

10/14/89 N.Y. Times

F.B.I. Says It Disrupted Lawyer Guild

By WILLIAM GLABERSON

Special to The New York Times

NEW YORK, Oct. 12 — The Federal Bureau of Investigation today acknowledged a broad effort to disrupt and investigate the National Lawyers Guild for decades, although Government officials decided as far back as 1958 that they could not prove charges that the organization was subversive.

The Guild, a national lawyers' organization that has long been associated with the labor movement and liberal causes, was tarred for years with charges that it was a "Communist front" organization.

Settling an 11-year old civil lawsuit in Federal District Court in Manhattan today, the F.B.I. acknowledged that its agents conducted warrantless wiretaps and searches of Lawyers Guild offices, sifted through the garbage of the organization's members and provided information on Guild members to panels that reviewed lawyers for admission to practice law.

An Emotional Chapter

The Government did not admit any wrongdoing in the settlement. But in an interview, Benito Romano, the United States Attorney in Manhattan, said, "Obviously, under today's standards, a lot of that activity would be illegal."

The settlement appeared to close an emotional chapter in modern political history. Throughout its history, but especially in the 1950's and the 1960's, the organization was a target of critics, including Senator Joseph R. McCarthy, who said it fostered disloyal lawyers and once called it the "legal bulwark of the Communist Party."

During much of that time, the Guild's officers charged that they were also the targets of an illegal campaign by the F.B.I. director, J. Edgar Hoover, and others to discredit them unfairly and to violate their privacy. Many Guild lawyers have long been unabashedly supportive of left-

of-center causes. Its members represented the Hollywood Ten and Julius and Ethel Rosenberg, among other celebrated political cases. In recent years, Guild lawyers have been active in civil rights and antiwar causes.

Michael Krinsky, a lawyer for the Guild in its Manhattan headquarters, said the organization felt vindicated by the settlement. Though the organization sued for \$56 million, it received no money in the settlement. The Government stated, however, that no investigations using the information gathered over a 35-year period are under way and that it would not use the information.

Viewed as Victory

Under the terms of the settlement, the information collected by the F.B.I. is to be turned over to the National Archives, where it will be sealed until 2025.

Mr. Krinsky said he believed the settlement meant a victory for the Lawyers Guild. "The Guild," he said, "entered this case to vindicate its right of privacy and to make sure that the information that the Government had collected for all those years can never be used against it."

The settlement detailed the long history of F.B.I. suspicions of the lawyers' group, founded in 1937. But it said the surveillance continued from 1940 to 1975 despite at least two Government determinations, in 1958 and 1974, that the 8,000-member organization could not be declared subversive.

Records Copied

The settlement also said the F.B.I. did not act against the organization because of any "alleged or suspected criminal wrongdoing." And it said the surveillance and disruption activities were not related to any prosecutions.

Among other things, the F.B.I. admitted that "it appears more likely than not that between 1940 and 1951, the F.B.I. surreptitiously entered the Guild's national office approximately 7 times without judicial warrant" or

other authorization and copied the organization's records.

In one such break-in, the settlement agreement said, the F.B.I. obtained a draft of a planned Lawyers Guild report that was critical of the bureau's surveillance practices. The agreement said the F.B.I. used the document "in an effort to counter the Guild's report even before its issuance."

Without a warrant, the settlement said, the bureau wiretapped the Guild's national headquarters telephone between 1947 and 1951.

'Disruptive Operations'

The agreement did not provide much detail on how the Federal agents attempted to disrupt the organization. It said simply that the F.B.I. engaged in "certain" counter-intelligence programs "and similar disruptive operations against the Guild and Guild members."

The agreement also said F.B.I. agents sifted through garbage disposed of by Guild members' law firms, studied law-firm bank statements and used informers on law-firm staffs. Some of the information gathered, the agreement said, was passed on to committees that review the character of candidates for admission to the bar.

In the interview today, Mr. Romano, the United States Attorney, said the settlement was beneficial for the Government because it disposed of "a very substantial litigation" without requiring the Government to pay damages or lawyers' fees, which he said could have been substantial. He also said the suit closed the battle "without limiting the F.B.I. from pursuing legitimate law-enforcement activities."

You can order
The Times Book Review
by mail.
A great gift ideal