



NATIONAL COMMISSION ON LAW ENFORCEMENT  
AND SOCIAL JUSTICE

SAN DIEGO CHAPTER

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March 8, 1978

Dear Mr. Baca,

The National Commission on Law Enforcement and Social Justice's original function was the eradication of false data from police and intelligence files. After extensive investigation into this area, we felt it was necessary to expand into the area of police and intelligence agencies who break the law and provoke others to commit criminal acts.

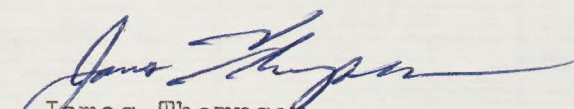
Enclosed you will find two recent press clips concerning FBI corruption, abuse and inefficiency. I am bringing this subject to your attention so that the true FBI activities are known about. Only in this way is there any hope for bringing about positive change in the FBI and its methods of operation.

I have enclosed a copy of The True FBI Story: A Public Service Report, which has just been released by the Church of Scientology. This publication will give you a more detailed account of actual activities of the FBI. After reviewing The True FBI Story and press clips, I am sure you will agree that action is needed. The attention of legislators and public officials must be brought to this issue so that a clean-up of the FBI's activities can be effected. The result, of course, will be a government agency that truly serves the people of this country.

I am also enclosing a copy of The Spies Among Us---Agent Provocateurs which details FBI agents provoking criminal acts. It also touches on FBI activities in Southeast San Diego which provoke violence and unrest. If you know of any of these activities or of anybody who was a victim of this sort of thing, please get in touch with me at once.

These two publications have been of great assistance to us, and we hope that you will find them beneficial. Your support and comments are welcome.

Sincerely,

  
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A Public  
Service  
Report



**THE TRUE**

**FBI**

**STORY**

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Introduction

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# Introduction

On April 5, 1971, Rep. Hale Boggs, Democrat from Louisiana, warned his House colleagues that—based on his certain knowledge—the Federal Bureau of Investigation was engaged in surveillance activities against members of Congress and others in a way that smacked to him of “the Soviet Union and Hitler’s Gestapo”.

“The greatest thing we have in this nation,” said the then House Democratic floor leader “is the Bill of Rights. We are a great country because we are a free country under the Bill of Rights. The way (then FBI director J. Edgar) Hoover is running the FBI today, it is no longer a free country.”

The Federal Bureau of Investigation is the nation’s chief law enforcement agency. It is also an intelligence agency, the domestic counterpart of the Central Intelligence Agency. It does at home what the CIA does abroad—gathers information on those whose politics it distrusts and uses covert techniques to disrupt their activities. Over the past 42 years, the modern Bureau—established in 1935—has grown in both power and size, from a small unit inside the Justice Department into a massive police bureaucracy having jurisdiction over 100 federal criminal matters. Deploying more than 8,000 trained agents from Washington, D.C., to some 50 field offices and resident agencies across the country, the Bureau investigates both politics and crime. It has also grown into a nationwide spy apparatus that devotes 20 percent of its resources—more than twice the amount allocated to its fight against organized crime—to conduct intelligence operations directed primarily at American citizens engaged in political activity.

The growth of the Bureau and its “dual” investigatory jurisdiction is in part a consequence of the historical transfer of political power from state and local to national government. It is also the result of wars and social struggles which have led the national government to call on the Bureau to conduct intelligence operations and to uncover subversion and civil unrest in addition to investigating crimes. And it is, finally, the work of J. Edgar Hoover who presided over the Bureau until his death in 1972.

Hoover was the “master builder” of the Federal Bureau of Investigation. He took over a scandal-ridden Bureau in 1924 and cleaned up its operations and polished its image. Hoover was a shameless publicist who inflated Bureau accomplishments to establish an image of the FBI—and himself—as incorruptible and invincible. Through highly publicized “gangbusters” operations, FBI “crime clocks” and the famous Hiss and Rosenberg “spy cases”, Hoover built a political base of public support that allowed him to expand the Bureau’s investigative jurisdiction almost at will.

The scope and nature of FBI intelligence activities have only recently become public. Prior to 1971, Bureau operations were conducted in secret and beyond public scrutiny. When charges were made that the FBI was a political police force, they were brushed off as exaggerated rhetoric or paranoia, or as the fabrications of disgruntled ex-agents who told about the “FBI Nobody Knows”. High government officials and even members of the press who **did** know what the Bureau was doing—and that the charges were in fact understatements



of the case against the Bureau—kept silent. Some remained silent because they approved of the FBI's intelligence activities, others because they were compromised by their own participation or personal use of FBI intelligence information and still others out of fear. For Hoover, in addition to his other attributes, was not above political blackmail. His "Official and Confidential" files in which he deposited derogatory information on political men, were legendary—famed and feared. With such files,

the official who challenged the Bureau risked retaliation and public embarrassment. Through intelligence, Hoover found the means to protect the Bureau and himself from public scrutiny and accountability.

Unlike the FBI story where agents go about solving crimes that the television viewing audience can fathom, there lies the true FBI story of unsolved crime, corruption and waste into the millions of dollars.

# Chapter I

## He Seldom Gets His Man

The FBI has long tried to maintain the image in the public eye of flinty-eyed agents doggedly pursuing wanted criminals. The image, boosted by “front page” crimes such as kidnapping and bank robbery, coupled with statistical “achievements” gives the impression of relentless efficiency. Big city police departments, however, investigate more violent crimes in a week than the FBI does in a year. And the Bureau, far from their television image, often does not seem to perform as well.

Such is the public misconception of the FBI’s role and accomplishments that it is not unusual to hear someone assign the Bureau narcotics jurisdiction while crediting it with a “conviction rate” of 96 percent and a “profit” to the taxpayers in the form of nearly \$1.50 returned from fines, savings and recoveries for every dollar spent.

The General Accounting Office, however, chooses to differ with the FBI’s inflated statistics. In its report to the House Committee on the Judiciary, the GAO reported only 1.6 percent of the FBI cases resulted in prosecutions and 1.3 percent convictions. Based on the conviction statistic, that clearly proves 98.7 percent inefficiency.

These figures are in sharp contrast to the days when Hoover used to claim a conviction rate approaching perfection.

“Convictions were obtained against 96.1 percent of the persons brought to trial,” the former director declared in his 1963 appropriation testimony. In 1962 he reported 96.5 percent; in 1968, 96.7 percent; in 1969, 97.4 percent. Over the years the rate has hardly varied by one percentage point. The conviction rate is figured against “persons brought

to trial”, which is a somewhat misleading phrase since it includes those who plead guilty. The facts are that somewhere around 90 percent do plead guilty. When the FBI has to prove its cases in court, the conviction rate drops considerably.

In many FBI cases, perhaps the majority, the cases are stamped “closed” with the crime still unsolved. This is called an administrative closing and is accomplished with the declaration:

“No suspects developed and all logical leads exhausted.”

The Bureau does not keep count of unsolved cases nor of those which the U.S. attorney’s office declines to prosecute because the evidence is insufficient. Thus, the true conviction rate is anybody’s guess. According to William S. Turner in his book **Hoover’s FBI: The Men and the Myth**, “Mine is that it (the conviction rate) is somewhere in the neighborhood of the police rate of serious crimes ‘Cleared by arrest’—25 percent.”

While the statistics are not very supportive, that doesn’t keep the FBI from publicizing itself to the degree it is able to. In a chapter of his book entitled “The Statistical G-Men”, Turner further states:

“The statistical imperative has even encouraged outright fraud in reporting, as illustrated by seven hand tool purchasers whose arrests were delayed so that they could be listed as FBI fugitives—the ‘fleeing criminals’ whose apprehension Hoover reports to the appropriations committee. On another occasion, I identified from latent finger prints a longshoreman who had stolen a few dollars worth of merchandise from a ship’s cargo. I arrest-

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ed him on a misdemeanor warrant at his home—he had lived there for years and had been regularly employed on the waterfront—and turned him over to the U.S. marshall. Returning to the FBI office, I discovered that an alert supervisor had already forwarded a fugitive form letter to Washington. Without knowing it, I had apprehended an official ‘fleeing criminal’—in his home. I promptly dispatched word to the bureau that the ‘fugitive’ had been captured.”

Turner also states that during 1962 appropriations subcommittee hearings, Frank T. Bow of Ohio pointed out the seeming contradiction in the fact that Department of Justice case filings and terminations had declined somewhat, while FBI records reflected an abrupt increase in reported crime.

In reply, Hoover launched into his spiel:

“I do know in the cases our agents have handled during the previous fiscal year, we obtained 11,914 convictions, the largest number of convictions for any peacetime year. Also, as I have previously testified, our receipts of investigative matters have been increasing sharply since 1955.” When Bow persisted that “someplace, somewhere, somebody is not doing his job”, the Director passed the buck by saying there were “many violations” the FBI did not handle. Perhaps what the congressman was driving at was that while felonies had climbed 12 percent, the Bureau’s “largest number of convictions” amounted to less than a two percent increase, an appreciable lag.

Another area of FBI investigation is the area of suspected subversive activity. According to the

General Accounting Office, the investigative arm of Congress, the FBI has investigated hundreds of suspected subversives on “soft” evidence that failed to reveal any connection with extremist activities.

Investigators for the GAO told the House Constitutional Rights Subcommittee in 1975 of these examples it had found in a year long check of the FBI domestic intelligence files in 10 American cities.

—A young man who attended the trial of two black militants was checked out. He turned out to be a high school student of no interest to the FBI, but his name remains in a Bureau file.

—A case was opened on a man after his car was observed parked near the site of a convention of an extremist group. The investigation determined he was not involved in extremist activity, but a file on him remained in the Bureau records.

—A person being investigated by the FBI called another person. A file was opened on the other person. The GAO received no further information about the outcome of that case.

The GAO report additionally discovered that FBI domestic intelligence operations, including break-ins in New York City and Chicago in the 1960’s, produced few warnings of extremist and subversive activities and few convictions.

In delivering a comprehensive analysis of the FBI domestic intelligence activity, the GAO said it came across eight FBI break-ins in New York and one in Chicago in the early 1960’s.

The GAO said that in a survey of 676 FBI domestic intelligence investigations in 10 cities, it



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found only 12 cases in which advance warning was obtained of subversive or extremist activities. Some of the 676 cases went back for many years and some were as late as 1974.

Only 16 of the 676 cases were referred for prosecutions and only four resulted in convictions of subversives or extremists. In 344—51 percent—of the cases the FBI was unable to establish that suspects were in fact associated with subversive activities, the GAO reports.

In truth, there are times the FBI's approach to fighting extremism borders on something akin to a police state. In an article recorded in **Facts on File, 1973**, the FBI is credited with arresting a group of draft resisters suspected of stealing federal records and of conspiracy in Camden, New Jersey. Robert Hardy, an FBI "provocateur", was hired for \$60 a day to act as an informant and help the resisters plan the theft. Hardy said he "provided 90 percent of the tools necessary for the action. They couldn't afford them, so I paid and the FBI re-imbursed me. It included hammers, ropes, drills, bits, etc. They couldn't use some of the tools without hurting themselves, so I taught them." Hardy also provided the resisters with the diagrams of the draft office that was broken into and of the entire building.

In a more serious incident of terrorism, the FBI has failed completely. In December of 1975, a bomb blast went off at La Guardia Airport in New York. Eleven people were killed and 75 injured. Damage was estimated over half a million dollars. The FBI assigned some 300 agents to the case, looking for clues and hunting the suspects. Air-

ports across the country were on alert for several days, fearing a wave of terrorism. To date, there have been no arrests in the case.

There has been much controversy involving the FBI's stand in regards to civil rights. Much of the furor has surrounded the Martin Luther King case. Under COINTELPRO (Counterintelligence Program), an arm of the FBI, the Bureau used informants and anonymous letters to break up marriages and get people fired whom the FBI suspected. Dr. King was subjected to wiretapping of his phones, bugging his hotel rooms, attempting to ruin his marriage, and sending an anonymous note that King saw as a suggestion that he commit suicide.

COINTELPRO has also had a hand in harassing the Black Muslim leader Malcolm X, according to the book **COINTELPRO** by Nelson Blackstock. Blackstock reports the same shadowing tactics being used against Malcolm X, as well as plans formulated by COINTELPRO to drive a wedge between him and his followers. Malcolm X was assassinated in 1965 and his killer apprehended, but this is what Blackstock has to say about it:

"An independent commission to investigate the murder of Malcolm X could demand access to the still-secret files on the assassination. It could help answer why certain statements by Malcolm's convicted killer were not pursued at the trial—statements that he was hired by an unnamed person, not a Muslim, to murder Malcolm. (The police tried at the time to make it seem that the Muslims murdered Malcolm in an internecine struggle.)"

He goes on to state that police films of the assassination were never shown at the trial and that

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several members of a "subversives" unit of the New York Police were in the audience at the time of the killing. The questions as to why remain unanswered. In Blackstock's words:

"The answers to these and other questions are there, in the secret files of the FBI, yet to be exposed."

Subversive activities have not been limited to just outstanding figures in the civil rights movement, but to others as well. Author Fred J. Cook mentions a case in 1964:

"A Lamar Smith, too active in trying to register Mississippi Negro voters, is gunned down in the broad light of day in the presence of a full 50 witnesses, virtually on the steps of the Mississippi courthouse—and nobody is even brought to trial. Since 1947, 40 bombings have wrecked Birmingham homes and churches. Until the blast that killed four little girls on September 15, 1963, a case in which arrests finally were made, not one of those bombings have been solved. Between January 1, 1958 and June 30, 1960, the FBI investigated 461 cases of police brutality against Negroes in the South—and not one of those cases resulted in a conviction."

Investigation into other areas, terrorism and airline hijacking, yields another unique story. In November of 1971, a passenger stepped aboard a Boeing 727 in Portland, Oregon with a bomb. He showed the case to a stewardess, and demanded a ransom of \$200,000 or he would blow up the aircraft and everyone on board. At his request, the plane was landed, he was given the money as well as four parachutes, and took off again. The hijacker

made his escape by jumping out of the plane in a parachute with the money and the case containing the bomb. To date, FBI investigations have turned up neither the man, nor the \$200,000, a remarkable feat considering all of the bills were marked—at least according to the FBI.

One area the Bureau cites success in, is that of white collar crime. In a report published by the Bureau, they list statistics for 1976 for fraud and embezzlement of banks. The figures listed 1,551 convictions and recovery of some \$28 million in 1975. Yet in the same report the Bureau lists the **total** figures in stolen funds at \$206.3 million for 1976 and the total number of matters reported at 10,181. Thus, by the FBI's own figures, they are apprehending only about one in ten suspects and recovering about one-seventh of the stolen funds.

In a classic embezzlement case in 1971, the FBI investigated a check cash-ins swindle of the Perini Corporation that led to losses of \$1.1 million. They dispatched their best agent, Robert Sheehan, to the case. After four years, there is still no arrest.

The Bureau has gained most of its fame and notoriety from the "gangbusters" articles that banner the headlines. At the same time, it has gained some of its severest criticism from these same headlines. The most recent instance is the Patty Hearst case. It seemed unusual to many that a fugitive as well publicized as Miss Hearst could remain at large so long. That may not be so unusual. A casual glance at the FBI's most wanted list shows two fugitives that have been at large for at least three years, one of whom was captured and again escaped. Another well-known instance is the Jimmy

Hoffa case. Little needs to be said other than that Hoffa's killer remains at large, despite massive FBI investigations.

The Hoffa case, though a sore point, is not the only major investigation which is still left open. Perhaps the longest and most drawn out investigation which has still not produced definite and conclusive findings, is the Kennedy assassination investigation. Now, fourteen years after the assassination, the question as to exactly what happened on November 22, 1963 and the events leading up to that fateful day remains unanswered. Because the FBI did not solve this mystery, as recently as June of this year, Mr. Blakey was named as the chief counsel and staff director of the House Select Committee on Assassination. The committee, which is looking into the deaths of President Kennedy and Martin Luther King, Jr., will remain alive for perhaps two more years (the length of time Mr. Blakey is on leave from Cornell). The committee itself has been on the verge of collapse several times because of internal controversy—controversy which could have been avoided and years of work which could have been avoided, had the FBI “gotten their man” and been able to show conclusively that no more questions about Kennedy's death remained unanswered.

Much criticism has been leveled at the FBI for its weak stand on organized crime. The feuds began as early as the Kennedy administration, when then Attorney General, Robert Kennedy, feuded with J. Edgar Hoover over his handlings of organized crime.

The criticism has continued even up to today. One of the FBI's most controversial cases dealing with organized crime was the Giancana case.

Sam Giancana had been a Mafia boss who had for many years eluded capture by one method or another. He remained at large through the sixties and into the seventies. One reason might have been because Giancana and his second in command, John Roselli, were recruited in 1971 by the CIA to help hatch a plot to murder the Premier of Cuba, Fidel Castro. The bizarre plot was unraveled, and in 1975, Giancana was due to testify before the Senate Select Committee on Intelligence Activities. He was murdered in his home before he ever made it before the Committee. That was in late June of 1975. Almost a year later, in late July of 1976, Giancana's lieutenant, John Roselli, went before the Committee to tell the whole story. The plot involved the CIA using Mafia sources and manpower to assassinate Castro. He and Giancana turned down the offer in which they were reputed to have been offered \$100,000 in bribery money. He was found in a steel drum weighted with chains which floated to the surface accidentally off the coast of Miami.

To date, despite FBI investigation into the case, both murders remain unsolved. No further testimony on the case has been given.

It raises an interesting question when two men, both supposedly under federal protection, due to testify before the Senate, are murdered in gangland executions under the very noses of authorities, and their killers remain free.

Through the years, the FBI has tried to maintain the best public image possible, through public

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relations, movies and even television shows. But the truth is far from the image. The FBI is not a steely, die-hard organization dedicated to fighting crime. The real image is that of a statistic-happy bureau chasing nickel and dime thugs who could better be handled by local police while organized crime operates almost freely, at times joining with the highest agencies within the government. Unlike in the movies, in real life, the FBI seldom gets its man.

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# Chapter II

## The Truth vs. the Image

**NEWS ITEM:** New York Times, October 17, 1976:

A few days ago, a Denver grand jury indicted Timothy Redfearn on charges of burglary in the second degree. That in itself was not remarkable. The gangling, 25-year-old son of a Protestant minister had previously admitted to seven other burglaries, including one theft of \$19,000 worth of guns and other items from an East Denver home. Mr. Redfearn had also been the subject of a Federal extortion investigation and, as one might expect in the case of a young man gone wrong, received treatment over the years that included a month's hospitalization because of a "depressed condition". What makes the matter remarkable is that during the time he carried out the burglaries, became involved in the extortion case and underwent hospitalization, Timothy Redfearn was working as a secret informant for the Federal Bureau of Investigation. The agency not only kept him on despite his troubles, but continued to praise his work and wound up raising his salary to \$400 a month.

In his "Constitutional History of England", Sir Thomas May wrote: "Men may be without restraints upon their liberty, they may pass to and fro at pleasure; but if their steps are tracked by spies and informers, their words noted down for crimination,

their associates watched as conspirators—who shall say that they are free?"

For years, the FBI has encouraged the fiction that the great majority of its informants—to the Bureau they are never "informers"—were not the menacing figures of Sir Thomas' dark vision, but simply patriotic citizens who, having witnessed a criminal act or overheard a seditious conversation, were moved to report what they knew to the authorities. If any money changed hands, it was, or so the Bureau said, a nominal amount for expenses, or for information on a "C.O.D." basis. The relationship was a voluntary one, undertaken at the informant's pleasure solely.

The secret bureau that Hoover built began to surface in 1971 when a group of radicals raided the Bureau field office in Pennsylvania and stole FBI documents. The "Media Papers" revealed the Bureau's extensive use of informers on campuses, inside civil rights groups and in organizations opposed to the Vietnam War. The "Papers" also provided the first evidence that the FBI was conducting secret operations to disrupt and discredit political organizations. In the midst of the Watergate revelations, the FBI was discovered to have conducted at least 17 national security wiretaps of former government officials and newsmen in order to plug "security leaks". Civil litigation, notably a suit brought by the Socialist

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Workers Party, revealed more about FBI undercover operations. The Rockefeller Commission, in conducting its inquiry into the CIA's domestic intelligence operations, uncovered a joint CIA-FBI mail-opening program aimed at American citizens. With these revelations, the stage was set for full Congressional investigations into the Bureau's intelligence operations. From these investigations has come knowledge of a range of abuses from FBI burglary programs to the systemic gathering of political intelligence at the request of various presidents. Thus, a public understanding of the FBI's intelligence activity was made more possible.

For 42 years, the FBI's domestic intelligence mission has been to contain "the spread of communism" and to protect the dominant political order. It is a mission that parallels the CIA's efforts abroad. Like the CIA, the FBI has carried out extensive surveillance programs, intervened in political events to shape their outcome and engaged in covert operations to disrupt the activities of political groups and movements. However, the FBI's primary targets for surveillance and disruption have been American citizens and political movements.

The FBI instituted its most sweeping intelligence probes into American life during the cold-war period. It initiated COMINFIL, a program aimed at determining Communist "infiltration" in America. It developed hundreds of thousands of files on Americans and maintained a number of "detention lists". It employed a vast array of investigative techniques to gather information on citizens.

While the Bureau investigated all members of

the Communist Party USA and other radical organizations such as the Socialist Workers Party, it also engaged in a wide-ranging search for Communist "infiltration" in America. Communists were said to use other groups as "fronts" for their purposes. The only way to discover if any group was a front was to spy on it. The only way to decide which groups to watch was to pick those whose positions—on peace, racism, economics, civil liberties—paralleled the Communist "line". From the beginning, the theory of COMINFIL enabled the Bureau to monitor the entire range of liberal and left groups. Over the years, it became the excuse for Hoover to go after any group he did not like.

Under COMINFIL, Bureau agents and informers penetrated liberal organizations such as the American Friends Service Committee to find out if Communists were influencing or controlling its activities. The Bureau operated inside the NAACP and other civil rights groups to monitor Communist activity in the civil rights area. Organizations that advocated peace, such as SANE, were suspect because peace activities "paralleled the Communist line" and might indicate Communist influence, control or sympathy. Bureau agents and informers gathered information on the political opinions and activities of university professors, student groups and labor unions as part of the same intensive effort to determine whether America was in the grip of an "epidemic". Any group or organization that advocated social change or reform was fair game for the Bureau. Even a coalition of lawyers and civil liberties organizations, including the National Lawyers Guild and the American Civil Liberties

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Union, was spied on because it advocated the abolition of the House Un-American Activities Committee. According to the Bureau, this could only be Communist-inspired.

By the Bureau's own estimates, membership in the Communist Party never exceeded 80,000 persons at any time during the Cold War period. Yet the Bureau opened approximately 432,000 headquarters files on individuals and groups in the "subversive" category during this decade. By 1955, the Attorney General could report that the FBI was conducting surveillance of "the entire spectrum of the social and labor movement".

The collection techniques used by the FBI over the next two decades were perfected in the 1950s. The FBI deployed nearly 1,600 agents to conduct "security" work. This amounted to one-third of the Bureau's total investigative force. These agents recruited and controlled as many as 5,000 "subversive informants" who penetrated organizations to collect information for the Bureau. Although in many ways more intrusive than wiretaps or bugs, "informer plants" are legal and the FBI placed few restrictions on them. Bureau informers, paid on an "incentive basis", acted as "vacuum cleaners", gathering any and all information without regard for the privacy of political association and activity. Informers noted everything about an organization and often stole confidential documents. Bureau reports, based on information supplied by informers, provided, in addition to evidence of alleged Communist "infiltration", exhaustive information on the membership, plans and activities of specified groups. Re-

ports on the NAACP, for example, contained detailed accounts of their meetings and conventions and such activities as the preparation of a "petition directed to President Eisenhower" as well as the plans of some members to attend a Prayer Pilgrimage in Washington, D.C. The FBI also had unlimited access to IRS tax information and searched through these supposedly confidential records for information on citizens. The FBI collected this information without judicial warrant or probable cause of criminal conduct.

The FBI also used electronic surveillance in its intelligence probes. Under a 1952 executive order, President Truman **liberalized** the standard for Attorney General approval of FBI requests to conduct warrantless wiretaps. The Bureau could obtain authorization in any case "vitally affecting the domestic security" and taps no longer were confined primarily to "aliens". Each year the FBI placed hundreds of taps on the office and home phones of citizens and organizations. Similarly, the Bureau employed "bugs" or microphonic surveillance. Under existing rules, the Bureau did not even need the approval of the Attorney General to employ this technique to uncover "subversive activity". Employing "surreptitious entry" or trespass, FBI agents planted hundreds of bugs annually to gather information on suspected subversives.

Secretly, the FBI also opened the mail of citizens without judicial warrant and in violation of United States criminal statutes. The Bureau collected and opened mail under Z—coverage, its World War II program, and initiated at least one

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other "survey" during this period. After 1958, the FBI became the chief user of an extensive CIA-operated illegal mail-opening program that intercepted the international private communications of individuals in whom they were interested.

In 1948, the FBI established an illegal burglary program directed at domestic groups. Since it was unauthorized and "clearly illegal", the FBI created a special "Do Not File" procedure for this operation. Agents trained in "lock studies" conducted hundreds of "black bag" missions to photograph and steal confidential information belonging to domestic political organizations. According to the FBI, the Bureau "on numerous occasions" obtained "material held highly secret and closely guarded by subversive groups . . ."

Behind a wall of secrecy, the Bureau established in August 1956, COINTELPRO in order to disrupt, expose, discredit and otherwise neutralize the United States Communist Party and related organizations. FBI field offices were informed of this "top-secret" program and special agents were assigned to develop and carry out actions to disrupt political activity.

The FBI used press contacts to conduct campaigns to expose, discredit and humiliate selected citizens. Derogatory information, arrest records and other confidential Bureau records were leaked to "friendly media" to form the basis for stories that could harm the reputation of citizens. Bureau-authored articles were planted in newspapers and magazines for the same purpose.

The FBI infiltrated organizations and disrupted them from within. Informers were instructed to fan

hostilities between members and upset plans and activities. The Bureau planted so-called "snitch jackets" (false documents indicating cooperation with police) on loyal members to make it appear they were police informers. The FBI invaded the privacy of political associations, provoked paranoia inside groups and destroyed their effectiveness. While this is the stock-in-trade of foreign intelligence agencies, the FBI was plying it against American citizens. As one Bureau official explained:

If you have good intelligence and know what it's going to do, you can seed distrust, sow misinformation. The same technique is used in the foreign field. The same technique is used in the domestic groups.

The Bureau's initial COINTELPRO target was the Communist Party, but it soon went after "related" organizations. Over the years, the FBI commenced covert actions under the "Communist" program against the National Committee to Abolish the House Un-American Activities Committee because it believed it was "Communist-inspired", the Rev. Martin Luther King, Jr., because the Bureau believed he was under the "influence of Communists" and the United Farmworkers Union because it allowed a Communist to speak at one of its rallies.

The FBI conducted COINTELPRO by breaking the laws of the United States in addition to violating its own charter which gave it no authority to take such actions. The Bureau violated statutes prohibiting government officials from interfering with the civil rights of citizens. It conducted its letter campaign in violation of mail fraud statutes. It



leaked information in the face of a statutory prohibition against divulging information gained in wiretaps. It even acted in contravention of federal extortion laws.

Under the guise of conducting its investigations to protect national security, the FBI launched vicious campaigns that resulted in vendettas against church groups. The first major attack was aimed at the Rev. Martin Luther King, Jr. and his Southern Christian Leadership Conference. The FBI also has been investigating the Quakers for more than 50 years and has aimed some of its investigations at certain members of the National Council of Churches.

Symbolic of its spiritual basis, one of the Southern Christian Leadership Conference's (SCLC) first actions was to join with the NAACP and A. Philip Randolph in a Prayer Pilgrimage to Washington, D.C. in May 1957. At that rally, Martin Luther King, Jr. spoke to 35,000 demonstrators about segregation and injustice and in that famous ringing cadence, repeated the demand "Give us the ballot" over and over again.

The call was sufficient for the FBI to open an investigation of King and the SCLC. According to FBI reports, the SCLC was designed "to organize a register-and-vote campaign among Negroes in the South". The Bureau marked it for overt surveillance under the FBI category of "racial matters". As J. Edgar Hoover put it:

In the absence of any indication that the Communist Party has attempted, or is attempting to infiltrate this organization, you should conduct no investigation in this matter. How-

ever, in view of the stated purpose of the organization, you should remain alert for public source information concerning it in connection with the racial situation.

For the FBI, an organization seeking to register Blacks in the South was clearly suspicious. Until 1962, the Bureau would monitor King and the SCLC under the "racial matters" category, which required agents to collect "all pertinent information" about the proposed or actual activities of individuals and organizations in the racial field. According to the Senate Select Committee, the FBI information on King was "extensive".

The story of the civil rights protest movement and the leadership role of Martin Luther King, Jr., is a most ignoble chapter in the history of FBI spying and manipulation. As the civil rights movement grew and expanded, the FBI pinpointed every group and emergent leader for intensive investigation and most for harassment and disruption, the FBI's domestic version of CIA covert action abroad. The NAACP was the subject of a COMINFIL investigation. The Congress of Racial Equality (CORE) and the Student Nonviolent Coordinating Committee (SNCC) were listed by the FBI as "Black-Hate" type organizations and selected for covert disruption of their political activities. But the most vicious FBI attack was reserved for King and the SCLC. All of the arbitrary power and lawless tactics that had accumulated in the Bureau over the years were marshaled to destroy King's reputation and the movement he led. The FBI relied on its vague authority to investigate "subversives" to spy on King and the SCLC; its vague authority to conduct

## The Truth vs. the Image

warrantless wiretapping and microphonic surveillance to tap and bug him; its secrecy to conduct covert operations against him. The campaign began with his rise to leadership and grew more vicious as he reached the height of his power; it continued even after his assassination in 1968.

On October 1, 1963, Hoover received and then approved a combined COMINFIL-COINTELPRO plan against the civil rights movement. The approved plan called for intensifying "coverage of Communist influence on the Negro". It recommended the "use of all possible investigative techniques" and stated an "urgent need for imaginative and aggressive tactics . . . to neutralize or disrupt the Party's activities in the Negro field."

One thing now stands out clearly in the public eye—that the FBI is operating on the basis of vested interests and in open violation of the Constitution of the United States. The agency must revert to its original function—that of investigating and reducing crime—and not, as the late Rep. Hale Boggs stated, conducting surveillance by totalitarian means that are reminiscent of "the Soviet Union and Hitler's Gestapo".

# Chapter III

## G-Men: A Waste of Money?

**“We are an intelligence agency,” the FBI proclaimed in one internal bureau memorandum. Yet nowhere in the statutes of the United States is there mention of the FBI’s intelligence authority. By statute, the Congress established the FBI strictly as a law enforcement agency, with no other duty except assisting the Justice Department in the detection of crimes committed against the United States. No law gives the bureau the authority to investigate political activity not closely related to criminal activity.”**

**—The Lawless State**

The FBI spends \$82.5 million for its intelligence-gathering and counter-espionage activities, the House Select Committee on Intelligence was told on August 8, 1975.

One FBI aide cited the fact that Hoover regularly kept five or more bulletproof limousines—each

worth about \$30,000—at his disposal in Washington, New York, Los Angeles and Miami. A former FBI official said that Hoover at one point had a large porch added to his Washington home and that the material and labor were provided gratis by the Bureau.

The Justice Department investigation charged “thousands of dollars of public funds” being spent by the FBI exhibits section. The exhibits section, the Bureau’s carpentry shop, was used not only to provide the labor force on Hoover’s house, but to other Bureau officials. Other funding woes involving the FBI show that the Bureau investigated possible abuses in the management of its \$18 million-a-year insurance program covering 19,000 present and former employees. The Bureau examined whether dividends from \$350-million in life insurance programs were used in part to pay for lavish dinners, vacations and gifts for men who headed Special Agents Mutual Benefits Association, the in-house board of directors for the fund.

## G-Men: A Waste of Money?

In a report issued in 1974 by the **Washington Star-News:**

The FBI expects to use more agents to do less work in the coming fiscal year than it did in 1969—while spending twice as much money doing it.

A check of statements made to Congress over the last decade shows that the Bureau's efficiency—as measured by the ratio between agents and investigative matters—has dropped sharply in the past few years. In 1969, the Bureau's 6,825 agents received 859,666 matters to investigate—an average of 126 for each agent.

In fiscal 1975, the Bureau had 8,496 agents and expected to handle 810,000 cases or an average of 95 for each agent.

Thus, while the number of agents has increased 22.5 percent since 1969, the number of investigative matters has dropped 5.7 percent and number of cases per agent has dropped 24.6 percent.

Hoover told the House Appropriations Committee in March of 1971 that more agents were needed because a projection showed that the number of investigative matters would increase sharply—from the 1970 level of 882,254 to 990,000 in 1971 and 1,115,000 in 1972.

But the increase predicted did not come about. Instead investigative matters decreased to 828,059 in 1971; 824,252 in 1972 and an estimated 800,000 for fiscal 1975.

Despite the reduction in case loads, the larger number of agents approved by Congress on the basis of Hoover's prediction has remained on the job.

In this same period, the budget has grown dramatically—from \$219.67 million in 1969 to a requested \$435.8 million in 1975—an increase of 98 percent.

It was the first time the figure for the FBI's expenditure on intelligence and national security operations had been made public.

The bulk of the \$82.5 million is spent on internal security, counter-espionage and intelligence-gathering on national security and organized crime matters, testimony before the committee disclosed.

The heretofore secret figure of \$82.5 million was carried in the FBI's annual budget of about \$500 million, but its use was not identified in budget documents.

After the death of Hoover, the FBI's record for Boy Scout honor came in for some painful scrutiny and the agency found itself facing reports of questionable fraternizing, inflated contracts for snooping gear and a sudden fire in a rod-and-gun club that once was favored by some of the FBI's top personnel.

The principals included Joseph Tait, president of U.S. Recording Co., a Washington-based electronics firm that had been supplying the FBI with equipment since 1937; John P. Mohr, who retired in 1972 as the FBI's No. 4 man, and Martin Kaiser, an independent manufacturer of fountain pen microphones and other exotic electronic paraphernalia.

Kaiser told the House Intelligence Committee in October of 1975 that U.S. Recording had served as a front to funnel secret surveillance gear made by

other contractors to the FBI. He also alleged that the firm had charged, and was paid by the FBI, an exorbitant markup—up to 30 percent—on about \$100,000 worth of gear. What sparked the interest of the committee investigators was the fact that Tait and Mohr (who had been in charge of purchases for the Bureau) had been friends for years, as well as poker partners with other FBI officials at the Blue Ridge Club in the Shenandoah Valley of Virginia; the retreat burned to the ground the night before a team of investigators from the House committee was due to inspect the books.

Within the FBI, other improprieties with money have come under investigation. The Justice Department's own probe of the Bureau's recreational funds shows that the money was maintained through membership dues and through such other sources as royalties from FBI books and was supposed to be spent on picnics, dances and athletic equipment for Bureau employees. While the size of the fund was always a jealously guarded secret, it was said to have topped \$80,000 at one time. The fund has long been a sore point with many FBI agents despite its trivial levy of \$1 per person per year (since raised to \$2.50); in effect, membership was mandatory and the bulk of the fund was distributed at the whim of FBI headquarters in Washington. Lower echelon Bureau personnel griped that they got little recreation out of it, while old FBI hands later claimed that Hoover habitually dipped into the fund to buy Christmas gifts.

One of the most blatant misutilizations of public funds took place over a 14 year period from 1960 to

1974 during which the FBI failed to get a single prosecution—according to findings revealed by the Senate Intelligence Agency's report, "Between 1960 and 1974, the FBI conducted more than 500,000 investigations of persons suspected of being subversives, yet not a single individual or group has been prosecuted."

In the General Accounting Office's survey of major FBI offices, to get a true picture of case handling, it was discovered that agents only achieved 1.3 percent convictions. Based on a 1976 annual budget of \$498 million, that translates into \$6.47 million to achieve its product while wasting \$491.53 million.

Most of the Bureau's political-intelligence work throughout the country has been not only illegal, but a thorough waste of time and the taxpayers money. Court records recently revealed that the FBI paid \$1,683,000 over 16 years to 301 informers for information about the Socialist Workers Party, an organization the FBI investigated for 38 years without establishing wrong doing.

Disclosure of the outlay provided a glimpse into the price the Bureau pays for information, but it was not inclusive. The investment covered only the 301 paid informants who were members at various times of the Socialist Workers Party or its youth affiliate, the Young Socialist Alliance, from 1960 to 1976. Remuneration for 1,000 others who informed on the two groups but did not join was not included.

Testimony before the Senate Intelligence Committee in 1976 showed that the FBI budgeted more than \$7 million for its domestic security information program in fiscal 1976. Committee

## G-Men: A Waste of Money?

spokesman said that the amount was more than twice the outlay paid to organized crime informants.

Despite the long investigation, no criminal charges were returned against any party member, except for charges in 1940 that led to the conviction of 18 members for violations of the Smith Act, a statute that was later declared unconstitutional.

While government agencies such as the General Accounting Office continue to uncover the mis-handlings and misdeeds of the FBI, there are some common sense instances of wasted money that don't take a Harvard Business School graduate to figure out.

The thousands of FBI-paid informants in many cases have been responsible for creating havoc in the community, causing the public taxpayer to pay

for the damage. When FBI informers and agent provocateurs created and instigated riots and civil rights uprisings, it was the public that had to pay for the extra national guard troops to quiet the incidents.

The FBI has even spent time and money conducting investigations on the Quakers, Unitarians, Seventh Day Adventists, Roman Catholics, Episcopalians and others. Records already have shown that much of the FBI's investigative time has been worthless.

If they would devote the tens of thousands of man-hours and countless millions of dollars to pursuing true criminals—those involved in organized crime—they might serve the public interest as they were meant to.

# Press

**The Kansas City Times** Tuesday, January 28, 1975

## Boggs Early Warning Ignored

By Don Bacon  
Newhouse News Service

Washington—On April 5, 1971, the late Rep. Hale Boggs, Democrat of Louisiana, warned his House colleagues that, based on his certain knowledge, the FBI was engaged in surveillance activities against members of Congress and others in a way that smacked to him of "the Soviet Union and Hitler's Gestapo."

Congress owes Boggs a belated apology for ignoring his warning.

"The greatest thing we have in this nation," said the then House Democratic floor leader, "is the Bill of Rights. We are a great country because we are a free country under the Bill of Rights. The way (then FBI director J. Edgar) Hoover is running the FBI today, it is no longer a free country."

Boggs, who said he had information that the federal investigative agency had tapped his and other members' telephones, charged "categorically that the FBI had me under surveillance—my personal life."

Instead of getting the congressional investigation he sought, Boggs found himself largely alone. Congressional colleagues, who long suspected that Hoover had used the FBI to compile information that

could be used politically against them, thanked him privately for bringing it into the open. But almost none had the guts to stand with him publicly.

Hounded and ridiculed by the Nixon administration, especially by John N. Mitchell, then attorney general, Boggs let the matter subside and went on to other things.

Many Democrats now be-



**HALE BOGGS**  
... telephone tapped

lieve that the Boggs surveillance (an effort was later unsuccessfully made to link him with a Baltimore contractor's

alleged efforts to get favored handling of some pending contract claims) was part of a White House-orchestrated effort to generate a huge Democratic scandal prior to the 1972 elections. If so, Nixon's gumshoes struck out. An aid to John McCormack, former House speaker, was nabbed on an unrelated influence charge sometime before the Boggs incident, but that's as far as it got.

It now emerges that the FBI under Hoover did maintain "files" on members of Congress, which included all the politically embarrassing but not necessarily criminal allegations that informants and cranks wanted to contribute. Everything, Clarence Kelley, FBI director, now reveals, went into the "raw" files—drinking, gambling and sexual habits, and of course, any past link to criminal misbehavior.

The FBI denies that any of this information ever was or will ever be used by the FBI or the White House to pressure vulnerable members of the House or Senate. Under fire from an increasingly bold Congress, the FBI even won a vote of confidence last week from President Ford who said he "has been assured by the FBI and has no reason to doubt that

any information on congressmen is used only in criminal investigations and in suitability checks for prospective appointees to the executive branch, and that this information, whatever it is, is never used to influence the judgment or action of any member of Congress or anybody else."

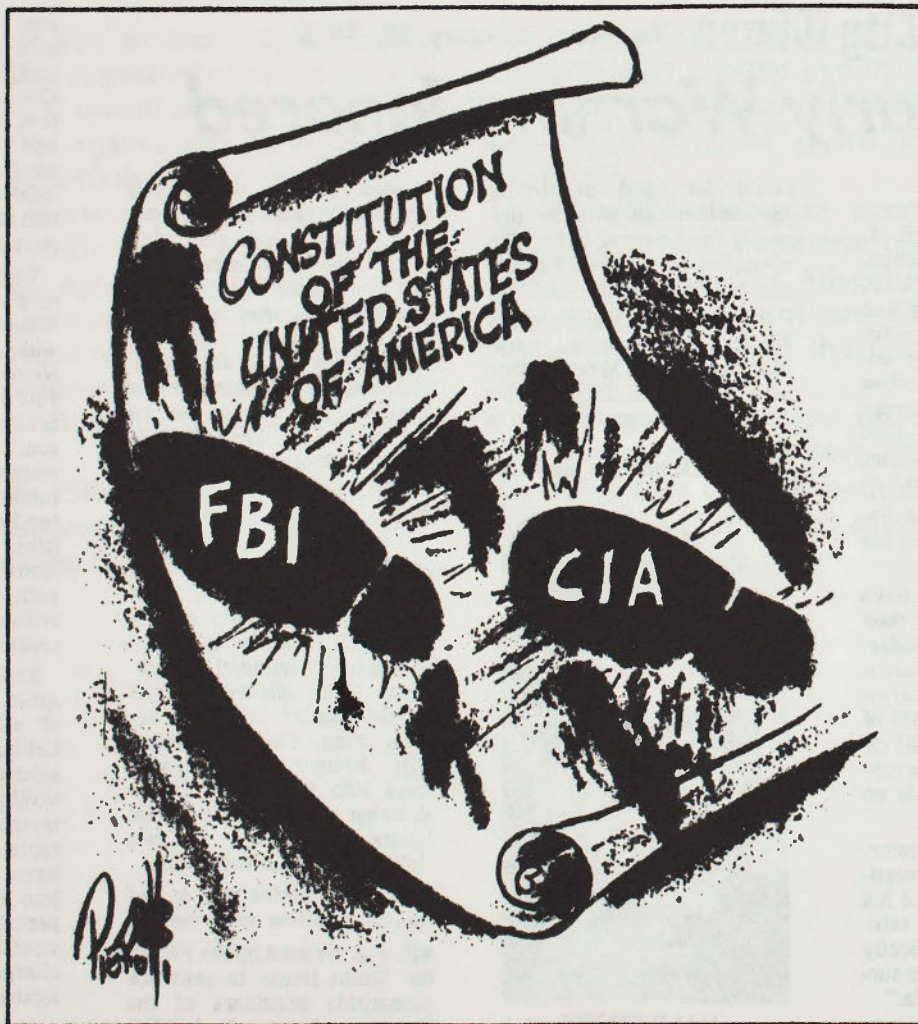
Well, that is a lot to swallow so soon after Watergate. The Watergate testimony is rife with specifics on what the Nixon White House did with the FBI and a lot more it was on the brink of doing. President Johnson, it is said, used the FBI's congressional files as bedtime reading. Someday, perhaps after Ford's departure, a President, an unscrupulous White House staff or an FBI director with visions of grandeur will rediscover the latent power contained in those dossiers.

That is what worries Congress. It is knowing that scores of political time bombs are ticking away in the FBI's vast information retrieval system, waiting to be called out. No member of Congress can be certain that false allegations have not been made against him and that years from now, perhaps after all means have vanished for proving the charge false, it won't be turned against him.

As long as the FBI is allowed to retain irrelevant and unsubstantiated "dirty stuff" or "junk," no member of Congress can feel entirely free to stand up to the FBI, as Boggs attempted to do four years ago.

# Rights

SEPTEMBER/OCTOBER 1977



Pierotti in The New York Post



Sunday, March 23, 1975

# The New York Times

*It Chased a Band of Trotskyites 31 Years*

## The F.B.I.'s Appetite For Very Small Potatoes

By NICHOLAS M. HORROCK

WASHINGTON—In June, 1955, counter-intelligence specialists of the Federal Bureau of Investigation prepared a secret "monograph" on the Socialist Workers party that estimated party membership at its smallest point in history, 500 members or so, steadily down from a high point of 2,000 in 1941.

Ten years later, in March, 1966, the bureau again made a secret evaluation of the party's strength and found it still had about 500 members. The F.B.I. has not brought a Federal prosecution against the group or its youth arm, the Young Socialist Alliance, (membership 700 or so) in 30 years; nor has the bureau ever demonstrated a current link between the party, which is actually a Trotskyite organization, and the Soviet Union or other foreign powers.

Yet for at least 31 years, the party has been a major target of the F.B.I. involving untold agent man hours in field offices from New York to San Francisco, informant payments totaling thousands of dollars, according to former officials, and the volumes of paper work and bureaucracy which accompanies everything the agency does.

