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Charges Over F.B.I.'s Tactics On Subversive Suspects Barred

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WASHINGTON, Jan. 3—The Justice Department has decided not to prosecute anyone in connection with the Federal Bureau of Investigation's 15-year-campgn to disrupt the activities of suspected subversive organizations.

The decision was reached after Assistant Attorney General J. Stanley Pottinger, head of the Civil Rights Division, reported to Attorney General William B. Saxbe that he had found "no basis for criminal charges against any particular individual involving particular incidents."

But Mr. Pottinger also told Mr. Saxbe, according to a Justice spokesman, that he had not reviewed the entire 60,000 pages of records of the so-called Cointelpro [for counter intelligence program] and that any allegations of specific violations that might come in later could still lead to criminal charges.

The operation was reviewed earlier by a team headed by Henry E. Petersen, who retired Dec. 31 as Assistant Attorney General in charge of the Criminal Division. He concluded

that no criminal charges were justified, but he also sent Mr. Saxbe two reports that have not been made public. One argued against prosecution of present or former F.B.I. officials; the other said that prosecution of some criminal offenses might be called for.

Mr. Saxbe then asked Mr. Pottinger to review the bureau's actions to see if there had been violations of civil rights laws. If there had, two sections of the criminal code making it an offense to deprive citizens of their civil rights seemed most likely to have been violated.

Mr. Pottinger replied almost immediately that he had found no basis for criminal charges. Then Mr. Saxbe asked him to make a more thorough study, which resulted in the same conclusion.

A report on Cointelpro released by Mr. Saxbe and the F.B.I. director, Clarence M. Kelly, on Nov. 18 said that some of the bureau's practices under the program were "abhorrent in a free society." Mr. Kelly said, however, that he did not think use of the word "abhorrent" was justified.