

# Political Rights Defense Fund

**PRDF** P.O. Box 649 COOPER STATION  
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(see sponsors on reverse side)

February 19, 1974

Dear PRDF Supporter,

Outlined below are the central tasks PRDF will be working on this spring:

1. Endorsements The government's answer to the lawsuit filed by the Socialist Workers Party and the Young Socialist Alliance asserts that their attacks on the SWP and YSA were within their legal authority. This assertion is a challenge to constitutional rights that makes it all the more important to broaden the scope of support for the PRDF. The letters on the SWP suit as it relates to the Black and labor movements should be given special attention, as they can be used to broaden the endorsement effort. In many cases it will be possible to send speakers before Black and labor organizations to solicit support, and in some cases funds. The campuses continue to be an important center for gaining endorsements from student and faculty organizations, and prominent individuals.

2. Fundraising The expenses involved in the lawsuit will increase as the suit draws closer to trial. The \$40,000 - \$50,000 needed between now and July 1st is considerably more than we originally projected. We will need more than \$20,000 in addition to the money that the PRDF national office can expect to raise. This will have to come from fundraising done by local PRDF support groups. Button sales, mailings, telephone fundraising, visits to professors and other potential contributors, benefit performances by theater or musical groups, film showings and benefit cocktail parties are all possible sources of funds. Fundraising literature is available from the PRDF national office.

3. Press and Publicity The publicity that recently appeared in a number of papers about the government's answer to the SWP and YSA suit and about the Lori Paton case, including the articles enclosed in this mailing, reflects the increased interest in government infringement on civil liberties. The fact that the FBI investigation of Paton stemmed from a letter she wrote to the SWP should make it easier to introduce our case to the press. As new developments occur, the PRDF national office will make legal documents and other materials available

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letter/2

so that you can keep the press in your area informed about the case. News coverage and editorial support in the campus press are especially important. Every new development in the case provides an opportunity to solicit both.

4. Evidence It is essential that we continue to add to and refine the evidence of government crimes. John Ratliff, of the PRDF legal staff, will contact local PRDF's about specific needs for statements or other material. Any possible instances of government harassment or surveillance should be reported to the PRDF national office.

5. SWP Campaign Committee Tours The presence of national representatives of the Socialist Workers Party in each locality will provide opportunities to build the PRDF, and to take advantage of the fact that prominent plaintiffs can help broaden endorsements and raise funds for the suit. PRDF spokespeople should attend functions associated with the tours, speak on the case, distribute PRDF literature, solicit contributions, circulate sign-up sheets for volunteers, etc. Every effort should be made to make the maximum possible gains for the PRDF out of the visits of these prominent victims of Watergating and nationally known plaintiffs in the suit.

Sincerely,

*Syd Stapleton*  
Syd Stapleton

# Political Rights Defense Fund

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## The New York Times

Friday, 1/11/74

### J.S. ADMITS PLAN TO DISRUPT PARTY

Also Concedes Surveillance of Socialist Workers

By FARNSWORTH FOWLE

The Federal Government, replying to a suit against it, has acknowledged that it conducted "electronic surveillance" of Socialist Workers party members from 1945 to 1963 and that the Federal Bureau of Investigation had a program to disrupt the party from 1961 to 1969.

The Government's reply, filed Monday in Federal District Court as a result of the party's complaint last July 18, was made public yesterday at a news conference called by the Political Rights Defense Fund, which is raising money for the costs of the court action.

The Government said that the "basic purpose" of the disruption program had been "to alert the public to the fact that S.W.P. is not just another socialist group but follows the revolutionary principles of Marx, Lenin and Engels as interpreted by Leon Trotsky."

The reply followed the F.B.I.'s disclosure Dec. 6 of an order that its late director, J. Edgar Hoover, issued to all offices on May 10, 1968, to begin an attack against groups and individuals "who spout revolution and unlawfully challenge society to obtain their demands."

#### Unwarranted Taps Denied

This and other counterintelligence programs were terminated without explanation in a Hoover directive of April 28, 1971. The organizations and individuals were not identified by the bureau at the time.