Last week the Socialists made public an astonishing 3,138 pages of secret F.B.I. documents obtained by court order in connection with a suit against the Government. The documents detailed a long campaign of harassment between 1961 and 1971, and led attorneys for the organization to challenge such a serious abrogation of individual liberties.

The puzzling question remains, though: Why did the F.B.I. spend so much time and effort pursuing the Trotskyites? Why, entirely aside from the question of right or wrong, was such an unproductive inquiry maintained for so long?

**THE NEW YORK TIMES, SUNDAY, MARCH 23, 1975**

## A Hoover 'Obsession'

To the discerning eye of men in the intelligence field, the documents disclosed what one former intelligence expert calls "J. Edgar Hoover's obsession with the unimportant." During the very decade in which the bureau's counter-intelligence program (Cointelpro) against the Socialist Workers group was most active, the F.B.I. apparently ignored the real espionage dangers from the Soviet K.G.B., or secret police. At least this was the constant complaint of the United States Central Intelligence Agency. Several officials have suggested that the final break between Mr. Hoover and the C.I.A. in the 1969-1970 period, and the agency's increasing domestic activities were the result of the bureau's increasing preoccupation with the Rev. Dr. Martin Luther King Jr., the civil rights movement, and the Trotskyites.

In the same decade that crime rates in American cities escalated and organized crime expanded its interests, for instance, the men of the Newark F.B.I. field office were working at fever pitch to drive a scoutmaster in Orange, N. J., from his job. Their dubious rationale was that he might harm young minds because his wife was a Socialist.

The Charlotte, N. C., field office helped Washington and New York offices prepare a slanderous doggerel to be mailed to news agencies in New York in hopes of fomenting disruption within the party.

Sandwiched between these momentous operations were the thousands of pages and thousands of hours of stalking a party whose membership, by F.B.I. count, wouldn't fill a high school football stadium. Charles Evans Bolduc is one of the hundreds of names that came up in the documents. Mr. Bolduc was followed through his life by the Minneapolis field office and the New York field office. A careful reading of Mr. Bolduc's file discloses he was a printer's apprentice, he went to a lot of meetings of little import and that somebody around him was an F.B.I. informant.

The whole question of the F.B.I.'s informants within the Socialist party is intriguing. Are the informants benign, mere conduits of information or agents provocateurs? In other operations, against the Ku Klux Klan, for instance, the bureau's informants often constituted most of the leadership. In a party as small and penurious as the Socialists the dues from the F.B.I. operatives must have been a valuable asset.

## The Cost Was High

What so depresses many F.B.I. men and other intelligence and law enforcement experts is that the skills and time wasted is not cheap. There are 8,500 or so F.B.I. agents, most of whom are college graduates with annual salaries averaging between \$20,000 and \$25,000. Anything they do must be back-stopped by 10,000 clerks, secretaries and technical employes.

If a letter must be fabricated to disrupt a meeting of a half dozen members in Newark, for instance, the transaction will involve field agents, hand-writing experts, and officials who must think through and approve the operation, not to mention clerks, teletypists and secretaries.

Director Clarence M. Kelly, the present F.B.I. chief, asserted that Cointelpro and some of its excesses were ended in 1971, even before Mr. Hoover's death. But senior F.B.I. officials disagree. No matter. What many thoughtful critics of the bureau do agree is that for far too long no one has been able to judge these secret programs. Not only from the standpoint of whether they are right or wrong, but from the perspective of whether they are useful at all.

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*Nicholas M. Horrock is a New York Times Washington correspondent.*

## COMMENT

# Spying Is Spying Is Spying

*The following Comment was written by Jerry Berman and Morton Halperin, co-authors of "The Lawless State." Halperin, a former National Security Council aide to Henry Kissinger and the victor in a lawsuit against Richard Nixon and two others arising from a 21-month tap on his home telephone, is the executive director of the broad-based Coalition to Stop Government Spying.*

Clarence Kelley, director of the Federal Bureau of Investigation, often boasts that he has reduced FBI intelligence investigations from 21,000 to 621.

This is, we think, a bit like the man who takes credit for now beating his wife only once a day rather than four times. The FBI should not infiltrate and investigate any lawful political group simply because it believes its members may violate the law sometime in the future.

However, a close look suggests much less substance to the claim that substantially fewer Americans are under surveillance today than in the past because of their political views. Several Catch-22's are at work.

One way that the FBI reduced the statistical number of intelligence investigations under way was to eliminate investigations of members of an organization while continuing to investigate the organization itself. Thus, if an organization and 25 of its leaders were under surveillance, a very substantial reduction took place on paper. Now the 25 members are scrutinized as part of the single investigation of the organization.

The second Catch-22 works the other way. When the Justice Department finally ordered the FBI to halt its 23-year investigation of the Socialist Workers

Party, which failed to uncover any evidence of criminal activity, Mr. Kelley authorized FBI informers in the party to report on the potentially illegal activities of members rather than the party's activities.

(Later, under pressure from the continuing Socialist Workers Party lawsuit, the FBI sent out another directive telling informants in the party to stop reporting at all. Little comfort can be derived from this since the informants have not withdrawn).

The third Catch-22 is more bizarre. After months of agonizing, the special Justice Department committee set up to examine the eligibility of organizations for continued surveillance under newly issued guidelines concluded that the Communist Party, U.S.A. did not fit. Thus, it appeared that the FBI would call off its longest and most intensive

Press

## Spying Is Spying Is Spying

investigation and withdraw scores of informants from that party. If reports of Bureau infiltration of the Communist Party are correct, both the FBI investigation and the party faced extinction.

FBI ingenuity came to the rescue. The party failed to meet the test of the domestic intelligence guidelines limiting investigations to the groups believed likely to commit a crime, but fit the criteria of other guidelines for determining when an organization may be investigated because of alleged connections with a foreign power.

Thus, the investigation continues and there is no way to check or to challenge this decision since these guidelines are secret.

Our effort to secure their publication under the Freedom of Information Act was rebuffed with the claim that the release of

a single sentence could damage national security.

There the matter stands. There are fewer "investigations" but individuals can be investigated as part of the surveillance of an organization and vice-versa. Both can be investigated under secret counterintelligence guidelines even if there is no suspicion that they may do anything illegal.

Moreover, organizations such as the American Indian Movement, the Puerto Rican Socialist Party, the Black Panther Party and La Raza Unida report that they are still subject to FBI political manipulation although the Bureau claims COINTELPRO ended years ago.

Whatever one's view of the the relative commitments to the Constitution of former Attorney General Edward H. Levi and his successor Griffin Bell, we must not rely on the good will of the

FBI or its supervisors.

Congress must enact legislation that prohibits the FBI from infiltrating lawful political organizations and from investigating political groups because someday a crime may be committed. The FBI should be limited to criminal investigations of persons reasonably suspected of having committed a federal crime.

After Congress enacts such legislation, it must conduct vigorous oversight to insure that the FBI does not spy on, and manipulate the activities of, those whose politics it fears.

The FBI has not yet stopped such activities despite supposedly reassuring statistics. □

**THE BLACK PANTHER,  
SATURDAY, JULY 9, 1977**

# The Washington Post

## *FBI Made Hundreds Of Illegal Break-ins*

By George Lardner Jr.  
Washington Post Staff Writer



**CHARLES BRENNAN**  
... tells of FBI system

With top-level approval, the FBI carried out hundreds of illegal break-ins under an elaborate "Do Not File" system that kept all trace of the burglaries out of regular bureau files.

Members of the Senate intelligence committee, which began delving into the so-called "black bag jobs" yesterday, said they were shocked by the devious manner in which the burglaries of "domestic subversives" were authorized.

"It's really the perfect cover-up," declared Sen. Richard S. Schweiker (R-Pa.).

Under the system, which appears to have been discontinued, FBI officials, Schweiker pointed out, could even submit affidavits in court saying that bureau records contained no indication of this or that break-in.

"It would be technically telling the truth, yet it would be a total deception," Schweiker said.

"Pure frightening," Sen. Howard H. Baker Jr. (R-Tenn.) agreed later.

The statistics on the burglaries, admittedly incomplete,

were not supplied to the committee until the night before yesterday's hearing, staff members said.

Chairman Frank Church (D-Idaho) said the report showed 238 break-ins between 1942 and April of 1968 against 14 so-called "domestic subversive targets."

In addition, at least three other "domestic subversive targets" were subjected to numerous entries from October, 1952, to June, 1966. Of these, the FBI said, "since there exists no precise record of entries, we are unable to retrieve an accurate accounting of their number."

The Washington Post reported in July that the FBI until 1966 conducted dozens and occasionally more than 100 burglaries of all kinds each year, against targets ranging from domestic extremist groups and the Communist Party to foreign em-

bassies and ordinary criminal cases.

The Church committee did not make public any information concerning FBI break-ins at foreign embassies and consulates. For its part, the FBI apparently did not bother to submit a count of the break-ins involved in criminal cases, on grounds that all these were done simply for the purpose of installing "authorized" eavesdropping devices.

According to other documents, the late FBI Director J. Edgar Hoover ordered all "black bag jobs" stopped in mid-1966 after a report from Assistant FBI Director William C. Sullivan acknowledging that they were "clearly illegal." The operations were so designated because the burglar's tools were often carried in a small black bag.

Addressed to high-ranking Hoover aide Cartha D. DeLoach and dated July 19, 1966,

# The Washington Post

the Sullivan memo nevertheless praised the technique as "a very valuable weapon which we have used to combat the highly clandestine efforts of subversive elements seeking to undermine our nation."

Alluding to one recent "black bag job," Sullivan said it produced complete membership and financial records of one organization "which we have been using most effectively to disrupt...and, in fact, to bring about its near disintegration."

The name of the organization was carefully deleted by the Church committee staff from the copies of the memo handed to the press, but Sen. Robert Morgan (D-N.C.) indicated at one point that it referred to a burglary of some Ku Klux Klan headquarters in Louisiana, around March of 1966.

Moments later, after a whispered conference, Morgan dropped the line of questioning, saying he'd been told "we've reached an agreement not to talk about specific cases."

Committee counsel Fritz Schwarz said FBI officials had not yet "declassified" the details.

Elaborating on the procedures used to approve "black bag jobs," the Sullivan

memo said the system then in effect required detailed requests from FBI bureau chiefs for eventual submission in memorandum form to either Hoover or his longtime aide, the late Clyde Tolson, for approval.

"Subsequently, this memorandum is filed in the assistant director's office under a 'Do Not File' procedure," Sullivan explained. Meanwhile, "in the field, the special agent in charge prepares an informal memorandum showing that he obtained bureau authority and this memorandum is filed in his safe until the next inspection by bureau inspectors, at which time it is destroyed."

Testifying at yesterday's hearing, Sullivan's successor, former Assistant FBI Director Charles Brennan, said the system meant that the headquarters memos reflecting Hoover's or Tolson's approval would be tucked away in the safe of the appropriate assistant director. There, he said under questioning by Schweiker, it would be kept out of the regular bureau files.

Schweiker pointed out that regular FBI files carry serial numbers. As a result, those records cannot be destroyed without leaving a missing

number, a telltale sign that something has disappeared.

The system also guaranteed peace of mind for agents in the field offices, knowing that authorizing memos could be shown to bureau inspectors and at the same time knowing that those memos were going to be destroyed, Schweiker marveled.

"It looks to me as though the bureau has perfected a better technique . . . a lot more sophisticated and refined than the 'plausible denial' of the CIA," Schweiker said. "I think we've just touched the tip of the iceberg."

The three-page Sullivan memo ended with an edict in Hoover's handwriting decreeing that "no more such techniques must be used."

Under questioning by Schwarz, Brennan said the FBI director had never shown any legal qualms about such illicit operations in earlier years. Instead, he suggested that Hoover began to grow uneasy after reaching mandatory retirement age (70) in 1965 about any operations that might be embarrassing to the bureau and thus force its ouster.

Although President Johnson waived Hoover's retirement, Brennan said that from 1965

on the FBI director was holding his job largely on an "annual renewal" basis. "That put him into a somewhat vulnerable position," Brennan told the committee.

Morgan objected to the line of questioning as too speculative and it was dropped.

Although Hoover, who died in 1972, evidently called for an end to the break-ins in 1966, they did not stop entirely. In a Jan. 6, 1967, note to Tolson and DeLoach, the FBI director complained that "requests are still being made by bureau officials for the use of 'black bag' techniques." He said he would not approve of any more of them.

The FBI statistics showed the last "domestic subversive" break-in was conducted even after this, in April of 1968. Asked if that was the cutoff year, Church told reporters: "Yes, that is my understanding, with one possible exception." He did not elaborate.

# Miami Herald

## Being Listed as Subversive Takes Some Doing to Undo

WASHINGTON — (UPI) — Somewhere in an index file in an FBI office in New Jersey 17-year-old Lori Paton is listed as a subversive.

The Chester, N.J., high school senior's troubles began last year when she inquired into the background of a socialist organization as part of a class project.

Miss Paton, enrolled in a social studies class seeking information into different political ideologies, chose to write to the Socialist Labor party. She incorrectly addressed her letter to the Socialist Workers Party, an organization that was under FBI surveillance at the time.

**HER LETTER** was intercepted and an investigation launched. An agent came to her school asking about her. Her family was investigated for possible police records.

The FBI denied any investigation was taking place at



**Lori Paton**  
... a wrong address

al all until her attorney filed suit. The agency's Newark office subsequently concluded there was no criminal activity involved and recommended the investigation be ended.

It did, but her attorney,

Frank Askin, says her case is still filed away as a subversive matter.

Askin now has told a House government operations subcommittee he feared such a file can cause irreparable harm to the career and life of his client unless it is destroyed.

"WHAT IF she decides, 10 years from now, that she wants to work for the government and her name is still on that file," he asked.

Miss Paton sat at his side, chewing gum and nodding.

She was asked what she thought of her experience.

"You have to understand," she said, "that I'm from a very conservative community.

"Instead of this thing working positively, it worked in reverse. People are more scared than ever. They don't even want to ask any questions."

## INTERNATIONAL HERALD TRIBUNE

## FBI Budgets \$82.5 Million For Intelligence Gathering

By Nicholas M. Horrock

WASHINGTON, Aug. 8 (NYT).—The FBI spends \$82.5 million for its intelligence-gathering and counterespionage activities, the House Select Committee on Intelligence was told yesterday.

It was the first time the figure for the FBI's expenditure on intelligence and national security operations has been made public.

The bulk of the \$82.5 million is spent on internal security, counterespionage and intelligence gathering on national-security and organized-crime matters, testimony before the committee disclosed.

Eugene Walsh, assistant director for the FBI's administrative division, declined to give a more detailed breakdown of how the bureau spent the money on the grounds that the information would be a "source of comfort to organized-crime elements and those who threatened the nation's security."

He acknowledged, however, that this money had never been carefully audited by anyone outside of the FBI.

### Not Identified

The heretofore secret figure of \$82.5 million is carried in the FBI's annual budget of about \$500 million but its use is not identified in budget documents.

In the afternoon session, the committee heard Donald Alex-

ander, commissioner of the Internal Revenue Service. Under questioning, Mr. Alexander said that the IRS had discontinued 10 years ago a school that taught IRS agents how to place wiretaps and bugs and how to make surreptitious entries.

IRS officials also testified that they had given 30,000 tax returns of 8,000 Americans to 12 other government agencies in connection with investigations by those agencies.

### Calls Not Monitored

WASHINGTON, Aug. 8 (AP).—Otis Pike, chairman of the House Intelligence Committee, quoted the director of the National Security Agency today as saying that, "at the present time, no American phone calls overseas are being monitored."

Rep. Pike, D-N.Y., in telling reporters of Lt. Gen. Lew Allen's closed-session testimony, added: "I do not fully accept that."

Rep. Pike was asked if Gen. Allen's reported testimony did not contradict Central Intelligence Agency director William Colby's testimony Wednesday that Americans are occasionally overheard in the monitoring of foreign telephone calls.

"There does appear to be a certain discrepancy between what Mr. Colby and what Gen. Allen said," Rep. Pike replied.



# TAHOE DAILY TRIBUNE

Lawyer's guild sues

Thursday, August 25, 1977 Tahoe Daily Tribune

## More FBI snooping revealed

WASHINGTON (AP) — The FBI wiretapped the National Lawyers Guild and may have burglarized guild members' offices in Washington and New Haven, Conn., in the late 1940s and early 1950s, according to newly disclosed FBI files.

The guild is a national organization of lawyers and legal workers, which was founded in 1937 to work for civil rights and civil liberties. It was attacked as a Communist-front organization during the "Red scare" era of the 1950s.

The guild recently filed a multimillion dollar damage suit accusing the FBI and other government agencies of illegal harassment and disruption of legitimate guild activities.

In the course of the lawsuit,

the FBI was required to provide the guild with 21,000 pages of bureau files on the organization and its members.

Guild officials said in a written statement Wednesday they have analyzed 4,500 pages and found "ample evidence of the bureau's early campaign to silence criticisms" from the guild.

The documents show that the FBI tapped telephones in the guild's national office in Washington from 1947 to 1951. (The guild has since moved the national office to New York.)

An FBI memo Nov. 5, 1947, to J. Edgar Hoover, then the FBI director, described a conversation between two guild officials and said, "This information was obtained from the technical sur-

veillance which is maintained on the office of Martin Popper, vice president of the National Lawyers Guild." The memo said "a complete transcript of the conversation" was being sent to Hoover.

The guild and the National Emergency Civil Liberties Foundation, Inc., which represents the guild in the lawsuit, contend that the wiretaps were illegal.

Under present law and court decisions, such wiretaps conducted without judicial warrants would be illegal. But the law on wiretaps in that era was considerably fuzzier.

The guild and the foundation said the documents show that FBI agents in 1948 apparently broke into the Yale Law School office of Prof. Thomas I. Emerson, then the guild

president, to photograph an article Emerson was writing for the Yale Law Journal.

Hoover wrote the New Haven FBI office on June 16, 1948: "It is desired that you discreetly attempt to ascertain if Professor Emerson is preparing some article or treatise" discussing Hoover's recent congressional testimony.

The New Haven agent reported a month later that an FBI informer at Yale "has been unable to ascertain" Emerson's plans.

But on Sept. 22, 1948, the New Haven office sent FBI headquarters "photographs of an article prepared by Professor Emerson."

"UH— THESE ARE SORT-OF SECRET ORGANIZATIONS THAT  
OUR GOVERNMENT HIRES TO SEE THAT WE ENJOY  
THE RIGHT KIND OF -UH- LIBERTY"



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Sun., March 9, 1975 ST. LOUIS POST-DISPATCH

# FBI-Made Tape On Dr. King Reported Mailed To His Wife

©1975 New York Times News Service

WASHINGTON, March 8 — The Federal Bureau of Investigation mailed what some agents considered an "unsavory" tape recording made from an electronic room bug to Mrs. Coretta King to frighten her husband, the Rev. Dr. Martin Luther King, Jr., into halting his criticism of the bureau, a former high official of the agency says.

The mailing of the tape recording to Mrs. King was part of nearly a decade of harassment of the late civil rights leader by the bureau, several former agents and officials say.

One retired agent, Arthur Murtagh, who was attached to the FBI's Atlanta field office, said the moves against the Rev. Dr. King were second in size "only to the way they went after Jimmy Hoffa."

The former FBI men say, there was a "dubious" national security rationale for the thousands of hours of electronic and physical surveillance.

The sending to a private citizen of a tape recording



The Rev. Dr. King Jr.



Mrs. Coretta King

obtained by a national security electronic surveillance is a violation of FBI regulations and was a potential violation of the Federal Communications Act and the federal criminal code.

The former FBI official who brought the matter to the

attention of the New York Times asked to remain anonymous because he might be called to testify in investigations of the bureau.

In late 1964, after the Rev. Dr. King had criticized the FBI for having assigned agents with Southern back-

grounds to handle civil rights cases, J. Edgar Hoover, then director of the FBI, ordered William C. Sullivan, who directed the bureau's counterintelligence operations, to arrange to send a copy of a tape recording secretly to Mrs. King.

The source said that a copy of a tape recording was made by the bureau's laboratory. It was wrapped in a small, plain, unmarked package with no return address, and delivered to Sullivan's office. It had been addressed to Mrs. Coretta King, Atlanta, Ga.

Another source, attached to the bureau at that time, said that he believed the recording was of a party held by the Rev. Dr. King and officials of the Southern Christian Leadership Conference, which the Rev. Dr. King headed, in Washington in 1963. The source said the party had been picked up by an FBI electronic bug in the room and put on tape.

The source said that Hoover officials believed that the content of the tape was detrimental to the Rev. Dr. King and

some of his associates. It recounted activities at the party which they thought did not conform with the rights leader's position as a religious leader.

The tape and the package had been prepared so they could not be traced, one source said. He said Hoover wanted the tape mailed from Florida and that Sullivan had ordered a special agent to fly to Tampa to mail the tape to Mrs. King. The source stressed that the agent had no idea of the contents.

The source said the Hoover believed the sending of the tape to Mrs. King would stop the Rev. Dr. King's criticism of the bureau and break up his marriage as well.

Mrs. King said in a telephone interview that she recalled receiving a tape recording in January 1965.

"I received a tape that was rather curious, unlabeled," she said. "As a matter of fact, Martin and I listened to the tape and we found much of it unintelligible. We concluded there was nothing in the tape to discredit him."

Mrs. King said that she and her husband immediately realized that the tape had been made covertly and "presumed" it had been made by the FBI.

Murtagh, who now lives in Constable, N. Y., said that the sending of the tape to Mrs. King to discredit her husband was well known "among senior agents in the Atlanta bureau and some of them bragged about it as a smart stunt."

# The New York Times

In Summary

## F.B.I. and C.I.A.: The Stories Never End

Each week it becomes clearer that the scope of the Senate Select Committee's inquiry into Federal intelligence operations will have to be more ambitious and sweeping than generally imagined.

New evidence was adduced last week detailing excesses of the Federal Bureau of Investigation and new adventures of the Central Intelligence Agency that seem to come from the pages of a spy thriller. The account of the C.I.A.'s secret attempt to salvage a Russian submarine with secret codes and atomic missiles is only the latest story the committee has at hand. Nevertheless, much information obviously remains undisclosed.

There is some evidence, for example, that secrecy has at times been imposed to conceal questionable Government actions rather than matters of legitimate national security. Congress sometimes has been a silent collaborator of the executive branch in this.

Now the Senate's Select Committee on Intelligence, headed by Senator Frank Church, Democrat of Idaho, has asked President Ford for copies of all White House orders affecting intelligence dating back to the establishment of the C.I.A. in 1947. The result may be

a head-on collision with the President over the issue of executive privilege.

### Congressional Illusion

One difficulty the President faces is that each time a new account of intelligence activities becomes a headline, the mandate of the Senate inquiry appears to be strengthened.

The most recent incident, which involves the C.I.A.'s efforts to raise the Soviet submarine from the bottom of the Pacific Ocean floor, cost \$350-million. The bizarre event has already provoked some criticism from Congress. While the Russians have not commented several Congressmen have questioned the effects on detente.

More critical were responses to the fact that Howard Hughes, the reclusive billionaire, had overseen the construction of the salvage vessel and indeed was its owner. His cover story apparently was so successful that other sea mining consultants had run a computer analysis of the publicized but false Hughes "plan" and determined such a venture would be worth the financial risks.

That the salvage attempt did not fully succeed—only one-third of the submarine was raised, and neither missiles nor codes were recovered—has only provided critics with further ammunition. Even if it had succeeded, they argue, it would have given the United States limited and outdated information.

The most recent revelations concerning the F.B.I. involve encroach-

ments on the civil liberties of Socialist Worker party members. Taken together with earlier stories—the bureau's harassment of the Rev. Dr. Martin Luther King Jr. and its secret kidnappings of foreign agents who had illegally entered the country, all in the name of national interest—these accounts further strengthen the bipartisan support the Select Committee has received in the Senate.

Until now, Congressional leaders and members of the Intelligence Subcommittee of the Senate Armed Service Committee have essentially rubber-stamped classified budget matters involving intelligence operations, even though some members were not informed in detail about all the programs. For example, Senator Stuart Symington, Democrat from Missouri and a senior man on the subcommittee, had not known about the salvage operation of the Soviet submarine.

Congressional leaders were usually given general information to justify the budget appropriations, and were left with the illusion that they were overseeing intelligence operations. Much has begun to emerge which shatters that conceit. The revelations of illegal practices which have been part of national policy have led Senator Church to talk of holding public hearings whenever possible.

What is involved in the inquiry is accountability: intelligence operations fully accountable to Congressional review, and Congressional accountability to the public.

LOS ANGELES



**HERALD EXAMINER**

United Press International • Associated Press • Dow Jones

A-12 Los Angeles Herald Examiner, Thurs., Oct. 6, 1977 B

## Accusations of False Oaths, Bugging Levelled Again at FBI

By **NICHOLAS M. HORROCK**  
and **ANTHONY MARRO**

New York Times News Service

WASHINGTON — Federal Bureau of Investigation agents looking into organized crime have placed illegal wiretaps and used the information produced by the tapes in false affidavits presented to federal courts during the last five years, key law enforcement sources said Wednesday.

The sources said these activities were known to some lawyers in the Department of Justice's organized crime section, but have not been criticized or investigated by the department. The department has, however, been investigating for 16 months similar practices by agents in internal security cases, and a former bureau official has been indicted.

The sources, law enforcement officers directly connected with the cases, asked not to be identified by

name for fear of retaliation. They said illegal wiretaps, some "entries — that is, burglaries by FBI agents — and other questionable activities were used most often in the mammoth New York field office, but also cropped up around the country.

A spokesman for the FBI Director Clarence M. Kelley said the bureau "has no information that such activities have taken place." He added, "The FBI will not comment further on what action it will take on these allegations from undisclosed sources of unknown reliability."

Robert Havel, a Department of Justice spokesman, said Atty. Gen. Griffin B. Bell "knows nothing about such allegations."

The practice of making illegal entries — called "black bag jobs" in FBI jargon — and other illegal practices were discussed frankly in a recent book by Anthony Villano, an FBI agent

assigned to investigate a reputed Mafia don, Carlo Gambino. Villano was a member of the New York field office's Squad 53, which concentrated on Gambino's criminal endeavors.

The objectives of the illegal activities differed. In organized crime cases the bureau could obtain permission from a federal judge to install a legal wiretap under provisions of the Omnibus Crime Act.

But to get this permission, government lawyers had to present an affidavit stating that they had reliable information that the telephone or premises were being used in the commission of a crime.

LOS ANGELES EVENING AND SUNDAY

# HERALD EXAMINER

United Press International

• Associated Press

• Dow Jones

## FBI File Reveals Dirty-Trick Tactics

By JONATHAN WOLMAN

WASHINGTON (AP) — The FBI once considered installing its own man as imperial wizard of the Ku Klux Klan, and the agency wrote and published a fake "student" newspaper in waging a campaign to discredit antiwar leaders, according to documents released Monday.

The FBI plans were revealed in painstaking detail Monday when the agency released its voluminous counterintelligence file showing the use of thefts and dirty tricks to harass political groups.

The so-called CO INTELPRO files. 53,000 pages filling three government-green cabinets, showed the questionable tactics employed by the FBI to discredit student activists and organized political groups.

Much of the material previously was made public, but the complete files released at the J. Edgar Hoover Building showed the scope of such tactics, many used against persons and

groups never accused of criminal activities.

The 15-year campaign of political harassment was suspended by the FBI six years ago but the bureau still classifies 15,000 pages as secret.

It took four years to edit the CO INTELPRO files and prepare them for release. An FBI spokesman said his "wild guess" was that it cost \$100,000 to comply with the Freedom of Information queries that opened the files.

Other incidents revealed by the files included:

- An FBI source stole the membership list of a group known as the New University Conference, then bragged to headquarters that the list would be "a rich source of counterintelligence action."

- In Ohio, reacting to campus antiwar activities, the FBI geared up a campaign to ruin Antioch College's reputation for "scholarly environment." The bureau dropped its project when it viewed an NBC News item and

became convinced it would serve the same purpose.

- The bureau made concerted efforts to disrupt the Poor People's March on Washington which Rev. Martin Luther King Jr. organized in 1968.

- In October 1956, Hoover asked the Internal Revenue Service to investigate Communist Party leaders. He supplied the IRS with the names of 336 Communists whom he said had gone underground.

# The Washington Post

NOVEMBER 22, 1975

## The Cointel Scandal

EVEN THOUGH J. Edgar Hoover's record for petty vindictiveness is long established, there are aspects of last week's disclosures by the staff of the Senate Intelligence Committee that truly tax the imagination. The FBI used anonymous mailings to the head of the Black Stone Rangers to make him believe the Black Panther Party had a contract out on his life. The Bureau hoped this would cause the Rangers to go out and shoot "some or all" of Chicago's Panthers. Again, false and anonymous statements were sent to the spouses of civil rights sympathizers alleging infidelities and thus actually helping to break up marriages. A letter to Dr. Martin Luther King, Jr., along with a tape recording illegally made by the FBI, was calculated to encourage his suicide. As Sen. Philip Hart of Michigan observed, such episodes had been alleged to have occurred by civil rights and peace activists at the time when they were occurring. He said his family confronted him, in the 1960s, with such accusations of government misconduct—and he dismissed these charges as overwrought fantasy. He was not alone in that. Many serious-minded parents considered their youngsters' claims of this sort of activity as "paranoia." When the FBI's turn before the Senate Intelligence Committee came, it acknowledged—in effect—that Sen. Hart's children, and thousands of others, alas, had it right.

What should be done now? What can be learned from this incredible pattern of abuse? At a minimum it becomes plain that no single individual should again be allowed to run an agency of the importance of the FBI for a half-century. That is in fact a very bare minimum. So is the requirement that the FBI henceforth receive the most searching oversight Congress can conduct. Bureau-Hill relations must never again be permitted to become the loose amiable affair they were in the days of Mr. Hoover and Rep. John Rooney.

There is another point to be made: these activities could not have gone forward if the Presidents and Attorneys General under whom Mr. Hoover nominally served had not averted their supervisory gaze at critical moments. As with the matter of assassinations and the CIA, a President cannot be found innocent of complicity in such acts without simultaneously being found guilty of extraordinary negligence. And precisely because so much more than the FBI was involved in the counterintelligence program, it is not clear to us that the Senate Intelligence Committee's revelations are thoroughly even-handed. They are damning of Mr.

Hoover and some of his aides, for instance, but skimpy on the details of what was happening in the Justice Department and the White House while all these bizarre undertakings were being concocted at FBI. At least two Democratic Presidents—Kennedy and Johnson—and their Attorneys General must have been aware of these activities or in a position to become aware if they so chose.

Sen. Frank Church, the Democratic chairman of the intelligence committee, has been accused of underplaying the role of Democratic officials in the Hoover excesses. It is possible that he has disclosed as much as the record shows of what those officials did either to deter or encourage Mr. Hoover. Nonetheless, there appear to be some gaps in the report the committee staff made the other day, and Mr. Church should be quick to lay to rest any intimation that Democrats have been protected in his inquiry. The fact that it was during Robert F. Kennedy's leadership of the Justice Department that the wiretaps were placed on Dr. King in itself suggests a need for more explanation of 1) his role, 2) that of President Kennedy and, 3) the subsequent role of President Johnson. The violations of the constitutional rights of so many citizens was so profound that any hint of partisanship in this aspect of the Church inquiry should be dispelled. The inquiry should be even-handed—and appear to be even-handed.

Other questions remain to be answered as a result of these latest disclosures. Whatever the malefactions of which Mr. Hoover might have been guilty, he didn't act alone. A whole hierarchy within the Bureau was responsible for the most serious violations of citizens' rights. It would be reassuring to hear from Attorney General Edward Levi that he and FBI Director Clarence M. Kelley have taken steps to see that no vestige of the counterintelligence machinery—or its key personnel—are permitted to remain in place. Once before, the American people were assured by the FBI that this program had been disbanded, only to discover that parts of it were still under way.

It is a sufficient irony that the new FBI building should be named for the man who increasingly emerges as the perpetrator of massive, systematic and vicious violations of the constitutional rights of American citizens. At least we should have the assurance that the remnants of his law-breaking within that building have been eliminated.

"WE'RE DRAWING SOME GUIDELINES FOR IT"



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# FBI's 'dirty tricks' #1

Washington Star

WASHINGTON — Attorney General William Saxbe plans to make public today details of FBI counterintelligence programs, secretly...

Have you ever supported equal pay, child care, or women's groups? The public

## THE FBI WAS WATCHING YOU

The New York Times

F.B.I. CHIEF DEFENDS AGENCY USE OF FILES

KANSAS CITY, Mo., Jan. 30 (AP)—Clarence M. Kelley, director of the Federal Bureau of Investigation, today testified before a Senate subcommittee that the director denied the existence of files on the activities of groups such as the American Friends Service Committee, that the director denied the existence of files on the activities of groups such as the American Friends Service Committee, that the director denied the existence of files on the activities of groups such as the American Friends Service Committee...

The record of FBI intelligence activities over the last 40 years leads to the inescapable conclusion that our country does not need and can no longer afford to permit the FBI to engage in ongoing intelligence investigations targeted at those who are not actually criminal suspects. Moreover, there is no reason why FBI criminal investigations of illegal acts will not take care of our real security interests.

— *First Principles*, published by Project on National Security and Civil Liberties. Sponsored by the American Civil Liberties Union Foundation.

# Ex-Agents Allegedly Kidnapings

1975 New York Times News Service

WASHINGTON, March 20—The Federal Bureau of Investigation has kidnaped persons in the United States that it believed to be clandestine agents of foreign intelligence.

## Ex-Aide Calls FBI A Potential Threat

Washington Post Service

NEW YORK — The third-ranking official of the FBI under J. Edgar Hoover says that the bureau is a potential threat to the civil liberties of Americans.

### Power Should Be Curbed

Nov. 25, 1974

It is often said these days that the FBI is suffering from a tarnished image. Such a public-relations term hardly describes the problem. There are undoubtedly many fine, dedicated persons in the bureau. That does not alter the fact that the FBI pretty clearly remains in need of substantial institutional change.

— Los Angeles Times Editorial

# FBI File Reveals Dirty-Trick Tactics

By JONATHAN WOLMAN

WASHINGTON (AP) — The FBI once considered installing its own man as imperial wizard of the Ku Klux Klan, and the agency wrote and published a fake "student" newspaper in waging a campaign against civil rights leaders, according to a report released Monday.

The FBI plans were revealed in a painstaking detail in a report released at the same time.

53,000 pages filling three govt cabinets, show questionable tactics FBI to discredit...

ISBN: 0-915598-18-3

## FBI Plot to Kill King and Malcolm X

Los Angeles Times

Part I—Sun., Mar. 24, 1974

BY BRUCE NELSON  
Times Staff Writer

CHICAGO — "The FBI conspired to murder Dr. Martin Luther King and Malcolm X and Fred L. Jackson, a black spokesman for the Black Liberation Movement, charged here Saturday.

In response to a report charging about FBI complicity in these killings on recently released FBI memoranda detailing FBI counterintelligence efforts against extreme right-and left-wing groups, including black extremists during the 1960s.


supporting his accusation, Mr. Jackson replied: "I'm no longer on the defensive. I want the FBI to bring evidence that they didn't do it."

Later, Mr. Jackson told a meeting of his organization, Operation PUSH, "I ain't paranoid no more, I want them (the FBI) to prove it ain't pr..."

- (1) MILITANT NEWSPAPER
- (2) I HERMAN BACA 8 PGS.
- (3) THE SPIES AMONG US
- (4) THE NATIONS PRESS VIEWS
- (5) THE TRUE FBI STORY
- (6) NCLE LETTER 4)
- (7) AFFIDAVIT DOUGLAS C. OGDEN (23)
- (8) AFFIDAVIT PETER W. KELLEN (27 PG)
- (9) Feb. 6 1981 MEMORANDUM IN SUPPORT (39) PG
- (10) JAN 6, 1982 SUPPLEMENTAL MEMO (21 PG.)
- (11) JAN 22, 1982 4)
- (12) JAN 26, 1982 MEMO IN SUPPORT OF DEFENDANT (PG 21)
- (13) JAN 29, 1982 PLAINTIFF REPLY MEMO (1 PG)

**the SPIES  
AMONG US  
– Agents  
Provocateurs**

A Report on  
FBI Agents  
Who Provoke  
Criminal Acts



# THE SPIES AMONG US

## -Agents Provocateurs

“The function of law enforcement is the prevention of crime and the apprehension of criminals. Criminal activity is such that stealth and strategy are necessary weapons in the arsenal of the police officer. However, ‘A different question is presented when the criminal design originates with the officials of the Government, and they implant in the mind of an innocent person the disposition to commit the alleged offense and induce its commission in order that they may prosecute.’ . . . Then stealth and strategy become as objectionable police methods as the coerced confession and the unlawful search. Congress could not have intended that its statutes were to be enforced by tempting innocent persons into violations.”

*(Sorrells v. United States)*

# THE SPIES AMONG US

## Agents Provocateurs

The author is an expert in the field of espionage and has written several books on the subject. He is also a former member of the CIA and has worked for the government in various capacities. His book is a comprehensive guide to the world of espionage and is highly recommended for anyone interested in the subject.

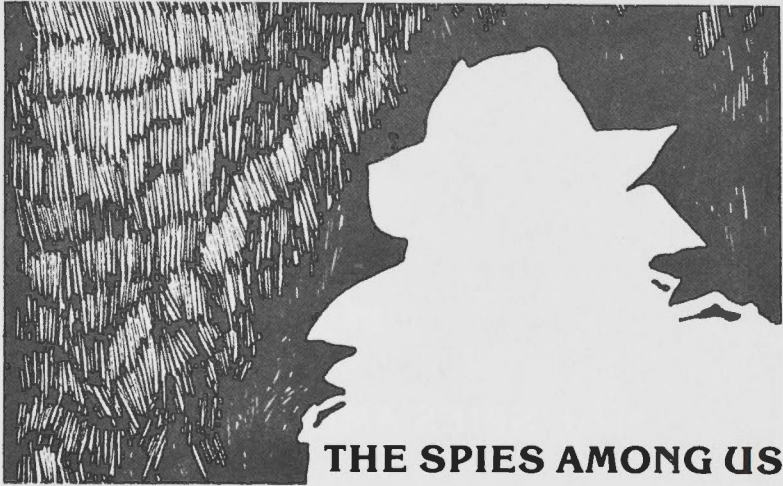
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## **THE SPIES AMONG US**

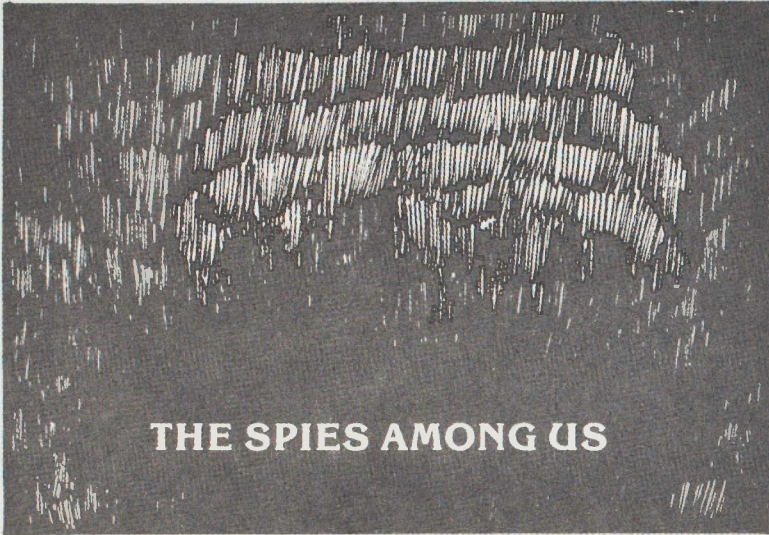
### **INTRODUCTION**

The “agent provocateur” is hardly an innovation of the 20th century, although the use of such tactics by American agencies is certainly a new revelation to an already beleaguered public.

Informers of different types and loyalties have existed throughout history and, while considered distasteful by even law enforcement officials, the informer has gained an acceptable position in the courts of law.

The agent who is sent into an organization to provoke a crime and incite others to such illegalities has stirred a debate in American circles as an action that is intolerable in a free society. But it took a sensational trial in 1973 to bring the matter to a head.

The “agent provocateur” is an informer of a special breed. His task is not merely to infiltrate an organization for the purpose of gaining information or, if already a member, to turn his loyal-



ties 180°. The agent provocateur's task is to bring an organization and/or its members, by whatever means, into direct confrontation with the law, thus allowing arrests to be made and "justice" to take its course.

For many, it is a thin line between "entrapment" and "provocation". An example of the former would be the tactic of agents buying or selling drugs. An example of the latter occurred in Camden, N.J., in 1971 and culminated 2 years later.

## **THE CAMDEN CASE**

On August 22, 1971, 28 anti-Vietnam War protestors were arrested by the FBI during the break-in of a Camden, N.J. draft office. Described by a Philadelphia newspaper as "decent and honorable men and women", the 28 were members of the "Catholic Resistance" and were destroying draft files, while FBI agents, accompanied by the media,



including television cameras, swept in to make the arrests.

The defendants, four of whom were Catholic priests, did not deny the charges, and Rev. Peter D. Fordi admitted his guilt stating, "I ripped up those files with my hands." But, as the matter came to trial, a sudden and startling turn of events focused the nation's attention on the "agent provocateur".

Robert W. Hardy, a Camden contractor, admitted in an affidavit filed on March 15, 1972, that he had been in the employ of the FBI as an agent provocateur and that the raid could not have taken place without his direction and energy. The affidavit was filed in support of a pre-trial motion to dismiss charges against 20 of the defendants for breaking and entering federal property and stealing and destroying federal records and against the remaining eight for conspiring and abetting the crimes.

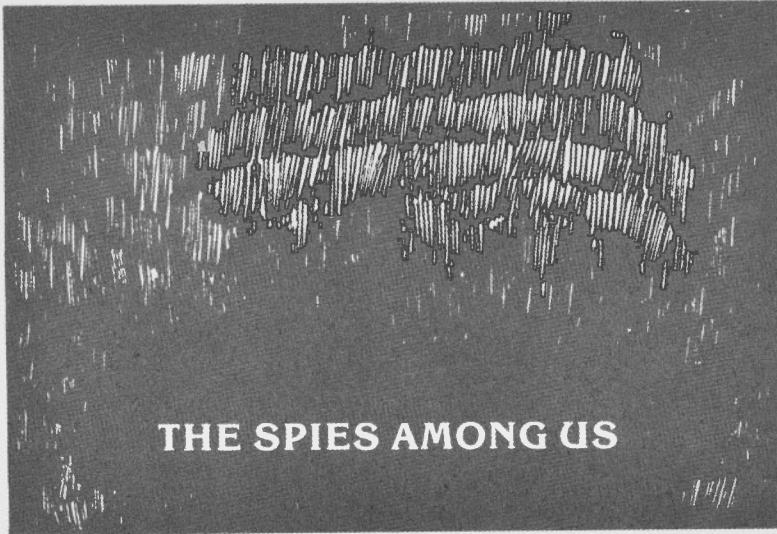
Hardy, who stated he had been paid about \$60





per day plus expenses for his work, stated that the original plot had been abandoned by the group, but with FBI insistence, he had revitalized the scheme. With FBI monies, he "provided 90% of the tools necessary" for the break-in. "They couldn't afford them," he stated, "so I paid and the FBI reimbursed me. It included hammers, ropes, drills, bits, etc. They couldn't use some of the tools without hurting themselves, so I taught them." Hardy also gave the group floor plans of the targeted building and office space to carry out the planning.

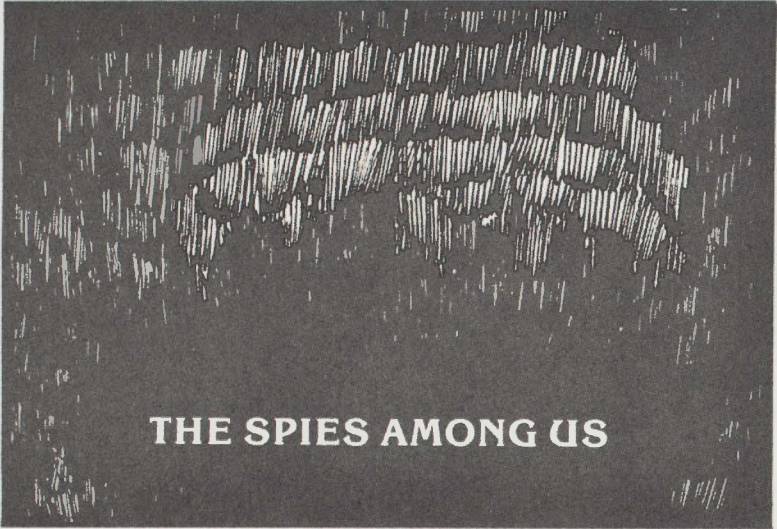
The FBI had originally told him that the arrests would take place before any break-in, Hardy stated, thus limiting the charges to conspiracy, but the plan was changed. According to Hardy, the FBI told him that "the higher ups, someone at the Little White House in California, they said, which I took to mean someone high in the FBI or Justice Department then in California, wanted it to actually happen."



On May 17, 1973, Judge Clarkson S. Fisher instructed the jury that although the defendants admitted to breaking into the offices and destroying the records, they were not required to consider the "predisposition of any defendant", i.e., if they were disposed to commit the crime. If the jury found that the actions of the FBI were "so fundamentally unfair as to be offensive to the basic standards of decency and shocking to the universal sense of justice," they were free to acquit.

