

I, SPY

By Bob Olmstead

INVADING YOUR PRIVACY is easy. A snooper doesn't need private detectives, the FBI, the CIA or anybody else to get enough information to embarrass, discomfit or possibly endanger you. It's so simple a child can do it — or to be more exact, a reasonably bright teen-ager. Ask David Hamlin, executive secretary of the American Civil Liberties Union, Illinois Division.

Hamlin found this out first-hand recently when he invited David Breskin, a 17-year-old New Trier West High School student, to invade his privacy by finding out everything he could about him. Breskin, a one-day-a-week intern in the ACLU's Chicago office, was working on the ACLU's current Privacy Project, Hamlin recalls. "I have always gone around telling people their privacy is not secure, so I thought it would be interesting to let him invade mine."

The ground rules were that the investigation was to be strictly one-citizen-spying-on-another, without spending money for outside help.

But aside from that, said the ACLU director, "I told him he could work any way he wanted, as long as he didn't break the law."

Not everybody thinks privacy is important. Some people tell the ACLU, "My life is an open book. The only people who have anything to worry about are those who have something to hide."

Hamlin answers this in his soft-spoken but rapid-fire delivery: "I can tell you why privacy is important in three words: 'Information is power.' And the obvious corollary is: The more information you have about someone, the more power you have over them."

"The horror stories around here are endless. There's a local example, where police found out that someone attended a peace conference, passed this information on to a newspaper that published it, and the man was fired from his job."

"And it isn't only government. We have seen in this office a complaint from a single woman living with a male not her husband. She was denied auto insurance after an investigator found this out from a neighbor. The insurance company said that anyone who had no respect for a marriage contract would have no respect for an insurance contract."

"And, of course, the worst thing about gossip is that it's not always true. But there is never any presumption of innocence in these things. Nobody asks the individual concerned."

"And, I'm afraid, there's no question but

that our society is going in precisely the wrong direction. Because business and government assemble more and more computerized information on people, we have more and more people who seem to feel we need more such information."

Hamlin sees privacy as "an elusive right" because it's not specifically stated in the Constitution. But he believes the Fourth Amendment protecting a citizen from unreasonable search and seizure is a start. "And increasingly I believe that anyone ought to have a warrant in order to violate my personal privacy, not just my paper privacy."

Feeling the way he does, Hamlin was understandably shocked a couple of weeks after he gave Breskin his assignment when Breskin sat down in front of him, pulled out a page and a half of hand-written notes and laid out Hamlin's life for him. Says the ACLU pro: "It was scary."

These were Breskin's notes:

"Given: David Meriwether Hamlin, 217-44-7863. Born: June 5, 1945, in Washington, D.C. Past residences: Bethesda, Md.; Newark, N.J.; Philadelphia; Sanford, Me.; Concord, N.H.; Chicago. Univ. of Maryland, 1963-1965, Vista 1965-66, Nasson College 1966-69.

"Personal: Hamlin makes about \$18,000-\$20,000 a year and has been working for ACLU in Chicago for a year and two weeks. He rents an apartment at 2970 N. Lake Shore Drive for \$360 a month.

"According to informed sources, he is a very good tenant who has never caused any trouble. He is always on time with his payments and has been described as 'a very nice fellow.' No neighbors have complained about his behavior."

"He has a wife and a little boy, whom he takes 'everywhere' on weekends. Mrs. Hamlin seems to be a working mother, as she is never in during the day." (Note: Breskin's only assumption in the report was wrong. The Hamlins are separated.)

"The building he lives in is 20 years old, upper-class, and has 107 apartments."

"Occupation: Hamlin began training with Vista 6/29/65 and ended training 8/9/65. He worked in the Philadelphia Bail Bond Project, which is now defunct. As a volunteer, he worked as a liaison with a detention center in preparation for release without bail of indigent prisoners and also did follow-up work after defendants release. Was under the directorship of Edmund DePaul, and terminated work 2/10/67. In Concord, he worked as executive director of New Hampshire ACLU.

"Finances: He opened an account with

How one Chicagoan's privacy was invaded . . . mainly by himself

Amalgamated Bank in 10/74. Balances of under \$1,000 have been maintained."

The student's notes also included the information, deleted here, that told how some of Hamlin's personal views differed with national ACLU policy, gave the times he leaves and enters his apartment each day, and provided his unlisted telephone number.

The investigation had taken about 25 hours of work.

HAMLIN WAS ASTOUNDED, irritated and soon to be mortified. When he asked how Breskin had gotten such stuff, Breskin was obliged to tell him that Hamlin himself had unknowingly given out about one-fifth of it because he had fallen for a ruse. The student had mailed Hamlin a fake questionnaire and Hamlin, guardian of privacy, had dutifully filled it out and sent it back.

Admittedly, Breskin got some of the information from snooping in the ACLU office — but he says he didn't have to snoop very hard and he believes any ordinary citizen could have gotten the same information out of the ACLU, a comparatively open organization. It was there that he got Hamlin's salary, phone number and address.