In the document made public yesterday, submitted on behalf of United States Attorney Paul J. Curran, the Government issued a general denial that in 1972 and 1973 election campaigns it made unwarranted use of devices to intercept confidential conversations of party members, supporters and candidates.

It acknowledged knowing of only one such wiretap—in 1972, on the Los Angeles home of

James P. Cannon, then national chairman. The tap was placed on the basis of a report to the bureau by the local police, the Government said.

The suit is a class action by the Socialist Workers party, its affiliated Young Socialist Alliance, Mrs. Linda Jenness, the party's 1972 Presidential nominee, and 14 other named individuals, as well as "all others similarly situated." They asked the Federal court for more than \$27-million in damages because of alleged violations of party members' constitutional rights by the defendant—the Attorney General, other department and agency heads, President Nixon and several former Nixon associates.

#### Harassment Is Charged

The complaint charged a systematic campaign of excessive interrogation, employment discrimination and other harassment of party members and supporters and other illegal acts, which it said impaired the party's ability to participate effectively in Federal, state and local elections.

The complaint asked for a permanent injunction against wiretapping, mail monitoring and breaking into party offices. It also asked that the party be removed from the Attorney General's list of subversive organizations.

John Ratliff, of the legal staff of the Political Rights Defense Fund, called the Government's admissions "astonishing." He said that the fund had already asked for further documents about the disruption program and would take necessary legal steps "if the Government resists their motions."

"When the Government singles out and harasses a political group on the basis of its ideas and programs," he said, "it threatens everyone's First, Fourth and Fourteenth Amendment rights." Some Government assertions in the reply, he said, "go beyond what they were making before."

A memorandum with the Government reply argued the Federal District Courts lack jurisdiction over the President and that the complaint as to him should be dismissed. Mr. Ratliff called Mr. Nixon the "chief conspirator and ultimate authority for the illegal and unconstitutional acts" in the

complaint, and said that the fund's lawyers would offer counterarguments on this motion.

Mrs. Jenness said there was "nothing secretive" about her party, calling it an "open, legal organization." Recalling past Government denials of interference, she said, "We always knew they carried out these activities." She declared that the Government was no longer "in a position to get away with the amount of lying."

Mrs. Jenness, asked about the size of the party, said that in the 1972 election it got about 100,000 votes in 23 states. She said the members, numbering about 2,000, were comparable to active party workers in the major parties. The weekly readership of the party's journal, *The Militant*, she estimated at 70,000. It is edited by her husband.

Monday, 1/28/74

### F.B.I. TELLS OF FILE ON JERSEY GIRL, 16

Admits It Saw Subversion in Letter to Socialists She Wrote in School Project

By JOSEPH F. SULLIVAN

Special to The New York Times

NEWARK, Jan. 27 — The Federal Bureau of Investigation has admitted it is keeping a "subversive" file on a 16-year-old high school girl who wrote a letter to the Socialist Workers party as part of a school project.

In papers filed in answer to a suit brought by Lori Paton of Chester, N.J., the F.B.I. also disclosed that it had ordered a criminal investigation into Miss Paton's activities. J. Wallace LaPrade, the agent in charge of the Newark office of the F.B.I., previously had denied that the girl was being investigated by the bureau.



Lori Paton

The extent of the F.B.I. investigation and the existence of a "mail cover" on the Socialist Workers party headquarter

(over)

ters in New York between Jan. 23 and May 16, 1973, were disclosed as a result of proceedings instituted by Frank Askin, a lawyer with the Constitutional Litigation Clinic at Rutgers University Law School.

Mr. Askin, a cooperating attorney with the New Jersey Chapter of the American Civil Liberties Union, is representing the girl in her action to force the F.B.I. to expunge her name from its records and to pay \$65,000 in damages.

The suit also is termed a class action representing "all American citizens who wish to exercise their rights under the First Amendment to engage in lawful correspondence with minority political parties without being the objects of covert and overt surveillance and interception of their mail. . . ."