The jury did just that, and on May 20, 1973, the Camden break-in blew back into the face of the Justice Department and the FBI. The protesters were acquitted.

The Camden case brought fully into view the use of agents provocateurs to foment violence. The *St. Louis Post-Dispatch* of May 22, 1973, charged that the government was "ready to use any tactics, however illegal, to suppress people whom it sees as political enemies" which was



“more in keeping with a totalitarian dictatorship than with a democratic government standing for equal justice under law.” The *Post* noted,

The profoundly disturbing aspect of the Camden prosecution is that it seems to fall into a pattern of government attempts to purge anti-war critics by inducing them and aiding them to engage in what turn out to be government-sponsored protests. Evidence of the similar use of FBI agents provocateurs came out in the trial of the ‘Harrisburg 7’ for conspiring to destroy draft files and in the still pending case of a group of Vietnam Veterans Against the War [VVAW] charged last year in Florida with a plot to disrupt the Republican Convention.

## **THE VVAW CASE**

On July 14, 1972, six members of the VVAW were indicted in Tallahassee, Florida on charges of conspiring to disrupt the Republican National



Convention in Miami Beach the previous August with bombings and shootings. The next day, VVAW leaders charged that the grand jury indictments had stemmed from false reports from an agent provocateur working for the FBI, William Lemmer. They stated they had tape recordings where Lemmer made the admission.

Amidst charges of illegal wiretapping, Supreme Court Justice William O. Douglas intervened to order their release after they had been jailed for contempt for refusing to testify before a grand jury when they had been granted immunity.\*\*

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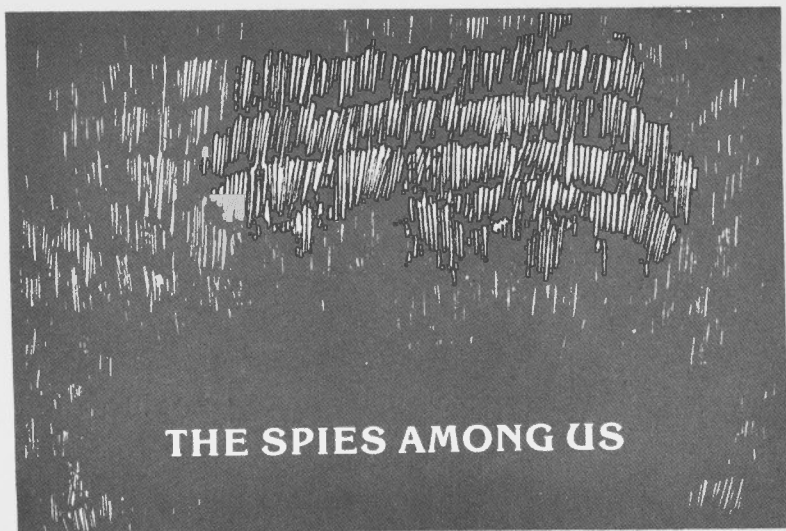
\*\*The use of immunity in grand jury hearings has generated a storm of controversy. Basically, "use immunity" granted to a witness means that nothing he or she says can be used against them thus forcing them to testify regardless of whether they take the 5th Amendment. If "use immunity" is granted, and it may be given whether or not



The trial opened in Gainesville, Fla., August 3, 1973, with the prosecution charging the VVAW was a well organized group of radicals plotting riots and bombings with everything from bombs and automatic weapons to crossbows and slingshots. The defense countered that the government was actually the one which had developed

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the witness seeks it, i.e., forced upon them, the taking of the 5th Amendment is viewed as contempt and the person(s) can be jailed for contempt. Legal experts contend the entire purpose of the 5th Amendment, to protect a person from having to testify against himself, has been violated through a power given U.S. attorneys by the Nixon Administration in 1970. The American Bar Association proposed in the summer of 1977 a wholesale revision of the grand jury system including removal of "use immunity". Critics see it as a tool of harassment, not a tool of justice.



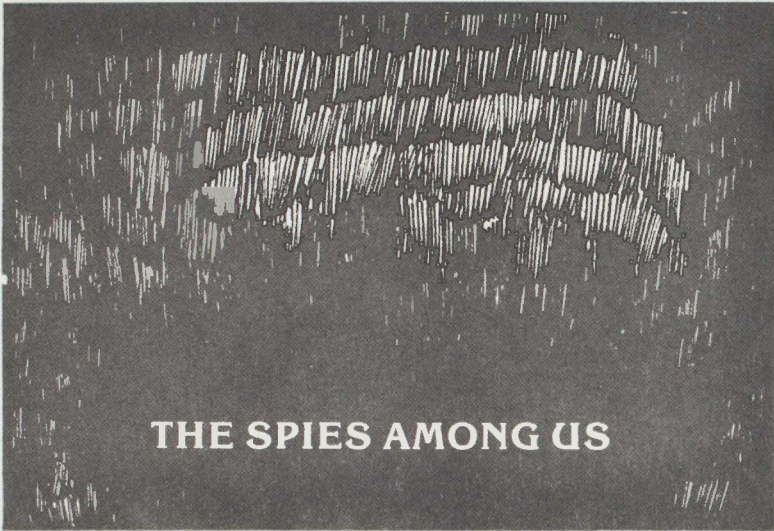
the conspiracy through the use of agents provocateurs.

Despite U.S. District Judge Winston E. Arnow's insistence that "the government is not on trial here", the defense managed to introduce the fact that one of the government's informers was actually on the payroll of the Committee to Re-Elect the President.

The prosecution relied upon the testimony of William Lemmer who detailed various meetings with VVAW officials. Lemmer admitted that he had worked for years as an FBI informer and provocateur and had been involved in a firebombing at the University of Arkansas as well as a marijuana "harvest" in Kansas.

## **MOVING TO THE RIGHT**

Gary Thomas Rowe, Jr. joined the Klu Klux Klan at the request of the FBI and participated in civil rights violence under FBI supervision from



## THE SPIES AMONG US

1959 to 1961. Rowe, whose code name was “Karl Cross”, admitted that with FBI help he planned a “reception” for Alabama Freedom Riders in 1961 “they would never forget”. According to a Birmingham police officer, with whom Rowe worked, “We don’t care if you kill ’em, burn ’em, bomb ’em out. We don’t give a damn.”

Rowe took his story to a Senate Committee because the FBI had reportedly failed to give him a lifetime government job promised him for his work. Rowe detailed his work in the Klan and how he was to spread rumors about “who was sleeping with whom” and to have sexual relations with as many of the Klansmen’s wives as possible.

No charges were brought against Rowe by the FBI.

## BOMBINGS

A young, black Vietnam War veteran, Larry Ward, back in the U.S. only two weeks, was shot



down and killed by two policemen who had been warned that Ward would be attempting to plant explosives as a plot to blow up a construction site at the University of Washington.

Ward's death brought forward two disillusioned FBI agents provocateurs, David Sannes and Jeffrey Desmond.

Desmond submitted affidavits in which he detailed his recruitment as an FBI bomber. Desmond admitted setting bombs and recruiting others to watch him build the explosives. Desmond would then turn his unsuspecting participants into the FBI. "My instructions were general," Desmond said, "to find people interested in bombing. These were people that I sought out for the FBI."

Sannes, disillusioned with his role, went to the press with his story.





## **FROM HOOVER WITH LOVE**

Rather than being a few scattered incidents, the use of provocateurs by the FBI has been seen as a matter of policy and not the exception. In some cases the agent provoked others into crime. In other cases, the agent simply broke the law for the FBI. And in some, they simply provided the opportunity for the violence to occur:

\*\*Timothy Redfearn testified that to earn his \$400 a month pay from the FBI as an informer, he had to burglarize twice the Socialist Workers Party offices in Denver, turning the stolen documents over to his "handler".

\*\*William O'Neal was able to report to his FBI "contacting agent" that his new position as body guard to Black Panther leader Fred Hampton was assured. O'Neal turned over detailed floor plans of Hampton's Chicago apartment and shortly afterwards, on December 4, 1969, police staged a

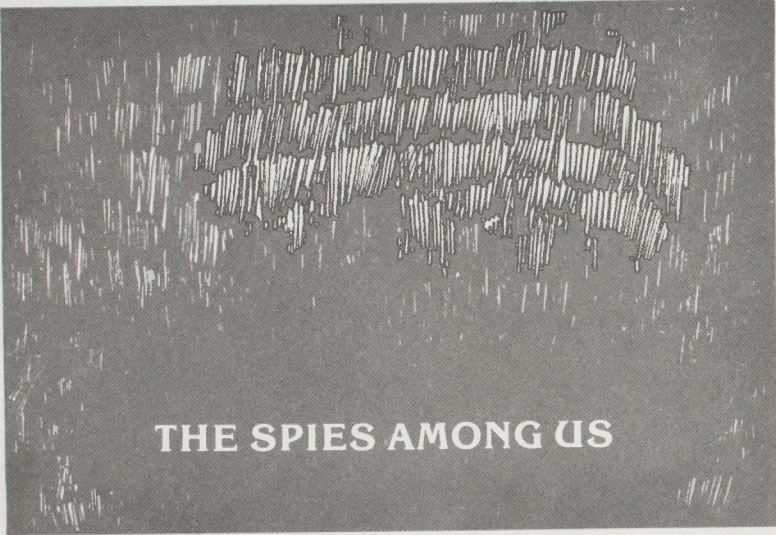


pre-dawn raid resulting in the death of Hampton and a companion.

\*\*Charles Grimm became an agent provocateur for the FBI in April, 1970. His task was to infiltrate the student movement in Alabama and provoke violence. It did not take Grimm long, when during May, 1970, he threw three Molotov cocktails at an apartment building near the campus, set fire to an abandoned house and burned a University facility plus a private residence.

\*\*Douglas Durham, who was making \$900 a month from the FBI for his work, worked his way into the American Indian Movement to such a point that his income was raised \$200 by pleased officials. He fed the FBI sensitive and confidential information on AIM legal strategy and helped lead an armed takeover of a state office building in Iowa.

\*\*On June 30, 1968, two FBI informers lured two Mississippians into a bombing attempt in the city of Meridian with a bribe of \$38,500. One



was wounded and captured and sentenced to 30 years, while his companion, a married woman, was shot to death by police.

\*\*Two young black men were killed on the UCLA campus on January 17, 1969, as the result of a feud between two organizations. The FBI stepped in to stir up the conflict even more, and two more were slain on May 23rd and August 15th.

\*\*Tommy Tongyai posed as an organizer for the Students for a Democratic Society in Geneva, N.Y., in 1970, and talked a group of four freshmen into firebombing the ROTC building on the Hobart Campus; then he turned them in to the FBI. Tongyai was shielded by a grand jury which kept the role of the FBI out of the investigation.

## **FBI'S PRIDE IN VIOLENCE**

The liberal or left-wing is not the only target of agitation via agents provocateurs. A disbanded



Minuteman organization was revitalized in 1967 by Howard Berry Godfrey who converted the group into the "Secret Army Organization" (SAO), all under the direction of the FBI in San Diego.

Godfrey, who was paid \$250 a month plus expenses, used FBI resources to furnish firearms, explosives and other equipment to account for 75% of the SAO's operating expenses during a period of violence from 1967 to 1972.

Godfrey was finally apprehended during a bombing of a movie theatre in June, 1972, but he averted prosecution and moved to Utah where he reports "The FBI is taking good care of us."

A staff report of the Senate Select Committee on Intelligence reported on May 8, 1973 in a report to Washington, D.C. that the San Diego FBI office "pointed with pride" to their own role in a wave of Southern California violence that had resulted in four deaths:

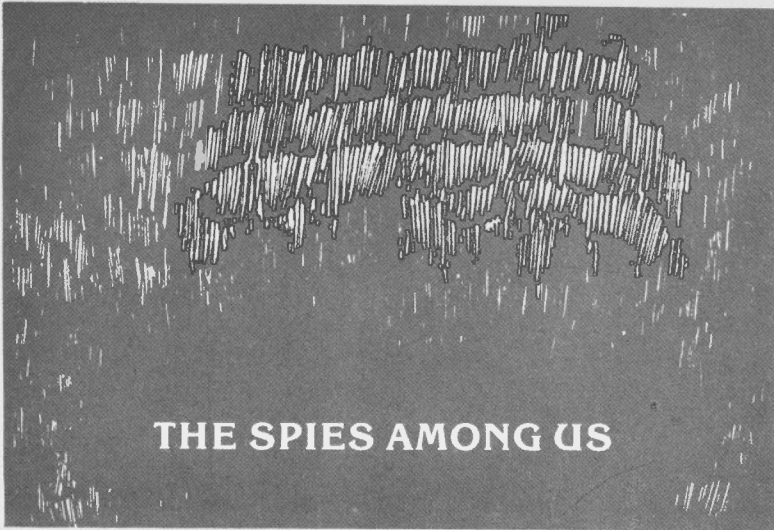
Shootings, beatings and a high degree of unrest continue in the ghetto area of south-



east San Diego. Although no specific counter-intelligence action can be credited with contributing to this overall situation, it is felt that a substantial amount of the unrest is directly attributable to this program.

\*\*On May 20, 1973, the same week that the Camden case went to the jury, Seymour M. Hersh of the *New York Times* reported that "One of the most militant and outspoken members of the radical Weathermen organization, during its peak period of bombing and other violence, was an informer and agent provocateur for the FBI."

Hersh wrote that 25 year old Larry D. Grantwohl had participated in several bombings and had been in "direct contact" with Guy L. Goodwin of the Justice Department who was prosecuting criminal cases against the Weathermen. Such liaison between informers and prosecutors is against governmental regulations, Hersh stated. Since his exploits with the Weathermen on behalf of the

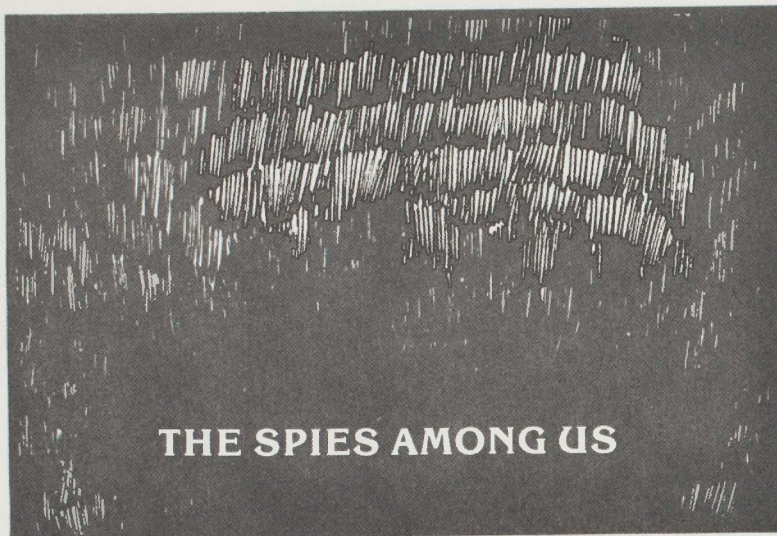


FBI, Grantwohl had been appearing before federal grand juries testifying against those whose violence he had aided and abetted.

While shielding provocateurs, grand juries have been used to effect the next stage of harassment—indictments. The *Boston Globe* was able to note in 1973 the discrepancy between indictments and convictions:

Grand juries have continued to be led by Justice Department attorneys into indicting dissenters for their “high crimes”. But petit juries have acquitted or courts have dismissed in nearly all cases since the conviction of the so-called Harrisburg Seven for destroying draft records in 1967. . . .

Since that guilty verdict, the Administration has been defeated in its fantastic effort to convict the Berrigans and others of “plotting” to kidnap Henry Kissinger and blow up heating mains under government buildings. All



five defendants in the Spock "conspiracy" have been acquitted in New York, the Soledata brothers were acquitted in California, Black Panther chairman, Bobby Seale, has been acquitted in New Haven, and Huey Newton and nine other "conspirators" were freed in New Bedford.

But perhaps, the damage had already been done. The allegations and charges flew through the media, and the public was privy to wild allegations and violence. Yet, in a court of law, the government lost on all counts.

## **THE SCIENTOLOGY RAID**

On July 8, 1977, FBI agents, accompanied by a cordon of U.S. attorneys, staged the largest single coordinated raid in the history of the Bureau. Nearly 200 agents (only 40 were used at Wounded Knee) struck at Church of Scientology offices in



Los Angeles and Washington, D.C. For the next 20 hours, FBI agents roamed through church offices and dormitory spaces smashing in doors and filing cabinets with battering rams, power saws and crowbars. In the words of conservative national columnist, James Kilpatrick, "It was gangbusters all over again."

Besides being armed with a veritable array of wrecking equipment, the agents also carried warrants specifying about 150 documents allegedly "stolen" from government files. But, when they left nearly 24 hours later, over 100,000 pages of church records had been carted away from the Los Angeles church alone. Included were confidential attorney-client correspondence on legal strategies against the FBI and Justice Department.

Two weeks after the raid, a Federal District Court in Washington, D.C. ruled the raid in that city was illegal and unconstitutional and ordered the FBI to return the material seized. Two weeks later in Los Angeles, another Federal District

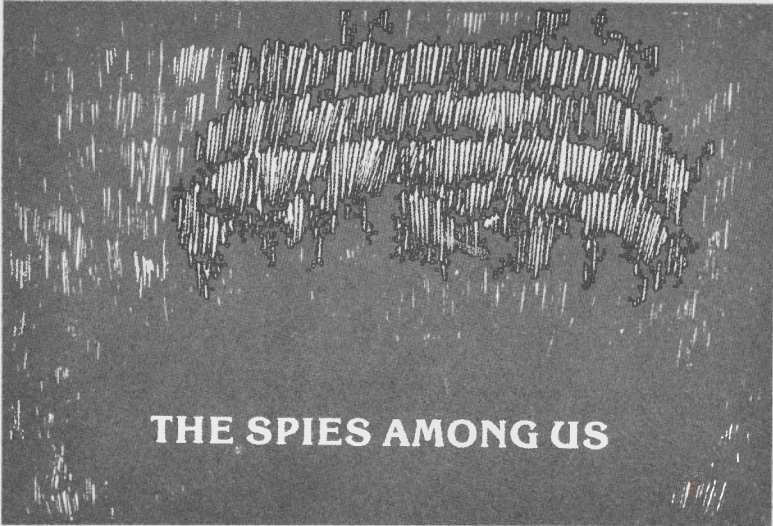




Court agreed with the Washington ruling. As would be expected, the government appealed the decision to the next higher court, which, while ruling the warrant constitutional, admitted there were yet other salient points regarding the raid that had yet to be tested in the courts. The matter may well have to be heard by the Supreme Court and with it will ride vital legal issues of interest to many concerned with the constraints of an overpowering government.

The FBI warrant was based upon the affidavit of an agent who had interviewed a Michael Meisner, who claimed to be a disaffected church official. According to the affidavit, Meisner claimed to have obtained copies of federal documents dealing with the church's legal fights with the U.S. government and recruited others to help.

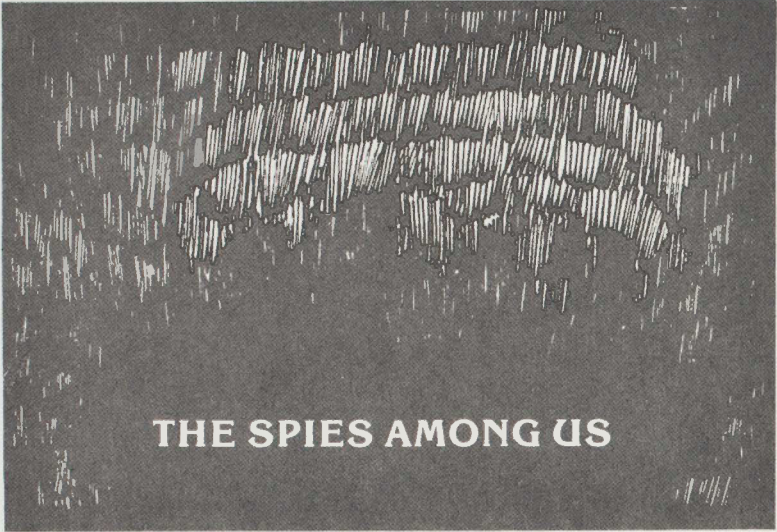
As church officials pieced together the events, a number of disturbing and unanswered puzzles began to surface:



1. Meisner claimed he worked in D.C., but was in Los Angeles when he decided to give himself up. Yet he traveled at his own expense back to Washington when a local federal office would have served as well. *Was there someone in Washington Meisner had to find such that LA was inappropriate?*

2. Meisner allegedly states he spent some months in LA before returning to Washington to "give up", but was not working with the church during those final weeks and so was unable to leave with any documents. Yet the FBI search warrant, based completely upon his recall of events years before, was able to list out allegedly stolen documents with meticulous detail down to the date. *Did the FBI know before Meisner fled to DC which documents were "stolen"?*

3. The search warrant was sufficient to gain the signature of a magistrate, yet even the greenest student of constitutional law could have



challenged its legality in light of long-standing court decisions prohibiting general, catch-all phrases, hardly the work of top professionals in the Justice Department. As no individuals were the targets of the warrant, but documents only, *could the wholesale inspection of all church records have been, in part, the motive for the raid?*

4. A witness to a briefing of FBI agents on church premises the day of the raid overheard a "cover story" of "stolen documents" being given. According to the eyewitness' affidavit, agents were being instructed to look for documents relating to the American Medical Association and Better Business Bureau. *Why would the FBI be searching for documents about the AMA and BBB?*

5. Government attorneys later conceded to a federal judge that most of what they took was not relevant to the warrant. *If Meisner was who he claimed, why were nearly 200 agents needed to prowl through church records and cart away 100,000 pages of documents?*



6. A matter of weeks before the raid and approximately the time that Meisner “fled” to Washington at his own expense, a church sponsored commission revealed it had uncovered a massive international narcotics network that was known to selected federal officials. *When church officials asked that the Justice Department verify the names of drug traffickers who were in law enforcement, why was this documentation shredded and the church raided?*

## **CONCLUSION**

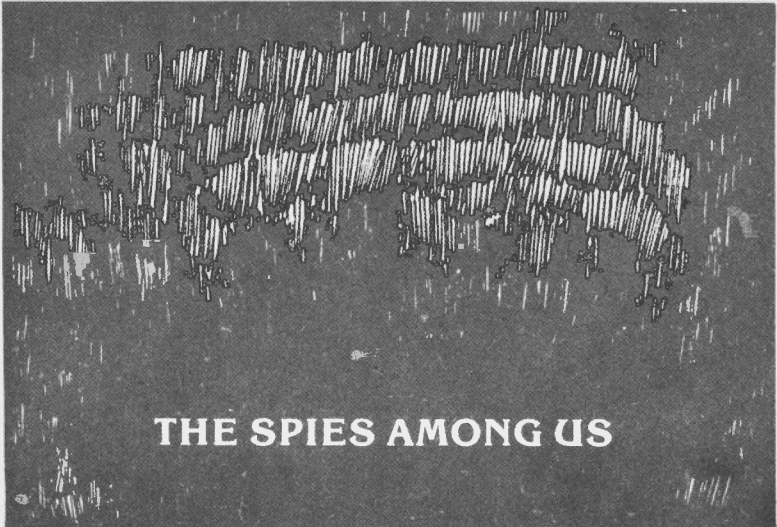
FBI reliance on the agent provocateur as a matter of policy continues to come to view. Whether or not Meisner’s true employer was the same as Hardy’s in Camden or Lemmer’s in Gainesville remains to be seen; the Church of Scientology will certainly, although it may take time, have its day in court to find out. Perhaps then the answers to these and other questions will be resolved.



Until then, the matter will remain in the courts, as it should. Whether or not the law was broken by FBI and/or Justice Department employees is not a matter for the church to decide.

But the pattern is indelibly there, and the *Charlotte Observer* reminded its readers on May 22, 1973, of the direction such tactics as the Camden fiasco and FBI agents provoking the Weathermen could take if not abated:

All of this can be viewed on one level as simply an abuse of power in the pursuit of alleged wrongdoers. But there is a deeper political implication. There were actions that helped the cause of national law - and - order candidates by fomenting disorders which they, bearing extremist solutions, could make the most of. Those at the top of the hierarchy, who ultimately were responsible for the work of the agents provocateurs, stood to gain politically.



We should recall the example of the Nazi law - and - order advocates, who fomented violence and behaved lawlessly while promising to restore Germany. We have not reached that point in the United States, but sometimes it seems not so far away.

# CRIME AND THE FBI

“Shootings, beatings and a high degree of unrest continue in the ghetto area of southeast San Diego. Although no specific (FBI) counter-intelligence action can be credited with contributing to this overall situation, it is felt that a substantial amount of the unrest is directly attributable to this (FBI) program.”

FBI memorandum as reported  
in a staff report of the Senate  
Select Committee on Intelligence  
dated May 8, 1973

“We should recall the example of the Nazi law and order advocates, who fomented violence and behaved lawlessly while promising to restore order in a frightened Germany. We have not reached that point in the United States, but sometimes it seems not so far away.”

*The Charlotte (N.C.)  
Observer, May 22,  
1973*

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AB SUIT

FBI INF

SOCIALIST WORKERS

PARTY FBI

SUIT



**The  
Nation's Press  
Views the  
Landmark Suit  
that is  
Uncovering  
FBI and CIA  
Crimes**

# Contents

## A Chronology

A landmark civil liberties lawsuit by the Socialist Workers Party has been making news for nearly three years.

Month after month the case has forced out important revelations of illegal government operations that would not have become public otherwise. (This suit led to the recent disclosure that burglaries by FBI agents have been for years a routine bureau activity.)

The SWP, and attorneys Leonard Boudin and Herbert Jordan, took the case to court in July 1973. Their aim was to uncover and help stop unconstitutional attacks on people who oppose administration policy. The Political Rights Defense Fund began a nationwide effort to publicize and raise money for the case.

The suit is still very much needed. In spite of months of revelations, Congressional hearings, commissions, recommendations, and administrative guidelines, the government hasn't outlawed or abolished FBI and CIA attacks on basic democratic rights.

This case is today the main challenge to those continuing attacks. It will go to trial sometime in the next year.

The Socialist Workers Party is a legal party, and the case is strong. A court injunction against political spying and harassment will be a historic victory for the rights of everyone.

The newspaper stories, editorials, and political cartoons here record the highlights of the early part of the suit. They are only a sampling of many hundreds that have appeared in the nation's press.

- Page 4            July 18, 1973. The SWP filed a \$27 million damage suit in Federal court, seeking to forbid burglary, mail tampering, bugging, wiretapping, and other harassment.
- 5-6              January 7, 1974. The government answered in court, making some startling admissions of harassment. As it turns out, the most important thing about the document is the number of lies the government told. For one thing, the government lied about tampering with the party's mail. For another, it lied about the disruptive purpose of its Counterintelligence Program (Cointelpro). (*The government also lied about FBI burglaries.*)
- 7-8              December 1974. Federal Judge Thomas P. Griesa ordered the FBI not to spy on a national convention of the Young Socialist Alliance. The judge said the government hadn't shown evidence of any crimes or violent activities by the group. On appeal, Supreme Court Justice Thurgood Marshall allowed the FBI to send its informers to the convention, but said the underlying constitutional issues should be settled in a trial.
- 9-10             January 1975. In the first of the revelations about Cointelpro, files showed the FBI used anonymous, derogatory letters to get a socialist professor fired.
- 11-17            March 1975. Hundreds of pages of files from the Cointelpro-SWP Disruption Program detailed the FBI's massive and illegal intrusion into American political life. Scores of newspapers condemned Cointelpro. The SWP made public evidence that harassment continues today.

- 18-19 June 1975. New revelations of Cointelpro showed FBI efforts to disrupt the antiwar movement and to get teachers fired.
- 20-21 July 1975. Official CIA files proved that domestic spying by the agency is broader and of longer duration than reported by the Rockefeller Commission.
- 22-24 October 1975. FBI proved that Cointelpro harassment techniques continued past the date given by the bureau as the end of the program. The New York Times said, "The only conceivable purpose of the continuation of the Cointelpro techniques is harassment and disruption of legitimate political activity." Herblock wondered, "What we'll find out next year that they're 'not doing any more'." New revelations of Cointelpro showed an attack on the Democratic Party.
- 25-26 November 1975. The House Intelligence Committee (Pike Committee) heard testimony from Peter Camejo, the SWP presidential candidate, and from top FBI officials. Under sharp questioning, FBI spokesmen admitted that the SWP is "not violent." Following the House Intelligence Committee hearing and the revelations of FBI attacks on Martin Luther King, Jr., The New York Times editorially condemned the FBI operations.
- 27 December 1975. The FBI's Administrative Index was exposed as political harassment continuing under the guise of criminal investigation.
- 28 January 1976. Operation CHAOS files detailed CIA spying on college campuses. Other CIA files showed that the agency kept information about Americans after the date given as the end of Operation CHAOS.
- 29 February 1976. The Pike Committee Report said that the SWP is "a legitimate American political party" and the FBI's "investigation" of the party is based largely on an unconstitutional law, the Smith Act.
- 30 February 1976. Prominent Black figures urged support for the SWP suit.
- 31-38 March 1976. A massive revelation of files showed that burglaries have been for years a routine practice of the FBI. In a six year period, agents of the FBI burglarized the SWP at least 94 times—*an average of once every three weeks*. The new information directly contradicted the government's statement, in the SWP suit, denying burglaries. It also showed that government officials misled the Congressional intelligence committees. Editorials strongly defended the SWP's constitutional rights.
- 39 April 1976. The FBI defended in court its current "investigation" of the SWP by saying it feared party members "might gain responsible positions not only in Government but also in industry and education." That policy is exactly parallel to Cointelpro. The FBI says in 1976 that it has the right to drive people out of their jobs—five years after Cointelpro harassment was supposedly ended.

## 2 Socialist Groups Sue Nixon and Aides Over 'Harassment'

By ARNOLD H. LUBASCH

The Socialist Workers party filed a lawsuit in Federal court here yesterday, seeking more than \$27-million in damages from President Nixon and other Government officials on charges of violating the party's constitutional rights with illegal activities related to the Watergate affair.

Linda Jenness, the party's 1972 Presidential candidate, said that the lawsuit was part of a drive to expose and end what she termed "the use of secret police and other police-state measures against those groups and individuals that the rulers of this country consider to be enemies."

The suit by the party, the Young Socialist Alliance and several members contended that the Government had engaged in a "systematic campaign of excessive interrogation, employment discrimination and other harassment" that impaired the party's ability to participate effectively in Federal, state and local elections.

A permanent injunction is sought to restrain the Government from "interrogating, surveying, threatening, enticing or affecting the employment of Socialist Workers party members or supporters" because of their party affiliation.

The suit, which also seeks to enjoin wiretapping, monitoring of mail and breaking into party offices, requests an order to strike the Socialist Workers party from the Attorney General's list of subversive organizations.

Compensatory and punitive damages against President Nixon, former Attorney General John N. Mitchell, John W. Dean 3d, former counsel to the President, and several other present or former officials are sought for the Socialist Workers party, its members and supporters.

Leaders of the party announced the action at a news conference in the law offices of Leonard B. Boudin at 30 East 42d Street.

## Nixon, Gaters Sued for 27M By Socialists

The Socialist Workers Party and the Young Socialist Alliance sued President Nixon and several principals in the Watergate case yesterday for \$27.3 million, charging terrorism, blacklisting, bugging, mail tampering, burglary and harassment.

Leonard Boudin, one of Daniel Ellsberg's lawyers in the Pentagon case, is the attorney for the left-wing groups. Among those named as defendants in the case, in addition to Nixon, are John Mitchell, John Dean 3d, H.R. Haldeman, and John D. Ehrlichman.

### "A Major Step"

Boudin said the Manhattan Federal Court suit could be "a major step in reversing the

erosion of political and civil liberties." He said the party had had its headquarters bombed and burned, its campaign offices burglarized, and its members and supporters denied employment.

"All the available information fixes the responsibility for these acts with the federal government, and its various "anti-subversive" subdivisions, Boudin said.

Speaking in his law office, 80 E. 42d St., Boudin referred to the Watergate disclosures and said: "For many years the Socialist Workers Party and the Young Socialist Alliance have been subjected to specific offensive acts by the government. Now the political situation seems to have changed, and we think it appropriate to take the offensive."

## International Herald Tribune July 23, 1973

### U.S. Socialist Party Sues Nixon, Mitchell, Etc., for \$27.5 Million

NEW YORK, July 22 (Reuters).—The Socialist Workers' party has filed a \$27.5-million suit against President Nixon, former Attorney General John N. Mitchell, John D. Ehrlichman, H. R. Haldeman and other top former White House aides for conspiring to violate the constitutional rights of the party through arson, bugging and harassment.

The suit was filed in U.S. District Court here last week by Leonard Boudin, who was chief counsel for Daniel Ellsberg in the Pentagon papers trial. The Socialist Workers' party is also seeking an injunction against 25 years of "sustained FBI harassment," burglaries of their offices and homes around the country, firebombing of their Los Angeles and Houston offices and bugging of party members' homes.

Mr. Boudin said the suit asks for an injunction to stop government agencies engaging in "illegal acts such as spying, reading mail, firebombing and wiretapping."

He stressed that "a successful outcome of this suit will strengthen democratic rights and civil liberties for everyone, not just for Socialists."

## U.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.

## U.S. admits harassing Socialists

NEW YORK (Reuter): The federal government has admitted conducting a "Socialist Workers Party disruption program" and spying on the party since 1945.

The admissions, in response to a \$27-million suit against the government, are contained in a document filed yesterday in U.S. District Court here. In it the government conceded that any person who "indicated" he was a member of the SWP was subject to investigation by the FBI who "may have" asked questions of SWP members' employes and neighbors.

The government claims the "disruption program" was conducted in the interest of national security, a defense it has used repeatedly in rationalizing various Watergate-related activities.

However, said John Ratliff, a lawyer for the Political Rights Defense Fund which is handling the SWP suit, "when the government singles out and harasses a political group on the basis of its ideas and programs, it threatens everyone's rights."

The suit, filed last July 18, charged the government and its top officials with various violations of rights of SWP members, with burglarizing and firebombing their offices in Houston and Los Angeles and of creating disruptions in at least 40 cities.

Linda Jenness, the party's 1972 presidential candidate, emphasized at the press conference that the government's action "was not aimed only at Socialists, but at anyone who disagrees with government policy."

## 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

The Los Angeles Times  
Editorial  
March 12, 1974

## The FBI Crosses the Line

It is one thing for the FBI and other police agencies to keep abreast, through counterintelligence work, of the activities of violence-prone organizations. It is quite another for the police to cross that line and engage in campaigns of disruption against the legal political activities of dissident groups.

Yet new disclosures reveal that the FBI under J. Edgar Hoover established seven different counterintelligence programs for systematic sabotage of organizations from left to right.

A Hoover memorandum of Oct. 12, 1961, is especially significant. It noted that the Socialist Workers Party had been "openly espousing its line on a local and national basis through running candidates for public office and strongly directing and/or supporting such causes as Castro's Cuba and integration problems in the South." The memorandum said, "It is felt that a disruption program . . . could be initiated against the SWP . . ."

After the Columbia University riots, the FBI target for disruption was the New Left and its

"key activists." Other counterintelligence programs were labeled: Espionage; Disruption of White Hate Groups; Communist Party, USA; Counterintelligence and Special Operations, and Black Extremists.

In dealing with the Black Panther Party, Hoover suggested the use of fabricated local police and FBI documents to spread distrust and dissension among party members. Part of the technique was false labeling of some Panther members and leaders as police informers.

Counterintelligence carried to these lengths smacks of police-state tactics. Hoover, who denounced the Socialist Workers Party for sponsoring candidates for public office, asserted the power in this situation and others to suspend the Constitution by ukase.

Society faces many dangers. Not the least is the apparent belief by the FBI that police agencies can set aside the Constitution at will.

## Judge Bars F.B.I. Watch Over Parley of Socialists

By ARNOLD H. LUBASCH

A Federal judge has ordered the F.B.I. not to conduct any surveillance of a national convention of the Young Socialist Alliance.

Judge Thomas P. Griesa issued the order in Federal District Court here as a result of a complaint by the alliance, a left-wing political group, which said that the Government's surveillance inhibited people from attending its meetings and exercising their freedom of speech.

The judge's order, which was signed Friday night and filed yesterday, bars the Federal Bureau of Investigation from "attending, surveilling, listening to, watching or otherwise monitoring" the alliance's 14th national convention beginning Dec. 28 in St. Louis.

Leonard Boudin, a lawyer for the socialist group, said that the order marked "the first time in American history that a Federal court has prohibited F.B.I. surveillance of any political organization." He added that it was "a legal consequence of Supreme Court decisions protecting the right of association."

### Justification Denied

The F.B.I. declined to comment on the order, which the Government may appeal to the United States Court of Appeals for the Second Circuit.

Judge Griesa said after a two day hearing that he was issuing the order to the bureau because "the proposed surveillance threatens a substantial impairment of First Amendment rights" without justification by the Government.

For many years, the judge said, the F.B.I. has apparently carried on surveillance of meetings of the Socialist Workers Party and its Young Socialist Alliance because they were considered "Marxist revolutionary organizations whose purpose is the illegal overthrow of the United States Government."

He observed that information obtained in this surveillance as kept in files, supplied to other agencies and used to question party members who sought Government jobs.

The F.B.I. planned to send confidential informants to the Dec. 28 convention to find out who attended the meetings and what they discussed. Judge Griesa said, adding that such surveillance was a "substantial deterrent" to attendance by the Young Socialists.

"As a matter of policy," the judge said, "it seems to me that the healthy thing for our society to do is to permit this group to freely have their discussions of the issues which concern them and of their theories."

The judge stressed that the Government had provided "absolutely nothing" to indicate any violent or illegal activity by the Socialist groups.

Herbert Jordan, who argued their case at the hearing, submitted affidavits by Socialist leaders asserting that they did not "advocate violence or any other illegal activity."

The surveillance complaint was part of a continuing lawsuit by the Socialist groups seeking an injunction and damages for alleged harassment by the Government.

### N.Y. Court Intervenes

## FBI Presence Barred At Socialists' Meeting

By William Claiborne

Washington Post Staff Writer

NEW YORK, Dec. 16 — The FBI has been enjoined by a federal court judge here from conducting surveillance of a Dec. 28 national convention of the Young Socialist Alliance, a youth branch of the Socialist Workers' Party.

U.S. District Court Judge Thomas Griesa said the YSA's "Rhetoric of revolution" has failed to justify FBI surveillance, and he ordered federal agents and any of their informants to stay away from the upcoming convention.

"You've been looking at this group for 35 years and you haven't produced one single solitary crime or incitement to violence in the U.S. by anyone in this organization," Griesa said in a bench opinion.

A longer, written opinion by Griesa is expected to be issued on Tuesday.

Leonard Boudin, a lawyer for the Socialist group, said the ruling represented "the first time in American history that a federal court has pro-

hibited FBI surveillance of any organization"

The government had admitted that it routinely monitors Socialists' conventions because such groups have advocated the violent overthrow of the U.S. government.

The YSA said it accidentally learned of the FBI's surveillance plans when a hotel convention official told Socialist officials that government agents had inquired about which rooms the group has reserved. On Oct. 25, the YSA filed a motion for a preliminary injunction prohibiting FBI surveillance.

YSA attorney Herbert Jordan argued that the presence of FBI agents would inhibit attendance at the convention, and therefore would be a violation of the First Amendment.

Griesa's order is part of a broader civil liberties suit filed by the YSA and the Socialist Workers' Party, seeking injunctions against "illegal surveillance and harassment."

**Socialist Workers Party Youth Affiliate**

# Marshall Rules FBI Free to Infiltrate Convention

By John P. MacKenzie  
Washington Post Staff Writer

Supreme Court Justice Thurgood Marshall yesterday refused to block the FBI's plans to send agents and informants to the national convention of the Young Socialist Alliance, the youth affiliate of the Socialist Workers Party, which opens today in St. Louis.

"Our abhorrence for abuses of governmental investigative authority cannot be permitted to lead to an indiscriminate willingness to enjoin undercover investigation of any nature whenever a countervailing First Amendment claim is raised," Marshall said.

Marshall refused to set aside a ruling by the Second U.S. Circuit Court of Appeals, which in turn had reversed an injunction by U.S. District Court Judge Thomas P. Griesa in Manhattan. A similar request was made to Justice Lewis F. Powell Jr. and was rejected.

Judge Griesa ruled two

weeks ago that the FBI, which is being sued by the Socialist Workers for alleged disruptive "dirty tricks" and surveillance over the years, had shown "absolutely nothing" to warrant bureau monitoring of the lawfully assembled party.

The court of appeals reversal came on the FBI's complaint that obedience to the injunction would blow the cover of informants planted within the party because their nonattendance at the five-day convention would make them easily identifiable.

Justice Marshall, a former judge of the Second Circuit, who hears emergency matters from that court during the high court's recess, left the way open for FBI informants, none of whom has yet been identified in the lawsuit, to take part in the convention.

He said that to require tipsters who have become active party members "to remain silent throughout the conven-

tion would render them as readily identifiable in some cases as an order excluding them."

Marshall, like the lower court judges, emphasized that he was not ruling on the ultimate legal issues in the Socialist Workers' lawsuit against the FBI, the CIA and other intelligence-gathering agencies.

Leonard B. Boudin, representing the party, said the lawsuit could become another vehicle for smoking out evidence of alleged CIA involvement in domestic surveillance.

Marshall's six-page opinion gave the Socialist Workers one small victory that could give them long-run help in their lawsuit. He rejected the Justice Department's argument that the party's fears of injury to their First Amendment rights were not serious enough to warrant court attention to the merits of the dispute.

Marshall said he was reluctant to reinstate the injunction on the eve of the convention because that would amount to outright reversal of the court of appeals.

Like the court of appeals, Marshall laid down the condition that the FBI not transmit any information to the U.S. Civil Service Commission and not engage in any "disruptive activity" at the convention. He added that the bureau was not to convey any intelligence matter to "non-governmental entities such as schools or employers."



# Files of F.B.I. Showed It Harassed Teacher

By NICHOLAS M. HORROCK  
Special to The New York Times

WASHINGTON, Jan. 28—The Counterintelligence Program of the Federal Bureau of Investigation attempted to encourage the dismissal of an Arizona State University professor in 1970 by filing an anonymous, derogatory letter about him with a college committee that was reviewing his teaching contract, according to documents from F.B.I. files.

The documents were released to the professor, Dr. Morris Starsky of Los Angeles, by Attorney General William B. Saxbe after Dr. Starsky appealed under the terms of the Freedom of Information Act. The documents were made available today to The New York Times.

It is the first documented specific incident of harassment of a private citizen by the counterintelligence program, known as Cointelpro.

## Saxbe Disclosed Program

The existence of Cointelpro was disclosed by Mr. Saxbe last November when he made public a 15-year review of the F.B.I.'s domestic and counterintelligence efforts.

The committee that conducted the review of F.B.I. activities, a committee that included Clarence M. Kelley, director of the F.B.I., said that some of the Cointelpro operations "can only be considered abhorrent in a free society.

A spokesman for the F.B.I. said that he had no immediate comment on the Starsky case and referred reporters to earlier statements by Mr. Kelley. Mr. Kelley said in news reports last November that the "F.B.I. officials involved in these programs acted entirely in good faith and within the bounds of what was expected of them by the President, the Attorney General, the Congress and the American people."

Dr. Starsky was an associate professor at Arizona State University from 1964 until 1970 and was known as an outspo-

ken supporter of liberal causes. He had organized the first antiwar teach-ins at the school, helped win campus rights for the Students for a Democratic Society and was a member of the Young Socialist Alliance and Socialist Workers party.

Representatives of the Political Rights Defense Fund, working with the Socialist Workers party, have made the documents available to a House Judiciary subcommittee, which will begin an inquiry into F.B.I. activities Thursday.

## Decision Laid to Hoover

According to the documents, which Professor Starsky is expected to make public tomorrow at a news conference in Phoenix, the authorization to send an anonymous letter to discredit him came directly from J. Edgar Hoover, the late director of the F.B.I., after a request was filed by the senior agent in charge in the Phoenix field office.

Under orders from Attorney General Saxbe, the bureau released 14 pages of documents to Dr. Starsky, including cables between the Phoenix field office and Washington headquarters of the bureau and other internal memorandums. The documents have been heavily edited with Mr. Saxbe's authorization on the grounds that the deleted portions might "compromise confidential F.B.I. sources," that they discuss law enforcement matters not covered by Cointelpro or that they dealt with internal policy-making decisions of the bureau. Four Cointelpro documents involving Dr. Sparsky were withheld, according to a letter from Mr. Saxbe to Dr. Starsky's lawyer.

The first F.B.I. document, dated May 31, 1968, said: "It is apparent that new left organizations and activities in the Phoenix Metropolitan area have received their inspiration and leadership almost exclusively from the members of the faculty in the department of philosophy at Arizona State University, chiefly Assistant Prof. Morris J. Starsky. The most logical targets for potential counter-intelligence action locally are therefore pretty obvious."

