

# 2 FBI agents fired for break-ins



Battalion photo by Steve Lee

**United Press International**  
WASHINGTON — FBI Director William Webster announced Tuesday he is taking steps to fire two agents who supervised the bureau's allegedly illegal break-ins, wiretaps and mail-openings in a hunt for fugitive radicals in the early 1970s.

Webster said he took action on the basis of whether the agents were carrying out orders from their superiors.

In addition, two more agents will be disciplined and two other "street agents" who carried out illegal

break-ins without approval from their supervisors will be censured.

But the FBI director announced at a news conference he would take no administrative action against 58 other active agents and a supervisor accused of unauthorized surveillance in a search for members of the terrorist Weather Underground from 1970-75.

Webster noted that since former Attorney General Edward Levi adopted new guidelines for domestic security investigations in 1976 to protect individuals' civil rights, "there has not been a single inci-

dent" resulting in a successful civil rights suit against the FBI.

In explaining his decision on taking no action against the bulk of agents involved in the surveillance, Webster said, "To discipline the street agents at this late date for acts performed under supervision and without needed legal advice from FBI headquarters and the Department of Justice would wholly lack any therapeutic value either as a personal deterrent or as an example to others."

"It would be counter-productive and unfair," he said.

In its separate criminal investigation of the alleged break-ins, the Justice Department chose to bypass prosecution of all low-level FBI agents who carried out the break-ins.

Instead, a federal grand jury indicted former FBI Director L. Patrick Gray, Mark Felt, the bureau's former No. 3 man, and Edward S. Miller, former FBI intelligence chief, on charges they conspired to commit civil rights violations by approving the surveillance.

In completing a 2½ year internal review that began before he took of-

ice, Webster cited evidence of 32 "surreptitious entries," 17 illegal wiretaps, two unauthorized microphone installations and "numerous mail openings" against friends and relatives of the radical group.

But he noted that despite a 1972 Supreme Court ruling making it clear that wiretaps without warrants were unconstitutional except in national security matters, and a later federal court ruling banning such surveillance, "no legal guidance was afforded (FBI) field offices on the subject."

## Hit and Run

Witnesses to the crash this car was involved in Saturday, say a student apparently from the University of Texas was creating a public disturbance while driving through Texas A&M University campus at high speeds. The witnesses, Texas A&M students, say a few other students chased the vehicle and apparently hemmed the driver in at the corner of Coke and Joe Routh streets. The driver crashed into a car driven by Kenneth LePori, a freshman agricultural economics major from Gonzales. Witnesses say the driver then fled west down Joe Routh street while being pursued.

## High court rules rights not violated

**United Press International**

WASHINGTON — The Supreme Court ruled 5-4 Tuesday that two robbery defendants could not challenge the introduction of evidence turned up in a warrantless car search because they were merely passengers in the auto and did not own it.

The justices rejected an argument by Frank Rakas and Lonnie King, convicted of robbing a Boubonnais, Ill., clothing store, that any criminal defendant is entitled to challenge the admission of evidence obtained in searches directed against him.

A search of a car in which Rakas and King had ridden turned up a sawed-off rifle and shells — introduced as evidence at their robbery trial. The two did not claim ownership of the weapons.

Writing for the majority, Justice William Rehnquist said, "Fourth Amendment rights are personal rights that may not be asserted vicariously."

"A person who is aggrieved by an illegal search and seizure only through the introduction of damaging evidence secured by a search of a third (another) person's premises or property has not had any of his Fourth Amendment rights infringed," Rehnquist said.

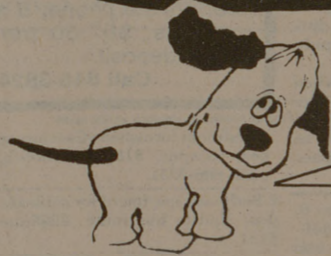
The Fourth Amendment protects citizens from unreasonable search and seizure. It allows evidence obtained in an illegal search to be excluded from a trial.

The court said in a 1960 case that anyone "legitimately on premises where a search occurs may challenge its legality" by seeking to have the evidence suppressed at his trial.

Justice Byron White, in a dissent joined by William Brennan, Thurgood Marshall and John Paul Stevens, charged Tuesday's decision holds that "the Fourth Amendment protects property — not people."

MON. THRU SAT. 10-6

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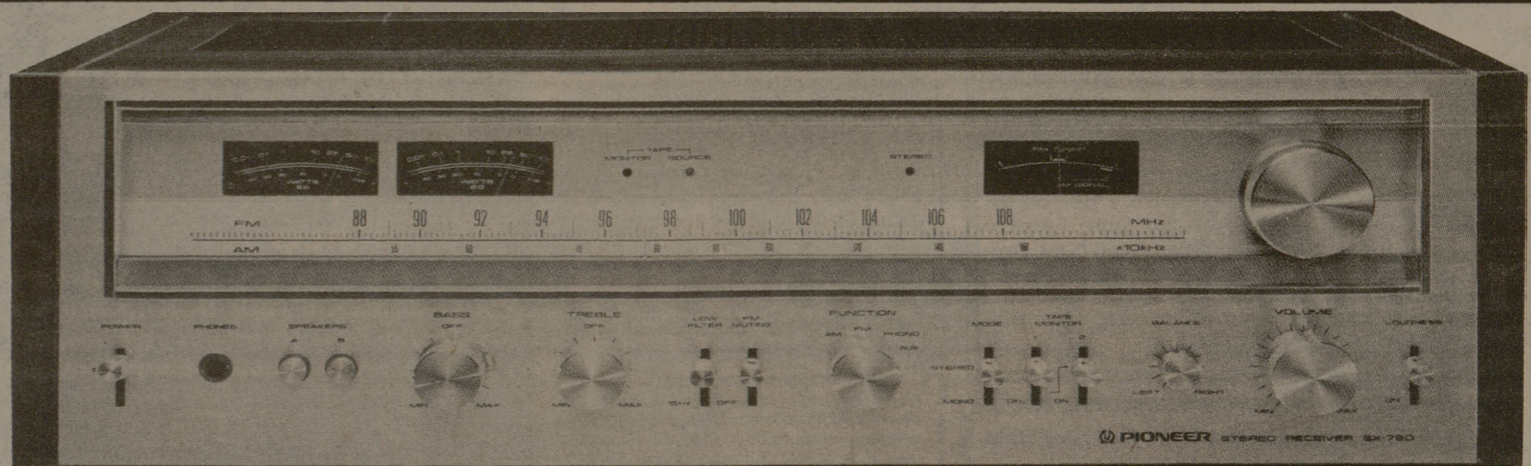
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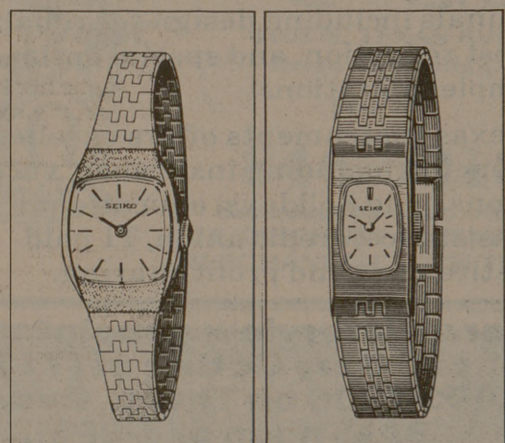
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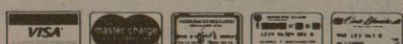
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