After snooping in the ACLU office, Breskin — who has a pleasantly self-confident voice that makes him sound years older than he is — next picked up the telephone and called Hamlin's apartment building for some personal information.

He says he says his first call, outside business hours, was answered by a janitor, who gave a general description of the building without asking for any kind of identification or explanation. The next time he called, he says, he talked with a woman who identified herself as the building's manager.

"I told her that I was a prospective employer of Mr. Hamlin and I just wanted to get a little background information on him — because we have to be careful. I asked her how much his apartment rented for and she said about \$360 a month."

When the woman ran out of answers to his questions, Breskin recalls, "She said the doorman might know something, so she put the doorman on the phone." Just as doormen do in the implausible detective stories, the doorman told Breskin all about Hamlin's personal habits without, apparently, worrying whether he might really be talking to a prospective burglar or perhaps a kidnaper.

If you believe your apartment managers or neighbors wouldn't talk like bluejays, don't be too sure. Several detective agencies later told Breskin that such chattiness is common.

"Mostly," says Breskin, "what the private investigators told me was that the most you can find out about someone is through people who know the person — neighbors, friends, office workers — that's where most of your information can come from. It just depends on how much time you have and, in some cases, how much money.

"And a couple of them described the human psychology of it — that people just love to be inside something. When they feel something's going on, they just volunteer information. You know: 'So-and-so was having a party on such-and-such night and . . .' That type of thing, which can be very, very damaging."

Next, Breskin telephoned VISTA headquarters in Washington, D.C. "I told them I was doing a reserach project on VISTA



volunteers. I didn't ask about anybody else besides Hamlin." Over the telephone, VISTA gave Breskin the gist of Hamlin's career as a volunteer, although nothing so chatty as Hamlin's landlords.

In his attempt to get at Hamlin's finances, Breskin first tried the direct approach. He asked an ACLU secretary where her boss banked, and then called up the Amalgamated Trust & Savings Bank, 100 S. State, and asked them if they would tell him how much Hamlin kept in his checking account. "They said I was nuts. There was no way."

But there was a way. Breskin simply asked a family friend in a brokerage house to write a letter to Amalgamated, asking for the same information on the fictitious grounds that Hamlin has just opened an account at the brokerage firm.

Amalgamated sent back a form letter stating that Hamlin's checking account, opened in October, 1974, has generally averaged a balance of "moderate 3," or, as the code was translated, less than \$1,000.

At this point, Breskin was winding up his research and wanted to fill in some holes. And what better source to fill in the holes than Hamlin himself? So, he says, "I sent the now infamous letter."

The letter came from New Trier High Schools' FM radio station, WNTH, where Breskin also works and had arranged the hoax with Jeff Goldberg, the director who signed the letter.

"In the letter I (Breskin) said that we at the station were dismayed at Walter Jacobson's (critical television) commentary that said that no one cares about the ACLU. I said that we certainly do care about ACLU, and that we wanted to do a documentary on the ACLU, and it would be nice to get some background on him. Of course, the ACLU is always looking for publicity, so that's a trap."

Hamlin jumped into the trap with both feet. "We are delighted with your supportive response," he wrote back. "I have taken the liberty of circulating your letter to our staff, all of whom will be pleased to know that you do, indeed, care."

Breskin was shrewd enough to fill the questionnaire mostly with big, soft questions that Hamlin couldn't resist hitting out of the ballpark, like: "What have been the most important ACLU decisions in the past decade?" He also slipped in three for

his own purpose: "How long have you worked for the ACLU? What is your background in law or civil liberties legislation? How did you first become interested in the ACLU?"

Hamlin says that falling for the questionnaire was doubly embarrassing, because Breskin had in effect warned him beforehand by telling him that private investigators told him the best source of information on a person is often the person himself.

In retrospect, what do the people who talked so freely about Hamlin say now? Some were much less talkative when I called them.

At Hamlin's apartment building, a woman who said she was the new acting building manager said she gives out absolutely no information about her tenants. "No building would," she said. Told that the former building manager apparently did, she said she didn't know about that and couldn't comment.

At VISTA's Washington, D.C., records office, a spokesman said VISTA is allowed to give out a former volunteer's name, dates of service, and the name and general description of the project. He said he had no idea how Breskin got the name of Breskin's director and the description of his duties. "I'd like to know who he talked with myself," he said.

A spokesman for Amalgamated Bank, who declined to be named, said only, "Our official policy is to protect our customers and I don't want to say anything more."

And what about not the least of those who blabbed about David Hamlin — David Hamlin himself?

"I've learned my lesson," he says. "I intend to be a little more sensitive about my own privacy. I intend to be a more careful — and not just when the obvious circumstance comes up, when somebody asks for my social security number."

"Breskin pointed out that the best source of information is the person himself, and I, for one, intend to believe him."

"What I wanted David to do was to prove that I was not as private a person as I thought I was — and he sure as hell did that."

Bob Olmstead is a Sun-Times reporter — and he refuses to volunteer any more information about himself.