The documents say that the bureau proceeded to keep track of Dr. Starsky, noting his growing problems with the university administration and the board of regents over his political activities. On April 7, 1970, according to the documents, the senior agent in charge in Phoenix sent a multipage "Airtel (F.B.I. jargon for cable communication to the "Director, F.B.I." who at that time was Mr. Hoover.

"Enclosed herewith for consideration of the bureau are six copies of an anonymous letter being suggested for mailing to five faculty members at Arizona State University (ASU) hearing charges against Prof. Morris J. Starsky a [deleted] in the Phoenix, division," the first paragraph of the cable said.

## Request for 'Approval'

It proceeded to tell of an alleged police incident reported to the Tempe, Ariz., police department in which Dr. Starsky and his wife had allegedly threatened a young worker in a socialist group in a dispute over money. The F.B.I. cable stated that the young man had withdrawn his complaint and the matter had never been adjudicated.

The cable said that an F.B.I. informant had reported that a supporter of Dr. Starsky was "quoted as making the statement that Starsky should be fired because of this incident.

There are several substantial deletions and the cable ends with the request for "approval" to mail an anonymous letter to the five professors sitting on an ad hoc university committee—Dr. Ross R. Rice, chairman, and Profs. John A. Cochran, Richard W. Effland, John P. Decker and Wallace Adams — reviewing charges against Dr. Starsky.

The same afternoon, according to the documents in a dispatch marked "route in envelope," from Mr. Hoover's office, to Phoenix, it is noted that "authority is granted to make the anonymous mailing as suggested in . . . Airtel."

The letter was sent shortly thereafter, the documents note. Two members of the faculty committee, Dr. Rice and Dr. Cochran, both said they re-

called receiving it and they were sure the entire committee received or was aware of the letter.

"It seems appropriate that you should be informed of one of the most recent activities of Morris J. Starsky," the letter began. It then alleged that when Mr. Starsky and his wife had heard of a suicide attempt of one of his "close campus workers" he had gone to the man's house, had attempted to retrieve socialist documents, and the men had argued over money. At one point the letter alleged, "Starsky told him that his two associates would beat him unmercifully."

The letter went on. "It seems to me that this type of activity is something that Himmler or Beria could accept with pride." The letter was signed "A Concerned ASU Alumnus"

Dr. Rice said in a telephone interview today that he had not known "until this minute that the letter came from the F.B.I." Dr. Cochran said that he did not believe the letter had had any direct effect on the committee's final decision about Dr. Starsky, but I don't think it helped him."

The committee had ultimately recommended that Dr. Starsky not be dismissed but the board of regents overruled the committee and the late Harry Newburn, president of the university, and arranged for Dr. Starsky to take a one-year sabbatical from which "he would not return." Dr. Sparsky has contended in a lawsuit that he has been unable to find work as a professor since then and is now working in research.

In a final memorandum released by the F.B.I., the Phoenix office reported that an informant "advised that the various charges against Starsky brought out during this hearing and other anonymous charges received by the faculty committee members greatly tarnished Starsky's reputation and standing in the academic community."

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# The New York Times

## Editorial

February 5, 1975

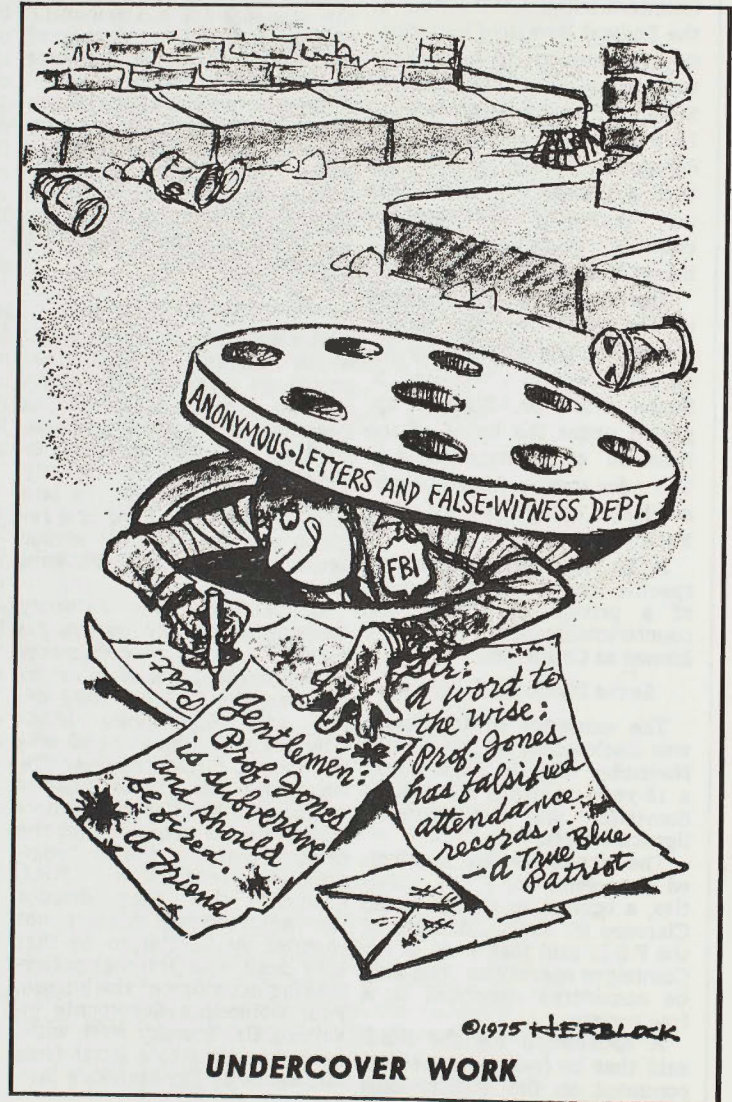
### Poison-Pen Police

Former Attorney General Saxbe has released evidence that the Federal Bureau of Investigation engaged in a deliberate campaign of defamation against a radical professor at Arizona State University. The clandestine efforts, which included the writing of anonymous letters to a faculty committee dealing with the teacher's professional future, continued for a period of two years, between 1968 and 1970. They appear to have had the personal approval of the late F.B.I. Director J. Edgar Hoover.

Dr. Morris Starsky, philosophy professor, anti-war activist and member of the Socialist Workers Party, who was the target of these attacks, was ultimately dismissed by the Arizona State Board of Regents, against the faculty committee's recommendations. Denials by a spokesman for the Regents of any link between the poison-pen letters and the firing are irrelevant to any appraisal of the F.B.I. action. What matters is that the bureau appears to have engaged in an illegal and despicable act of faceless persecution and slander.

Even as a single aberration, the acts against Professor Starsky would be intolerable. But beyond one professor's right to justice lurks the question of how many more dissident faculty members may have been similar targets. Dr. Starsky was, by all accounts, hardly a figure of great personal influence or national visibility. If the F.B.I. found it necessary to take "counterintelligence" action against him, it is reasonable to suspect that his case may not have been unique. As Congress investigates the abuses of domestic intelligence, it has a special responsibility to seek full disclosure of, and adequate reparation for, any similar episodes of character assassination.

Herblock/The Washington Post



## F. B. I. HARASSED A LEFTIST PARTY

### Documents Show 10-Year Campaign of Disruption of Socialist Workers

By NICHOLAS M. HORROCK  
Special to The New York Times

WASHINGTON, March 18—The Federal Bureau of Investigation harassed the Socialist Workers party for a decade with efforts to have members dismissed from their jobs, with leaks to news media of unsavory items about their personal lives and attempts to encourage police agencies to press petty prosecutions, newly released bureau documents show.

As a result of a court order in a civil suit brought in Federal District Court in New York, the F.B.I. was compelled last week to release 3,138 pages of internal documents to the party and its youth arm, the Young Socialist Alliance.

#### A Large Disclosure

It is one of the largest disclosures of internal F.B.I. workings in the history of the bureau and probably the most revealing set of documents since the theft of F.B.I. documents in Media, Pa., in 1971, laying bare bureau operations in Pennsylvania. The papers were made available to The New York Times today.

The documents have also been made available to the Senate Select Committee on Intelligence headed by Senator Frank Church, Democrat of Idaho, a Socialist Workers source confirmed.

The carton of papers sketched 31 years of bureau attention to the Socialist Workers party that included detailed investigations of virtually every officer or official the 2,500-member party ever had.

It also included 573 pages of documents on 41 operations

of the bureau's Counter-intelligence Program against the party. The documents describe Cointelpro as trying to "disrupt" party activities and harass party members and their families.

A spokesman said the F.B.I. declined to comment on the questions raised by the documents because it involved a matter still in litigation. The rationale for the bureau's unusual attention to the Socialist Workers party could not be learned. The party was never publicly linked to the violence of the antiwar years or money and control from Communist nations abroad.

Despite three decades of intensive investigation and at least one period—from 1961 to 1971—of covert efforts to destroy the party and frighten its members, there is no indication that the bureau brought any charges. Two spokesmen for the Political Right Defense Fund, Catherine Perkus and Syd Stapleton, said that neither the party nor the youth group had been the subject of a Federal prosecution since several cases in 1945.

Sources within the Department of Justice confirmed that they had "no memory" of any Federal prosecutions of the party or its membership within the last two decades.

Most of the investigations of the party and its members appeared to have been conducted under the authority of Federal statutes covering rebellion and insurrection; seditious conspiracy advocating the overthrow of the Government; the Internal Security Act of 1950 and the Communist Control Act of 1954.

Portions of two of the main acts relied upon in the F.B.I. investigation as late as 1973, the McCarran and the Smith acts, had been declared unconstitutional. There appeared to be no legal justification for the Cointelpro techniques. In a report on Cointelpro issued last fall by then Attorney General William B. Saxbe, many of the techniques were called illegal.

Thus, it was the 573 pages on "disruption" of the Socialist Workers party that remained the most startling. The documents indicate that one of the earliest operations began in the fall of 1961. It was aimed at John Clarence Fran-

klin, then the party's candidate for Borough President of Manhattan in New York City.

The papers indicate that the bureau discovered a record of criminal convictions in the files of the Albany, N. Y., Police Department that it believed to be Mr. Franklin's. The New York office of the bureau recommended that the record given secretly to F.B.I. contacts in the press for publication.

In a cable from Washington, under the auspices of the Director of the F.B.I., the bureau gave this response:

"This suggestion is an excellent example of the type desired by the bureau under the disruption program. The bureau is pleased to note that the suggestion was well thought out and it is felt that if future suggestions are submitted with the same amount of preparation and planning, this program will be exceedingly successful."

In a bureau cable dated Nov. 8, 1961, the New York field office took credit for planting the Franklin police record in a column called "On The Town," written by Charles McHarry in The New York Daily News.

"The attention of (blank) was directed to this item on 11/7/61, without, of course, revealing the bureau as being the source," the F.B.I. cable said.

Jack Metcalfe, a spokesman for The Daily News, said the paper would have "no immediate comment" but the matter was being looked into.

The attempt to discredit Socialist Worker political candidates cropped up routinely in the documents. They show that the bureau mailed an anonymous letter on Clifton Deberry, a candidate for Mayor of New York in 1964, which said he had been convicted in Chicago for nonsupport of his first wife and raised questions about the legitimacy of his current marriage.

The letters were mailed to The New York Times, The Daily News, The Journal-American and The New York television outlets of C.B.S. and N.G.C., but there is no indication that any of these organizations used the material. Indeed, bureau documents show that agents were disturbed because the material had not been used.

On Oct. 29, 1965, the New

York office reported to Washington: "Since the N.Y.C. elections will be held 11/2/65, it appears that no positive results have been obtained from this operation."

In Denver, the Bureau's field office obtained permission to mail an anonymous letter signed, "A Concerned Mother," to the president of the Denver school board finding that Allen Taplen, a member of the party who in 1965, was a candidate for membership on the board, was a Communist. Mr. Taplen was not elected.

In 1968 the bureau circulated what it called an "uncomplimentary squib" about Fred Halstead, then the party's candidate for President, to military agencies to try to disrupt Mr. Halstead's attempt to campaign among American troops.

The documents revealed several operations where the bureau secretly tried to bring members of the party under local police and state pressure. In December, 1961, the bureau determined that a party vacation retreat called Mountain Spring Camp in Washington, N. J., did not have a liquor license, yet it apparently served beer and other alcoholic beverages.

In nine months of secret manipulations, the papers show, always trying to keep the bureau's role anonymous, the Newark field office encouraged a raid on the camp by the New Jersey Alcoholic Beverage Board and the state police.

The raid was conducted on Sept. 1, 1962, over the Labor Day weekend. Sixteen bottles of liquor and 70 bottles of beer were "confiscated," and later two people pleaded guilty to liquor violations. "It is the opinion of the N.Y.O. [New York Office]," one F.B.I. document read, "that this had been a very successful disruptive tactic with both immediate and long-term results reflecting adversely upon the S.W.P."

In a similar operation in 1966, the papers indicate, the F.B.I. made an anonymous telephone report to the New York State Department of Labor alleging that a print shop operated by the party was attempting to defraud the state by creating

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bogus unemployment insurance claims for party members.

The bureau, the documents show, later developed a covert contact with an official of the department who reported that it had discovered one violation. Spokesmen for the Socialist Workers said party officials remembered that an audit of the records of the print shop was conducted in 1966 or 1967.

The F.B.I. also made several attempts to put pressure on party members who were not connected with political activity or a given party function, the documents indicate.

In one case outlined in the documents, the F.B.I. wrote an anonymous letter, with full approval from the director's office, to the management of The Paterson (N. J.) Morning Call, a now-defunct daily newspaper. The letter informed the Call that one of its reporters had allegedly been a member of the party.

A report from an informant, noted in the document, later said the reporter "is having difficulties at his job . . . because of his affiliation with the S.W.P." Another bureau document noted that the reporter "was told by his employer to discontinue his S.W.P. activities if he wants to hold his job as a newspaper man."

The Newark F.B.I. field office, the papers show, asked permission to mail a letter attacking the reporter's personal mores to the father of a woman friend of his but was not given permission by Washington. Washington said the idea might be resubmitted at a later date.

The reporter, Murray Zuckoff, is now a staff member of the Jewish Telegraphic News Agency in New York. He said today in a telephone interview that he had no knowledge that the bureau had sent a letter to his employers and he believed that reports of bureau documents indicating that his job had been threatened were exaggerated. He said he thought that 1966 was a zenith year for his reporting and that he had remained with the Paterson paper until it was bought by another publication in 1969.

In another instance, according to the documents, the bureau with the Boy Scouts of America and tried to have a scoutmaster in Orange, N. J., removed from his job because his wife was a member of the

party.

The bureau authorized the Newark office, according to the papers, to "orally" inform the Boy Scouts of the man's alleged subversive background, yet none of the documents indicate what the background was except that the man's wife was associated with the party. One F.B.I. reported noted, "Newark has advised that its files contain no public source information of a subversive nature concerning the man."

In July, 1968, the documents disclose the Newark office reported that the man had not been registered as a scoutmaster. The man's removal "from the scouting program, where he would have strong influence in the shaping of the minds of young boys, reflects the successful application of the disruption program for a worthy cause," the bureau report goes on.

The papers show that there was a constant attempt to disrupt internally the party's activities and to put it against other organizations in the left and civil rights movement.

In one instance, in 1964, the F.B.I., according to the documents, mailed an anonymous letter to several newspapers alleging that the party was capitalizing on a Southern civil rights legal case for its own profit. There was no indication that any of the publications wrote an article as a result of the letter.

In connection with the same operation, the bureau took an account of a robbery of one of the principals in a defense committee from the Charlotte Observer of Feb. 27, 1964, and added a limerick written by F.B.I. agents to make it appear the robbery was a cover for the Socialist Workers to abscond with the funds. The F.B.I.'s anonymous verse went as follows:

Georgie-Porgie, down in  
Monroe  
Found himself alone with  
the dough,  
Called the Cops, and what  
did he say?  
Bad guys came and took it  
away.

This piece of verse and the clipping also went to several newspapers and again there was no indication that it served as a base for a news article.

# Socialists: Evidence FBI still sabotaging party

WASHINGTON, D.C. (AP) — Workers activities. The list said Socialist Workers Party leaders' the agents often characterized said Wednesday they have evidence the FBI is continuing harassing tactics against it. the party and its members as subversive or potentially violent.

The FBI carried out 41 separate operations to disrupt the party by sabotaging political campaigns and damaging personal and professional reputations, 3,000 pages of FBI documents disclosed Tuesday.

FBI director Clarence Kelley has insisted the operation ended in April of 1971.

### "Don't Like Its Ideas"

The documents show that FBI officials conspired "to try to drive a legal political party out of existence because they don't like its ideas," said Peter Camejo, the party's 1976 presidential candidate. "Has it stopped? Absolutely not."

Syd Stapleton, national secretary of the Political Rights Defense Fund, said, "We have evidence which we have presented in federal court that the FBI continues its politically motivated disruptive activities up to this very day."

The defense fund, a non-profit New York organization, is financing the party's \$27-million damage suit against the FBI.

At a news conference, Stapleton and Camejo released a list of 50 incidents which have occurred since J. Edgar Hoover's order terminating the counter-intelligence programs, known as COINTELPRO, against the Socialist Workers and other groups ranging from the Ku Klux Klan to the Southern Christian Leadership Conference, the late Martin Luther King's organization.

### Characterized as Violent

The list told of visits by FBI agents to party members, their relatives and employers to solicit information about Socialist

Workers activities. The list said the agents often characterized the party and its members as subversive or potentially violent.

"We do not advocate violence, we do not violate the law," Camejo said. "The first amendment has no meaning if it does not protect persons like myself who enter a campaign to advocate a point of view which is still a minority point of view."

He said the incidents described in the documents, yielded by the FBI under orders from a federal judge, damaged the party.

The FBI declined comment. Kelley has consistently defended the COINTELPRO operations as an attempt "to counter the conspiratorial efforts of revolutionary elements in this country."

### Derogatory Letters

The documents show that the FBI frequently mailed derogatory letters signed with fictitious identities as part of the 10-year disruption of the Socialist Workers.

The memo launching the program in 1961 said the party was chosen as a target because it was "openly espousing its line on a local and national basis through running candidates for public office and strongly directing and-or supporting such causes as Castro's Cuba and integration problems arising in the South."

## FBI DECLINES COMMENT

# Why Disrupt Socialists?

WASHINGTON (AP) — The Socialist Workers party was targeted for an FBI disruption campaign partly because it was running candidates for public office.

The FBI documents describing the 10-year effort provide little additional explanation and no legal or constitutional justification for 41 separate disruptive tactics against the party.

For the time being, FBI officials are declining comment, but they undoubtedly will be called to account for the agency's actions before Senate and House committees now investigating the FBI and intelligence practices.

The scope of the attack emerged from 3,138 pages of FBI documents which party officials made public Wednesday. A federal court order forced the FBI to yield the files to the party in its \$27-million damage suit against the government.

The key part of the attack was a counterintelligence program, known as COINTELPRO, launched with an Oct. 12, 1961, memo from J. Edgar Hoover, then the FBI director.

"The Socialist Workers party has, over the past several years, been openly espousing its line on a local and national basis through running candidates for public office and strongly directing and-or supporting such causes as Castro's Cuba and integration problems arising in the South," the memo said.

In April 1971 another Hoover memo terminated the COINTELPRO against the Socialist Workers and other groups who had become targets in the 1950s and 1960s. But the memo said future disruptive tactics might be approved on a case-by-case basis.

"We have evidence which we have presented in federal court that the FBI continues its politically motivated disruptive activities up to this very day," said Syd Stapleton, national secretary of the Political Rights Defense Fund, a nonprofit New York group which is financing the party's lawsuit.

He and party officials accused the FBI of improper harassment in 50 incidents since the termination memo.

The party's list described FBI questioning of party members, their relatives and employers. The list said that agents sometimes volunteered derogatory and distorted remarks about party members and their activities.

For example, FBI agents were said to have visited neighbors of party supporter Anne Chase in Los Angeles in July 1972 "and questioned them about her whereabouts. The agents told the neighbors that their investigation had to do with subversives and might involve a morals charge."

Stapleton said he suspects the FBI also has continued some COINTELPRO tactics. The documents showed that the FBI as part of COINTELPRO frequently mailed anonymous letters which cast party membership in a derogatory light, spread rumors about marital troubles, and listed old arrest records without reporting conviction or acquittal.

The FBI mailed anonymous leaflets to party members in an effort to sow dissension and prompt members, particularly blacks, to quit in anger.

Other spurious mailings were intended to drive a wedge between the Socialist Workers and other leftists.

An FBI memo describing one such leaflet, mailed in

1970 to 230 New Left groups and individuals in the New York City area, said the purposes were "to cause disruption in the peace movement, ... to minimize the growing influence" of the Socialist Workers.

The party regularly fields candidates for national and local office, rarely gaining more than a fraction of the vote.

In a current brochure, the party urges steps "to abolish the present government and initiate a workers government." Its suggested tactics have long been a part of American political life: strikes, rallies, demonstrations, boycotts, and a call for new political parties.

"We do not advocate violence. We do not violate the law," said Peter Camejo, the party's 1976 presidential candidate. "The First Amendment has no meaning if it does not protect persons who enter a campaign to advocate a minority point of view."

# F. B. I. Reportedly Harassed Radicals After Spy Program Ended

By JOHN M. CREWDSON  
Special to The New York Times

WASHINGTON, March 22—The Federal Bureau of Investigation continued disruptive techniques and harassment against domestic political groups after its controversial counterintelligence program was terminated, according to two former senior F.B.I. officials.

The F.B.I., one of the former officials asserted, was carrying out what could properly be described as counterintelligence both before 1956, when the counterintelligence program, or Cointelpro, was initiated, and after April, 1971, when the program ostensibly was halted by J. Edgar Hoover, then the bureau's director.

The assertions by the two former officials support the accounts of three F.B.I. informants who have told The New York Times of their use of Cointelpro-style disruptive techniques against a variety of radical political groups since 1971.

They also coincide with allegations by the Socialist Workers party, based on F.B.I. documents the party has received in connection with a lawsuit, that the Government continued its attempts to disrupt the party and harass its members as late as last year.

Both the Justice Department and the F.B.I. have maintained that Mr. Hoover officially ended Cointelpro in a memorandum, dated April 28, 1971, which stated that, "effective immediately, all Cointelpros operated by this bureau are discontinued."

The memorandum added, however, that the bureau would continue to consider, "on an individual basis," recommendations from agents and field supervisors for counterintelligence action "in exceptional instances."

Clarence M. Kelley, who took over as F.B.I. director in mid-1973, has said that no such counterintelligence operations have taken place during his tenure. But he has expressed a desire for legislation that would give the bureau emergency authority to conduct

such operations if it believed they were warranted.

Mr. Kelley said in an interview last year that although the matter was under discussion with the Attorney General's office, the constitutionality of such discretionary authority had proved to be a "very difficult" question that might not lend itself to resolution.

One of the former F.B.I. officials said that Mr. Hoover had authorized the 1971 memorandum ending Cointelpro after confidential documents disclosing some aspects of it were stolen from the bureau's office in Media, Pa., and subsequently made public.

Mr. Hoover, the source said, had acted because of "concern about his image," but he added that counterintelligence operations, some bearing Mr. Hoover's personal approval, were nevertheless continued in the bureau's Domestic Intelligence Division.

Following the theft at Media, Pa., Carl Stern, a reporter for N.B.C., obtained a court order under the Freedom of Information Act that allowed him to receive copies of some Cointelpro documents.

Other suits compelling similar disclosures have been filed by the Socialist Workers party, a principal Cointelpro target: Muhammad Kenyatta, a black civil rights activist, and others.

Last year, William B. Saxbe, then the Attorney General and now Ambassador to India, ordered the Justice Department to make an internal study of Cointelpro, the results of which he made public in November.

Mr. Saxbe disclosed that between 1956 and 1971, the F.B.I. had implemented Cointelpro efforts aimed at foreign espionage agents, the domestic "New Left," so-called "white hate groups," the American Communist party, "black extremists" and the Socialist Workers party. A seventh and most secretive category was called "special operations," about which no details have been made public.

The Justice Department's report, written by Henry E. Petersen, then the head of its Criminal Division, termed some of the Cointelpro techniques

"troubling" and "egregious."

The entire program, the report said, had been implemented by the bureau on Mr. Hoover's instructions and was almost entirely unknown to any of the five Attorneys General under whom he served between 1956 and 1971.

In making the report public, Mr. Saxbe called some of the incidents "improper," but characterized them as "isolated excesses" in the bureau's general program to disrupt, confuse and neutralize the political groups in question.

There are indications, however, that Mr. Petersen and his investigators may not have seen all the bureau's Cointelpro documents in preparing their report.

For example, F.B.I. materials obtained by the Socialist Workers party through its lawsuit and made public this week showed that the bureau attempted to discredit John G. Franklin, who was the party's candidate for Manhattan Borough President in 1961 by providing details of Mr. Franklin's criminal record to Charles McHarry, then a columnist for The New York Daily News, who published the information.

The report prepared by Mr. Petersen states that "there were no instances" in the Cointelpro files in which the bureau had disclosed information to "friendly media which the bureau had sources" regarding members of the Socialist Workers party.

In addition, members of the party have submitted more than 50 sworn affidavits that, according to Peter Camejo, its Presidential candidate, concerned "Cointelpro-type" incidents that occurred since the 1971 termination date.

Examples of Cointelpro activities disclosed in the Justice Department report included the following:

¶The sending by the F.B.I. of anonymous or fictitious materials to political groups or their members that were designed to "create dissension and cause disruption."

¶The use of informants to disrupt a group's activities.

¶Notifying employers, credit bureaus and families of individ-

iduals' "illegal, immoral, radical and Communist party activities in order to adversely affect their credit standing or employment status," or family relations.

Joseph A. Burton, a Tampa, Fla., resident, said in a recent interview that between 1972 and 1974 he worked as a paid F.B.I. operative assigned to infiltrate and disrupt various radical groups in this country and Canada.

Many of Mr. Burton's activities as he described them, including the dissemination of bogus F.B.I. documents to revolutionary groups and establishing a "sham" political group, the "Red Star Cadre," for disruptive purposes, appeared to fall within several of the categories of activities undertaken by the bureau during its Cointelpro years.

In particular, he said, his F.B.I. superiors told him in 1974 of the existence of an effort within the bureau to put the Vietnam Veterans against the War "out of business" in the state of Florida.

Two other former F.B.I. operatives, Harry E. Schafer 3d and his wife, Jill, told of similar disruptive activity they undertook at the bureau's direction during the same period.

The Schafers, who used a similar bogus New Orleans front group, termed the "Red Collective," as a base, were interviewed in January in a Southwestern city where they then lived.

They asked at the time that their names be kept confidential for fear of retribution by leftists, but the couple has since been identified by The New Orleans States-Item and other publications.

Mrs. Schafer said that in early 1973, about three years after becoming an F.B.I. informant, she organized a demonstration in front of the F.B.I.'s New Orleans office to raise money for the militant American Indian Movement, whose members then held the Sputh Dakota village of Wounded Knee under siege.

Because of her efforts, she and her husband were invited

MORE

by militant Indian sympathizers to come to Rapid City, S.D., to aid the cause of the movement.

At Rapid City, the Schafers said, they set up, with the F.B.I.'s permission, an alternative fund-raising operation that diverted money from the American Indian Movement to an unidentified group of Indians, "who were legitimately interested in the welfare of their own people."

Mr. Schafer, a licensed pilot, said that after the besieged village had been cut off by United States marshals, he accepted a shipment of food and supplies from the Indians and, with the knowledge of his F.B.I. superiors, agreed to fly it from a point in the Middle West and drop it by parachute over Wounded Knee.

But he purposely delayed his arrival, Mr. Schafer said, by reporting "inclement weather," at stopovers along the way, arriving in South Dakota only after the siege had ended and the supplies were no longer needed.

## Documents reveal how FBI misused the press

New disclosures about the FBI's misuse of the press are contained in internal documents of the agency released under a Federal District Court order in New York City.

The documents show that the agency had planted stories with derogatory information on the personal life of left-wing political candidates and that it sought to have a reporter removed from his job because of alleged political affiliations.

The court ordered the documents released to the Socialist Workers Party in a civil suit by the party against the agency. The papers—internal reports, memos, cables—were all related to a counter-intelligence program of disruption of leftist political activities called Cointelpro.

In one instance, the bureau documents reveal that the FBI wrote an anonymous letter to the management of the now defunct Paterson (N.J.) Morning Call. The letter alleged that reporter, Murray Zuckoff, now with the Jewish Telegraphic News Agency in New York, had once been an SWP member. Later references in the FBI files alleged that Zuck-

off was told to sever ties with the SWP if he wanted to retain his job, a report Zuckoff said was exaggerated, according to the New York Times.

A suggestion by the Newark FBI office that it mail a letter attacking Zuckoff's personal mores to the father of a woman friend was turned down by FBI headquarters in Washington, the Times reported, with the notation that the idea might be resubmitted later for reconsideration.

In another instance, the internal papers showed that the New York field office of the FBI claimed it was responsible for a story in the New York Daily News in 1961 on the alleged police record of John Clearence Franklin, an SWP candidate for Manhattan Borough President.

Letters were mailed to other New York papers and the television networks to discredit other SWP political candidates, the documents revealed, but there was no indication that any of the other material was used, the Times said. Letters were also used to transmit allegations that the party was exploiting a Southern Civil Rights case.

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# The Press Condemns Cointelpro

## Excerpts from Editorials

### **CBS News (Commentary by Bruce Morton)**

March 19, 1975

"The FBI may have called it counterintelligence, but it reads a lot like lies and libel . . . like a mixture of the late Joseph McCarthy and the worst of Watergate."

### **The Detroit Free Press**

March 21, 1975

"It is not necessary that one adhere to the programs of the Socialist Workers Party to realize that such tactics could be used against any political organization."

### **The Atlanta Journal**

March 20, 1975

"Operations going beyond surveillance and law enforcement amount to political persecution, just as CIA operations going beyond intelligence gathering in other countries can amount to war."

### **St. Louis Post-Dispatch**

March 25, 1975

". . . the agency not only violated the law but stooped to police state methods in opposing individuals and organizations whose views were not acceptable. . . . These latest revelations indicate that current congressional investigations into intelligence operations need to delve deeply into the ever-widening and more disgraceful history of lawless activities supposedly carried out in the interest of protecting democracy."

### **The Los Angeles Times**

March 20, 1975

". . . the FBI and the IRS abused their power to interfere with the constitutional activities of American citizens."

### **Lewiston (Idaho) Tribune**

March 20, 1975

"If that can happen to the Socialist Workers, no small political party is safe. While that can happen democracy is in peril and constitutional government is a farce."



## **Dayton (Ohio) Daily News**

March 20, 1975

"To the list of organized crime operations add the FBI. Is that too harsh? It has become clear the bureau was involved in widespread, highly organized and thoroughly illegal subversion of a broad array of political, civil rights and antiwar groups. . . . The violation by the government of the political freedom of fringe groups, however, is only another way of saying that Americans have the 'right' to be Democrats or Republicans or indifferent."

## **Kansas City Times**

March 21, 1975

"The Bill of Rights must apply to all, including the Socialist Workers Party, and it must above all be followed by law enforcement agencies. Constitutional rights cannot be suspended when they are inconvenient."

## **Philadelphia Inquirer**

March 23, 1975

"From those papers emerges a portrait of the FBI officials . . . that looks ominously like a self-assigned political police force flouting the U.S. Constitution. . . . It is dead serious. For to have the full force and power of the enforcement arm of the U.S. Department of Justice bent on 'harassing' or 'disrupting' can—and should—be a frightening, chilling experience. The FBI was tinkering with the process of democracy itself."

## **The Washington Post**

March 24, 1975

". . . the agency harassed the members of the Socialist Workers Party. . . . from all the available evidence, the agency's power has been frequently put to the task of abusing the rights of Americans."

## **The Evening Sun (Baltimore)**

March 20, 1975

". . . this nation's most priceless possession is its tradition of political freedom based on the First Amendment right to free speech. Here is a concrete, documented case of direct FBI intrusion on that ancient American tradition. Here is a sample, luckily limited, of secret-police action frankly aimed at political suppression. It is the way democracies fall and dictatorships rise."

## **Sun-Bulletin (Binghamton, New York)**

March 22, 1975

"It is Watergate organized and compounded. . . . It is a crime against all our liberties. . . . what may be done to one may be done to all. You could be next."

# Documents Show F.B.I. Harassed Foes of War

By JOHN M. CREWDSON

Special to The New York Times

WASHINGTON, June 24—The Federal Bureau of Investigation produced a flurry of anonymous letters and spurious "publications" during the late nineteen-sixties that it hoped would cost political activists their jobs, disrupt their personal lives and temper their opposition to the Vietnam war, according to confidential F.B.I. documents made public today.

In one case, a Texas school teacher was dismissed from her post after F.B.I. agents had her superiors informed that she had once sought public office as a candidate of the Socialist Workers party.

The documents, part of the F.B.I.'s Cointelpro counterintelligence operation, were obtained by the Socialist Workers in connection with the party's lawsuit against the Justice Department, and were made available to reporters and the Senate Select Committee on Intelligence Activities.

The 256 pages of F.B.I. files, captioned "Cointelpro — New Left," described a number of incidents between 1968 and 1971 in which bureau agents, by sending "anonymous" letters to employers and parents, attempted to secure the discharge of teachers and other individuals and disrupt their personal lives because of their political war activities.

The papers, which show for the first time the extent to which the F.B.I. attempted to disrupt, confuse and "neutralize" the domestic antiwar movement, are the first to be made public relating to program for disrupting the "New Left," one of a dozen separate operations initiated under the name Cointelpro between 1956 and 1971.

The documents produced today include a memorandum,

dated April 27, 1971, that ostensibly ends the seven Cointelpro efforts—aimed at the Socialist Workers, the New Left, "white hate groups," the American Communist party and others—that were then in effect.

But the Socialist Workers also released the details of scores of more recent Cointelpro-style incidents, including cases in which F.B.I. agents "gratuitously" informed land lords, employers, parents and friends of individuals' political activities, that it said showed that the bureau's efforts at disruption had continued well beyond 1971.

## Telephone Interview

Evelyn R. Sell, a member of the Socialist Workers who lost her job in 1970 with the Austin, independent school district, said in a telephone interview today from Los Angeles, where she now resides, that as late as January, 1972, F.B.I. agents continued to visit her subsequent employers to inform them about her political background and to ask whether she was "still working here."

More than two years earlier, according to the documents, F.B.I. agents in San Antonio requested and received from the bureau's Detroit office, information describing the woman's unsuccessful candidacy in 1968 on the Socialist Workers ticket for the Michigan State Board of Education.

The information, the documents show, was made available to the F.B.I. to Austin police intelligence officials, who promised to keep its source confidential and who then passed it on to the school district.

The result, according to the documents, was "the decision" by school officials "not to issue a new contract or consider the subject further for employment after the termination of her current contract."

## Two Other Cases Cited

The papers also noted that Mrs. Sell had a reputation as "an intelligent, excellent teacher who was well qualified in her field."

In two other cases, the F.B.I. offices in Detroit and Washington prepared bogus letters, signed "a concerned citizen" and "a fed-up taxpayer!" that described the radical activities of a public school teacher here and a professor at Wayne State University.

In both cases, however, the authorities to whom the letters were addressed failed to react by dismissing the teachers, although the District of Columbia School Board did open a police investigation of the F.B.I.'s anonymous allegations.

The Cointelpro files gave evidence of a number of similar anonymous letters fabricated by F.B.I. agents in various cities, often based on unsupported information received from its informants and, in many cases, directed against individuals who were involved in legitimate antiwar activities.

## Bogus College Papers

The F.B.I.'s apparent concern about the growing magnitude of the antiwar movement in the late nineteen-sixties was reflected in two files that concerned arrangements for the publication by the F.B.I. of bogus "college newspapers" to be distributed on the campuses of Indiana University and the American University in Washington.

The paper that was distributed on the Indiana University campus at Bloomington, called "the Armageddon News," purported to have been published by "a group of concerned, conscientious students," and was intended by the F.B.I. to "expose the conspiracy of the New Left" at the school.

"The Rational Observer," the bureau's offering of what was billed as "an alternative American University campus newspaper," described itself as "an attempt by a small group of students, who love democracy, to preserve democracy," and contained such homilies as "War can only be abolished through war" and "Liberty relinquished to government is liberty lost."

## *Bare FBI 'dirty tricks' campaign on teachers*

WASHINGTON [AP]—The Federal Bureau of Investigation secretly tried to get three teachers fired, distributed phony right-wing newsletter on two college campuses, and wrote anonymous letters to the parents of student antiwar activists during the 1960s, newly disclosed FBI documents show.

Those activities were part of the agency's counterintelligence operation against the New Left. The FBI says the operation, dubbed COINTELPRO, began May 9, 1963, and ended April 23, 1971.

The 256 pages of documents were the latest COINTELPRO files made public by the Socialist Workers party in its damage suit against the FBI. The agency had turned over the files in compliance with a court order.

"ONLY THE COMPLETE release of all secret files will tell us how many more people the FBI railroaded out of jobs and harassed in other ways because their political views were unpopular with the FBI," said Syd Stapleton, national

secretary of the Political Rights Defense Fund, which is providing legal assistance for the suit.

According to the memos, Evelyn Rose Sell was teaching in the Austin, Tex., school system's Head Start program in the 1969-70 school year. Austin FBI agents covertly fed information about her Socialist Workers activities to Austin police who relayed the information to school officials.

The school system chose not to renew Mrs. Sell's contract at the end of the school term. The decision "not to issue a new contract or consider the subject further for employment after the termination of her current contract is based upon information received from [deleted] the Austin Police Department," said one censored FBI memo.

IN ANOTHER operation involving a teacher, Detroit FBI agents in 1969 sent an anonymous eight-page letter criticizing Prof. David Herreshoff, of Wayne State University, to Robert Huber, then a state

senator investigating campus protests.

The letter, signed "a fed-up taxpayer," described Herreshoff's involvement with left-wing political groups and suggested that he should be fired.

In a third case, FBI agents sent an anonymous letter to the Washington school superintendent in 1969 in an unsuccessful effort to get Maude Adams White fired as an elementary school teacher.

The only reason cited for the effort was the teacher's participation in the Young Socialist Alliance, youth affiliate of the Socialist Workers.

THE MEMOS describe other anonymous letters mailed in 1968 to the parents of John Kaza and Steve Eipper, students who took part in a fast to protest the Viet Nam war while they were at Oberlin College in Ohio.

The purpose was to encourage the parents "to protest to the college that the fast is being allowed at the school and that the U. S. A. is active there," according to one memo.

# C.I.A. Papers Said to Show Domestic Spying Traces to the 1950's

By JOHN M. CREWDSON

Special to The New York Times

WASHINGTON, July 15—The monitoring and infiltration of domestic political organizations by the Central Intelligence Agency was both broader and of far longer duration than reported by the Rockefeller Commission, according to newly released C.I.A. documents.

The agency's Office of Security, the documents show, began to collect and file information on the activities of the Socialist Workers party in 1950, nearly 20 years before the inception of Operation Chaos, the domestic C.I.A. surveillance effort that was termed unlawful by the commission in its report last month.

The papers, which were obtained by the party. In connection with a lawsuit against the Government, also show that the agency's security staff continued to infiltrate the party's units in the Washington area at least two years beyond the 1968 date given in the commission's report for the termination of such activity.

## Political Roots Sought

As early as 1951 the papers were said to show that the Office of Security, which is charged with maintaining the safety of C.I.A. employes and facilities, began to insert in its files on the Socialist Workers party background material on the group's political origins and the number of votes polled

by Farrell Dobbs, the party's candidate for President in 1952.

Literature handed out by the Young Socialist Alliance, the party's affiliate on campuses, was gathered by C.I.A. operations at Columbia University in 1959 and at the University of California at Berkeley in 1962 and forwarded to the agency's headquarters.

On another occasion, in 1961, the agency's Boston field office filed a report on a young Socialist Alliance rally at Harvard held to protest the killing of Patrice Lumumba, the Congolese leader.

The report was said to have included copies of leaflets passed out by the demonstrators and photographs of the event that appeared in the Harvard Crimson.

## Commission Gave No Word

The Rockefeller Commission, set up last January by President Ford to look into the domestic activities of the C.I.A. gave no indication that monitoring of domestic political groups by the agency began before the middle nineteen-sixties, when Operation Chaos and related programs were set up.

The commission reported, for example, that the office of Security had begun in 1966 to prepare "several studies relating to dissidents and dissident groups" in the United States, and had accumulated large numbers of newspaper articles and other materials on which to base its reports.

The commission criticized the hundreds of resulting files on

domestic organization as having exceeded in scope "what was required by the agency's legitimate security needs" to insure the safety of its facilities.

But the commission failed to point out that, as is clear from the scores of photocopies of newspaper clippings, made available under the lawsuit, that refer to the Socialist Workers Party, the Office of Security began to collect and file such information as early as 1950, barely three years after the agency's inception.

According to the commission's report Operation Chaos, established in 1967 to search for signs of foreign influence within the movement against the Vietnam war in the United States, was a part of the agency's counterintelligence staff and thus bore no relation to the Office of Security.

## Not in Colby Description

However, when William E. Colby, the Director of Central Intelligence, responded to published accounts of illegal domestic activities by his agency, he described Operation Chaos, but did not mention the gathering and collection of information on domestic groups by the Office of Security.

Whenever the C.I.A. had, in the past, come across information relating to "the internal security of the United States," Mr. Colby wrote, it had been "passed to the Federal Bureau of Investigation and other departments or agencies of the Government when appropriate."

The National Security Act of 1947, often referred to as the agency's "charter," stipulates that the C.I.A. shall have no "police, subpoena, law-enforcement powers, or internal secu-

ritv functions."

In response to a set of questions tendered by the Government to the party in connection with its lawsuit, the Socialist Workers party asserted that it was a domestic organization, was devoted to running candidates for public office rather than to violent revolution and had no ties to any international Communist groups.

Investigation within the United States of radical political organizations, whether or not they are violent or have foreign connections, nevertheless falls within the jurisdiction of the F.B.I., the Federal agency responsible for domestic counterespionage.

## \$27-Million Is Asked

The party's lawsuit, which has already produced hundreds of documents relating to the counterintelligence efforts directed against it by the F.B.I., is seeking \$27-million in damages on the ground that its lawful political activities were "illegally" harassed and disrupted by Federal intelligence agencies.

Vice President Rockefeller also criticized as "far beyond steps necessary to protect the agency's own facilities" an effort by the Office of Security to infiltrate operatives into radical groups in the Washington area.

The intent of the program, which the commission said began in 1967, was to provide the C.I.A. with advance notice of demonstrations that might be aimed at the C.I.A.'s headquarters in Virginia or one of its numerous other offices in and around Washington.

## COURT BATTLE FREES DOCUMENTS

# CIA Spies Trained on Socialist Group

WASHINGTON (AP) — Central Intelligence Agency spies practiced for overseas assignments by infiltrating and reporting on the domestic political activities of the Socialist Workers party and its youth affiliate, according to newly disclosed CIA documents.

The documents, a four-inchthick stack obtained by the party in its lawsuit against the agency, also show that the CIA was monitoring the party's political campaigning as early as 1950.

The material suggests that the CIA began to keep files on domestic political activity far earlier than the Rockefeller Commission reported. And it indicates that CIA infiltration of dissident political groups in Washington may have continued two years longer than the commission stated.

The documents were made public by the Political Rights Defense Fund, a New Yorkbased organization which has provided legal aid to the party.

Syd Stapleton, national secretary of the Defense Fund, accused the Rockefeller Commission of "misleading the American people about the extent of CIA crimes against the Bill of Rights."

Stapleton and Peter Camejo, the Socialist Workers party presidential candidate, alleged that the CIA continues to infiltrate and monitor party activities.

Although the party has "fraternal solidarity with Socialists in other countries," it receives no instructions or financing from abroad, Camejo said.

This batch of documents, provided by the CIA in compliance with a court order, came from the agency's Office of Security. The court has ordered the agency to turn over all files dealing with the party, and other material remains to be disclosed.

Meanwhile the Washington Post reported in Wednesday's editions that the FBI conducted dozens and sometimes more than 100 burglaries each year prior to 1966. Quoting a source described as having approved many of the break-ins, The Post article said most of the burglaries were directed against the Communist party, extremist groups, embassies and other targets that would come under the category of "security cases."

However, it said the source also asserted that a number of burglaries were conducted in ordinary criminal cases.

An FBI spokesman declined comment on the report. FBI Director Clarence M. Kelley said earlier this week that FBI agents conducted break-ins to "secure information relative to the security of the nation" but that most of these were stopped in 1966.

The CIA disclosures provided the first public look at

the agency's own files of specific domestic surveillance operations. Twenty-four documents dealt with an effort to acquaint new informers with the radical left prior to sending them on spy missions abroad. The Rockefeller Commission report said one CIA officer described the domestic process as "sheepdipping" the new agent.

CIA officials, including Director William E. Colby, authorized the operation but prohibited the trainee from acquiring data on "domestic dissident activities," the Rockefeller Commission stated. But the operation resulted in the collection "of a limited quantity of intelligence on" those activities, the commission continued.

The newly released CIA documents include a report Feb. 2, 1970, based on an informer's contact with a Young Socialist Alliance leader at San Francisco State College. "According to him, one of the group's main drives this year is the running of candidates for California state offices," the spy report said.

The documents also describe informers' contacts with Socialist Workers and YSA leaders in New York City and spying on a YSA meeting at Columbia University.