If the suit succeeds, it could lead to court-imposed limits on F.B.I. surveillance. Bureau officials in Newark and Washington have refused to comment on the case. Earl Kaplan, a lawyer with the internal security section in the Department of Justice, also has refused to let agents answer Mr. Askin's questions concerning routine bureau investigation procedures, asserting that they are privileged.

The Government's disclosure was the second it had made in the last month regarding surveillance of the Socialist Workers party. Last Jan. 7, also in reply to a suit, the Government acknowledged that it had conducted "electronic surveillance" of Socialist Workers party members from 1945 to 1963 and that the F.B.I. had a program to disrupt the party from 1967 to 1969.

Miss Patton became the target of inquiry as a result of a request on Jan. 11, 1973, by L. Patrick Gray 3d, then acting F.B.I. director, to the post office for a "confidential arrangement regarding a mail cover" on the national headquarters of the Socialist Workers party, 410 West Street, New York.

#### Mail Cover Explained

A mail cover is a type of surveillance in which all the data on the outside of first-class letters are copied and the contents of second- third- and fourth class mail examined before it is forwarded to the target of the surveillance.

About this time Miss Paton was enrolled in a social studies course at West Morris-Mendham High School. As part of a class project she wrote a letter to the Socialist Labor party but misaddressed it. The letter went to the Young Workers

Alliance, an affiliate of the Socialist Workers party.

As a result of her letter, the organization sent her a copy of its newspaper and some printed material.

Special Agent John P. Devlin checked the Paton family's credit, the employment of the girl's father, Arthur Paton, and drew from Police Chief Edward Strait of Chester the information that no member of the family had a police record.

He then went to the high school to check the girl's background and interests. When the school principal, Richard Matthews, told him the girl was still a student and the contact with the political organization was part of a school exercise, the agent left before the girl or her teacher could reach the office.

**CHICAGO Sun-Times**

Editorial Page Tuesday 1/29/74

## Schoolgirls and counterspies

The Federal Bureau of Investigation plans to ask for the power to conduct domestic counterspy operations in times of national emergency. We believe Congress ought to approach the request with great caution. Watergate has demonstrated the need for concrete governmental guarantees against the invasion of civil and political liberties in the name of national security, and there is no reason to believe the FBI or its parent Justice Department is prepared to offer such assurances. In fact, there is fresh evidence on the books that the FBI still can't differentiate between dangerous spies and inquisitive schoolchildren.

A few years ago, the FBI launched a full-fledged investigation of a 14-year-old North Carolina high school student who had written the Soviet Embassy for information. The parents of the child declined to sue, and the results of the investigation presumably remained on the books to plague the boy for the remainder of his life. Most recently, Lori Paton, a 16-year-old student in Chester, N.J., became the subject of an FBI investigation because she wrote a letter to a Socialist Workers Party headquarters as part of a school project. In this instance, however, high school authorities became incensed by the FBI probe and themselves prompted the suit by the American Civil Liberties Union.

The suit asks that the FBI expunge

all record of the Paton investigation, as it should. More importantly, the suit questions the power of the FBI to interfere with political inquiries or associations that would seem to be guaranteed by the First Amendment to the Constitution. After all, the Socialist Workers Party has been active for some time. How many persons have become suspect because they sought to find out what the party stood for?

The FBI surveillance of the Socialist Workers Party was prompted in the first place by the fact the party is on the infamous attorney general's list of possibly subversive organizations. But that list itself, although still kept alive and used, for example, as a guide in federal hiring, is an anachronism. The standards for listing an organization are subjective, not objective. The Subversive Activities Control Board, whose one function for years was to investigate names added to the list — it actually investigated nothing — has gone out of business. The list, then, is just a relic of the McCarthy-era witch-hunts and, in fact has not been updated since 1955.

The Supreme Court over the years has torn down the rest of the superstructure that supported the witch-hunts, and rightly so. Now, we hope the Paton suit can get at the last vestiges of the era. And we recommend that Congress make sure the FBI gets no more power than it can properly use.