting FBI director, ordered a 120-day mail cover on the party which was listed on the now defunct attorney general's list of subversive organizations.

A postal inspector in New York, screening mail sent to the party, came up with Miss Paton's name and it was sent to the FBI.

The Socialist Worker's party also sent the girl its newspaper and some literature.

The Newark FBI office was asked to follow up the lead and agent John Devlin ran a credit check on Miss Paton's father and interviewed Edward Strait, the police chief in Vester, who told the agent no member of the Paton family had a criminal record.

When he visited the high school to gather more background on the girl, Devlin was surprised to find out she was still a student and the letter was written as part of a class exercise.

He concluded his investigation and recommended "the case be closed administratively."

The FBI, however, placed the reports of the investigation in its files and one of the file cards bearing Miss Paton's name also has the notation "SM-SWP" meaning "subversive matter — Socialist Worker's party."

New York Times

Nuclear Test

Yucca Flats, Nev.

The Atomic Energy Commission plans to explode an underground nuclear device today.

United Press