Many of the documents were newspaper clippings describing Socialist Workers campaigns throughout the 1950s. The earliest was a New York Times story on Sept. 6, 1950, reporting that Socialist Workers candidates had filed nominating petitions for New York state offices.

The Rockefeller Commission had listed 1966 as the earliest date the CIA Office of Security began monitoring domestic political groups.

In its discussion of CIA files on American citizens, the commission said, "During the peak of the racial and antiwar disturbances in Washington between 1965 and 1972, security files were accumulated on many dissident groups and their leaders." But the report did not clearly state when the CIA began amassing such files.

The documents also include reports from informers who infiltrated dissident groups in Washington. The Rockefeller Commission said that program began in 1967 and was phased out in late 1968.

But the CIA documents deal with meetings in 1969 and 1970. The documents, however, do not indicate whether the informers were hired by the CIA or whether the information might have been relayed from local police spies.

Defense Fund officials said they understand the documents to mean that the CIA infiltration actually continued two years longer than the Rockefeller Commission claimed.

## F.B.I. Checking of Radicals Went On Beyond Deadline

By JOHN M. CREWDSON  
Special to The New York Times

WASHINGTON, Oct. 5—The Federal Bureau of Investigation continued to employ at least one of the techniques that characterized a controversial counterintelligence operation for two and a half years after April, 1971, the date the bureau gave for formally terminating the program, according to previously classified documents made public today.

The documents, obtained through a lawsuit against the bureau by the Socialist Workers party, which made them available, show that F.B.I. agents visited some 30 party members or associates from April, 1971, to December, 1973, to tell them of the bureau's knowledge of their political affiliations and to seek information about their activities.

In four related instances described in the F.B.I. documents, agents telephoned members of the party or its youth affiliate, the Young Socialist Alliance, and utilized what the documents termed "a jury-duty pretext" to gain information about their marital status, employment, place of birth and the like.

### First Documentary Proof

The bureau's practice of "interviewing or contacting members" of radical political organizations was mentioned in a report on the controversial program, called Cointelpro, that was released by the Justice Department last November. It was one of a dozen activities making up the Cointelpro effort.

Cointelpro, an F.B.I. acronym

for "counterintelligence program," included at least 12 efforts aimed at disrupting the activities of right and left-wing domestic political organizations from 1956 to 1971, when the operation was formally terminated by J. Edgar Hoover, the late F.B.I. director.

The Socialist Workers party and some individuals, including some former F.B.I. informants, have previously alleged that the F.B.I. continued many of the counterintelligence operations of Cointelpro after the 1971 cut-off date, but the bureau documents released today are the first evidence made public to support the assertion.

Some of the 28 persons approached directly by the F.B.I. about their socialist affiliation, the documents show, voluntarily provided information about themselves and their activities. Others declined to be interviewed.

In each case a record was made of the visit, and the resulting F.B.I. files contained such information as the observations that one woman, who spoke freely, had "chain-smoked" a certain brand of cigarettes, and that a more recalcitrant young man "was wearing, at the time of contact, a T-shirt on which appeared the words, 'vote Socialist party.'"

Some of the reports of interviews were uncaptioned, and others were headed "security matter." None gave any indication that the subjects were suspected of involvement in violent or otherwise criminal activities, or had been ques-

tioned for any reason other than their political affiliation.

In response to a government interrogatory issued in connection with its lawsuit, which is seeking \$27-million in damages for alleged official "harassment" by the F.B.I., the party has asserted that it is a legal, nonviolent organization that seeks to elect its candidates to public office.

The Justice Department's report on Cointelpro contained few specific details of its elements, and so most of what is now known about the 15-year program has been made public as a result of the party suit, the only such action filed thus far by a group that was a Cointelpro target.

The latest group of documents also detailed a plan in 1965 by the F.B.I.'s Detroit field office to send a fictitious letter, purporting to be from a student at Wayne State University there, to the Democratic State Central Committee in Michigan alleging that a campus Democratic club had been infiltrated by the Young Socialist Alliance.

### Bogus Letter Approved

Officials of F.B.I. headquarters here, the documents showed, approved the proposal to mail the bogus letter, along with several clippings from the campus newspaper regarding the matter, to the central committee and six other state and local Democratic party organizations.

Also in 1965, the documents show, the Cleveland F.B.I. office undertook another Cointelpro operation that it said had led to the discharge of a public school music teacher there because she was married to Rod Holt, an Ohio official of the Socialist Workers Party.

The Cleveland F.B.I. office said in a message to F.B.I. headquarters that while neither Mrs. Holt nor her husband was affiliated with the Communist party, the Socialist Workers party and its youth group were

"a form of Communist organizations" thus the Cleveland agents said they wished to take action against Mrs. Holt "since Communist" oriented teachers are in such a critical position of influence."

F.B.I. officials here authorized the Cleveland office to inform Cleveland school officials, "on a strictly confidential basis" of Mr. Holt's political connections. Four months later the Cleveland office reported back that, "as a direct result" of its action, the Board of Education had not renewed Mrs. Holt's teaching contract.

### Poem Used in Scheme

In 1963 the documents further show F.B.I. agents in Milwaukee asked the bureau's headquarters for permission to disseminate a "poem" deriding a local Communist party organizer to party followers there.

The Milwaukee agents pointed out that a Socialist Workers official in the area was "well known for his ability to write poetry," and they expressed the hope that Communist Party members who received the F.B.I. poem would believe that the Socialist Workers poet had written it.

The proposed doggerel ran, "there was an old radical [name deleted] who swapped his soapbox for a bed. He lives in the past, drinks beer to the last. And from militant action has fled."

The target of the "poem," the agents pointed out, was "an excessive beer drinker who now shuns party work." The F.B.I., headquarters approved the use of the verse, and asked that it be informed "of any tangible results."

The Milwaukee office replied later that "the poem has apparently met with some success," and that Communist officials in Wisconsin had concluded that the mailing of the verse was an effort by the Socialist Workers to create dissension in their ranks.

## Enough Is Enough

The official position of the Federal Bureau of Investigation and the Department of Justice on the bureau's counterintelligence program (Cointelpro) is that it was foolish, misguided and sometimes illegal and that it was ended in April, 1971. Yet, according to F.B.I. documents recently obtained by the Socialist Workers' party in a lawsuit against the bureau, some Cointelpro techniques were being employed at least as late as December, 1973.

The documents show that after April, 1971, the bureau continued to contact members of the Socialist Workers' party and its youth affiliate to inform them of the bureau's knowledge of their political activities and then to seek more information about those activities. The bureau also continued to contact members of the organization by telephone to gain personal information about them under the pretext of doing a jury duty survey. Such methods were used on at least 34 occasions after the program was supposedly ended.

The Socialist Workers' party is a legal American political organization. Although it has been the subject of wiretap surveillance for thirty years, no indictments and no convictions have been obtained by the Government. The only conceivable purpose of the continuation of the Cointelpro techniques is harassment and disruption of legitimate political activity.

Attorney General Levi has recently expressed his high regard for the F.B.I. and has characterized some recent criticism of the organization as unfounded. The criticism might fade more quickly if it were clear to the bureau that disruption of legitimate political activity is not part of its mandate and if it could be demonstrated to the American people that when the Government says it has terminated a course of improper conduct, it actually has done so.

Herblock/The Washington Post



# FBI Forged Letters of College Group

Combined News Services

Washington—The FBI, as part of its scheme to disrupt political groups in the 1960s, tried to discredit a college chapter of the Young Democrats in Michigan by mailing phony letters, according to documents disclosed yesterday.

The documents, released by the Socialist Workers Party, also showed that the FBI engaged in forgery, among other tactics, to disrupt the Socialist Workers.

The documents, internal FBI memoranda concerning the FBI's counterintelligence (COINTEL) program, were obtained through pretrial discovery motions in a \$27 million damage suit the Socialist Workers Party has filed against the government in U.S. District Court in New York. The suit charges the FBI with unconstitutional harassment and disruption of legitimate political activity.

Documents released earlier—the party has obtained about 4,000 pages of FBI material—showed how agents schemed to harass or discredit the Socialist Workers, the Ku Klux Klan, the Black Panthers and 10 other groups. But the Political Rights Defense Fund, which represents the party in the suit, said that the newly disclosed memoranda provide the first documentation of FBI attempts “to disrupt the affairs of either the Democratic or Republican Parties.”

In 1965, the documents show, J. Edgar Hoover, then FBI director, approved the attempt to discredit the Wayne State University Young Democrats in the eyes of state and local party organizations. Hoover, who directed the COINTEL program until its termination in 1971, authorized agents in Detroit to send fictitious letters to Democratic organizations, according to the documents.

The letters were to be written from the point of view of a Republican, saying that the campus Democrats had been taken over by the Young Socialist Alliance, the student organization of the Socialist Workers Party. “The above letter, if approved, will be prepared on locally purchased stationery,”

the Detroit agents said in their request for Hoover's authorization. “Every precaution will be taken to make certain that this mailing cannot be traced to the bureau.”

Hoover, in his reply, suggested that “the original letter should be prepared on a manual typewriter using commercially purchased stationery. “If possible, you should consider the use of stationery containing the title or seal of Wayne State University if this is available through the university store

or elsewhere.” The FBI apparently wished to discredit the young Democrats because the group had taken strong antiwar and civil liberties stands.

In the forgery instance, the documents show that, in 1961, the FBI faked a letter purporting to be from the campaign manager of a Communist Party candidate for San Francisco supervisor and challenging the legality of the candidacy of a Socialist Worker Party member for the post.



# Socialist Workers Party Reports FBI Harassment

By **ROBERT ADAMS**  
Washington Correspondent

WASHINGTON, Nov. 18—A leader of the Socialist Workers Party told the House Intelligence Committee today that the Federal Bureau of Investigation was continuing to harass members of his organization because of their political beliefs.

Peter Camejo, who is running for President as a Socialist Workers candidate, charged in testimony prepared for a hearing this morning that the FBI had kept up a campaign of disruption against his party long after April 1971, when the FBI said it had ended disruptive activities against leftist groups.

Camejo gave the committee a list of more than 200 incidents that he said represented harassment by the FBI or other federal agencies since April 1971. The list included the names of 32 persons purportedly discharged from, or found unfit for, the military service because they belonged to or supported the group.

In addition, the list included one person said to have been dismissed from a job in the Federal Government—and eight others who were called in by the Civil Service Commission and asked to explain their affiliations with the organization.

The Socialist Workers Party is a Trotskyite organization. Its youth affiliate is the Young Socialist Alliance. Together, the groups have filed a \$27,000,000 damage suit against the FBI.

Several weeks ago, the So-

cialist Workers Party made public FBI documents indicating that the agency had visited the homes and offices of party members and telephoned them for information under false pretenses. The documents were obtained as part of the court proceedings.

The new list given to the House panel, headed by Representative Otis G. Pike (Dem.), New York, cites numerous other incidents of purported FBI harassment. One of the incidents occurred as recently as last month.

Camejo said the Socialists Workers were a legal political party. He said the party did not advocate violence, terrorism or illegal activity, and that the FBI had never produced evidence to the contrary.

In spite of that, he said, the FBI has "burglarized us, 'investigated' us, bugged our offices, 'covered' our mail, visited our members, gotten them fired from jobs, harassed our election campaigns and generally made efforts to prevent us from getting a hearing for our views."

The list charged that the Civil Service Commission had kept a detailed dossier on one woman's political activities when she was a federal employe, and at one point had produced a copy of her letter of resignation from the Detroit Socialist Workers Party. The document charged that the only copy of the letter had been stolen, under conditions suggesting a burglary performed by the FBI.

The list said that after April 1971, the FBI had continued to question landlords,

employers, parents, and associates of party members about the members. The document said the party members had sometimes been referred to as subversive, violent or dangerous by the FBI.

Last April, FBI agents visited the apartment building of a party member in Chicago and told the janitor he was "an unfit tenant," the document said.

It said that in St. Louis in 1973, FBI agents had visited a woman's employer, who had then told her fellow workers to avoid her. She was soon dismissed, the document said.

An FBI spokesman said the agency had no comment because the matter was the subject of a lawsuit. An official of the Civil Service Commission acknowledged keeping "security files" numbering into the millions on federal employes. He denied, however, that the files had been used for improper purposes.

The intelligence panel was also to hear today from other persons who allege FBI harassment and from present and former FBI officials and agents.

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The New York Times  
Editorial  
November 21, 1975

## Inciting Suicide

The revelation that the F.B.I. sent a communication to Dr. Martin Luther King Jr. which he, not unreasonably, took as an attempt to push him to suicide, is surely the most loathsome of a startling number of indications that Congress has long been negligent in its responsibility to bring the bureau under control.

The concerted campaign to eliminate Dr. King as a force in American life was only the most visible of more than 2,300 efforts by the F.B.I., under its counter-intelligence program, to interfere illegally and improperly in the political processes of the United States and in the private lives of many American citizens. It is of little comfort that the staff of the Senate Select Committee on Intelligence estimates that "Cointelpro" operations succeeded only 23 percent of the time, because each of those successes represents human misery as well as a corruption of the political process, all accomplished on Government time at the taxpayers' expense.

The bureau's jurisdiction, beyond that of investigating Federal crimes, has been enlarged by a succession of Presidents. The perceived needs of the White House have extended from such legitimate activities as pursuing Nazi espionage agents during World War II to such outrages as bugging hotel rooms at the Democratic National Convention in 1964 and destroying evidence in 1972. Presidential latitude has been so broad and the bureau's relationship with Congress has been so close that under the late director, J. Edgar Hoover, the F.B.I. was virtually free to fill in whatever blank spaces in its jurisdiction it deemed appropriate.

Congress has never troubled itself to separate out those activities which are necessary to the preservation of national security and those which are inimical to a free society, nor has it developed effective mechanisms of oversight and control. A sharp definition of the F.B.I.'s national security role is urgently required, as is a clear understanding of those activities which are permitted and those which are proscribed.

If proof of a 25-year campaign of harassment of the the Socialist Workers' Party, a legitimate political organization, and an effort to drive an outstanding citizen to suicide cannot prod the Congress to erect such safeguards for freedom, it is hard to imagine what can.

## **F.B.I. Lists 110 in a Socialist Party as Threats**

WASHINGTON, Dec. 17 (AP) —The Federal Bureau of Investigation currently lists 110 members of the Socialist Workers Party on an index of individuals considered dangerous to national security, although an F.B.I. official has testified that the party is "not violent."

In a statement submitted to the House Select Committee on Intelligence, the F.B.I. said, "There are currently 110 members of the Socialist Workers Party on the Administrative Index." A copy of the statement was obtained by The Associated Press.

The disclosure was the first time that the F.B.I. has provided specific clues to the identity of some of the approximately 1,250 individuals on the list, which is called the "Adex" in the bureau's shorthand.

The F.B.I. statement did not list the Socialist Workers members by name, but sources said that the party's 1976 Presidential candidate, Peter Camejo, was one of them.

The disclosure "proves that the F.B.I. is continuing its unconstitutional political surveillance under the guise of 'criminal investigation,'" said Syd Stapleton, national secretary of the Political Rights Defense Fund, which is financing the party's \$27-million damage suit against the F.B.I.

Clarence M. Kelley, the F.B.I. director, has said that the index was established in 1971 "for use as an administrative aid to maintain a readily available and up-to-date list of individuals deemed dangerous to the

### **Members on Security Index Although Official Testified Group Was Not Violent**

internal security and who would be afforded priority investigative coverage in the event of a national emergency."

Mr. Kelley said that the list, updated monthly, included "only those individuals who pose a realistic, direct and current danger to the national security."

In hearings by the House committee Nov. 18, W. Raymond Wannall, assistant F.B.I. director who is head of the intelligence division, was asked about the F.B.I.'s extensive surveillance of the party for the last 30 years.

No Federal criminal indictments have been brought against party members in connection with party activities during that time.

In support of the surveillance, Mr. Wannall cited a Socialist Workers publication discussing "prospects for a Socialist revolution."

Searle Field, committee counsel, then drew a distinction between violent and nonviolent revolution and asked Mr. Wannall if the party had "engaged in any violent activities or advocated violent activities."

Mr. Wannall replied, "Not violent."

# CIA's 'Chaos' Infiltrated 3 College Groups in '70-71

Associated Press

Newly released documents from the CIA's "Operation Chaos" show that the agency infiltrated dissident political groups at three universities in the United States in 1970 and 1971.

The groups infiltrated included the Young Socialist Alliance, the youth affiliate of the Socialist Workers party.

The heavily censored papers, comprising 141 pages, are the first "Operation Chaos" files to be released.

**THE DOCUMENTS** were made public over the weekend by the Political Rights Defense Fund, which represents the Socialist Workers party in a multimillion-dollar damage suit against the CIA and the FBI. The files were released to the fund in response to a court order in connection with the suit.

The Socialist Workers charge the agencies with illegal harassment.

Also, the CIA has released to Socialist Workers party leader Peter Camejo less than half of its dossier on him after he requested it under the Freedom of Information Act. The agency said the rest of the material in his file is exempt from disclosure under the act.

A previously released CIA memo, dated in 1973, seven months before "Chaos" was reported to have been terminated, said the operation was "restricted to the collection abroad of information on foreign

activities related to domestic matters"

**INTERVIEWED** yesterday on NBC News, CIA Director William E. Colby said the end of Operation Chaos "doesn't mean the end of all counter-intelligence."

He indicated that the agency still is permitted to conduct surveillance of Americans abroad in certain cases, such as when a foreign intelligence service is trying to recruit them as agents.

However, the files on Camejo, the party's 1976 presidential candidate, show that the CIA kept track of virtually all his movements during trips abroad to meet with other socialist leaders. And the newly released documents show that, as late as November 1974, the CIA was circulating information about his activities to one of its overseas stations.

**ALSO, SOME 50** pages of the files show the agency regularly received in 1970 information from "sources" about the overseas travels and writings of Socialist Workers leader Andrew Pulley.

The Rockefeller Commission report on the CIA said that Operation Chaos agents "were specifically used to collect domestic intelligence" on only three occasions, one of them in Washington and the other two not further specified.

**INCLUDED** in the 'Chaos' documents is an un-

signed memo dated February 1970 reporting on a Brown University seminar on the Mideast crisis.

"Black militants of undetermined political connections attended," the memo said, adding:

"According to a source in attendance, the meeting and speaker were oriented toward inciting revolution and anarchy in the U.S. Among the participants . . . were Black Panthers, various Arab students at Brown, and disenchanted members of the U.S. Jewish communities."

In a September 1970 memo, an agency employe wrote, "We have attached examples of leftist material being distributed free of charge at Boston University during registration week."

The source who obtained the material noted, the memo said, that "there were a variety of Marxist items also being sold such as revolutionary lapel buttons and a variety of pamphlets on socialism, Malcolm X and Woman's Liberation."

A memo dated May 3, 1971, was labeled "radical activity on campus of Utah State University."

It said the campus "is more politically active than most in the state. There is an active chapter of the Young Socialist Alliance. A number of small groups also exist but are not as important."

# TEXT HIGHLIGHTS FROM THE SUPPRESSED HOUSE INTELLIGENCE COMMITTEE REPORT

## 7. Domestic Internal Security and Counterintelligence

The Intelligence Division of the FBI is divided into two sections: Internal Security and Counterintelligence. The Internal Security Division investigates domestic subversive or extremist groups with the goal of ascertaining whether individuals are violating federal laws.

These investigations are costly, in monetary terms and in terms of personal privacy. Are they effectively and dispassionately controlled, in keeping with criminal priorities? Are they efficiently terminated when clearly unproductive? Thirty-four years of investigating the Socialist Workers Party and over five years spying on the Institute for Policy Studies provide some examples of disturbing answers.

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### b. Socialist Workers Party

The second example involved the Socialist Workers Party (SWP). The SWP adopted a Declaration of Principles and a Constitution at their founding convention in January 1938. The Declaration of Principles was replete with revolutionary rhetoric of the Marxist Left. The fledgling Socialist Workers Party also swore allegiance to the world-wide organization of Trotsky—the Fourth International.

Nevertheless, the SWP dissolved their allegiance with the Fourth International and retracted this Declaration of Principles on December 21, 1940, in order to comply with the Voorhis Act. The FBI maintained that this disassociation with the Fourth International was merely cosmetic. However, the FBI has been unable to prove any illegal relationship between the SWP and the Fourth International.

FBI's failure to uncover illegal activity by this political party is not from lack of effort. SWP has been subjected to 34 years of intensive investigation.

On November 5, 1975, FBI officials testified that the Fourth International itself was a body made up of Marxist elements around the world and enjoyed no structural power base in the Soviet Union. Significantly, these officials demonstrated no detailed knowledge about the Fourth International. FBI officials did not mention the fact that the Socialist

Workers are a legitimate American political party, that even runs a candidate for President. Equally as important, the FBI has found no evidence to support a federal prosecution of an SWP member, with the exception of several Smith Act violations in 1941. Since that time, not only have there been no further prosecutions against the SWP for any Federal offense, but the portions of the Smith Act under which these earlier convictions had been obtained have been declared unconstitutional.

The investigation, which FBI officials tacitly admit has been conducted partially under the aegis of an unprosecutable statute, has revealed that the SWP is a highly law-abiding group. The SWP has even avoided illegal and potentially violent confrontations with the authorities during any sort of civil protest. Nevertheless, this had no apparent impact on 34 years of unproductive spying.

According to the Presidential candidate of the SWP, Peter Camejo, party members are even forbidden by the SWP to smoke marijuana. The Bureau apparently formulated a philosophy, in this case, to justify their investigation.

Considerable resources have been allocated to compound the error of a continuing unproductive investigation and to back-stop the preconceptions of FBI personnel.

For example, FBI Internal Security investigators committed a massive manpower allocation to interviewing landlords, employers, fellow employees, and family relations of SWP members. The FBI also maintained intensive surveillance of most, if not all, of the SWP's 2500 members.

Americans are often concerned about privacy invasions of domestic security investigations. One-fifth of all investigations initiated by the FBI during the last decade dealt with security matters. The important issue is whether citizens receive a valuable product in the form of anticipatory intelligence which would serve as a deterrent to, and a prevention of, crime. While it is impossible to accurately gauge the deterrent effect of FBI efforts, it is obvious that the FBI failed to anticipate groups dedicated to the overthrow of the existing government and fully committed to violence.

The FBI has likewise had a dismal record in the prompt apprehension of fugitives from the New Left underground. Domestic intelligence appears to be suffering from a misallocation of resources and effort.

**Prominent figures cite**

# F.B.I. injustices

NEW YORK,—On the anniversary of the birth of Dr. Martin Luther King, Jr., and in the wake of recent revelations about FBI disruption of the activities of the late civil rights leader and Bilalians (Black) organizations, a civil liberties group here made public recently a statement by 15 prominent Bilalians figures in which they appeal for support for a suit by the Socialist Workers party against the FBI.

The group of fifteen includes Bilalian elected officials, associates of Dr. King in the civil rights movement, and others.

## EXPOSE ATTACKS

The 15 leaders call the party's suit "an important step" that can "help expose and stop government attacks on the right to dissent."

Rep. Ronald Dellums, of California; Dr. Ralph Abernathy, president, Southern Christian Leadership Conference, Julian Bond, Georgia legislator; Audrey Colom, president, National Women's Political Caucus; and Percy Sutton, Manhattan (New York) borough president

are among those who issued the statement.

The text was made public by Political Rights Defense Fund, the nonpartisan civil liberties group supporting the party's suit.

The leaders maintain that "disclosures of the Cointelpro operations and of widespread government use of paid provocateurs and other unconstitutional tactics raise obvious questions about the mysteries surrounding the assassinations of Dr. Martin Luther King and Malcolm X."

## FBI INFORMATION

They ask "to what extent was the government complicit in the murders of these two Black leaders? Or in the coverups of those murders?"

The statement cites the murders of Black Panther leaders Fred Hampton and Mark Clark in Chicago in 1969, pointing out that a paid FBI informer was posing as the Panther's Security Chief at the time.

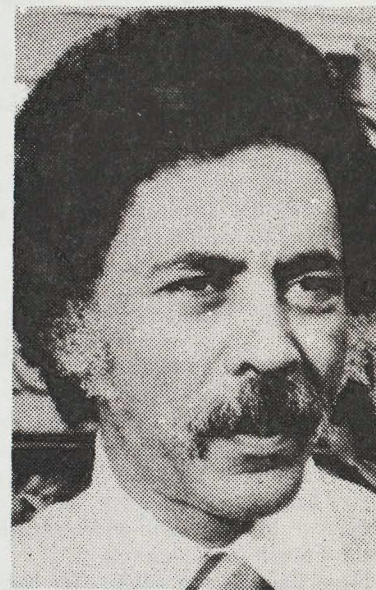
Dr. King was murdered in Memphis April 4, 1968, one month after the initiation of an FBI counterintelligence program known as "Cointelpro—Black Nationalist Hate Groups."

A document in that disruption program contains apparent, but censored, references to Dr. King. According to one file, dated March 4, 1968, a "primary goal" of the bureau was "to prevent the rise of a messiah who could unify, and electrify, the militant Black nationalist movement."



Bro. Fred Hampton.

(B.N. Photo)



Rep. Ron Dellums

(B.N. Photo)

# F.B.I. Burglarized Leftist Offices Here 92 Times in 1960-66, Official Files Show

## Documents and Letters of the Socialist Workers Party and Affiliates Copied

By JOHN M. CREWDSON

Special to The New York Times

WASHINGTON, March 28 —

Agents of the Federal Bureau of Investigation burglarized the New York City offices of the Socialist Workers Party and its affiliated organizations on at least 92 occasions from 1960 to 1966, according to official F.B.I. reports made public today.

The burglaries by specially trained teams of Federal agents in the early morning hours, occurred, on the average, once every three weeks in a 6½-year period, the reports show. They produced about 10,000 photographs of documents and correspondence concerning virtually every aspect of the party's business, including the defense strategies of members involved in Federal legal proceedings.

### Obtained in Lawsuit

The disclosure of the burglaries, the bureau's own reports of which were obtained by the party through its long-running civil lawsuit against the Government, directly contradicted an assertion by the Justice Department in that case that the Socialist Workers had never been the target of burglaries by Federal agents.

A party spokesman said that lawyers for the group were considering whether to ask Federal District Judge Thomas P. Griesa to make a summary judgment in the \$27-million suit, based on the apparent inaccuracy of the Justice Department's testimony, or whether to continue the civil process through which these and other F.B.I. documents have been obtained to discover the facts.

The records made public today described break-ins at



Peter Camejo

five Manhattan sites—116 University Place, 873 Broadway, 45 East Seventh Street, 124 Fourth Avenue and 41 Union Square West — where the Socialist Workers and two affiliated groups maintained offices.

Although most of the burglaries apparently went smoothly, on one occasion, the reports show, the agents' camera failed after they were inside. On another, in February 1961, the agents appear to have been surprised in the act. The report on that break-in notes, "For security reasons, it was necessary to terminate contact with above sources after a brief period."

The agents apparently got away cleanly, however. A party spokesman said today that party members had had no idea during the years in question that the F.B.I. had been making frequent nocturnal visits to their offices.

The nearly 400 pages of F.B.I. documents were provided to reporters by the Political Rights Defense Fund, which is raising money to underwrite the party's lawsuit. They appeared to cast new light on both the magnitude of the bureau's practice of conducting break-ins and the agent's seeming carelessness about limiting their thefts to information about foreign intelligence or national security matters.

Clarence M. Kelley, director of the bureau, acknowledged at a news conference last July

that the bureau had conducted what he called "surreptitious entries" from the time of World War II until the late 1960's.

But Mr. Kelley said the break-ins had been undertaken only to obtain "information relative to the security of the nation" and had been "paramount in the protection of the country" from subversive forces.

"I do not note in these activities any gross abuse of authority," Mr. Kelley said in July. "I do not feel that it was a corruption of the trust that was placed in us."

In an interview published in tomorrow's issue of U.S. News & World Report, conducted before the burglaries of the Socialist Workers office were publicly known, Mr. Kelley was quoted as having said that the practice of burglary was still being reviewed by the Justice Department. He added that the prosecution of the F.B.I. agents and officials involved had "not been ruled out."

Mr. Kelley was asked in the interview whether further disclosures of bureau wrongdoing were in the offing, and he replied, "Frankly, I know of none." But he added, "Some which have come up have been a surprise to me. So it is a possibility that there will be more, but I know of none that's lurking in the background—none which could make us quiver and shake at this point."

### 238 Entries Disclosed

The bureau has previously said that it made 238 illegal entries—known as "black-bag jobs" because of the kits of burglars' tools carried by the agents—against 14 unidentified "target" organizations from 1942 to 1968.

However, agency officials also told the Senate Intelligence Committee that, besides those 14 groups, three other "domestic subversive targets" had been "the subject of numerous entries" from October 1952 to June 1966. J. Edgar Hoover, the late director of the bureau, halted the use of break-in techniques in 1966 in all cases except those involving foreign embassies.

The bureau told the Senate committee that it had "no precise record" of the entries conducted against the three additional groups and was thus

unable to provide "an accurate accounting of their number." Senate sources confirmed that the Socialist Workers Party was one of the groups in question.

The F.B.I. records made public today describe many burglaries at 116 University Place and 873 Broadway, offices once occupied by the party's national and state headquarters. They also tell of entries at offices once used by the Young Socialist Alliance, the Socialist Workers youth affiliate, at 45 East Seventh Street and 41 Union Square West.

Also mentioned as a burglary target were the offices of the Committee to Aid the Bloomington Students, at 125 Fourth Avenue.

The committee was a legal defense organization set up in behalf of three students at the University of Indiana's Bloomington campus, all Young Socialist Alliance members, who were charged with having attempted to overthrow the State of Indiana in the early 1960's.

The reports describe as well two 1960 burglaries outside the city. One was at the Los Angeles home of James P. Cannon, then the Socialist Workers national chairman. The second was at a Hamden, Conn., home that the reports indicated was occupied by a party member.

The documents contain no indication of how many burglaries may have been conducted against the party before 1960.

The records of the 92 Manhattan incidents include in each case a request to the head of the bureau's New York field office for permission to enter the building and a report describing the items photographed there.

The terms "burglary" and "bag job" do not appear in the records, which mention only "highly confidential sources" who "have access" to the buildings in question. The term "highly confidential sources" has been used in bureau documents in reference to wiretaps.

### Offices Described

Other documents provided by the Government to the Socialist Workers include "casing" reports, in which the offices of the party are carefully described, with particular attention to the placement of street lights, types of locks and the nocturnal habits of neighboring

MORE

businessmen and residents.

One such report stated with a note of confidence that "the immediate area" of the party's headquarters "is reasonably dark in evening hours."

The agents who conducted the break-ins apparently used keys, since one of the reports notes that it had been necessary to pick a lock that had been changed and that a new key had been fashioned on the spot.

Each of the reports requesting permission to conduct an entry noted that "full security" had been assured in advance. A Socialist Workers spokesman said that the party would call for an investigation into whether members of the New York Police Department had participated in the burglaries by providing the F.B.I. with such "security."

But informed sources in the bureau said they doubted that the agency would have advised the New York police of their intentions in advance. Some of these sources have noted previously that members of the bureau's special burglary teams carried no F.B.I. identification and were instructed to submit to arrest if captured by the police.

Because of the personal dangers involved—captured agents could not invoke bureau authority but had to be prepared to take full responsibility for having broken the law—substantial bonuses were paid to participating agents after each successful burglary, one of the sources said.

Another source said that documents concerning all the agency's burglaries in the New York area were maintained in the Manhattan office rather than being forwarded to F.B.I. headquarters in Washington.

That policy, the source said, might explain the Justice Department's denial that the Socialist Workers had been subjected to such operations.

The source said that although the burglary reports were to have been destroyed once each year, an official in the New York office whom he described as a "string-saver" had kept them intact, and there had been no alternative but to surrender them to the Socialist Workers.

Although in most instances party documents seem to have been merely photographed by the agents, in some cases letters and other materials appear to have been removed from the premises.

The material obtained, the reports show, included domestic and foreign correspondence, records of contributions to the party's political candidates, let-

ters from citizens seeking information about the party's activities, information about the "personal problems" of members, minutes of meetings and many other aspects of the party's operations.

Although the bureau's descriptions of the material show little relevance to foreign intelligence, F.B.I. records previously made public indicate that some of the information thus obtained was later used to initiate counterintelligence operations designed to disrupt the party's activities.

In the 1960's, the party was one of the domestic organizations subjected by the bureau to a separate program of disruption and harassment called Cointelpro, which was formally ended in 1972.

Bureau officials have since conceded that the party's description of itself as a nonviolent Marxist organization committed to running candidates for public office is correct. But they have defended their attempts to disrupt the party on the ground that there was no assurance that its members might not one day embrace violence.

Although Federal agents are nominally forbidden to seek out or report any information relating to the defense of an individual involved in a Government legal proceeding, the burglary reports contain a number of items that apparently were photographed or taken in violation of that prohibition.

One burglary, on July 16, 1965, produced information, according to the report, on the "proposed legal maneuvers" of the committee aiding the Bloomington students, for example, and another, in 1962, provided "correspondence giving background on San Francisco S.W.P. members facing Army loyalty hearings.

## The New York Times

Page One

March 29, 1976

# Leftist Candidate Says City Police Aided Break-Ins

## Party's Candidate Says Police Aided Break-Ins, Providing Security

Peter Camejo, Socialist Workers Party candidate for President, charged yesterday that New York City officials "provided police protection for the Federal Bureau of Investigation's second-story men" in burglarizing his Trotskyite party's headquarters from 1960 to 1966.

Bureau documents describing 92 burglaries here, released in Washington yesterday as a result of a damage suit by the party against alleged Federal harassment, did not specifically mention cooperation by the New York police.

Requests by agents for authorization for the burglaries repeatedly said, "Full security assured." On other occasions, they said, "Security will be assured prior to entry on this assignment," or, "Security set forth at the time of the original authorization remains the same."

### One Interpretation

Leonard B. Boudin, counsel for the Socialist Workers Party in its suit, said in an interview, "Only one group can assure security."

He drew the inference that either the police had been advised "not to bother, this is a Federal matter," in case they saw anything unusual, or they had provided guards for the break-ins. But he conceded this was an interpretation that he wanted to explore further.

At Police Headquarters, comment was reserved yesterday

on the ground that the department knew nothing about the documents being released and that no information was immediately available on 1960's cases.

Jean Savage, national press secretary for the Socialist Workers current campaign, and Catherine Perkus, a staff member of the Political Rights Defense Fund, which is helping to finance the party's suit, agreed that the burglaries probably had not been reported to the police at the time because material generally was photographed rather than removed. Photography was reported in all but nine of the 92 break-ins here.

Mr. Camejo, a 36-year-old son of Venezuelan parents, has been campaigning as his party's Presidential candidate since his nomination by a national convention in St. Louis in October 1974.

In a statement released while he was going to Milwaukee yesterday, he characterized as "a fraud and a lie" a statement by the F. B. I. director, Clarence M. Kelley, that the burglaries had sought information for national security.

He said the documents made public yesterday mentioned the recovery of such items as "names of campaign contributors, letters on campaign strategy, political correspondence with socialists in other countries, information about legal strategy, places of employment of members."

"It was used to get S. W. P. members fired from their jobs," he asserted, "and to otherwise disrupt the legal political activity of the Socialist Workers Party."

"We demand the arrest and jailing of the criminals who authorized and carried out these acts, including the officials in New York who provided police protection for the F. B. I.'s second-story men."

Catarino Garza, the party's candidate for Congress in Manhattan's 18th District, said he would lead a group to Mayor Beame's office "to demand that the police who carried out and approved these burglaries be brought to trial."



# FBI Broke Into Socialist Party Offices Routinely

Washington (AP) — In predawn darkness on a deserted New York City street, a Federal Bureau of Investigation (FBI) agent broke into an office, rifled the files, photographed several hundred pages, and left as stealthily as he had come.

That happened as often as twice a month from 1960 to 1966 as FBI agents carried out 92 burglaries at the New York offices of the Socialist Workers party and the Young Socialist Alliance.

Two other burglaries in 1960 were conducted at the Los Angeles home of an SWP leader and the Hamden, Conn., home of a man the FBI said was linked to the party.

The burglaries were described in 354 pages of FBI files obtained by the party in its \$27 million suit accusing the FBI and other government agencies of unconstitutional harassment of legal political activities.

"These documents show an outrageous series of violations of the law by the FBI," said Peter Camejo, the Socialist Workers presidential candidate. The party is an old-line socialist organization whose leaders advocate nonviolent means to attain socialist goals.

A former FBI intelligence official, William C. Sullivan, also has said it is illegal for the FBI to use burglaries as a means of gathering intelligence. Referring to burglaries as "black bag jobs," Sullivan wrote in an internal memo in July 1966: "We do not obtain authorization for 'black bag' jobs outside the bureau. Such technique involves trespass and is clearly illegal; therefore, it would be impossible to obtain any legal sanction for it."

An FBI spokesman declined Sunday to comment on the disclosures.

The files provided to the Socialist Workers party suggest that burglaries were conducted far more often than FBI officials previously had acknowledged. The FBI told the Senate intelligence committee last September that 238 burglaries were carried out against 14 domestic organizations in a 26-year period ending in April 1968. The FBI also acknowledged conducting an undetermined number of burglaries against three additional groups from 1952 to 1966.

The files on the SWP and YSA show that 18 break-ins were carried out in 1960, dwindling to 6 in 1966. The files also show that the FBI burglars photographed a total of at least 8,700 pages found at SWP and YSA headquarters. The material included financial records, personal letters, names and addresses of party members and supporters, travel plans of the party's candidates for office, and the addresses of members' employers.

"Was this information used to apprehend spies or to prevent violence? Of course not," Camejo said. "It was used to get SWP members fired from their jobs, and to otherwise disrupt the legal political activity of the Socialist Workers party."

Officials of the party and the Political Rights Defense Fund, which is financing the lawsuit, found at least three cases in which the burglaries apparently were linked to disruption directed against the party in the FBI's counterintelligence (cointelpro) operation.

For example, the files showed that FBI burglars on April 26, 1963, photographed correspondence dealing with the party's forthcoming convention at the Empire Hotel in New York. The memo noted that the convention site was "previously un-

known."

A cointelpro memo dated May 7, 1963, said FBI agents were "checking out" the hotel management to arrange for spying on the convention. "In the event of a hostile management, disruptive operations will be considered," the memo said.

It was not clear from the FBI documents whether the agents actually took files from the SWP and YSA offices. Most memos referred to photographs of material found on the premises, but some noted that items of information were obtained and made no mention of photographs.

The memos did not say how the agents gained entrance to the buildings. But one memo suggested that they had made their own keys to fit locks at the SWP and YSA offices.

The files showed that the agents were careful to avoid being caught. Several memos noted, "Security will be assured prior to entry on this assignment."

Party and Defense Fund officials said this language leads them to believe that New York City police were cooperating in the burglaries by serving as lookouts to guarantee that no one interfered with the raiders. They urged New York Mayor Abraham Beame to investigate the extent of city police involvement.

The files showed that the agents had a close call during a break-in Feb. 24, 1961, at the Socialist Workers office. "For security reasons, it was necessary to terminate contact with above sources after a brief period," the memo said.

The files consistently refer to the burglaries in the euphemism of "contact with highly confidential sources." But there's no question that the files deal with burglaries, because the FBI supplies them in response to the party's specific

request.

In legal papers accompanying the files, government attorneys said no documents have been located dealing with any burglaries after July 1, 1966. They noted that party lawyers had agreed that "this request was limited to the period 1960 to the present."

There was no detailed information about burglaries prior to 1960, but several memos said FBI headquarters and the agent in charge of the New York office had authorized burglaries at SWP offices "on a continuing basis" on May 7, 1959.

Outside New York, the memos showed that a break-in was conducted on April 30, 1960, at the Los Angeles home of James P. Cannon, then the SWP national chairman.

The files report that on March 10, 1960, agents burglarized the Hamden, Conn., home of SWP members Dan and Elisa Morgan and photographed material describing, among other things, Morgan's plans for a 1959 Christmas vacation in Los Angeles.

Morgan said Sunday he had a "light association" with the party 16 years ago but was not a member. He said he had no knowledge of any 1960 break-in, and added, "If a break-in in fact occurred without our knowledge, it is an outrage."

Houston Chronicle  
Page One  
March 29, 1976

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## The New York Times Editorial

April 1, 1976

### F.B.I. as Burglars . . .

In a more rational world the story of clandestine F.B.I. break-ins, on a schedule of roughly once every three weeks for six years, into the offices of the Socialist Workers Party—an organization singularly lacking in political influence—would be dismissed as clumsy radical propaganda. Unfortunately, it is disbelief that must be suspended; the break-ins are now a matter of record by the F.B.I.'s own admission, supported by the flawless bureaucratic jargon of the bureau's own files.

The absurd futility of these "black-bag" forays must not overshadow the principles at issue. These burglaries were raids against the Constitution. They were carried out by a governmental agency in deliberate disregard of one of the most fundamental rights of citizens in a democracy: to be safe from illegal search without warrant. It is a right that distinguishes a free people from the subjects of an autocratic state.

The story of these raids, moreover, provides insight into the corrosive effect of such violations on the integrity of government far beyond the agency directly involved. Thus, local police appear to have been forced into complicity. The Justice Department helped to cover up the very violations it was allegedly investigating.

There is ample provision for the protection of the nation's security without resort to measures which ultimately jeopardize the security of every American. The F.B.I. surely would not have found it difficult to obtain search warrants in the pursuit of any credible suspicion of illegal activities.

What a democratic state cannot condone is the use of secret police power to harass those who peaceably dissent, however radically, from the established order or prevailing consensus. The F.B.I.'s latest admission underscores the need to establish far more effective security against attempted subversion of civil and political liberties.

Conrad/The Los Angeles Times



## Corrupt, Stupid and Indecent

The offices of the first political party to nominate a Presidential candidate for the elections of 1976 have been repeatedly broken into and ransacked by agents of the United States Government. What have we here—another Watergate?

The truth is different but in many ways even worse than the famous burglary that was the undoing of Richard Nixon. The political party is the Socialist Workers, a small, peaceful, Trotskyite group which tries to advance its cause by running candidates in as many elections as possible. (The candidate for President this year is Peter Camejo.) No threats, no bombs, just politics in the American way. The government agents who did the dirty work were no group of amateur gumshoes assembled for a political "caper" but the investigative arm of the federal government, the FBI. As for the number of times the FBI broke into the offices of this Socialist group and photographed some 10,000 documents—it reached the incredible figure of ninety-two burglaries in the six years from 1960 to 1966. That is, on an average of once every three weeks the FBI broke, entered, browsed and copied.

All this came out because of a suit brought by the Socialist Workers (who naturally knew what was going on, even if they could not prove the identity of their harassers). Finally, some documents were forced from the reluctant federal government and the appalling story has begun to spill out.

For one thing, the government at a very high level lied about its involvement. The Department of Justice declared officially that federal agents had *not* engaged in burglaries of the Socialist Workers offices. For another, there is the stupid and indecent rationale of the FBI itself for this kind of outrageous action (not specifically the one aimed at the Socialist Workers).

FBI Director Clarence M. Kelley, admitting publicly last summer that his agency had been busy with what he nasty-nicely chose to call "surreptitious entries" (he could have added "habitual" after the first dozen or so), declared that he noted no "gross abuse of authority" in these break-ins and denied that they amounted to "a corruption of the trust that was placed in us." Their only purpose, said the man who sits at J. Edgar Hoover's desk, was to obtain "information relative to the security of the nation"

and he called the data the G-men gathered "paramount in the protection of the country."

That nonsense was uttered by the FBI's chief a few months ago. Now, after long and costly legal action, we know that this "paramount" stuff consisted of papers stolen from a small, mild and perfectly legal political party. (Readers who would like to help bring the official criminals in this case of "legal" burglary to book should send their contributions to the Political Rights Defense Fund, Box 649, Cooper Station, N.Y.C., N.Y. 10003.)

Ten years later, the FBI admits that the Socialist Workers party is "a nonviolent Marxist organization committed to running candidates for public office," in the words of *The New York Times* story. But, the paper adds, FBI officials "have defended their attempts to disrupt the party on the ground that *there was no assurance that its members might not one day embrace violence*" [our italics].

The pattern of provocation and harassment of all unorthodoxies by the agents of the FBI is now well known. The political stupidity that lay behind this long series of illegalities is equally clear. Not yet known is what the government, executive and legislative branches both, is going to do to make this sort of thing unthinkable in the future. Attorney General Levi's proposed reforms are purely administrative in nature and thus subject to administrative reversal in another political climate. There are no binding legal guarantees in what Levi has proposed and Congress must proceed as fast as possible to do its essential part of the job. Levi should be commended for his plan to order the FBI to notify the many victims of the bureau's COINTELPRO disruption of what was done to them, giving them a chance to seek the destruction of their files and to sue for damages, but this is a small first step down a long road toward decent political behavior by the federal government.

Now back to Watergate, as they say in news broadcasts. The scene is the sixth-floor Washington office of one of the two major parties. Agents Hunt and Liddy pull on their gloves and adjust their masks. "Well, lads, we ought to know our way up this back stairway by now; it's the ninety-first time. . . ."

## Operation Burglary

Secret spying operations within the continental U. S. by skilled agents. Pre-dawn burglaries by these operatives, not just once or twice but scores of times. Meticulous descriptions of burglarized premises. Photographing of thousands of documents, outright theft of others. All of it subversive, illegal and an affront to the U. S. Constitution.

An urgent case for the FBI? In a way; the trouble is that the spies were special agents of the FBI who, between 1960 and 1966, repeatedly entered and robbed the offices of the Socialist Workers Party. There is no dispute about what happened. Despite an earlier assertion by the Justice Dept. denying such activity, what amounts to a full FBI confession has now been made.

The confession was scarcely voluntary. Rather the G-men have provided the records under legal compulsion of an SWP federal lawsuit. As a result, a number of consequential legal decisions are now pending. None of them involves the "national security"; despite its relentless criminal activity, the FBI was

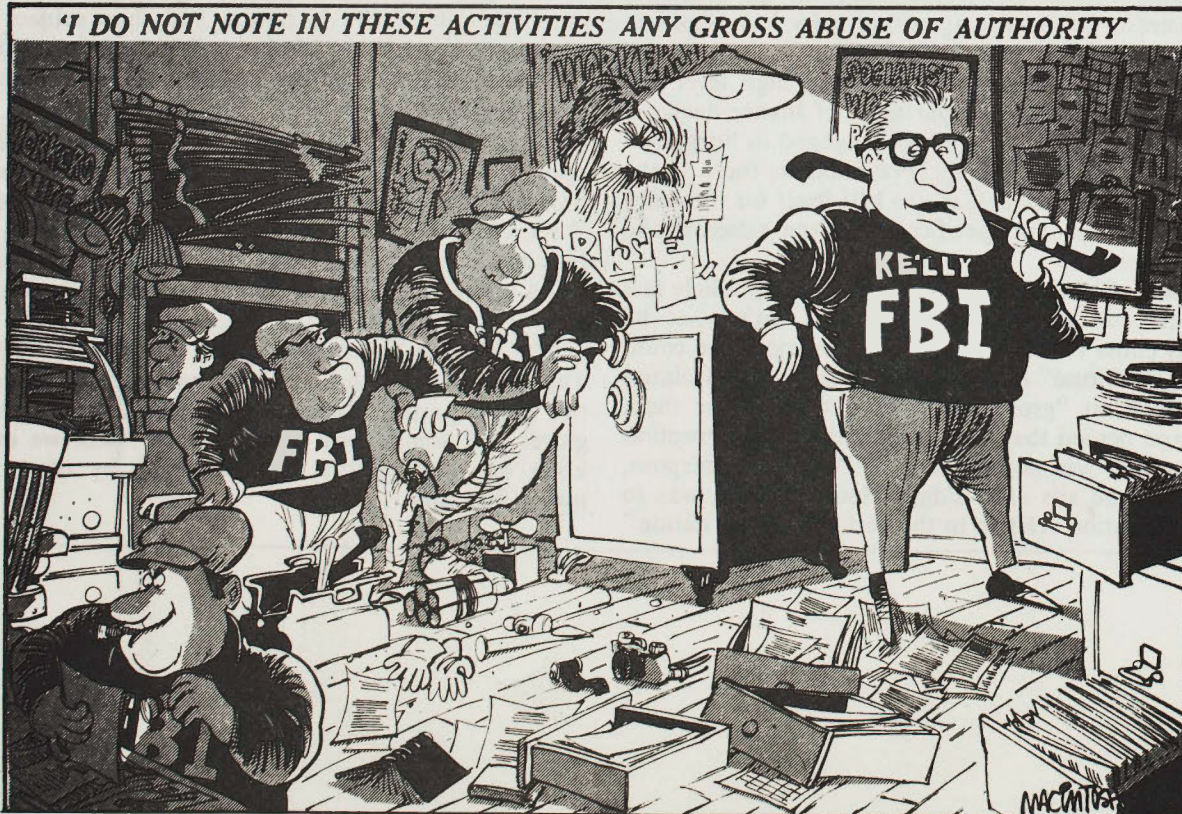
wholly unable to produce any evidence to incriminate the SWP.

Will the proposed new Justice controls on FBI intelligence operations restrict such routine abuse of the most basic citizens' rights?

According to one official source, official Washington did not have any records of the SWP spying; the records were retained, it is said, by the FBI here. If that is so, if headquarters were really ignorant of the operation, how many other local "black bag" jobs were carried out? And how does Washington propose to regulate them?

The Justice "guidelines," as described so far, would, in fact, appear to authorize another series of burglaries of the SWP, a small, marginal, leftist sect that plainly presents no clear and present danger to the republic. One original justification for the break-ins was that the party members might turn to violence. The new guideline permits investigations of groups that "will" break the law—except, of course, the FBI.

Macintosh/Minneapolis Star



## Foul Play Is Alien to the System

WHEN a break-in was discovered at the Watergate offices of the national Democratic Party — and a Republican administration tried to cover it up — the reverberations shook this constitutional republic to its foundations.

It will be interesting, therefore, to see what kind of reaction, if any, follows the disclosure that not one but a series of 92 break-ins and burglaries occurred between 1960 and 1966 at the New York offices of the Socialist Workers Party.

Those misdeeds took place during a period overlapping the administrations of Dwight Eisenhower, John Kennedy and Lyndon Johnson. The Federal Bureau of Investigation did the dirty work, usually in the middle of the night using specially trained agents. New York City police apparently cooperated.

Details of the FBI operations against the SWP were made available only after a court ordered an end to the long FBI coverup. The party had to engage in a long series of lawsuits to pry the information loose from a reluctant federal government.

Unfortunately, the coverup continued for so long that the passage of time

and the public's weariness with "Water-gates" will probably temper whatever predisposition may have existed to be outraged by the FBI's activities in this case.

Nevertheless, the subject should not be passed over too lightly. A break-in at the offices of the Socialist Workers Party is just as alien to the American system of constitutional law as a break-in at the offices of one of the major parties.

The acts are not made any less abhorrent by the fact that they took place during the administrations of presidents other than Richard Nixon. Neither can the actions be rationalized away because they occurred during the reign of the late J. Edgar Hoover, who is no longer in charge of the FBI but whose policies still haunt it.

While nobody would suggest that the SWP incidents could or should be magnified to a national ordeal of Water-gate proportions, there must at least be a complete and open airing of the federal government's unconstitutional activities against a legitimate political party, with fair recompense for any damages done.

Auth/Philadelphia Inquirer



## F.B.I.'S TARDINESS IS FACING INQUIRY

Justice Department Lawyers  
Heard About Burglary Files  
Just Before Disclosure

By JOHN CREWDSON

Special to The New York Times

WASHINGTON, April 3 — Justice Department lawyers, stung by the belated discovery that agents of the Federal Bureau of Investigation had committed 92 burglaries at the Socialist Workers Party's offices, will take steps to find out why the bureau failed to produce the information sooner, a well-placed department source said.

Bureau documents describing the burglaries, which took place in New York City from 1960 to 1966, were provided to the party by the Justice Department under the discovery provisions of a civil lawsuit brought against the Government by the Socialist Workers. The party made the records public.

Department sources said later that lawyers defending the Government in that case had not been informed of the existence of the documents until the day before they were provided to the party's attorneys.

Moreover, the sources said, other Justice Department lawyers who were conducting a general investigation of burglaries by the bureau were not aware that the documents had been found until they saw news accounts of their discovery earlier this week.

The sources said that the bureau had made known to the Justice Department the recollections of some of its long-time agents that the Socialist Workers had been the target of an undisclosed number of break-ins.

But the lawyers had no idea of the timing or the scope of the burglaries, which came on an average of once every three weeks and produced some 10,000 photographs of the party's files, until the documents containing accounts of those operations were discovered in

the bureau's New York City field office.

The department's civil rights division, which had been investigating all known F.B.I. burglaries from 1966 to 1968, is now considering expanding its inquiry to include the Socialist Workers burglaries, an official there said.

One source in the Civil Rights division said that its lawyers were also "very concerned" at not having been given the reports of those burglaries earlier. The source added that the lawyers would attempt "to find out why one branch of the Justice Department doesn't know what another branch is doing."

Based on the information gathered up to now, the source said, "no thought is being given to possible prosecutions" of agents involved in the burglaries.

The bureau itself has had no comment on the belated discovery of the documents because, a spokesman said, "the matter is currently in litigation."

One source in the bureau said recently, however, that the documents were thought to have been destroyed years ago, and as soon as their existence was discovered they were forwarded to the Justice Department. No details of how or when they were found could be learned.

The discovery of the papers poses a separate problem for Government lawyers involved in the Socialist Workers civil lawsuit. They assured the party two years ago that it had not been the object of any break-ins by F.B.I. agents.

In its civil complaint, the party asserted that it had reason to believe that it had over the years been the target of warrantless electronic surveillance, mail openings and burglaries perpetuated by the F.B.I., the Central Intelligence Agency and other Federal agencies.

In response, the Justice Department acknowledged that there had been some electronic surveillance and that the bureau had attempted to disrupt the party's operations, but it denied that mail openings or burglaries had occurred. One Justice Department source said that the response had been based entirely upon information provided by the bureau, which had been asked to provide all relevant information

from its files.

But even after the bureau told the Senate Intelligence Committee in September of some agents' recollections that the party probably had been burglarized, the Justice Department made no move to amend its answers.

One government lawyer familiar with the civil case said that while criticism of the bureau was "justified" because of its delay in locating the burglary reports, he had so far seen "nothing to indicate bad faith."

Another chagrined Justice Department official remarked, however, that it was "embarrassing when you have to keep going before a judge and saying, 'Sorry, sir, we just found this.'"

A spokesman for the Socialist Workers said that the party's lawyers would ask Federal District Judge Thomas P. Griesa next week to find the F.B.I. director, Clarence M. Kelley, in contempt because of the bureau's tardiness in producing the burglary reports.

## F.B.I. FILES REPLY TO DAMAGE SUIT

It Defends Its Surveillance  
Of Socialist Workers Party

By PETER KIHSS

The Federal Bureau of Investigation, responding to a damage suit by the Socialist Workers Party, says it investigated members of the Trotskyite party partly because it feared they might "gain responsible positions not only in government but also in industry and education."

Syd Stapleton, secretary of the Political Rights Defense Fund, which is helping finance the party suit in Federal Court in Manhattan, said Tuesday that this "claims the right to drive people out of their jobs" if the bureau on its own thinks them "subversive."

The F.B.I. response was actually a 350-word summary of "determinants of F.B.I. investigations, originally prepared by the Comptroller General's General Accounting Office for the House Judiciary Committee last month. It was adopted and submitted more than a week ago as the F.B.I. answer to an interrogatory by the party's lawyers.

The document asserted that individuals in "subversive groups" were "presumed to recognize that the use of violence as a political tool is inevitable" and that "all members are investigated sufficiently to assess their willingness to use violence for their cause."

### Party Stresses Legality

The Socialist Workers Party stresses that it is a legal political party, which runs candidates, currently including races for President and Congress. The defense fund says the party "neither advocates nor engages in illegal or violent activities" and has nothing in party files "that could be construed as relating to 'national security.'"

In its response on reasons

for files on actual and suspected party members, the F.B.I. said that "leaders and activists" in subversive groups "may be subject to continuous investigation."

The bureau said it sought to "identify all members of subversive groups" to develop a complete picture of their organizations' activities and to assess their ability to achieve goals. It said it aimed to "identify attempts to infiltrate non-subversive groups," help provide information for protecting Government officials and "assess potential informants."

Another aim is "to conduct an effective security of government employees program," the document said. "According to internal F.B.I. communications, the F.B.I. is concerned that members of subversive groups will, at some future time, gain responsible positions not only in government but also in industry and education."

Mr. Stapleton contended that "this statement proves that the F.B.I.'s attempted disruption of socialists and others — once known as Cointelpro — has never come to a halt." He asserted that a "subversive" was "anyone or anything that the F.B.I. says it is."

He charged that the policy statement would violate guidelines by Attorney General Edward H. Levi limiting F.B.I. domestic security investigations to potential crimes or violence. The guidelines, he said, would not authorize F.B.I. "punishment" for party membership.

### New Guidelines Set

In Washington, the Justice Department said the new guidelines would go into effect next Monday. One section eliminated was authorization for "preventive action," which was in a first draft last December and which would have specifically permitted disruption of groups or individuals plotting violence.

Last Monday, Evelyn Sell, a 46-year-old teacher, filed a \$200,000 suit against the Austin, Tex., school board over her 1970 dismissal. She said she learned from F.B.I. documents released last June that six memorandums on her party activities had been sent to the Austin police to relay to school officials.

Another party member, Dr. Morris Starsky, has been suing for reinstatement as an assistant professor of philosophy at Arizona State University, charging that F.B.I. documents show a two-year campaign instituted against him before his 1970 dismissal. The Political Rights Defense Fund said he had won cases seeking back pay from two later teaching jobs in California.

Marcia Gallo and Catarino Garza, party candidates for Senator and Representative here, presented demands yesterday to Frank McArdle, Assistant to Mayor Beame for investigation of "apparent involvement of the New York Police Department in complicity" with 92 admitted F.B.I. burglaries of party offices here.

They also demanded prosecution of F.B.I. agents involved. However, the burglaries took place from 1960 to 1966, and according to police officials, a statute of limitation against prosecution for burglaries runs out five years after commission of the crime.

The demands for opening police files were supported by statements from the New York City chapter of the National Lawyers Guild and the Association of Legal Aid Attorneys.

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# COINTELPRO

## THE FBI'S SECRET WAR ON POLITICAL FREEDOM

**BY NELSON BLACKSTOCK WITH AN  
INTRODUCTION BY NOAM CHOMSKY**

The first in-depth look at the covert and illegal FBI counterintelligence program—code-name COINTELPRO. "The only conceivable purpose of the continuation of the Cointelpro techniques is harassment and disruption of legitimate political activity." —The New York Times

Scores of documents, including top secret reports on FBI burglaries, that detail illegal attacks against people in the antiwar, socialist, and Black movements. Paperback \$2.95.

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"[FBI] burglaries were raids against the Constitution. . . . The story of these raids, moreover, provides insight into the corrosive effect of such violations on the integrity of government far beyond the agency directly involved." — The New York Times

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**The  
Nation's Press  
Views the  
Landmark Suit  
that is  
Uncovering  
FBI and CIA  
Crimes, Part II**

# Contents

## A Chronology

This is the second booklet of newspaper stories and editorials about the Socialist Workers Party lawsuit against government spying. It starts with April 1976, where the first booklet left off, and goes through the middle of October.

The socialists' suit is unique. Week after week these past six months it revealed illegal government operations that wouldn't have become public otherwise.

It is today the main challenge to the continuing attacks on civil liberties by the FBI, CIA, and other agencies.

The suit is fighting, for example, to end the use of informers in political groups. And it is helping to undermine the CIA's traditional claims of secrecy for its illegal operations.

Attorney Leonard B. Boudin heads the party's legal team. They took the case to court in July 1973. Federal Judge Thomas P. Griesa is hearing it. There is no trial date set because of the huge number of documents the government hasn't yet turned over to the socialists. (The FBI alone has eight million pages of files on the party.) The Political Rights Defense Fund is the civil liberties group raising money and gathering support for the case.



Herblock/The Washington Post

- Page 4      April. Files showed that the FBI in 1968 stole personal and political papers belonging to the party's presidential candidate, Fred Halstead.
- 5            May. U.S. Army Intelligence agents in Europe have opened mail of American citizens and may be still doing so, according to an Army affidavit.
- 6 - 7        June. The SWP suit was responsible for the discovery of top secret FBI files about recent burglaries of many organizations. That discovery led to a nationwide criminal investigation by the Justice Department.
- 8            June. Until at least a year ago, the FBI was stealing files from the SWP.
- 9 - 10      June and July. Editorials credited the SWP suit with uncovering information overlooked by the Congressional intelligence committees.
- 11          July. The FBI's New York man-in-charge of spying on the SWP took the Fifth Amendment eighty times when asked about recent operations against the SWP.
- 12          July. The SWP suit revealed new information about CIA crimes: burglaries of Americans abroad. CIA Director George Bush said the agency has a right to keep secret all details and wouldn't say whether the burglaries have ended.
- 13 - 15     July. An FBI agent testified he committed up to ninety burglaries of the SWP.
- 16          July. Judge Griesa asked the CIA for uncensored files about its operations against the SWP. (The agency had given him some files he said were 90% censored.) Judge Griesa said he couldn't begin to consider the CIA's claims of secrecy until he read complete files. The CIA asked for time to answer.
- 16 - 22     July and August. An FBI informer burglarized the Denver office of the SWP on July 7, 1976. This is the most recent burglary documented thus far and it rattled the FBI and Director Clarence Kelley. Judge Griesa ordered the FBI for the first time in its history to release complete files about an informer, the Denver burglar.

Nearly 2,000 pages of files showed that the FBI orchestrated a coverup of the burglary. The files gave the first glimpse into the subterranean world and illegal actions of informers.

- 23 - 25 August and September. Judge Griesa accused the FBI of deliberately giving "false information" about the activities of the Denver burglar. A Denver grand jury indicted the informer-burglar but only criticized the FBI agent involved.
- 26 - 27 July - September. How some columnists saw the suit.
- 28 - 29 August. "A 38-Year Probe of Marxist Group Backfires on FBI," a survey by The Washington Post of the SWP suit.
- 30 August. FBI Director Kelley said he isn't sure whether burglaries have stopped and he announced that he "reorganized" the FBI. Actually, he only rearranged some divisions within the FBI.
- 31 August. An editorial in The New York Times credited the SWP suit with demonstrating the "deep-seated malaise" within the FBI.
- 32 August. Judge Griesa ruled against the government's motion to dismiss SWP damage claims, which now total \$40 million.
- 33 - 35 August. The FBI shifted its operations against the SWP to a division that spies on groups the FBI says have "illegal foreign connections." FBI officials have admitted publicly that the SWP has no such connections. Editorials criticized the continuing harassment of the party, no matter which division of the FBI is responsible.
- 36 - 37 September. The FBI was forced to admit it has sixty-six informers posing as members of the SWP. The socialists said they are seeking the names and complete files of the informers.
- 38 September. A Secret Service agent testified he secretly taped and photographed the 1971 convention of the Young Socialist Alliance. This incident was the first example made public of illegal spying by the Secret Service.
- 39 - 43 September. The Justice Department ordered the FBI to end its thirty-eight year investigation of the SWP. Party leaders said they would continue their suit and called the announcement an admission that the FBI was wrong for thirty-eight years. They said that for the step to mean anything the FBI would have to remove from the party the sixty-six informers now posing as members and turn over the eight million pages of files it has on the party.
- 44 September. The first inklings became public that FBI spying on the SWP isn't ended: The government refused to remove its informers and a spokesman said the FBI will continue to accept information about the SWP.
- 45 - 46 October. In an official memorandum, FBI Director Kelley told agents they may continue investigating members of the SWP who they consider violence-prone. This is the same excuse the FBI used for thirty-eight years to spy on the party. The SWP's presidential candidate, Peter Camejo, said the announced end of the FBI investigation was "a publicity stunt without substance."
- 47 October. Judge Griesa overruled the Justice Department's objections and ordered FBI Director Kelley to answer questions under oath from the Socialist Workers Party.

October 18, 1976

## MEMO SAYS F.B.I. GOT MISSING FILES

Bureau Says It Was Given  
Papers Socialist Asserts  
Were Stolen In '68

By JOHN M. CREWDSON  
Special to The New York Times

WASHINGTON, April 24—The contents of a briefcase allegedly stolen from the 1968 Presidential candidate of the Socialist Workers Party mysteriously turned up a month later in the hands of the Federal Bureau of Investigation, according to F.B.I. documents provided by the bureau to the candidate, Fred W. Halstead.

Mr. Halstead recalled in a telephone interview from his home in Los Angeles yesterday that the briefcase, containing personal and political papers, was taken from a car in San Francisco in early October 1968, about a month before the Presidential election in which he got 41,399 votes in 19 states.

A previously secret F.B.I. memorandum prepared by the bureau's Sacramento, Calif., field office and made available to Mr. Halstead shows that the contents of his briefcase were forwarded to F.B.I. headquarters by the Sacramento agents the following December.

### Bureau's Report

According to the F.B.I. memorandum, the papers were obtained by the bureau from an unidentified individual who reportedly said he found the briefcase in a lavatory at the San Francisco International Airport on October 23, 1968, nearly a month after it was allegedly stolen from Mr. Halstead's car.

The purported finder, the F.B.I. report continued, "was unable to locate the owner of the briefcase" and took it to his home in nearby Vallejo,

Calif., where "he decided to destroy it and the contents."

But the memorandum said the finder telephoned F.B.I. agents in Sacramento, who persuaded him to surrender the materials to them.

Mr. Halstead said yesterday that he could not account for the discrepancies between the F.B.I. report and his own recollections of how and when he lost his briefcase, except to assume that the F.B.I. had taken the item from the car and then made up a "finder" as part of a cover story.

The bureau has customarily disguised in writing the sources of some of its more sensitive information, such as attributing to a "reliable confidential informant" the results of wiretaps or burglaries carried out by its agents.

### Mr. Halstead's Recollection

Mr. Halstead said that the briefcase and a coat had been stolen from the automobile owned by Paul Colvin, a San Francisco antiwar activist, while it was parked in front of a San Francisco church that housed a Vietnam peace organization.

Mr. Halstead's campaign itinerary shows that his visit to San Francisco occurred on Oct. 2 and 3, 1968, well before Oct. 28, given in the F.B.I. report as the date of the discovery of the briefcase in the San Francisco airport.

Mr. Halstead said he had "just assumed that it was a regular burglary" and thought nothing more about it until recently, when the F.B.I. document was provided to him in connection with a request to the bureau under the Freedom of Information Act.

He said that the stolen materials had never been returned, nor had the F.B.I. notified him that it had his property. He said he now planned "to ask for it back."

Although the Socialist Workers Party has obtained a court order under which all F.B.I. documents relating to the party are to be surrendered to its lawyers, the 600 pages of F.B.I. files recently sent to Mr. Halstead have not been made available to the party under the suit.

Leonard B. Boudin, the party's lawyer, noted in a letter sent last week to the Justice Department that under California law the crime of theft occurred when the finder of lost property kept it or passed it on to another rather than returning it to the owner.

Mr. Halstead said his briefcase was clearly marked with his name, as was also indicated by the F.B.I. memorandum's reference to him as the owner of the materials inside.

A Federal statute also makes it a misdemeanor for any Federal employee to use his authority "for the purpose of interfering with, or affecting, the nomination or the election of any candidate for the office of President."

The F.B.I. has admitted that it burglarized the offices of the Socialist Workers Party in New York City on an average of once every three weeks between 1960 and 1966, the year it said all burglaries directed at the party were halted.

## ARMY OPENED MAIL IN WEST BERLIN

Affidavits Suggest Seizure  
of Letters From U.S.  
May Be Continuing

By JOHN M. CREWDSON  
Special to The New York Times

WASHINGTON, May 14 — Army intelligence officers stationed in West Berlin have opened first-class mail between there and the United States and may be continuing to do so, according to two affidavits recently filed in civil court cases by Army Secretary Martin R. Hoffmann.

Mr. Hoffmann acknowledged in one of the affidavits that the Army "intercepted" in 1968 a letter from a member of the Socialist Workers Party to an addressee in West Berlin, and a second letter, four years later, that "merely discussed" a party member.

In both instances, Mr. Hoffmann said, the letters were "not then in United States mail channels," but presumably in foreign mail systems. The affidavit was submitted by the Secretary in response to queries from the Socialist Workers Party in connection with its lawsuit against several Federal intelligence agencies.

In an affidavit filed in a related case, brought against Defense Secretary Donald H. Rumsfeld by a group of American citizens living in West Berlin, Mr. Hoffmann said, "The U.S. Army conducts monitoring of postal and telephone communications within

its sector of Berlin for itself and other United States investigatory agencies."

Asked whether Mr. Hoffmann's statement could be interpreted as an acknowledgement that the Army was continuing to open mail in West Berlin, an Army spokesman replied that the Secretary retained the authority to order mail interceptions "under certain very restrictive circumstances."

The spokesman was unable to comment on whether Army intelligence officers conducted similar mail opening operations elsewhere in the world or to say how long such practices had been under way in West Berlin.

He did say, however, that Army personnel "may conduct surveillance acts overseas during the course of criminal, national security or foreign intelligence investigations" in compliance with "applicable laws of the host country," but that such methods could be used against American citizens abroad only with the approval of the Secretary or Under Secretary of the Army in specific cases.

The Central Intelligence Agency opened and photographed first-class mail between the United States and Communist countries beginning in 1953 but ended the practice in 1973.

### Question Over Access

Mr. Hoffmann's reference to "other United States investigatory agencies" raised the possibility that the C.I.A., through Army intelligence, still has access to mail from this country opened outside of United States postal channels, but a C.I.A. spokesman refused to say whether this was the case.

The plaintiffs in the second civil suit are members of the Berlin Democratic Club, which supported Senator George McGovern of South Dakota, the

Democratic Presidential candidate in 1972.

Their suit, brought with the assistance of the American Civil Liberties Union, alleges that the Army subjected them to warrantless electronic surveillance, infiltrated their meetings with informants and opened their mail.

In his response to that charge, Mr. Hoffmann declined to comment on whether letters and telephone calls to and from members of the club were intercepted in the course of the Army's surveillance.

In the Socialist Workers case, Mr. Hoffmann declined to identify the party member whose letter was intercepted or the individual who was discussed in the second intercepted letter.

But Syd Stapleton, a party spokesman, said he believed that a number of party members had corresponded with groups of American soldiers and German Socialists during the period in question.

In behalf of the Army, Justice Department lawyers asserted in the case of the Berlin Democratic Club that constitutional prohibitions against search and seizure that is not authorized by a judicial order do not apply to American citizens outside the United States.

Other Justice Department lawyers have said privately that they have concluded that the C.I.A.'s mail interception program, which was centered in New York, San Francisco and New Orleans, was carried out in violation of Fourth Amendment guarantees.

# F.B.I. BURGLARIES SAID TO BE FOCUS OF MAJOR INQUIRY

## Justice Dept.'s Nationwide Investigation May Affect Hundreds of Agents

### MEN RETAINING COUNSEL

## Investigators Reported to Have Delved Into Secret Files in 59 Field Offices

The following article was written by Nicholas M. Horrocks and is based on reporting by him and John M. Crewdson.

Special to The New York Times

WASHINGTON, June 23—

The Department of Justice is conducting a nationwide investigation of alleged illegal burglaries since 1971 by the Federal Bureau of Investigation that could ultimately involve hundreds of agents and officials of the bureau's intelligence division, according to well-placed F.B.I. sources.

At least a dozen agents, including an assistant director of the bureau, have retained private legal counsel because of the investigation. The inquiry is the broadest criminal investigation of the F.B.I. ever conducted, and one key agent said that it could result in changes in the fabric of the bureau "as it now exists."

The burglaries under investigation were allegedly performed by agents against organizations and individuals of the New Left, particularly members or supporters of the militant Weatherman organization, according to well-placed bureau sources.

### Special Team Formed

The investigation is being

conducted by William L. Gardner, chief of the criminal section of the civil rights division of the Department of Justice. He is assisted by a special team of F.B.I. men under the direction of Richard Ash, the head of the bureau's identification division.

The inquiry was apparently begun after a civil suit brought against the F.B.I. and its officials by the Socialist Workers Party uncovered documents that indicated that surreptitious entries of the homes and offices of officials of the left had been made after 1971.

What has made the timing a sensitive factor is that the F.B.I. told the Senate Select Committee on Intelligence Activities and the Ford Administration that it had no record of using burglary in domestic cases after 1966 when the director, the late J. Edgar Hoover, ordered the practice halted.

Clarence M. Kelley, the current director of the bureau, has consistently stated that the practice ended in 1966.

According to bureau sources, the current investigation has delved into heretofore secret files maintained in the 59 F.B.I. field offices, including the file of the special agent in charge, the file of the assistant special agent in charge, and a "do not file" file. These files were not searched when the Senate committee made its investigation last year and have no counterpart in Washington.

A Senate committee spokesman said that the F.B.I. had previously assured the panel that it had provided all available evidence relating to burglaries committed by its agents. The search of the field office files, ordered by Mr. Kelley last May 13, two weeks after the committee issued its final report, was undertaken in response to the Socialist Workers Party lawsuit.

One top Justice official has told newsmen privately that this belated disclosure "is beginning to give us all the shakes."

Bureau agents learned of the department's investigation about 10 days ago when Mr. Gardner began calling agents on the telephone, identifying himself, warning them that they were targets in a criminal investigation and advising them to get lawyers. He is expected to conduct the interviews himself.

The bureau later sent agents a teletype message permitting them to retain lawyers and followed this up with a teletype message that told the agents any lawyers they chose would have to be cleared by the Department of Justice before the agents could discuss classified information with them.

The highest ranking official known to have retained a lawyer is Andrew J. Decker, who was recently promoted by Mr. Kelley to be assistant director in charge of the bureau's computer operation. Before coming to Washington, Mr. Decker was in the intelligence division and at one point was special agent in charge of the intelligence division operations in New York.

He has retained Edward Bennett Williams, one of Washington's most prominent criminal lawyers. Mr. Decker declined to comment on the case and referred all questions to Mr. Williams.

A group of present or former agents in the New York field office has retained Jack B. Solerwitz, a Mineola, L. I., lawyer who is counsel for the Federal Criminal Investigators Association.

Mr. Solerwitz confirmed that he had been hired by the F.B.I. men, but declined to name his clients or disclose their number, because he felt this would help the Department of Justice in its investigation.

### Legal Liabilities

Another agent has retained Brian Gettings, the former United States Attorney in Alexandria, Va. William Hundley, a former Assistant Attorney General who now practices law in Washington, has been asked to take on the cases of still other F.B.I. men.

The legal liabilities for men who have been involved in burglaries could be difficult to determine. One F.B.I. source said that he and his colleagues had made the entries under instructions from superiors and

would have been severely disciplined if they had refused.

"You know that nobody even goes to the bathroom around here without permission," he said.

He said that even if an agent was given immunity to testify in the Federal investigation, he might face burglary charges from the local authorities or a civil suit by the victims of the break-ins.

A report in The Los Angeles Times said that 20 agents, most of them in New York, were under investigation. Bureau sources said, however, that the inquiry would be "far wider" and already included the San Francisco, Los Angeles and Chicago field offices, where the bureau dealt with substantial radical political activity.

There was no indication how many agents, supervisors or top officials might be implicated in the investigation. According to F.B.I. sources, a surreptitious entry involved agents as look-outs, radio watchmen and other support functions as well as the man or men who entered the premises.

In addition to these men, the operations were authorized through the bureau's chain of command, and this same chain read the reports, which contained information that would show an informed reader that the material had come from a burglary.

One well-placed source said "several hundred" men would ultimately be touched by the inquiry.

What has concerned the "street agent," according to several sources, is the fear that line F.B.I. men will be "sacrificed," and that the officials who ordered the burglary will "walk away" untouched.

The legal liability of some of the street agents was "astronomical," one source said, because the burglaries were committed by special trained teams, and some men made "dozens" of entries. Another source said that he knew of one agent who had made 60 entries, each of

Continued on next page

Continued from preceding page

which could be the base for a criminal charge.

The entries were made to photograph and search records and to place electronic listening devices. One well-placed source said that many of the listening devices had been placed without the authorization of the Department of Justice.

F.B.I. documents released last March by the Socialist Workers Party, which obtained them in its lawsuit, showed that the party's Manhattan headquarters were burglarized by agents more than 90 times between 1960 and 1966.

After these burglaries were disclosed, two F.B.I. agents, George P. Baxtrum Jr. and Arthur J. Greene Jr., and John F. Malone, a former F.B.I. assistant director in charge of the New York City field office, were added to the party's lawsuit as defendants.

The Justice Department, citing its criminal investigation of agents who carried out such break-ins and of F.B.I. officials who approved them, declined to defend any of the three, although the Government has provided funds for private counsel.

#### One Point Not Clear

In announcing that decision, the department did not make clear whether Mr. Baxtrum, Mr. Greene or Mr. Malone were targets of the criminal investigation however.

Yesterday, at a hearing in the civil case, Paul Windels, a Manhattan lawyer retained by Mr. Malone, told Federal District Judge Thomas P. Griesa that he intended to "implead," or implicate, other high F.B.I. and Justice Department officials in the burglaries.

The Socialist Workers Party charged in its suit that it was the target of at least three burglaries in the period now under investigation by Mr. Gardner's office—in 1971 and 1972 in Detroit and in 1973 at the Manhattan apartment of Norman Oliver, the party's candidate for Mayor of New York that year.

Included in the files allegedly taken in Detroit was a letter of resignation from the party written by Norma Jean Lodico, who left Detroit to take a job with the Interior Department here.

## FBI Agents Being Investigated Told to Pay Lawyers

BY RONALD J. OSTROW  
Times Staff Writer

WASHINGTON—The Department of Justice has ruled that FBI agents under investigation for burglaries conducted since 1971 must pay for their own lawyers.

A spokesman for Dep. Atty. Gen. Harold R. Tyler on Thursday distinguished the criminal investigation from civil suits where the department assigns attorneys or pays for outside counsel to represent FBI defendants.

The lawyers' cost, combined with agents' resentment over being held to account for what they see as operations carried out in response to superiors' orders, was said by FBI sources to have crushed morale inside the bureau.

The lawyers retained in the so-called black bag probe are being required to obtain security clearances before they can discuss with their clients any classified material possibly involved in the burglaries.

That requirement, according to one of the defense attorneys, could slow down the investigation.

"Until I'm cleared, the agents aren't talking to Mr. (William L.) Gardner," the defense attorney said. Gardner is the civil rights division attorney heading the inquiry.

Meanwhile, a federal prosecutor and the Civil Service Commission declined comment on another indication that the FBI carried out the illegal break-ins for several years after former FBI Director J. Edgar Hoover ordered them banned in 1966.

That indication was the fact that a letter of resignation from the Socialist Workers Party, allegedly stolen from the party's Detroit offices in 1971, turned up in FBI files two years later.

The chain of events was disclosed by the

party's multimillion-dollar damage suit against the FBI, the Civil Service Commission and other government defendants in federal court in New York.

The letter, dated March 29, 1971, was sent by Norma Jean Lodico, who wrote that she did not "feel capable . . . of answering the demands and the pace required to work as a revolutionary should in a vanguard party in this period."

Seven months later, on Oct. 31, 1971, the party's Detroit offices were broken into, and among the documents missing from the files was Mrs. Lodico's letter, according to the suit.

In 1973, Mrs. Lodico, who had moved to Washington, went to work as a librarian for the Interior Department. On Dec. 5, 1973, the Civil Service Commission asked Mrs. Lodico to explain her membership in the Socialist Worker's Party, which the commission said was "an organization founded on the revolutionary principles enunciated by Karl Marx, Nicolai Lenin and Leon Trotsky."

The commission included in its file on Mrs. Lodico her letter of resignation.

In response to questions from the party in its court suit, the commission said that Mrs. Lodico's letter "was obtained from the Federal Bureau of Investigation, as part of an investigative report transmitted to the Civil Service Commission by . . . the FBI on April 27, 1973."

Mrs. Lodico, who left the Interior Department two months ago, could not be reached for comment Thursday.

William Brandt, the assistant U.S. attorney representing the government in the case, Thursday declined to explain how the FBI had obtained the Lodico letter.

So did two Civil Service Commission officials, Murray M. Meeker and Thomas P. Sandow, who said that they could not discuss the case because it was in litigation.

The New York Times  
June 27, 1976

## F.B.I. Is Linked to Thefts of Socialist Workers Reports Last Year

*The following article was written by John M. Crewdson and is based on reporting by him and Nicholas M. Horrock.*

Special to The New York Times

WASHINGTON, June 26—Until at least May of last year, the Federal Bureau of Investigation continued to receive and file financial reports and other sensitive materials stolen from the offices of the Socialist Workers Party, according to bureau documents made public today.

The bureau documents, obtained by the party through a civil lawsuit against the Government, described the items as having been "removed" or "recovered" from the party's headquarters on at least eight occasions in the first half of 1975, a period in which the F.B.I. was under scrutiny by two Congressional committees investigating abuses of its authority.

None of the documents make explicit by whom the documents were stolen, nor do they contain any mention of forced entries in connection with the thefts.

An F.B.I. spokesman, asked whether the materials were stolen by bureau agents or paid informers and how they were obtained, said after checking that he would not elaborate.

### The Normal Procedure

One bureau source familiar with such reports said, however, that he believed any use of an informer in carrying out the thefts would have been

noted by the reporting agent, as would any legally mitigating details, such as specifying that the documents had been found in trash or on the street.

One party official said today that the stolen documents specified in the bureau reports, which included budget summaries and projections, were carefully guarded by the Socialist Workers and never thrown out or "left lying around."

The apparent thefts, and especially their timing, take on added importance in light of a current investigation by the Department of Justice into burglaries of left-wing political organizations carried out by F.B.I. agents within the last five years.

Bureau documents previously made public show that the Socialist Workers were burglarized on nearly 100 occasions from 1960 to 1966, the year in which Clarence M. Kelley, the F.B.I. director, has said that the use of illegal burglaries to obtain evidence was halted.

However, recent searches of the bureau's files around the country, carried out largely after the House and Senate intelligence investigating committees completed their work

earlier this spring, reportedly have turned up evidence of a number of burglaries of unidentified political organizations by F.B.I. agents well after 1966.

The bureau documents made public today by the Socialist Workers contain the first indication that thefts, in addition to burglaries, were carried out under the auspices of the F.B.I., or that such activities were being carried out as recently as a year ago.

According to sources familiar with elements of the Justice Department inquiry, at least 28 F.B.I. agents, many of them assigned to the bureau's New York field office, have been identified as among those employed such illegal tactics.

As far as can be determined, search warrants were not obtained in any of those cases, and F.B.I. officials have conceded in internal memorandums that the technique, as employed by the bureau, was "clearly illegal."

Sources confirmed yesterday that a Federal grand jury had begun to rear evidence relating to the burglaries, although no indictments are expected before September. One source said that the Justice Department had offered some of the

28 field agents immunity from prosecution in return for their testimony about higher-ups.

Other F.B.I. documents provided to the Socialist Workers under discovery procedures in its lawsuit against the Government showed that on two occasions, in March and August last year, bureau agents removed party papers from the party's trash.

Although "trash covers," as they are called, may not be illegal if the refuse is culled after it reaches some public place like the street or a garbage dump, the bureau has said that up to now that it also halted the use of trash of covers in 1966.

W. Raymond Wannall, who retired recently as head of the F.B.I.'s intelligence division, told the House Select Committee on Intelligence Activities last November "that the policy of the F.B.I. since the middle of 1966 has not been to conduct so-called trash covers."

Mr. Wannall said that he had learned of one "isolated" instance in which a trash cover was directed in 1972 against the Institute for Policy Studies, a liberal research organization here, but he said "it was not done with prior knowledge of F.B.I. headquarters."

Although the documents de-

scribing the thefts of materials from the Socialist Workers last year refer to items being "removed," "recovered," or "obtained" from the party's "headquarters," none of them specifies the cities where such acts occurred.

The party's national headquarters is on Manhattan's Lower West Side, but a party official said that all of its branch offices throughout the country were referred to as "headquarters."

One of the theft reports, dated March 5, 1975, mentions a "militant bookstore report" as one of the purloined items. At that time, the party operated "militant" bookstores in 13 American cities, including New York.



## It's the FBI — again

Just when it appeared that the FBI was getting its act cleaned up in Washington, director Clarence Kelley has unearthed rich veins of questionable activity where no one had thought to mine — in the secret files of the bureau's 59 field offices.

Those files, according to recent news reports, show that field agents carried out a large-scale program of "surreptitious entries" since 1971, long after that sort of thing was supposed to have ended.

The disclosures are alarming, and not only because of the alleged burglaries against organizations and individuals of the New Left.

They raise new questions about accountability and control within the FBI. They undermine the credibility of Kelley's efforts to make a clean breast of past abuses and patch up the bureau's threadbare image.

And they cast doubt on the methods of the Senate Select Committee on Intelligence Activities, which spent months investigating bureau operations but apparently never sought access to separate field office files.

The Senate committee, in its final report April 28, rebuked the FBI for

having used illegal techniques to spy on US citizens. A week later, Kelley, who had already said that break-ins had all but ceased in 1966, apologized to the American public for abuses committed in the "twilight" of J. Edgar Hoover's career.

That would have made a nice ending.

But on May 13, a week after his apology, Kelley ordered a search of field office secret files in response to a suit by the Socialist Workers Party.

What turned up in the files has prompted the Justice Department to launch the broadest criminal investigation of the FBI ever conducted, according to the New York Times.

Let's hope that it gets done right. The inquiry must go beyond the agents who carried out the orders, to the higher-ups who gave them.

A public numb from months of news about FBI operations, from the vicious campaign against Martin Luther King to the just plain silly investigation of a New Jersey school girl doing research on socialism, deserves to know at last why and how the FBI was allowed to do the things it has done.

## ... and Oversight

However effective criminal sanctions may be, they are only one of the means of curbing intelligence community abuses. Aggressive Congressional oversight and careful legislation are two others. The Senate's capacity and will to utilize those tools is being tested this week as the new Senate Intelligence Committee, exercising its concurrent jurisdiction with the Judiciary Committee, marks up the proposed Foreign Intelligence Surveillance Act.

This measure would impose for the first time a requirement that warrants be obtained from the Federal courts prior to installation of national security wiretaps. Though its purpose is commendable, the bill as now written has severe shortcomings. Among its more glaring defects is the fact that it permits electronic surveillance even if no evidence has been presented that a crime has been or is about to be committed. Moreover, key terms and phrases used in the act are so broad that they do not effectively limit intrusive intelligence activities.

In approving the bill over the lone opposition of Senator Tunney of California, the Judiciary Committee gave the intelligence community the benefit of doubts, as if nothing had been learned during the past half decade. The revelations of F.B.I. burglaries during the course of the Socialist Workers Party lawsuit against it and even during the Intelligence Committee investigation should impel the new Senate committee to examine the issues more closely than did Judiciary.

There is an even more sobering lesson for Congress. The Socialist Workers Party lawsuit is prying out of the F.B.I. files information that was in existence but was withheld from both of the committees expressly charged with investigating intelligence abuses.

Against that background of cynicism and irresponsibility, the legislation now before the Intelligence Committee does not appear to us to provide the protection which the citizens of this nation have learned so painfully they must have. The new Intelligence Committee will have to make substantial improvements in the bill if the committee is to meet its first test successfully.

# Some Editorial Comments

## Commercial, Pine Bluff, Arkansas

May 21, 1976

"The FBI, it develops, didn't just make some mistakes. It became a secret political police force, infiltrating, provoking, harassing and undermining a startling range of political and social-activist organizations, from the Young Americans for Freedom on the right to the left's Socialist Workers Party.

The bureau denied thousands of Americans the political freedom their Constitution is supposed to guarantee them. . . .

These were not blunders by a few inept agents, nor were they the result of passing overzealousness. This was bureau policy, and it was pursued efficiently for decades."

## Jacksonville Journal, Florida

June 30, 1976

". . . they [the burglaries] seem nearly always to have been directed against some target like the Socialist Workers, a radical left group. . . . But it is very easy for the knife to cut the other way another time, once the principle has been established that agents of the government can afford to ignore the law in the interests of some higher national good.

The concept is dangerous and must be guarded against, or each of us must accept that he may be tomorrow's victim."

## St. Louis Post-Dispatch

July 31, 1976

"'Surreptitious entries' (the FBI's euphemism for this outrageous invasion of privacy conducted without a shadow of legal authority) were employed for many years against the Socialist Workers Party and other left wing groups whose political coloration apparently didn't meet with the approval of the then FBI director, J. Edgar Hoover. But although Mr. Hoover has been dead for four years, the Justice Department is investigating allegations that the FBI committed burglaries as recently as last year—which, if true, suggests that that Hoover mentality lives on in his agency."

Cincinnati Enquirer  
July 15, 1976

# New York FBI Man Takes 5th To Avoid Testifying On Probe

WASHINGTON (AP) — A Federal Bureau of Investigation (FBI) agent from New York took the Fifth Amendment in response to scores of questions Wednesday about burglaries, wiretapping and other intelligence operations against the Socialist Workers Party, according to a party representative.

FBI agent Joseph Furrer refused to answer about 80 questions, citing his Fifth Amendment privilege against self-incrimination, said Cathy Perkus, spokeswoman for the Political Rights Defense Fund.

THE FUND is financing the party's multimillion-dollar lawsuit against the FBI and other government agencies for alleged illegal harassment of political activities.

Furrer was questioned under oath by a party attorney during a deposition taken in New York in connection with the lawsuit. A deposition is similar to testimony at a trial except that it takes place before a trial.

The agent's private attorney, Andrew Schaffer, also was present. Schaffer could not be reached for comment.

Perkus said Furrer refused to answer all questions dealing with FBI break-ins at the New York offices of the party and its affiliate,

the Young Socialist Alliance, both before and after 1971.

Several bureau officials said they could recall no previous occasion when an FBI agent took the Fifth Amendment in a public legal proceeding.

THE FBI previously has disclosed that agents conducted 92 burglaries at party offices and two at the homes of party associates from 1960 through 1966.

The Justice Department is investigating FBI burglaries conducted after 1971 to determine whether criminal charges should be brought against agents or officials for violating the civil rights of Americans.

The statute of limitations has expired for bringing charges against those in pre-1971 break-ins.

SOURCES FAMILIAR with the probe have said that at least 20 agents are under investigation, most of them in the New York office. Department officials refused to comment Wednesday on whether Furrer is one of those under investigation.

One knowledgeable official has said the Socialist Workers were the target of at least some of the post-1971 break-ins.

Perkus said Furrer was questioned because he is the agent in charge of the New York office's continuing probe of the party.

# CIA Committed Burglaries Abroad, Director Admits

BY NORMAN KEMPSTER  
Times Staff Writer

WASHINGTON—The CIA has committed burglaries to obtain information about Americans living or traveling abroad, Director George Bush admitted in court papers made public Friday.

In a sworn affidavit, Bush also said that the CIA had overheard with hidden microphones or wiretaps the conversations of Americans in foreign countries.

Bush submitted the statement in response to written questions from lawyers for the Socialist Workers Party, which has filed a \$37 million damage suit against the FBI, CIA and other government agencies charging violation of the rights of party members.

A CIA spokesman said that the agency had never rejected the use of surreptitious entry as a technique for gathering information abroad. But he refused to say whether the CIA still conducted burglaries against American citizens overseas.

Herbert Jordan, a New York attorney

representing the Socialist Workers, said the party would argue that CIA-sponsored break-ins were illegal if they were directed against Americans.

The case apparently will be the first in which a court is asked to decide the legality of such overseas activities of U.S. intelligence agencies.

"It is our position that surreptitious entries and warrantless surveillance of American citizens violates the Constitution regardless of whether it is done in the United States or abroad," Jordan said.

No date has been set for oral arguments in the case, which is being heard in U.S. District Court in New York.

In written interrogatories, lawyers of the party asked the CIA if the Socialist Workers or members of its youth affiliate, the Young Socialist Alliance, had been targets of burglaries, wiretaps or bugs during the last 13 years. The lawyers also demanded

full details and documents from the agency's files. Bush responded with a detailed affidavit that was classified "top secret" by the CIA. The paper was turned over to the U.S. attorney's office in New York under conditions that make it available to the judge but not to the Socialist Workers or to the public.

A three-page summary, couched in general terms, was made public.

"Information . . . was aquired and a result of several surreptitious entries that were made into premises abroad as to which certain of the named plaintiffs . . . had regular access or may have had proprietary interest," Bush said in the public affidavit.

The intentionally vague language apparently covers break-ins at apartments, hotel rooms and offices.

The Socialist Workers Party is a tiny left-wing organization that was the target of FBI burglaries as part of the FBI's since-discontinued COINTELPRO (counterintelligence program) effort. Although the party's rhetoric is often inflammatory, its members have never been convicted of political violence.

Bush's affidavit referred only to burglaries, bugging and wiretapping against members and officers of the party and its youth affiliate. But in a 29-page brief filed along with the affidavit, the government implied that similar techniques were used against other targets.

"It is apparent that disclosure of the documents (providing the details demanded by the party) would reveal CIA sources and methods," U.S. attorney Robert B. Fiske Jr. said in the accompanying brief.

In court papers filed Friday, the Socialist Workers urged the court to reject the CIA's secrecy plea and make public the documents and Bush's detailed response to the written questions.

In addition to pressing the case in court, the party sent copies of Bush's affidavit to the Senate's new permanent Committee on Intelligence headed by Sen. Daniel K. Inouye (D-Hawaii). The party urged the committee, created earlier this year as a successor to the temporary committee headed by Sen. Frank Church (D-Ida.), to investigate the extent of CIA burglaries.

The Church committee disclosed earlier that the CIA and the National Security Agency had intercepted telephone, cable and telex communications of Americans when at least one party to the communication was located in a foreign country.

The committee did not specifically refer to overseas burglaries by the CIA.

## The Christian Science Monitor Editorial

July 29, 1976

### CIA burglaries abroad

Because of repeated revelations of burglaries and illegal spying by intelligence agencies, Americans may not be surprised to learn that the Central Intelligence Agency has bugged and burglarized the homes and offices of Americans abroad. Yet the latest disclosure adds to a shocking pile of evidence of the abuse of power and abuse of the Constitution.

The Socialist Workers Party, which is suing the CIA for damages for alleged illegal harassment, managed to obtain an affidavit as part of the suit from CIA Director George A. Bush. In it, Mr. Bush conceded the burglaries and electronic espionage against Americans in foreign countries, but gave no details, did not say whether the activities were continuing and contended, in a legal memorandum, that a sepa-

rate classified statement contained state secrets that were exempt from disclosure.

This is another use of the argument for national security to hide illegal governmental actions. And the actions were illegal. The Constitution follows Americans abroad as far as operations of their own Government are concerned, and if domestic laws against burglary do not, then it must be noted that foreign countries also have laws against burglary, and their laws were broken. They will not be impressed by the CIA's claim of American security. Americans themselves ought to be distressed that they have not been safe from such tactics by their own Government, at home or abroad  
— St. Louis Post-Dispatch

## Socialist Party Target

# FBI Agent Tells of Burglaries

By Jerry Oppenheimer

Washington Star Staff Writer

Shortly after midnight sometime in December 1958, four to six men armed with a camera, walkie-talkies, a device capable of making a key for a lock, and flashlights broke into a building in New York's Greenwich Village.

The men, however, were not engaged in an ordinary burglary. They were FBI agents. The building they broke into was the headquarters of the Socialist Workers party (SWP). And the object of their surreptitious entry was to search for documents "which might tend to establish" that the organization was "working for the overthrow of the government of the United States."

The break-in, the second in two months, was one of "between 50 and 90" surreptitious entries in which FBI agent George P. Baxtrum participated between 1958 and 1965, when he was attached to the FBI headquarters in New York City and assigned to spy on the SWP. He also participated in six or eight break-ins at offices of the Young Socialist Alliance.

**BAXTRUM, NOW** assigned to the bureau's Madison, Wis., office, is the first FBI agent to publicly admit that he took part in allegedly illegal break-ins.

He candidly described his activities in a 259-page sworn deposition taken as part of the SWP's and YSA's \$37 million civil suit against former and present government officials that was filed in July 1973.

The suit, which seeks damages and a permanent injunction to halt alleged

government harassment of legal political actions, is in the pretrial discovery stage in New York. Baxtrum's deposition was made public by the SWP today.

It was explained by an official of the organization that Baxtrum did not volunteer the details of his career, but his name, which was supposed to have been deleted, appeared among 450 pages of FBI burglary files that were turned over to the organization in mid-March. The official said that the name of another FBI agent also was inadvertently not deleted by the FBI, and the other agent has also been subpoenaed to give a deposition.

**WHILE BAXTRUM** said in his deposition that he first became involved in the break-ins in November 1958 and last broke into SWP headquarters "sometime in 1965," the Justice Department is now investigating allegations that an FBI informer broke into the party's Denver headquarters as recently as early this month and turned over stolen documents to FBI agents.

A wide-ranging investigation by the Justice Department's civil rights division is continuing into allegations that FBI agents participated in burglaries over the years, and sources have indicated that some of them may be indicted.

Besides acknowledging the FBI's role in break-ins at the SWP offices, Baxtrum also admitted that between 1958 and 1964 the FBI surreptitiously installed microphones in hotels and meeting halls where the party was holding gatherings.

He said the first time such eavesdropping equipment was installed was when the first FBI break-in at SWP headquarters occurred in November 1958, in which he participated.

**"THERE WAS A** top-level meeting scheduled of national leaders of the SWP," the agent testified, "and it was decided that this meeting was important enough, and information would be available from no other source, and therefore, microphones were installed."

Baxtrum, in his deposition taken on July 1, recalled that the microphones were installed in a wall, and a receiving apparatus was set up to receive transmissions from the microphones in the New York office of the FBI.

Baxtrum said he never participated in surreptitious entries until he was assigned to the New York office, and he indicated that he participated in the first such break-ins in connection with the FBI's investigation of the SWP. He said he was one of several agents assigned to investigate the party's activities in New York.

Baxtrum, who joined the bureau in 1946, said he was instructed orally by a section chief to conduct the break-ins. "It is my recollection," he said, "that I was told we would probably have access to national security information which we did not have access to through other means by use of surreptitious entry."

**FOLLOWING INITIAL** discussions about the

break-ins, the agent said, "A certain period of time went by and I was advised that approval had been received from Washington." He said he did not know who gave the approval for the break-ins.

Prior to one of the first break-ins in 1958, Baxtrum said in the deposition, "It was explained to me that this procedure was somewhat delicate in nature, that the information to be obtained was important, and that every caution should be taken that it be handled successfully."

The agent testified that there was never any discussion with his superiors as to whether the surreptitious entry technique was lawful, or whether the use of break-ins to gather intelligence violated any rights of the SWP.

Baxtrum said that surreptitious entries occurred at SWP headquarters at "two, three, four week intervals." He said this was done "to allow enough time for a further enunciation of the party's top-level program and policy to take place."

**THE AGENT SAID** the authority of his section chief was necessary before the entries could be made, and that he would write a brief memo to this official stating that "contact was being planned" and requesting that permission be gotten for the break-ins

Continued on next page

From "the bureau in Washington."

In his testimony, Baxtrum also implicated John F. Malone, the special agent in charge of the New York office at the time. Questioned as to whether he ever had any discussions with Malone concerning the entries, Baxtrum recalled "one occasion when the matter was discussed. I was called to his office and presented with a commendation for the information of value to the United States which had been obtained. He congratulated me."

Baxtrum also said that memos regarding the entries were directed to Malone.

Prior to the break-ins, the FBI agent said, surveillances were conducted to assure that the premises

were vacant and he said the break-ins were made at a time when no one was in the area and agents stood guard outside.

"INSIDE," HE added, "no lights were turned on and nothing was disturbed." He said that documents and papers in desk drawers were examined and material of interest was photographed.

Explained Baxtrum:

"We were looking for items that would tell us whether the Socialist Workers Party was an active participant in the affairs of the Fourth International; whether they continued to hold views among their leadership tending to have a program working for the overthrow of the government of the United States.

"We were also interested in identifying the top leadership, since they use false names for the most part. There was a requirement from Washington headquarters that the residence and employment of a certain category of individuals be known, and this included some Socialist Workers Party members, and if this information was available it was noted.

The agent said he never had any knowledge as to whether the New York City police department was aware of the FBI break-ins. However, he said it was "policy" for agents participating to remove all FBI identification "in the FBI car prior to entry," an apparent precaution in case they were caught.

New York Daily News  
July 29, 1976

# FBI Burglar Testifies He Did A Job on Socialist Workers

By JOSEPH VOLZ

Washington, July 28 (News Bureau) — Special Agent George P. Baxtrum testified in court papers released today that he committed up to 90 break-ins at the Socialist Workers Party's headquarters in New York for the Federal Bureau of Investigation between 1958 and 1965.

Baxtrum, now assigned to the FBI office in Madison, Wis., made his statement last month in a deposition to lawyers for the Socialist Workers Party, which is suing the government for \$37.3 million in damages. FBI records have shown that agents committed at least 92 burglaries against the Socialist Workers as part of the bureau's counterintelligence and harassment program against dissident and radical groups.

## Name on the Records

But, the Justice Department had repeatedly turned down efforts by congressional committees and reporters to question

the break-in artists. Baxtrum's name was inadvertently left on records turned over to the Socialist Workers.

Baxtrum, however, spoke at length about "between 50 and 90" break-ins in a 259-length about break-ins in a 259-page deposition. He said the orders came through his immediate supervisor from the bureau's

headquarters in Washington but he could name no names.

Baxtrum said the former head of the New York FBI office, John Malone, once "congratulated me" for information obtained.

Malone was not available for

comment, but his attorney, Paul Windels, said that Malone "was not directly involved." Windels said, "The whole bureau was aware of it." But he contended that Baxtrum's supervisors reported directly to Washington, not to Malone.

## Started in 1958

Baxtrum said his burglary career began in November 1958, when he and five other agents made a 2 a.m. entry at Socialist Workers Party Headquarters at 116 University Place in Manhattan. The agents, known as a "black-bag team," for a bag used to carry burglar tools, had a camera and a walkie-talkie used to radio agents watching on the

outside.

Baxtrum said one agent even brought along equipment to

make keys for balky locks. Justice Department officials refused to let Baxtrum go into detail because the answer would reveal a "confidential" FBI technique.

The object of the search was to find papers which "might tend to establish a continued revolutionary nature of the Socialist Workers Party," Baxtrum testified.

## Bugged a Hotel

On one occasion, he brought along microphones to bug "a top-level meeting scheduled of national leaders of the SWP ... and it was decided information would be available from no other source." The mikes transmitted the discussion back to the New York FBI office. Baxtrum said the FBI also bugged the Hotel Empire because the party planned to hold a convention there.

Baxtrum said he broke into Socialist Workers headquarters almost weekly, spacing the break-ins to give the party "enough time for a further enunciation of a top-level program."

# Some Editorial Comments

## **Milwaukee Journal**

August 1, 1976

“Ordinarily, burglary is considered a major crime. So you would think that George Baxtrum, now head of the FBI office in Madison, would have been a little anxiety stricken between 1958 and 1965 when he and other FBI agents were breaking into the New York office of the Socialist Workers Party. . . . under a reasonable reading of the U.S. Constitution, policemen should not come sneaking through windows without a search warrant. When they do, they’re outlaws.”

## **The Wichita Eagle, Kansas**

August 2, 1976

“One of the later confessions of intelligence agency infringements on the American right to privacy came from an FBI special agent who testified that he had committed as many as 90 break-ins of the Socialist Workers Party headquarters.

This is not the first revelation of unsavory activities by the nation’s intelligence agencies—by far—and certainly it will not be the last. . . . That’s not the way Democracy was intended to survive.”

## **The Sacramento Bee**

August 11, 1976

“It is not enough to merely point a finger at the FBI as an evil doer. We must insist that never again will any American citizen or organization be subject to the brow-beating tactics of a superagency which is above the law.

First, we must demand that the agents guilty of breaking the law, as well as those who gave the orders, be punished. Burglaries such as those admitted by Baxtrum against the Socialist Workers party are just as wrong as a burglary committed to steal a color television set.”

## U.S. INVESTIGATES DENVER BURGLARY

### F.B.I. Informer Reportedly Stole Data From Socialist Workers Party Office

By JOHN M. CREWDSON  
Special to The New York Times

WASHINGTON, July 27—The Justice Department's civil rights division has begun an investigation into a July 7 burglary of the Socialist Workers Party's offices in Denver that was reportedly carried out by an informer assigned to spy on the party by the Federal Bureau of Investigation.

The decision to send investigators to Denver was reportedly reached here last night after Justice Department lawyers learned of allegations by the informer, Timothy Redfern, that an F.B.I. agent in Denver had taken possession of four cartons of documents stolen from the party before the local authorities were notified of the burglary.

J. Stanley Pottinger, who heads the civil rights division, said that the inquiry into Mr. Redfern's allegations would be conducted from Washington as part of a criminal investigation into other burglaries allegedly carried out by F.B.I. agents in recent years in the New York City area.

The Manhattan headquarters of the Socialist Workers Party was the target of more than 80 such burglaries between 1960 and 1966, according to F.B.I. documents made public last March. But it had not been known that any with F.B.I. connections had been directed against the party since then.

#### F.B.I. Won't Comment

Justice Department sources confirmed today that Mr. Redfern had said that he carried out the Denver burglary, and that he had been assigned by the Denver F.B.I. office to pene-

trate the Young Socialist Alliance, the youth arm of the Socialist Worker's Party.

An F.B.I. spokesman had no comment, nor did Mr. Redfern.

But Arthur Dill, chief of the Denver police department, said in a telephone interview that his officers were first notified of Mr. Redfern's involvement in the theft and the whereabouts of the stolen documents by Theodore Rosack, the head of the Denver F.B.I. office, on July 15, eight days after they were taken.

Dale Tooley, the district attorney in Denver, said that he intended to conduct a "thorough investigation" into all aspects of the case, including the possible complicity of F.B.I. agents. He declined to elaborate, but one source familiar with the matter said that Mr. Redfern, who has not yet been charged, was contending that he had acted on the Government's behalf.

#### Informer Expelled

According to Ruth Getts, a Young Socialist Alliance organizer in Denver, Mr. Redfern, who was expelled from the organization last night, told her that he had carried out the burglary on his own initiative because he was "under pressure to produce" information to retain his \$400 monthly informer's fee from the f.b.i.

Miss Getts quoted Mr. Redfern as saying that after stealing the documents, he telephoned John Allman, an F.B.I. agent in Denver, and told him that he had taken them.

Mr. Allman, according to Miss Getts's account of Mr. Redfern's remarks, allegedly told the informer to leave the documents in an undescribed place, from which the F.B.I. agent recovered them.

Justice Department sources said today, however, that Mr. Allman had told associates that he had immediately taken steps to notify the Denver police after Mr. Redfern acknowledged committing the burglary.

Mr. Tooley's office was understood to have tested the documents for fingerprints to determine whether Mr. Allman had ever handled them; but the results of those tests could not be learned.

## F. B. I. MUST GIVE DATA ON INFORMER

### Ordered by Federal Judge to Turn Over File to Socialist Workers

By ARNOLD H. LUBASCH

A judge has ordered the Federal Bureau of Investigation to turn over its file concerning an F.B.I. informer who reportedly carried out a burglary on July 7 at the offices of the Socialist Workers Party in Denver.

Judge Thomas P. Griesa, who issued the order yesterday in Federal District Court in Manhattan, said the F.B.I. must give the informer's file and any documents about the burglary to lawyers for the Socialist Workers Party by noon tomorrow.

The judge said he might reconsider his order if the Government could show him that the disclosure of specific information in the F.B.I. file would interfere with a criminal investigation of the burglary case.

Leonard Boudin and Herbert Jordan, lawyers for the Socialist Workers Party, told Judge Griesa that they wanted the F.B.I. material about the burglary to question the informer, Timothy Redfern, in connection with the party's lawsuit against the bureau and other Government agencies.

Regarding another aspect of the bureau and other Government's Central Intelligence Agency to give him an unexpurgated version of documents from the C.I.A. files concerning apparent burglaries and electronic surveillance of Americans abroad.

The C.I.A. provided Judge Griesa with a number of secret documents this week to be examined privately in connection with the suit, but he said at yesterday's court session that the documents contained so many "expurgations and deletions" that he could not determine the significance of the material.

If the C.I.A. declines to give him unexpurgated documents, the judge said, then he wants "someone knowledgeable from the C.I.A." to explain to him in private why the Government contends that the specific documents are privileged material that should be kept secret.

John S. Siffert and William S. Brandt, assistant United States attorneys representing the Government, told the judge that they would give him an answer from the C.I.A. as soon as possible.

The immediate issue in the C.I.A. aspect of the case concerns two affidavits that George Bush, the agency's chief, submitted this month in response to the suit's request for information about surveillance of the Socialist Workers Party.

In one of the sworn statements, Mr. Bush disclosed that C.I.A. files contained information indicating that some of the party's members and associates had been "overheard by means of electronic surveillance conducted abroad" and that other information had been "acquired as a result of several surreptitious entries that were made into premises abroad."

Mr. Bush also submitted a "top secret" affidavit, which only the judge was permitted to see, officially stating why the Government contended that all the information about the electronic surveillance and break-ins abroad constituted privileged documents that could not be disclosed.

The Government's lawyers asked Judge Griesa to accept the claim of privilege without seeing the documents, but he said he wanted to examine the documents privately so that he could decide later whether they should be disclosed as evidence in the suit.

Judge Griesa scheduled another session on the discovery issue for today in the court in Manhattan, where the Socialist Workers Party originally filed its suit three years ago seeking millions of dollars in damages for illegal activities by Government agencies.

The suit has resulted in disclosures that F.B.I. agents broke into the Manhattan headquarters of the Socialist Workers Party more than 90 times from 1960 to 1966.



## BURGLARY REPORT DELAYED BY F.B.I.

Police in Denver Not Told of  
Raid on Socialist Workers  
Party for Eight Days

By JOHN M. CREWDSON  
Special to The New York Times

DENVER, July 29—Officials of the Federal Bureau of Investigation in Washington delayed for eight days earlier this month the decision to report to the police here that one of the bureau's paid informers had burglarized the Denver office of the Socialist Workers Party, according to a Federal official familiar with the matter.

The decision in Washington to allow Theodore Rosack, the head of the bureau office here, to tell what he knew to the Denver police came on July 14, one day after the informer, Timothy Redfearn was arrested in connection with an unrelated burglary of an east Denver home.

The bureau's possible involvement in and subsequent reaction to the Socialist Workers burglary is under investigation here and Justice Department lawyers in Washington. One official suggested today that the bureau's decision to come forth had resulted from its fear that Mr. Redfearn might tell the police about the burglary in an attempt to have the other charges against him reduced.

Investigators and others knowledgeable about Mr. Redfearn and his activities said today that, although his theft of hundreds of documents from the Socialist Workers on July 7 had not been directed by the F.B.I., the dual inquiries were focusing on how much the bureau, and particularly John Almon, the agent to whom Mr. Redfearn reported, learned about it after the fact and why

they kept their knowledge from the police.

### Similar Burglary in '73

Sources also disclosed that while Mr. Redfearn was an F.B.I. informer, he carried out a similar burglary of the Socialist Workers quarters in late 1973, and that although he gave the stolen documents to the bureau his responsibility for that crime was never made known to the police.

A Federal district judge in New York City yesterday ordered the bureau to produce its files on Mr. Redfearn's five-year career as an informer and on the most recent burglary of the Socialist Worker quarters. The documents are to be given to party lawyers tomorrow, shortly before Mr. Redfearn is scheduled to give a deposition in connection with the party's lawsuit against the Government.

An F.B.I. spokesman in Washington said he would have no comment on any aspect of the Redfearn case, and Mr. Almon's attorney, James Clark, declined to return a reporter's telephone call. But through interviews with various officials here, the following account of recent events was obtained:

At about 4:30 A.M. July 7, Mr. Redfearn sawed through a padlock on the party's office door and removed four large cartons of party files.

Later that day, he called Mr. Almon, and told him what he had done.

Mr. Almon allegedly examined the documents in the trunk of Mr. Redfearn's car, which Mr. Redfearn had parked in front of the bureau's office here, but did not then take possession of them. Mr. Almon reportedly notified Mr. Rosack, who telephoned his superiors in Washington to seek advice on whether to report the crime.

It was not until July 15 that the Washington office directed Mr. Rosack to make the report. The following day, the Denver police recovered what they believed were all of the files stolen nine days earlier by Mr. Redfearn.

Unknown to the police, however, Mr. Redfearn had withheld from them some 50 pages of stolen Socialist Workers documents, and later that day he mailed them to Mr. Almon. Sources said today that those documents were now held by the Justice Department,

and that Mr. Almon's failure to return them to the party had also become a facet of the investigation.

### 'Pressure' Over Fee

Mr. Redfearn, a 25-year-old former graduate student, later told friends that he had been "under pressure" from the bureau to "produce" in order to retain his \$400-a-month informer's fee.

Mr. Redfearn is currently on probation in connection with a third, nonpolitical burglary he committed early last year. According to court records here, he has been under a psychiatrist's care for several years for "intermittent depression."

In the case of the Dec. 31, 1973, burglary of a house here owned by several party members, sources said that documents removed from the house by Mr. Redfearn had been photocopied by Boyd Adsit, who preceded Mr. Almon as Mr. Redfearn's controlling agent, and who has since retired from the bureau. That burglary under study by "investigators as well, although it, too, was undertaken by Mr. Redfearn on his own.

One law enforcement official said that Mr. Redfearn passed a polygraph examination administered recently on behalf of Dale Tooley, the district attorney here in connection with the July 7 burglary. The S.W.P. chapter here and its youth arm, the Young Socialist Alliance, together have about 60 members. Mr. Redfearn, who had been informing on those two organizations since 1973, declined to talk about his activities.

The Justice Department is currently investigating a number of burglaries allegedly carried out by F.B.I. agents in the New York City area in 1972 and 1973. The Redfearn matter, however, is the first case to become a part of that inquiry in which burglaries were committed by a paid bureau informer, rather than a special agent.

### C. I. A. Asks More Time

Government lawyers told a Federal judge in Manhattan yesterday that the Central Intelligence Agency "needed more time" to decide if the agency could give the judge unexpurgated documents concerning apparent burglaries and electronic surveillance of Americans abroad.

# FBI Role Cited in Break-in

## SWP Records Were Obtained In Denver Case

By John M. Goshko  
Washington Post Staff Writer

**DENVER, July 31** — The first examples of FBI involvement in illegal domestic burglaries during the past five years were made public today through disclosure of confidential documents from the bureau's Denver field office.

These documents show that in December, 1973, an FBI paid informer, Timothy J. Redfearn, committed two burglaries against the Socialist Workers Party in Denver and that SWP records taken by Redfearn were turned over to the FBI and placed in the files of the Denver field office.

Nearly 2,000 pages of documents on the case—the most massive single disclosure of FBI internal papers—were

released by the SWP, which obtained them under a court order resulting from a burglary of its Denver office earlier this month. It was the first time an unexpurgated FBI informer's file has been made public, Justice Department officials said.

There is no indication in the documents that the FBI told Redfearn to commit the burglaries. SWP officials say that it is possible that Redfearn acted without authorization and that the FBI did not learn of the break-ins until after the fact.

However, the documents show the FBI knew that the material turned over by Redfearn had been stolen. Yet, the FBI never reported the burglaries to the police or took any action against Redfearn.

Instead, it made use of the stolen documents in its intelligence activities, and it continued to use and pay Redfearn as an informer against the SWP, the documents show.

The 1973 burglaries came to light because Redfearn, 25, is being investigated by Denver authorities for committing another burglary against the SWP here on July 7.

In the latest incident, the FBI did inform Denver police of Redfearn's involvement. But the bureau first kept the information concealed from the police for eight days, and it acted only after Redfearn had been ar-

rested on another, unrelated, burglary charge.

The documents made public today show that during those eight days the FBI carried on an internal debate about whether the police should be informed, that reporters seeking information from the Denver field office were told that "this office knows nothing of the burglary," and that, despite FBI insistence that it refused to accept any of the stolen material from Redfearn, some of it wound up in the Denver office's files.

In addition, on July 22, Denver advised FBI headquarters in Washington that Special Agent John V. Almon, Redfearn's case officer, had been questioned under oath by the Denver district attorney's office.

The message from Denver said: "Indication appears strong that district attorney is looking toward grand jury presentation of possible conspiracy charges against Almon based on statements made by Redfearn . . ."

The message recommended to Washington that the FBI refuse to cooperate with efforts by the district attorney to question other members of the Denver bureau or to obtain FBI files on Redfearn. It also suggested that the FBI in Washington ask the Justice Department to intercede and help in blocking access to the documents and agents.

The Justice Department is investigating allegations that the FBI carried out burglaries against political groups like the SWP during the last five years—long after the bureau said that it had ceased such so-called "black bag jobs."

So far, though, the department has not made public any details about the cases it has under investigation. Its probe has been concentrated in the New York area, although the department has plans to investigate allegations that burglaries were committed in other cities.

Now, Justice Department sources said today, disclosure of the Denver incident makes it certain that a broadened probe will get special priority and extend to intelligence operations in FBI field offices all over the country.

The Justice inquiry was launched five months ago because of information uncovered in a \$37 million damage suit that the SWP has filed against the FBI and other federal intelligence agencies. In a sworn statement made public last week, George P. Baxtrum Jr., an FBI special agent, testified that he participated in "between 50 and 90" burglaries against the SWP in New York from 1958 to 1965.

FBI Director Clarence M. Kelley said last year that the burglaries had been ended in 1966. However, after the Justice Department probe began, Kelley said that he had been wrong and

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admitted that "a limited number" of burglaries had been committed in 1972 and 1973.

Following the July 7 burglary here, the federal judge hearing the SWP's suit in New York ordered the FBI to turn over to the party's lawyers its complete file on Redfearn.

A spokesman at FBI headquarters in Washington said the bureau would have "absolutely no comment at this time" on the file.

The file documents relating to the 1973 break-ins say they occurred at an apartment occupied by SWP members and at the party's bookstore.

On Dec. 25, 1973, Redfearn, using his FBI-assigned code name of "Lennon," wrote to Special Agent Boyd D. Adsit, who was then his case officer in the Denver field office. His note said:

"Enclosed are bank statements removed from the residence of Kathy Shields, Marge Vanderslice and Fern Gapin, who resides at 1115 Gaylord St., Denver, Colorado. All are YSA or SWP members." YSA stands for Young Socialist Alliance, the SWP's youth affiliate.)

Another mailed message from "Lennon" to Adsit on Dec. 27, 1973, said: "The enclosed photocopies contain information on new recruits into the Young Socialist Alliance. They are part of a larger bunch of 3x5 note cards that were removed from the residence of 1115 Gaylord St."

And, on Dec. 30, 1973, Lennon wrote to Adsit: "Several

items concerning finances, regional contacts, teamwork, of the Young Socialist Alliance were removed from the MILITANT BOOKSHOP at 1203 California St., Denver, last night, and about 350 pages worth of information were photocopied. The original material was returned to the store this evening."

In each case, the documents show that Adsit catalogued the material sent by Redfearn and had it put into the Denver office's files. On one document, he noted that it was from the Gaylord Street address, which had been publicly identified as having been burglarized.

Other reports from Redfearn at that time said that the Gaylord Street burglary had caused considerable discussion among SWP members. His reports make no mention of SWP discussion about the bookstore robbery—an apparent indication that the material had been removed, photocopied and returned without detection.

SWP members confirmed today that they had not been aware of a break-in at the bookstore until now.

Documents relating to the July 7 burglary of the SWP offices contain what seem to be major contradictions of the testimony given by Almon in his sworn statement to the district attorney's office.

In the statement, made July 21, Almon said that Redfearn had contacted him on July 7—several hours after the early-morning bur-

glary—and had shown him boxes of SWP documents in the trunk of his car.

Almon said that he examined the documents hurriedly to make sure of what they were, but refused to accept any of them. Instead, he said, after conferring with his supervisor, Fred Volz, he told Redfearn that the documents had been obtained improperly, that the FBI did not want them and that Redfearn should find some way of returning them.

Almon's statement said that was his only direct contact with Redfearn that day. However, the FBI material released today shows that on July 7 Almon received "in person" from Redfearn two documents belonging to the SWP and put them into FBI files.

SWP members said today that both documents were the party's property and that one of them—a list of subscribers to the party newspaper—was among the documents that had been noticed missing immediately after discovery of the burglary. They said it had been stolen from the bookstore cash box where it was always kept.

In another part of his sworn statement, Almon said the FBI headquarters had informed the Denver office on July 8 or 9 that the police should be told about Redfearn. But the notification was not made until July 15.

However, the first indications in the file of such an

instruction from Washington are dated July 16. One is telegraphic message stating, "After carefully reviewing the facts . . . it is the determination of headquarters that source's identity and the fact of his possession of these files should be made known to the Denver Police Department."

In another message the same day, James O. Ingram, deputy assistant director of the FBI's Intelligence Division, said that Kelley had been advised of the situation and had made "two notations": Denver should "render whatever assistance possible in the return of the files" and that Kelley was to be consulted personally about any news releases.

There is nothing in the documents to explain why these instructions apparently were relayed from Washington on July 16—a day after Theodore Rosack, head of the Denver FBI office, already had notified the police.

In its July 21 message to Washington suggesting that the FBI refuse to cooperate with the district attorney's investigation, the Denver office advised that local investigators wanted Almon to submit to fingerprinting and a polygraph test. It added that the district attorney's office was seeking to question Volz and Simon Tullai, deputy head of the Denver office.

The message also said that the recommendation not to allow questioning of Tullai and Volz had been discussed with James L. Treece, U.S. attorney in Denver, and he "agreed with this position wholeheartedly."

# Arrest Provides Glimpse Into FBI Informer's World

BY NORMAN KEMPSTER

Times Staff Writer

DENVER—Tim Redfearn was just 12 days past his 19th birthday when he volunteered to become an FBI informant to help the government cope with violence-prone groups like the far-left Students for a Democratic Society and the far-right Minutemen.

The son of a Methodist minister, Redfearn was a second-generation pacifist who had a conscientious objector draft status as did his father before him. He never had been arrested.

That was Aug. 25, 1970. Today, the now 25-year-old Redfearn faces charges in two burglaries—a July theft of records from the headquarters of the Socialist Workers Party and a June theft of furniture from the basement storage locker of an apartment house.

Redfearn's police "rap sheet" also shows arrests in November, 1970, for malicious mischief, in February,

lived. There were at least four separate thefts.

The fruits of the thefts—at least two of which involved break-ins—were placed in the files of the Denver FBI field office. The police were not notified and Redfearn was not arrested.

The story of Redfearn—informant number DN 481-6 to the FBI—is told in an 18-inch stack of paper from the once-secret files of Denver FBI office. The entire file was turned over to attorneys for the Socialist Workers Party in compliance with a court order as part of the party's \$37 million civil suit against the government.

The papers, the most complete records ever released by the FBI on the way it gets information, provide a rare glimpse into the shadowy world of the paid informer. In that world, Redfearn was a star.

His first contact with the FBI was in 1970 when an agent asked him to identify photographs of suspects in a political violence case.

He was not paid for his effort and apparently he fingered the wrong man. But he developed a taste for aiding the bureau that dominated the next six years of his life.

The first item in Redfearn's file is a letter he wrote to Special Agent James O'Connor on Aug. 25, 1970:

"I should have written sooner, but I've been in the hospital with an abscessed tonsil," the letter began. "I wanted to ask you what one like myself would have to do to work for the FBI. I wanted to be of help on that bus thing because such a thing made me mad. I guess (name

deleted) wasn't the one, although he may have known something and just shot off his mouth . . .

1975, for burglary, and in September, 1973, for extortion. He was not prosecuted on the malicious mischief or extortion charges and was given probation on the burglary charge.

In February, 1975, Redfearn's FBI contact agent reported the informer had admitted committing "a series of burglaries because he was in desperate need for money."

The bureau was offended by that and cut Redfearn off the payroll for seven months. The burglaries that Redfearn admitted had no connection with his FBI informant role.

But Redfearn served his apprenticeship as a thief more than a year earlier when he stole political records, personal bank statements and other documents from the headquarters of the Socialist Workers Party and from a house where three members of the party's youth affiliate

"I seem to get around quite a bit, protests, marches and such, and I know quite a bit about these people and what goes on. My appearance is such that I pass for just another person in the crowd. Let me say that I am not interested in busting people for the use of drugs. I am against the SDS and Minutemen and other groups that hide out in small mountain towns such as Idledale. I'm sure you know too that I could pull practically anything off because of my appearance. I have known SDS members, and been offered to join. I'm sure a guy like me could join the SDS and give the impression that I was one of them and not watching them."

Redfearn did fit the stereotype of a radical—shoulder-length brown hair, blue eyes, tall (6-2) and thin (160 pounds). While he seemed to think his appearance was an advantage, it gave the bureau pause.

A message from Denver to FBI headquarters in Washington dated Dec. 21, 1970, said: "While subject is a hippie type, no indication has been noted that he lives promiscuously or is a thief."

A little more than a month later, the Denver headquarters told then FBI Director J. Edgar Hoover: "Denver feels that Redfearn can be used without danger of embarrassment to the bureau and that he is stable and reliable."

There is irony in those early exchanges. Under the influence of the bureau, Redfearn shortened his hair-style, became a thief, sought psychiatric treatment and ultimately did become an embarrassment to the bureau at a time it was hoping to minimize the public impact of a Justice Department investigation of so-called "black bag jobs,"—burglaries by the FBI to obtain information.

Redfearn, who wanted to help the FBI prevent violence, was assigned to infiltrate the Socialist Workers Party and its youth group, the Young Socialist Alliance, Marxist organizations which advocate revolutionary change by peaceful methods. He joined the alliance and was accepted as a member of the party on July 5, two days before the burglary that exposed him as an informant.

Redfearn's detailed reports on alliance meetings show that the "comrads," as he called the group's members, spent much of their time talking about lagging sales of the Socialists' newspaper, *The Militant*. The group also had frequent parties and talked about issues near and dear to the radical left such as the war in Vietnam, the activities of Cesar Chavez and the United Farm Workers Union, the overthrow of the Allende government in Chile and strife in Angola. The members did not talk about violence, at least not in Redfearn's presence.

Continued on next page

On May 19, 1974, Redfearn sent the bureau a clipping of a story from the Denver Post about the takeover of a University of Colorado building by members of the United Mexican American Students.

"The Young Socialist Alliance in their last meeting talked about the takeover of a building by UMAS students," Redfearn wrote. "The YSA supports the move, but will not participate in the activity as it may be illegal."

Although Redfearn's reports seldom contained any hint that a crime had been committed, the FBI clearly approved of what it was getting. The file contains dozens of messages from Denver to Washington seeking authority to raise Redfearn's pay. Ultimately, he was authorized to receive up to \$400 a month, although—like all informers—he was paid strictly on a piecework basis—cash for specific information.

In 1972 Denver told Washington: "He is spending nearly 40 hours a week on matters in which the bureau is seriously interested."

FBI inspectors consistently classed Redfearn as either "excellent" or "very good," the two highest marks in the rating system for informers. The Denver bureau estimated that between 80% and 95% of the information he provided was "reliable."

The file shows no indication that the FBI ever had misgivings about the sources of Redfearn's information.

On June 20, 1973, Redfearn filed this report: "Enclosed are items stolen from the YSA local office . . . All 3 by 5 cards will be returned to proper places so that no suspicion will be aroused."

This was the only time Redfearn used the word "stolen." But on June 27, 1973, he told the bureau: "The enclosed information was removed from the Militant Bookstore . . . it will not need to be returned."

On July 5, 1973, Redfearn reported: "Some interesting facts learned from a 'borrowed' book of finances . . . Book had to be returned a little later so no one would suspect its removal. Everything cool, book returned, no one noticed."

It was against this background that Redfearn arrived at the Denver field office July 8 with four cartons of Socialist files in the trunk of his car. He told Agent John V. Almon that he needed money and that he assumed he would be in for a raise.

In a sworn statement later, Almon said he did not know at the time that the Socialist headquarters had been broken into.

"I asked him how he came into possession of (the files), and he replied to me, 'You don't want to know.'"

"I pressed him on the matter and he said the opportunity arose and he borrowed them and that he would have to return them," Almon said.

Almon said he told Redfearn to take the papers back as soon as possible. He said the FBI did not want them. However, at least two documents from the cartons were added to the FBI files under a cover sheet signed by Almon.

The FBI did not inform Denver police of Redfearn's in-

volvement in the burglary until a week later. By that time, Redfearn had been arrested in the apartment house burglary.

On July 22, Agent O'Connor, who had recruited Redfearn six years earlier, wrote him a letter informing him that his relationship with the bureau had been terminated.

The FBI went easier on Redfearn after earlier scrapes with the law.

In September, 1973, Redfearn admitted writing letters threatening with bodily harm a rival for a girl's affections. He was arrested and charged with extortion. But the case was not prosecuted because Redfearn was an FBI informant.

In February, 1975, Redfearn got into more serious trouble. He was arrested for a burglary unrelated to his duties as an informant. He told the bureau he needed money.

Redfearn's lawyer asked the bureau to intercede on his behalf with the district attorney. The FBI refused.

Redfearn eventually was released under a "deferred prosecution" system that the bureau said was similar to probation. Redfearn kept secret from the prosecutors his association with the bureau.

As a result of the burglary, Redfearn was suspended by the FBI until Oct. 10, 1975, when the Denver office asked to reinstate him.

In a message to Washington, the Denver office said: "Source expressed deep regret concerning his criminal activities over the recent past and has strongly insisted he would never become involved in any illegal activities in the future."

## Files Disclose Sort of Data And Informant F.B.I. Uses

By JOHN M. CREWDSON

Special to The New York Times

DENVER, Aug. 1—Nearly 2,000 pages of confidential files made public here last week have provided the first comprehensive look at the sort of information collected by the Federal Bureau of Investigation on radical organizations in this country and at the kind of individuals the bureau hires to inform on them.

The files, produced over the last five years by an F.B.I. informant, Timothy Redfearn, are concerned only with the Denver branch of the Socialist Workers Party, a Trotskyite organization with about 60 members here.

The party is one of dozens of organizations penetrated by thousands of F.B.I. informants over the last two decades, but it is the first to have asked the courts for permission to see the results of the bureau's surveillance of it, something that was ordered in New York City last week by Federal Judge Thomas P. Grisea.

### Rumor and Gossip

The files contain dozens of written reports by Mr. Redfearn on every aspect of the Socialist Workers Party's activities, as well as gossip and a variety of unsubstantiated rumor. They also show that the F.B.I. continued to employ Mr. Redfearn and to praise his work after it had learned of his extensive criminal record and his history as a psychiatric patient.

It is Mr. Redfearn's theft of documents from the party's office here over the last three years, including one on July 7, that has led to local and Federal investigations of two Denver F.B.I. agents to whom he reported and who, according to the files, received and retained some of the stolen materials in the bureau's records.

In addition to informing on the party's activities, which appear to have consisted mainly of demonstrations and meetings, which Mr. Redfearn frequently described as "boring," the many written reports he submitted to the two agents, Boyd D. Adsit, now retired, and John W. Almon, included everything from the substance of

casually overheard conversations to the sex habits of party members.

### Trivial Tales

Much of Mr. Redfearn's reporting, for which he was paid several hundred dollars a month, was trivia, recounting what party members ate for dinner, how heavily they smoked cigarettes, and the state of their health.

The trivia and minutiae was filed by the F.B.I. along with more substantial facts and with Mr. Redfearn's observations, many of which were pejorative and others that were incorrect.

Mr. Redfearn's writing was laced, for example, with such words as "nigger" and "queer," and his account of a speech by a local feminist noted that "she talked about birth control, and the right to control her own body."

"Judging from the looks of her body, no one else would want to control it," he wrote.

In another instance, Mr. Redfearn reported that a woman had become "the new S.W.P. organizer" in Denver, but the description he provided of her was that of another party member.

According to the F.B.I. files, agents here were well aware of Mr. Redfearn's criminal and psychiatric histories while lauding his performance in internal memorandums and seeking approval from Washington for several increases in his salary.

In 1973, more than two years after he began his career as an F.B.I. informant, Mr. Redfearn became the subject of a Federal extortion investigation after he sent threatening letters to a Denver resident occasioned by a woman whose affection they both sought.

That case, which was investigated by Mr. Adsit, who was also "handling" Mr. Redfearn as an informant at the time, did not result in any prosecutions, nor have any of the other criminal charges lodged against him by the local authorities during his relationship with the F.B.I.

Three months later, Mr. Redfearn's file, which contained

evidence of that investigation, as well as of some recent burglaries of the Socialist Workers, was rated "administratively sound" by the F.B.I.'s inspection division and his performance was termed "excellent." The file also contained a check sheet on informants in which his "patriotism" was assessed.

### Not Prosecuted

After Mr. Redfearn was arrested by the Denver police in February 1975 in the theft of \$19,000 in guns and other items from an East Denver home, he admitted to that burglary and six others in the area. He was not prosecuted in any of those cases after he promised the court he would no longer associate with known criminals.

Mr. Redfearn, who is 25 years old, graduated in 1973 from Metropolitan State College here and later undertook graduate study at Denver University.

The F.B.I. file, which reflects that Mr. Redfearn was hospitalized for nearly a month for treatment of a "depressed condition occasioned by his arrest," shows that his services as an F.B.I. informant were terminated in April of last year, following that arrest.

One month later, however, the F.B.I. office in Denver reinstated him after he "expressed deep regret concerning his criminal activities [and] strongly insisted he would never become involved in any illegal activities in the future."

Less than a year after his arrest, his salary was increased to \$400 a month, his performance continued to receive high ratings from F.B.I. inspectors, and, just last June, he was termed "stable and reliable" by the Denver F.B.I. office.

According to the last document in Mr. Redfearn's file, "Informant was advised that the reporting agent did not contemplate any future contact with him and that under the circumstances no further payment could be expected by him. He asked if this situation was to be considered as permanent and was advised in the affirmative."

# Judge Accuses F.B.I. of Providing 'False' Data to Socialists

By **ARNOLD H. LUBASCH**

A Federal district judge in Manhattan declared yesterday that the Federal Bureau of Investigation had provided "false" information regarding a "crucial" aspect of a major lawsuit by the Socialist Workers Party against the F.B.I. and other Government agencies.

At a court hearing, Judge Thomas P. Griesa cited a written response by the bureau to questions submitted by the Socialist Workers about party documents that informers had obtained.

The bureau said in its response to the party's questions two months ago that one of its

informers had obtained material about the Socialist Workers that was available to the party's members and was distributed to the public.

But the F.B.I. answers failed to disclose that the informer, who was later identified as Timothy Redfearn, had obtained some material by burglarizing the party's offices in Denver.

Judge Griesa said that the omission of this important information raised the possibility that "there might be widespread misrepresentations" in the bureau's answers, and that the full information might not be known until the party received the files on informers.

## 'Haste Was Not Excuse'

John S. Siffert, a lawyer for the Government who sought to delay turning over some files on informers, conceded that "discrepancies" existed, but he said that the bureau had responded to the questions in "great haste" to expedite the procedures.

"Haste was not excuse," Judge Griesa replied. "I can draw no other conclusion than that the person making that answer intentionally omitted materials that were unfavorable to the Government when he tried to summarize that file." "Let's face it," the Judge continued. "Let's not waste time talking about haste. That was absolutely inexcusable."

The judge stressed that the omitted information had come to light only because Mr. Red-

fearn had been arrested in Denver, where he disclosed that he was an F.B.I. informer, and that he had burglarized the offices of the Socialist Workers as recently as July 7.

"Without the somewhat fortuitous July activities of Mr. Redfearn, leading up to the disclosure of those documents," Judge Griesa said, "this falsity in these answers would not have been known."

## Illegal Activity Charged

"I can't imagine anything more important for this case," the judge said, referring to the answers that the F.B.I. had submitted about the activities that its informers conducted against the Socialist Workers.

The party, a leftist group that says it has 2,500 active members, is suing the F.B.I. and other agencies for \$37 million in damages for allegedly con-

ducting illegal activities against the party and its members.

As a part of the procedures to discover evidence for a trial of the suit, Judge Griesa has ordered the F.B.I. to turn over several files on informers to the party's lawyers.

The Redfearn file, the first one that the F.B.I. released, contained documents disclosing that the informer had carried out four other burglaries of the party's offices in Denver long before the burglary last month, according to Leonard B. Boudin, a lawyer for the party.

The F.B.I., which turned over Mr. Redfearn's file last Friday in Denver, is scheduled to provide additional files of six other informers under the judge's orders. But the judge agreed to hear further arguments today on the Government's request to postpone delivery of some of the files.

New York Post  
August 5, 1976

# Judge Says FBI Gave False Answer in Suit

By **MARVIN SMILON**

A federal judge says there is a distinct possibility that there are "widespread misrepresentations" in FBI answers to questions raised in a \$37 million damage suit brought by a left-wing political group.

The judge also says the FBI deliberately submitted a false answer in connection with the suit.

U. S. District Judge Thomas P. Griesa made the charge yesterday during a pre-trial hearing of the Socialist Workers Party

lawsuit against the FBI and a number of other government agencies, which alleges that they illegally harassed the SWP for two decades.

The judge's comments came in the wake of disclosures that in answers to questions posed by SWP lawyers, the FBI failed to reveal that it had provided documents stolen by a paid undercover informant during burglaries of the party's Denver office.

"The response with respect to the informant . . . was

false," Griesa said evenly, "and the response failed to disclose the thing that is crucial—namely, that the documents had been obtained by means of entries into the premises, something which the plaintiffs would characterize as 'burglaries.'"

Earlier this year the FBI admitted that its own agents had participated in scores of burglaries of the New York SWP office at 116 University Pl.

The Justice Dept. is conducting an investigation

of the burglaries that took place in the past five years and is reported ready to begin seeking indictments.

Griesa noted that false statements concerning the Denver burglaries "creates the distinct possibility that there may be widespread misrepresentation in their (FBI) answers and the distinct possibility that the full information is not going to be known until the documents themselves are produced."

The untrue statements

came to light when it was disclosed last month that Timothy Redfearn, the FBI informer, had burglarized the SWP Denver office four times in 1973 and once last July 7 and turned over documents he removed from their files to the FBI.

The judge said he must consider "the problem which the FBI itself has created in falsifying at least one answer, that we know of, on one important subject."

Another hearing is scheduled for today.

# Some Editorial Comments

## **The New York Times**

August 3, 1976

“Mr. Kelley has stated that Cointelpro is a thing of the past which has been ‘purged’ from bureau operations, but events conspire to contradict him. Early last month, for example, the FBI withheld for two weeks from Denver police information about yet another Socialist Workers Party burglary carried out by one of its informants.”

## **The Detroit Free Press**

August 13, 1976

“At one time or another, virtually every political organization that challenged the status quo in American society came under the unconstitutional scrutiny of the FBI. . . .

The FBI’s campaign of harassment has been blatantly illegal. The U.S. Constitution, in clear and unmistakable language, guarantees all Americans freedom of speech and of association, and freedom from unreasonable search and seizure. Those guarantees apply to everyone—those who champion radical ideas, as well as those in the mainstream.”

## **Times, Wilkes-Barre, Pennsylvania**

August 13, 1976

“Of the false information provided by someone in the FBI to a federal district judge in the Socialist Workers Party suit against the government he [Mr. Kelley] observed: ‘This smacks of a cover-up.’ All this underscores the urgent need for vigorous, corrective beyond any already taken.”

## **Reporter-News, Abilene, Texas**

August 16, 1976

“Compounding his [Mr. Kelley’s] embarrassment, it has been learned that there was a break-in by an FBI informer at a Socialist Workers Party office in Colorado only last month.

Last Wednesday he admitted at a news conference he cannot flatly deny that FBI agents or informers are continuing to burglarize the homes and offices of American citizens. . . . If Kelley is to function effectively as head of the FBI, his authority must operate at all levels. And that means an end right now to the black bag jobs and all other improprieties conducted with official sanction, whether his or someone else’s.”



The Washington Post  
September 25, 1976

# Probe of FBI Burglary Role Urged

By John M. Goshko  
Washington Post Staff Writer

A Denver grand jury has recommended that the records of its inquiry into the FBI's role in a July 7 burglary against the Socialist Workers Party be sent to the Justice Department and the Senate intelligence committee.

The jury also said that it wanted publicly to urge federal officials to take greater care in ensuring that "only responsible FBI agents" be assigned to future domestic security investigations.

These two unusual steps were taken by a Denver County grand jury that Thursday indicted Timothy J. Redfearn, a former paid FBI informer, on charges that he broke into the SWP's Denver office and stole documents.

The case sparked nationwide attention because the SWP, a small leftist party, is suing the FBI and other federal agencies for \$40 million, charging them with illegal harassment. Because of the pending suit, the SWP was able to force the FBI to disclose Redfearn's file.

Documents in the file showed that although Redfearn acted without authorization, the FBI's Denver field office was aware of his participation in the break-in within hours. But the FBI concealed from the Denver police for eight days the information that an FBI informer had committed a burglary.

Also in Redfearn's file were receipt forms indicating that his case officer in the Denver office, John V. Almon, had accepted documents taken in the burglary. Before the information on the receipts was made public, Almon, in a sworn statement to the

Denver district attorney's office, had denied receiving any of the stolen material.

Other documents in Redfearn's file showed that in December, 1973, he committed two other burglaries against the SWP and turned stolen material over to the FBI. However, the FBI never reported these burglaries to the police and continued to employ Redfearn as an informer.

Sources familiar with the investigation said the Denver grand jury had considered the possibility of perjury or conspiracy indictments against Almon and some of his superiors in the Denver office. But, the sources added, the panel concluded it did not have sufficient evidence.

It did ask the Denver County District Court to forward its records—comprising thousands of transcript pages and more than 70 exhibits—to Washington for further investigation.

The Justice Department currently is investigating allegations of illegal FBI burglaries against political group and has indicated that the Denver break-ins would be included in this probe.

Dale Tooley, Denver County district attorney, said yesterday that he plans to bring the records to Washington and turn them over to the Justice Department and the Senate committee on Monday.

Asked if the FBI planned any investigation or disciplinary action against Almon and his Denver superiors, a bureau spokesman said yesterday, "We will have no comment since this is a matter under review by the Justice Department."

# How Some Columnists Saw the Suit

**Garry Wills**

July 1, 1976

“Many well-documented crimes against American citizens have been committed by active agents of the CIA and the FBI. Yet no single perpetrator of those multiple crimes has been convicted. In the few cases where indictments were brought, the agencies succeeded in quashing them. But now we hear that the Justice Department is investigating the network of FBI agents who committed illegal searches and seizures in the campaign against the Socialist Workers Party.

To some Americans, the idea of holding a ‘G-man’ to account for undermining the Constitution is unthinkable. These people have been treated as above the law. . . .

It is time—long past time—to break that power. There is no question, now, that FBI agents broke the law. So: How do we prove that the FBI is not organizationally committed to law-breaking except by prosecution of actual law-breakers?”

**Tom Wicker**

August 3, 1976

“Merely to summarize the FBI’s various troubles is becoming difficult: . . .

A suit by the Socialist Workers Party has resulted in continuing disclosures of illegal FBI burglaries and other crimes; knowledge of the more recent of these was withheld from Clarence M. Kelley, the current FBI director; and when Mr. Kelley did become aware of those burglaries, the information for some reason was not transmitted to the Senate Intelligence Committee, which was then investigating the bureau.”

## **Don Oakley**

August 18, 1976

“. . . the FBI has apparently learned nothing, changed nothing, reformed nothing. . . in all the years that the Socialist Workers Party has been under surveillance, neither the party nor any of its members has ever been charged with breaking any laws. Would that the same could be said of the Democrats and Republicans. . . .

It is deadly serious. In fighting to vindicate its rights to exist as a legally constituted, legally behaving political party, free of official intimidation and harassment, the SWP is defending the political liberties of all Americans.” (NEWSPAPER ENTERPRISE ASSN.)

## **Nat Hentoff**

August 29, 1976

“Who knows—who ever will know—how many thousands of FBI and CIA acts of breaking and entering in the interests of ‘national security,’ among other wholly illegal activity, have been directed against lawful political parties (as the Socialist Workers Party is a lawful party) and their members? We have some of the statistics because of an SWP lawsuit, but surely the FBI and the CIA are not going to volunteer information on other proof of their own criminality.”

## **Mary McGrory**

September 14, 1976

“As recently as last July, it was revealed that an FBI informant, Timothy Redfearn, had broken into the Denver headquarters of the Socialist Workers Party, an organization which was offensive to Hoover since its founding in 1937.

Kelley can claim ignorance of all that was done before his time, but it was difficult for all but the most unwary not to notice what the FBI had perpetrated against the SWP, which is currently suing it.

In December 1974, the SWP went to court seeking an injunction against FBI informers attending its Young Socialist Alliance convention. The judge who refused the injunction pressed the government to cite examples of the party’s illegality. Although 1600 informants had infiltrated the 2000-member group since 1960, the government could give no instances.

It was a perfect time for Kelley to show that there was a new hand at the helm. It was a moment for him to say, ‘Why are we doing this?’

He did not.”

# A 38-Year Probe Of Marxist Group Backfires on FBI

## Agency Is Airing Its Dirty Laundry

By Warren Brown  
Washington Post Staff Writer

The FBI has spent the last 38 years investigating the Socialist Workers Party, a Marxist group, and some government officials are wondering why. Largely as a result of that probe, the FBI itself is under investigation.

The turnabout is the product of a \$37 million civil damage suit brought by the SWP and its youth affiliate, the Young Socialist Alliance, against the FBI, Central Intelligence Agency and other government agencies.

The suit has led to the public disclosure of documents showing that the FBI burglarized the homes and offices of political dissenters between 1972 and 1973, at least six years after such burglaries supposedly were halted by the bureau.

As a result, the Justice Department has opened an investigation that involves about 30 agents and is expected to reach into most, if not all, of the bureau's 59 field offices.

The Justice Department probe and other events and revelations prompted by the suit come at a time when the FBI can ill afford more bad news. Earlier individual suits under the Freedom of Information Act—which allows public access to government documents—and congressional inquiries into the FBI's "dirty tricks" program to squelch dissent already have resulted in a torrent of criticism of the agency.

But the SWP complaint, filed in U.S. District Court in New York on July 18, 1973, is a long way from being resolved. The party charges in the case that, in its pursuit of legitimate political activities, it has been the target of illegal harassment by the government.

Besides the \$37 million in compensatory and punitive damages, the party seeks an injunction against government surveillance of its activities and hopes to win a ruling that would

are unconstitutional the government's use of informers in political groups.

In addition to the Justice Department probe, the suit has resulted in:

- A federal court ruling ordering the FBI to surrender some of its closely guarded informers' files.
- Disclosures that at least one FBI informer, Timothy J. Redfearn of Denver, who spied on the SWP there, was kept on the bureau's payroll and given good ratings even though he had a criminal record.
- Use by a New York FBI agent, Joseph Furrer, of his Fifth Amendment privilege against self-incrimination, the first such action by an agent in memory. The SWP said Furrer knew about burglaries of its new offices.
- An unprecedented admission by an FBI agent, George P. Baxtrum Jr., that, before 1965, he participated in at least 50 burglaries of SWP offices in New York at the direction of superiors.
- Information that knowledge of the more recent burglaries was withheld by subordinates from FBI Director Clarence M. Kelly.
- An accusation by U.S. District Court Judge Thomas P. Griesa, who is hearing the suit, that the FBI failed to disclose that the SWP documents Redfearn gave to the FBI, and that the FBI gave to the court, were obtained by burglary.

Justice Department attorneys had opposed an SWP petition for the files of three informers on the grounds that the party was on a "fishing expedition" and could prove that three individuals, whose files it sought, actually spied for the FBI.

The government agreed Friday to turn over the documents on Aug. 19 after the SWP provided the court with evidence showing that the three had already identified themselves as informers in meetings with party members.

The case has some present and former FBI agents, as well as Justice Department officials, shaking their heads over how the bureau got involved with the SWP and YSA in the first place.

"That's a damned good question," said one Justice Department official when asked why the bureau initiated its ongoing investigation of the two groups. "I've been asking that question myself," the official said.

Some sources familiar with the investigation said the SWP probe began as a result of once valid national security concerns but has been kept alive for years by "bureaucratic inertia."

The sources said the bureau is either incapable of closing it down or is unwilling to eliminate the network of informers and the thousands of pages of documents—many of them trivial—generated by the investigation.



LEONARD BOUDIN  
... "We have a Constitution ..."



PETER CAMEJO  
... '76 presidential candidate

Continued on next page

The official policy of the Justice Department and the FBI is to decline comment on the investigation because it is "in progress," and because of the SWP suit. However, something of an official rationale for the probe can be found in a deposition given in December, 1974, by Hugh Mallet, then a supervisor in the FBI headquarters in Washington.

"The continuing investigation of the SWP and of its youth arm, YSA, is conducted to determine whether the SWP, YSA and their members are violating any federal statutes . . . as well as to obtain security intelligence information," Mallet said.

The agent said the FBI received information from numerous sources, "including informants of the FBI, who have been in attendance at SWP and YSA meetings, conference and national conventions both early in SWP and YSA history and continuing to the present time."

Mallet said the information showed that the "SWP and YSA are revolutionary Trotskyist communist organizations which have as their purpose the overthrow of the United States government and the institution of a dictatorship of the working class and the eventual achievement of a communist society."

Mallet conceded that the FBI had no evidence to prove that the SWP or YSA advocated the use of violence to achieve their ends. However, he said that the "SWP and YSA are not known by the FBI to have rejected the use of violent and illegal means to achieve their purposes."

Moreover, said Mallet, "information received by the FBI indicates that the SWP and YSA would use violent and illegal means to achieve their purposes if such means were considered by the SWP and YSA as being expedient."

But a former federal law enforcement official who is knowledgeable about the SWP probe said the "violent overthrow" rationale is faulty.

"Irrespective of whether it is committed to violence or not, it's so small and insignificant, it never got off the ground," the official said. "The organization, for years, has been very small and insignificant, with the exception of the periods of academic and racial unrest during the sixties.

"I couldn't cite any examples myself to show violence [on the part of the SWP] or to show that they are under the direction of a foreign power," he said.

The former official estimated that the party now has a national enrollment of 2,000.

Asked about federal speculation that the party advocates violent revolution, Cathy Perkus, of the New York-based Political Rights Defense Fund, which is financing the SWP suit, said, "that's just ridiculous."

"If that's their reason for investigating the SWP, it shows . . . that they don't know anything about the Socialist Workers Party.

"The SWP is not connected to any communist group . . . The SWP has never advocated violence no matter what [Leon] Trotsky or others say. Violence and terrorism are counterproductive to the revolution," Perkus said.

The SWP was founded in the United States in 1938. The group has ideological roots in Trotskyism, a revisionist Marxist ideology based on the theory that permanent, worldwide revolution is needed to

maintain economic systems beneficial to the working classes.

The "revolution" envisioned by the SWP was explained by the party's 1976 presidential candidate, Peter Camejo, in an appearance before the House intelligence committee last November.

"We believe that this society needs to be reorganized on the basis of human needs, not for private profit," Camejo said.

"We think that a political party based on the working class is needed . . . On many issues our views are shared by many . . . Americans. These are issues such as the right of every worker to a job, the right of blacks to attend desegregated schools, the importance of the Equal Rights Amendment and opposition to sending American soldiers to prop up reactionary governments," Camejo said.

The candidate conceded that the party is in a minority "on the question of establishing socialism" as a means of achieving those goals. However, he said, the party is attempting to explain its ideas by fielding political candidates, circulating petitions and organizing peaceful demonstrations.

"These are all activities protected by the Bill of Rights," Camejo said. That, according to Leonard Boudin, a New York constitutional lawyer and one of several attorneys arguing the SWP suit, is a major point of the case.

"The suit really has nothing to do with the SWP," the lawyer said last week after a court hearing on the matter. "The point is that this suit has tremendous educational importance for Congress, the President and the FBI.

"If we win it, no one [in office] would be able to say he didn't know what he was doing by interfering in legitimate political activity . . . We have a Constitution that guarantees freedom of speech and of association, and we want the government to keep out of our political affairs," Boudin said.

Boudin, 64, who was denied a passport in 1954 because he refused to say whether he was a member of the Communist Party, said he does not believe the Socialist Workers Party will ever appeal to the majority of Americans.

"But you just can't go after a group and say you're doing it because they oppose existing government policies," he said. "That's why the use of informers in a political group is so unconstitutional . . . What I'm really saying is that this is a hell of a way to live. I should not have to walk into my home and wonder if I could talk freely," Boudin said.

# Kelley Acts to Tighten His Grip on FBI

By John M. Goshko  
Washington Post Staff Writer

Director Clarence M. Kelley announced an FBI reorganization yesterday that bureau sources described as strengthening his control over activities that have involved the FBI in charges of wrongdoing and abuse of its powers.

In the most significant change, Kelly shifted responsibility for domestic intelligence investigations—the task that triggered most of the controversy now surrounding the FBI—from the intelligence division to the general investigative division.

FBI sources said the shift is aimed at bringing a new approach to domestic security cases. Under the late FBI Director J. Edgar Hoover, domestic intelligence became a cover for frequently illegal surveillance and harassment of individuals and organizations with suspected subversive tendencies.

Under orders from Hoover, who died in May, 1972, the intelligence division conducted an extensive counterintelligence program that included "dirty tricks" against groups that did not meet the late director's definition of political orthodoxy.

The Justice Department is also probing allegations that FBI agents involved in domestic intelligence investigations, engaged in widespread illegal burglaries during the past five years. The bureau previously had said that it ceased such so-called "black bag jobs" in 1966.

Other changes and moves announced by Kelley include:

- Establishment of a "special review group" to evaluate the FBI's much-criticized use of informers. Kelley took this action after an FBI informer broke into the offices of the Socialist Workers Party in Denver last month and stole SWP documents, a violation of bureau policy against condoning criminal activity by informers.

- Consolidation of the FBI's internal inspection service, which investigates allegations of official misconduct and corruption, into a new division of planning and inspection that will report directly to Kelley. The Justice Department also is investigating charges that some bureau officials were involved in misuse of funds and other "abuses of power."

- Elimination of the FBI legal counsel's office as a separate division and its incorporation into the director's office. The purpose, Kelley said, is

to put the legal counsel in a better position to survey the total range of FBI operations and advise him of matters involving doubtful legality.

Bureau sources said transferring domestic security cases out of the intelligence division will allow the division to concentrate exclusively on foreign intelligence activities within the United States.

Foreign intelligence involves combatting espionage, terrorism and other activities by foreign governments or groups inside the United States. Domestic intelligence, which is treated separately by federal law, involves protection against subversion and attempts to overthrow the government by American citizens.

The general investigative division, headed by Assistant Director Richard J. Gallagher, is responsible for combatting federal offenses that are non-political in nature, including bank robbery, kidnaping, forgery, and embezzlement.

In explaining the shift, Kelley noted that Attorney General Edward H. Levi, in recently issued guidelines, "has clearly directed that we pursue domestic intelligence investigations in accordance with constitutional guarantees and criminal statutes."

Kelley added, "To better facilitate our efforts in this regard, I am transferring domestic intelligence investigations into the general investigative division, for the express purpose that they be managed like all other criminal cases in that division."

The purpose, bureau sources said, is to ensure compliance with Levi's directive that domestic intelligence probes be confined to investigating and prosecuting actual violations of the law. That contrasts sharply with the intelligence division's long-ingrained emphasis on watching large numbers of suspected subversives on the assumption that they might do something legal.

Kelley noted that since he took office in 1973, the FBI has reduced the number of targets in domestic intelligence investigations from 22,000 to 4,000.

That, one bureau source said, was done by wedding out "the garbage cases—those where you opened a file on everybody who writes a letter to a Communist newspaper."

Domestic security investigations, the source added, are now supposed to be confined to leaders, officials and members of organizations "whose acti-

vities give reasonable grounds for supposing that they might be liable to criminal prosecution."

At a press conference where he outlined the changes, Kelly conceded that the two Justice Department probes of FBI wrongdoing have damaged morale within the bureau.

"Right now, there are many people whose morale has been seriously affected by virtue of the possibility of either disciplinary or prosecutive action," he said.

But he declined to predict whether these investigations into illegal burglaries and alleged corruption would actually lead to prosecution of any present or former FBI personnel.

Kelley said he has deliberately insulated himself from these inquiries and "avoided interviewing people who might be involved." He did this, Kelley said, to avoid the impression of influencing or interfering with those who are conducting the investigations and to leave himself free to act on their findings with an open mind when the probes are completed.

Kelley said he believes the burglaries by FBI personnel have finally been stopped. But, after recalling that he had to retract his previous statement about the break-ins ending in 1966, he added:

"I wish I could say categorically, unquestionably that this is not going on. I can no longer make categorical, sweeping statements."

Kelley also announced that Thomas J. Jenkins, the FBI's deputy associate director in charge of administration, will retire Aug. 27 after 42 years with the bureau.

Jenkins' departure from the bureau's top-management echelon comes a month after Kelley fired the FBI's second-ranking official, Nicholas P. Callahan, for reasons that are known to be related to the corruption probe.

There have been unconfirmed reports that Jenkins might also be a target of the Justice Department investigation. However, Kelley, in public, and other bureau sources, in private, went out of their way yesterday to insist that Jenkins' retirement has no connection with the investigations.

Kelley, who has been hospitalized frequently in recent weeks with a painful back ailment, also revealed that he will enter a Kansas City hospital Monday for corrective surgery. He said that he expects to be immobilized for two to three weeks.

## F.B.I. Out of Control

Personal as well as professional pathos marks the plight of Clarence M. Kelley, Director of the Federal Bureau of Investigation, as he admitted yesterday that he could not flatly deny that F.B.I. agents were engaging in illegal burglaries or other unlawful conduct. Mr. Kelley had made such denials before, but yesterday he confessed, "I know that I was lied to." He also said, "I wish I could say categorically, unquestionably, that this is not going on . . . I can no longer make categorical sweeping statements."

These words amounted to a wistful admission of the extent to which the bureau has been corrupted and the Director's power limited.

This has not been a good year for Mr. Kelley or for anyone else who thinks seriously about the F.B.I. and understands that institution's importance. The revelations that have lately invaded the public consciousness, largely as a result of a \$37 million damage suit brought by the Socialist Workers Party and its youth wing against the F.B.I., have not simply tarnished the bureau's image, they have demonstrated a deep-seated malaise.

The corruption ranges from the ridiculous to the frightening: from the assignment on government time of an F.B.I. lab scientist with a Ph.D. in chemistry to fix the pump on J. Edgar Hoover's backyard fish pond to the employment of a psychiatrically disturbed informer to enter overheard and stolen information into government files.

The revelations contained in the documents detailing

the activities of the Denver informant, Timothy Redfearn, are depressing and alarming. F.B.I. officials not only knew that Mr. Redfearn was burglarizing for them, but that he was pursuing that line of work for his own profit as well. They knew his acute psychiatric problems. They knew that he was the target of an extortion investigation and that he passed along sludgy, opinionated sexual gossip. Nevertheless, they rated his employment by a Denver agent "administratively sound" and his performance "excellent."

When local law enforcers began coming perilously close to Mr. Redfearn and his "handler," the Denver office recommended to Washington that no cooperation be given to the district attorney and that the Justice Department be asked to help block access to the Redfearn files.

Mr. Kelley is moving against this outrage with corrective actions he announced yesterday—placing domestic intelligence activities under the bureau's general investigative division, so that they will be managed like criminal cases, and establishing a panel to review the F.B.I.'s policies on informers.

These steps are highly constructive. But they can only be deemed a beginning. Mr. Kelley's statement amounts to admission that the bureau has for some time been out of control and without clear guidance or reasonable standards of professional or personal behavior. The F.B.I. is an important institution in extreme crisis. It needs a thorough overhaul that will forever eliminate the ideological extremism and administrative chaos of the Hoover era.

## U.S. PLEA IS DENIED IN SOCIALIST SUIT

Court Refuses to Dismiss  
Damage Claims Filed by  
Party Against F.B.I.

By ARNOLD H. LUBASCH

Government lawyers have lost a move to dismiss claims by the Socialist Workers Party for millions of dollars in damages for alleged wrongdoing by the Federal Bureau of Investigation.

The motion to dismiss the damage claims on technical legal grounds was rejected by Judge Thomas P. Griesa in a recent hearing on the three-year-old lawsuit that the Socialist Workers Party filed in Federal District Court in Manhattan.

The Socialist Workers, a small political party, alleged that the F.B.I. and other Federal agencies had used burglaries and other illegal tactics to disrupt the party's activities and violate the rights of its members.

Judge Griesa has conducted numerous hearings on various legal issues to prepare for trial of the complex suit, but a trial date has been delayed indefinitely by discovery procedures to uncover evidence in the case.

### Administrative Claim

On the issue of damages, the Government asked the judge to dismiss the claims on the ground that the Socialist Workers Party had failed to file a required administrative claim within a two-year deadline provided by Federal law.

The Federal Tort Claims Act provides that anyone claiming damages for wrongful acts by a Government agency must file an administrative claim with that agency within two years to obtain money damages from the Federal Government.

The Government's motion contended that the Socialist Workers Party knew about the wrongdoing alleged in the law-

suit for more than two years before it filed an administrative claim for damages, but the party's lawyers argued that they had not learned about many burglaries and other illegal acts until recently.

Judge Griesa ruled that it was "inappropriate" to dismiss the damage claims at this time, adding that issues involved facts to be determined in a trial of the suit. However, he left open the possibility of holding a "preliminary trial" to determine when the Socialist Workers Party had learned about the alleged wrongdoing.

### Documents Turned Over

Under court-ordered discovery procedures, the Government has already turned over more than 30-pages of documents from the files of several agencies, including documents disclosing that the F.B.I. burglarized the Manhattan offices of the Socialist Workers Party 92 times from 1960 to 1966.

The Government has also given the party's lawyers the files on an F.B.I. informer, Timothy Redfean, who reportedly burglarized the Denver offices of the party on July 7 of this year.

The files on six others, identified as F.B.I. informers who spied on the Socialist Workers Party, will be turned over to the party's lawyers next Thursday under an order by Judge Griesa.

The Justice Department is investigating F.B.I. burglaries that have been disclosed as a result of the lawsuit, which is seeking injunctions against the illegal acts and a total of almost \$40 million in damages from the Government and several individuals.

In addition to claims against the Government, the suit seeks damages from three individual F.B.I. agents allegedly involved in burglaries and from former President Richard M. Nixon, former Attorney General John N. Mitchell and John W. Dean 3d, who was the White House counsel when the Government allegedly intensified a campaign against the Socialist Workers Party.

### Plaintiffs Listed

The suit said that the "systematic campaign" included burglaries, informers, warrantless wiretapping, monitoring the

mail and illegal harassment that disrupted the party and interfered with the lawful political activities of its members.

The plaintiffs are the Socialist Workers Party, several of its leaders and the Young Socialist Alliance, an affiliated organization of people under the age of 30.

Leonard B. Boudin and Herbert Jordan are the lawyers for the plaintiffs. The Government is represented by William S. Brandt, John S. Siffert and Thomas E. Mosley, Assistant United States Attorneys.



## Socialist Workers To Remain Subject To F.B.I. Scrutiny

By JOHN M. CREWDSON

Special to The New York Times

WASHINGTON, Aug. 15—The Federal Bureau of Investigation intends to continue its investigation of the Socialist Workers Party under classified Justice Department guidelines that apply to radical organizations with foreign political connections, according to well-placed department sources.

The sources said that the F.B.I. recently submitted to Attorney General Edward H. Levi a statement of its intention to treat its 38-year-long investigation of the party as a counterintelligence case rather than a domestic security investigation.

The bureau's decision in the case was reached despite testimony by past and present F.B.I. officials in recent months that party members have never been involved in espionage, have not advocated the illegal overthrow of the Federal Government, and were, in the words of one former bureau official, "home-grown tomatoes."

The extent of the investigation has been disclosed to a considerable degree through the party's outstanding lawsuit against the bureau, and the disclosures have raised questions in Congress and elsewhere over whether such attention was warranted by the group's activities and philosophy.

But under the F.B.I.'s decision disclosed by the sources, the Socialist Workers Party matter would thus remain in the hands of the F.B.I.'s intelligence division and would not, like investigations of other domestic radical groups, be shifted to the bureau's general investigative division under terms of a reorganization announced last week by the F.B.I. director, Clarence M. Kelley.

Mr. Kelley said at a news

conference on Wednesday that groups for which the general investigative division had been given responsibility would be treated, under a separate set of Justice Department guidelines, like all other criminal cases in that division.

The division has traditionally had authority over offenses ranging from bank robberies to violations of the Migratory Bird Act.

Under Mr. Levi's published guidelines for "domestic security investigations," groups without demonstrable foreign connections would be investigated by the division only if they were engaged in, or were about to engage in, violations of Federal law.

Bureau sources said that although precisely which groups would be subject to the jurisdictional transfer had not yet been decided, such organizations as the Black Panther Party and the Ku Klux Klan, which have been subjected to continuing scrutiny by the intelligence division, would probably be among those shifted.

But the Justice Department sources said that the case of the Socialist Workers Party would be retained, with the bureau's decades old investigation of the Communist Party and a few others, within the intelligence division, where it would be subject to a different set of investigative guidelines that govern counterintelligence inquiries.

### Foreign Ties

Those guidelines have been kept secret. But they are understood to allow for continuing scrutiny of groups whose foreign affiliations are believed to threaten the national security, whether or not there is evidence of any impending violation of Federal law.

Had the Socialist Workers case been among those transferred from the intelligence division, the party could not have been investigated in the absence of evidence that it was preparing to overthrow or interfere with the functioning of the Federal government or a foreign government, impair interstate commerce or deprive persons of their civil rights.

The F.B.I.'s rationale to accord the Socialist Workers Party the same status as, for example, the foreign-directed Palestinian Liberation Organi-

zation comes despite testimony in recent months from past and present bureau officials that the party has never advocated or engaged in any violent or illegal activity.

According to one Justice Department source, the bureau cited as a basis for its decision the party's connections with the Fourth International, a worldwide Trotskyite group from which the party withdrew its membership in 1940.

Party officials have testified before Congress and in connection with the party's lawsuit against the F.B.I. that the group resigned from the Fourth International after passage of the Voorhis Act, which placed penalties on domestic organizations that had such international affiliations.

### Sends 'Observers'

The party has continued, however, to send delegations of "observers" to world congresses of Trotskyite groups that comprise the Fourth International. Its officers have insisted that although the group is internationalist in character, it is not "run by a foreign power or organization," as Peter Camejo, its current presidential candidate, told the House intelligence committee last year.

According to a report of the Senate intelligence committee, C. D. Brennan, a former head of the F.B.I. intelligence division, used the term "home-grown tomatoes" to describe the party's domestic character.

W.C. Sullivan, Mr. Brennan's predecessor, said in a deposition given recently to party lawyers that he had no personal knowledge of any violent or unlawful activities engaged in by party members.

The Senate report noted that although the F.B.I. maintained that the Communist Party had, at one time, been "blatantly" involved in espionage within the United States, the committee's investigators had seen no evidence of similar activity by the Socialist Workers.

# Some Editorial Comments

## **The Louisville Times, Kentucky**

August 17, 1976

"FBI and other officials have said that the party is not controlled by a foreign government and does not engage in espionage. . . . The bureau apparently still has trouble understanding that Trotskyites have the same right as other American citizens to meet, express their opinions and run for office.

The agency will regain the respect of the public only when its agents, from the top down, finally understand that the freedoms of all law-abiding American citizens are endangered when the freedoms of a few are trampled upon."

## **The News and Observer, Raleigh, North Carolina**

August 18, 1976

"Clarence M. Kelley, director of the Federal Bureau of Investigation, is taking pains to assure that the agency maintains its watch over the beleaguered Socialist Workers Party. . . .

If this surveillance with attendant burglaries, lock pickings, rifling of documents and so on has yielded anything of value to America's security, one would be very surprised."

## **St. Louis Post-Dispatch**

August 19, 1976

"On the basis of admitted facts, the FBI seems to have no continuing reason to treat the SWP as a dangerous organization. However radical or unpopular its rhetoric may be, this is not a ground, in the absence of suspected criminal activity, for FBI surveillance. The FBI's dogged pursuit of the SWP looks like harassment."

## **Long Island Press**

August 22, 1976

"FBI officials themselves admitted at recent congressional hearings that they had no evidence, after 38 years of surveillance, that the small splinter party ever had any dangerous overseas connections. Moreover, there is no evidence that its members engaged in espionage or advocated the illegal overthrow of the government.

The Socialist Workers Party has been distributing street corner literature, making speeches and running people for public office for decades. . . .

The Constitution, which gives all of us the right to publish and say what we please, and run for office, is still in force."

## F.B.I. TO TRANSFER SOCIALIST INQUIRY

**Kelley Asserts Case Will Go  
From Intelligence Branch  
to the General Division**

Special to The New York Times

WASHINGTON, Aug. 16 — Clarence M. Kelley, Director of the Federal Bureau of Investigation, said today that the bureau's investigation of the Socialist Workers Party would be among those cases transferred out of the bureau's intelligence division under the reorganization he announced last week.

His statement was issued in response to a report in The New York Times today quoting Justice Department sources as saying that the party, because of its alleged international connections, would continue to be treated by the bureau as a counterintelligence case rather than as a domestic security case.

The distinction is important because of guidelines recently issued by Attorney General Edward H. Levi that strictly limit the circumstances under which domestic security investigations may be initiated. The party has up to now been the subject of nearly four decades of continuous scrutiny by the bureau.

### F.B.I. Memo Cited

The Justice Department sources confirmed last week the existence of an F.B.I. memorandum, delivered to the department before Mr. Kelley announced his reorganization last Wednesday, in which the bureau asserted that the Socialist Workers Party was not strictly a domestic organization because of its association with the Fourth International, a worldwide Trotskyist group.

The party resigned its membership in the Fourth International in 1940, but has continued to send observers to its conventions.

One Justice Department source said after Mr. Kelley's announcement on Wednesday that no decision had been

reached on which of the 4,000 cases previously handled by the intelligence division's internal security section would be shifted to its general investigative division.

As examples of groups that, because of their international affiliations, would not be transferred, the source cited the Communist Party, the Palestinian Liberation Organization and the Socialist Workers Party.

Mr. Kelley said today, however, that he had decided to transfer all of those cases previously handled by the internal security section, including the Communist Party and the Socialist Workers Party, to the general investigative division.

He noted that under Mr. Levi's guidelines, "all such domestic security investigations are required to be reviewed by the Attorney General and a periodic determination made as to whether they should be continued."

No explanation was made as to why the bureau, in view of its belief that the Socialist Workers Party had remained a part of the Fourth International, had nonetheless agreed to treat it for investigative purposes as a domestic organization.

But one Justice Department source said that if upon review and consultation with the department it were decided that some cases should be brought back to the intelligence division, "they will return."

"But there's a possibility that none will go back," he added.

# FBI Papers Give Glimpse Into Lives of Informants

BY RONALD J. OSTROW  
Times Staff Writer

WASHINGTON—Informant No. 53, who has been helping the FBI keep track of the Socialist Workers Party for 15 years, must be a master at maintaining a low profile.

Though Informant 53 is not a member of the radical political party, he or she has obtained from inside party offices 98 documents, including personal letters, bank records and a parody on the "Battle Hymn of the Republic."

The informant, who first approached the FBI about spying on the Socialist Workers Party, gleaned some of the material from party wastebaskets. But the FBI says it does not know how most of the documents were obtained.

Informant No. 148 presented more of a problem. Having served since 1971 as a party member and a member of the party's youth affiliate, the Young Socialist Alliance, No. 148 proposed attending the YSA's 1974 convention in St. Louis.

The problem was that the organizations had asked a federal court in New York to bar the government from spying on the gathering.

FBI Director Clarence M. Kelley, in a Dec. 10, 1974, memo expressed doubt that the court would go along. But, if so, he said, "the bureau would be obligated to withdraw approval, and this could put the source in a position which might cause compromise."

"These matters must be impressed upon the source to allow him to make an intelligent decision. Source should not make a definite commitment to travel until absolutely essential to avoid having an awkward situation result from possible cancellation," Kelley wrote.

Such nitty-gritty details from the

shadowy world of the professional informant have come to light from files on 19 informants, identified by number only, that were among those the FBI turned over to the Socialist Workers Party in connection with the party's \$40 million damage suit against the FBI and other government informants.

The records, made public by the party Saturday, disclose that the FBI currently has 66 informers posing as members of the party and its Young Socialist Alliance. Since 1960, some 316 informers have infiltrated the two groups, which claim a membership of 2,500.

Over the same span of years, the FBI has also relied on the services of some 1,300 free-floating informers, who keep watch on a number of groups including the party and its alliance.

Like other workers, informers sometimes try to impress their boss. No. 220, who belonged to the alliance and party for 12 years, advised the FBI that he or she "will make every effort, consistent with best serving the interests of the Bureau, to be (named) to a position on the (party board)."

At times, though, the records show, FBI "control" agents find it necessary to spur on their informants.

No. 675, for example, who was recruited as an informant after joining the Socialist Workers Party, was "urged to take part in (party) supported social affairs and demonstrations as well as regular attendance at meetings," according to his FBI file.

"The potential for this informant's advancement appears good because he is interested in assisting the bureau," 675's file said. "He has a mile disposition, appears intelligent

and has been advised to be more aggressive in branch matters when he feels he has sufficiently acclimated himself with Marxism, Leninism and Trotskyism."

Informant 176 "is contacted regularly in an effort to increase (his or her) efficiency as an informant and to advance . . . position within the Party," the heavily censored file given to party lawyers declared.

No. 1123 was instructed by his or her FBI superior to "continue to question the loyalty of other members at every opportunity" in an apparent effort to sow dissension within the ranks of the Young Socialists Alliance.

After sifting through the information released by the FBI on the 19 informants, party lawyers asked U.S. Dist. Judge Thomas P. Griesa, who is hearing the suit, to order Kelley to identify the 19 and turn over complete files on them.

"This limited application does not constitute a waiver of further subsequent demands by plaintiffs for examination of the files of all 1,600 informants" the FBI has used to gather information on the groups, the lawyers said.

Their request is pending before Griesa.

# FBI deploys 66 spies inside socialist party

Associated Press

WASHINGTON — The FBI has 66 informers posing as members of the Socialist Workers Party or its youth affiliate and has used 1,616 persons to spy on those groups during the last 16 years, according to FBI documents released yesterday.

The papers show that one individual, who did not join the organizations, ran for Congress at some point during the 12 years he was an informer. The files did not indicate whether the campaign was successful.

According to the files, hundreds of the informers fed the FBI thousands of pages of party documents, including confidential membership and financial information covertly taken from party offices.

Those details emerged from documents the FBI was forced to provide party attorneys in response to a court order in the party's \$40-million suit against the bureau and other government agencies for illegal harassment of political activities.

The Political Rights Defense Fund, which is financing the lawsuit, made the files public yesterday. The material included some heavily censored documents from FBI files on informers, but the bulk of it was FBI responses to questions posed by the party about the use of informers. The informers were identified only by code numbers.

"Informers are not people who merely furnish information to the FBI, as odious as that in itself is," said Syd Stapleton, the defense fund's national secretary.

The 66 current informers are "skulking around, stealing from, spying on, and spreading malicious gossip about citizens engaged in legal political activities," he continued. Party lawyers have asked the court to force the FBI to identify 19 of the informers and turn over full details of their activities. If the initial request succeeds, the party may seek further information on other informers.

Defense fund spokesman Cathy Perkus said the party plans no internal effort to learn the identity of the spies.

The party also seeks a permanent court order prohibiting the use of informers to spy on its activities.

The use of informers masquerading as party members violates the First Amendment because it prevents the party "from forming and operating an independent political association free of government influence," party lawyers contended.

The courts have never squarely ruled on that issue.

Party officials say they believe the informers stole many of the records and, in some cases, committed burglaries.

They noted that one informer, Timothy Redfearn, is under investigation by the Justice Department for burglarizing and stealing cartons of documents from the Socialists Workers office in Denver about two months ago.

The files show that 316 informers became members of the Socialist Workers or the Young Socialist Alliance from 1960 through 1976.

At least 42 of them held policy-making positions on executive committees of local chapters.

The files do not indicate how much or how often the FBI paid the informers. Perkus said party officials believe the 1,616 spies were all paid some amount by the FBI because the courtroom discussions and negotiations involved only paid informers.

The files show that informers fed the FBI party documents ranging from flyers advertising political rallies to confidential budget statements, work assignments for campaign banquets, membership lists and telephone numbers, and letters.

In some cases, the FBI said the documents were "found" at the party's headquarters in New York by informers. Other items were listed as obtained from the headquarters.

# U.S. agent admits taping Socialist meetings here

BY NORMAN BAXTER  
Chief, Chronicle Washington Bureau

Washington — An agent of the U.S. Secret Service has admitted that he secretly taped and photographed a 1971 Young Socialist Alliance (YSA) convention in Houston.

The agent, M. Wayne Dean, said he was ordered to "cover" the convention by John Kiljan who was then special agent in charge of the Houston office of the Secret Service.

Dean said his assignment was "to identify speakers and see if there were any plans made during the meeting to disrupt the Democratic and Republican conventions" the following summer.

He said no such plans were discussed at the YSA meeting in the Music Hall in December of 1971.

Nan Bailey, YSA chairman, says the Secret Service surveillance was illegal spying on legal political activities.

The YSA and the Socialist Workers party (SWP), with which it is affiliated, have filed suit against the FBI, the Secret Service, Central Intelligence Agency and other government agencies charging political harassment.

Dean's deposition was taken as a part of the pretrial proceedings in the \$37.3 million damage suit.

In the deposition, made available to the Chronicle by the YSA, Dean said that he did the photographing and taping from a projection booth in the balcony of the Music Hall.

He checked out the booth before the convention with the approval of a city employe to see if there was an electrical outlet to power his recorder.

Dean did not identify the employe, but Jimmy Trammell then stage manager of the city-owned Music Hall, told the Chronicle he let the agent in.

Dean admitted in the deposition that he did not wear his Secret Service lapel pin when he went to the YSA convention; that he never identified himself as an agent or told anyone what he was doing; and that he had locked the projection booth to keep people out.

When asked by an SWP attorney, "Did it make any difference to you whether or not you were seen?" Dean replied, "No."

When he was asked why he chose the projection booth to do the taping and photographing, rather than do it in public, Dean said: "I needed a place where I wouldn't be disturbed and wouldn't

have people walking all over me. I thought that would be a good spot."

Although Kiljan told him to attend the meeting, Dean said that the decision to tape some of the proceedings was his own.

Kiljan is now employed in the Harris County Sheriff's Department and Dean works in the counterfeit division of the Secret Service.

Peter Seidman, the YSA member in charge of convention security, said that tape recorders and cameras were not permitted at the meeting unless approved

where he was going.

Dean said that he responded that he was "going to work" in the projection booth and was allowed to pass through the entrance to the hall.

The fruits of his work, according to Dean, were tapes of three speeches, pictures of 44 speakers and identification by name of 101 participants. He said negatives of the photos were given to the FBI.

FBI surveillance and infiltration of the SWP and YSA in Houston and other cities has been documented by internal bureau documents which were turned over to the SWP by order of the judge hearing their suit.

The Secret Service had not been linked to surveillance of political activists before its role at the YSA convention was disclosed.

## Socialist Alliance invited to return

Chronicle Washington Bureau

Washington — The Young Socialist Alliance recently received an invitation from the Greater Houston Convention and Visitors Council to consider the city as a meeting site.

"We in Houston recall very well your 1972 Young Socialist Alliance conference here," the letter said. "We hope your members enjoyed their visit here as much as we enjoyed serving as their host."

The socialists also remember the Houston convention in December 1971 and January 1972. One meeting was disrupted by a smoke bomb and since then it has been disclosed that a secret service agent surreptitiously taped and photographed participants.

"Though our skyline has changed a bit," the council said in urging another meeting in Houston, "our reputation as a warm and friendly host city has not."

by his security operation and that the agent had not asked for approval.

Dean said his recorder and the photographic equipment were carried to the projection booth in cases.

The agent said he was never specifically asked to identify himself when he went in and out of the Music Hall, but he had been stopped occasionally and asked

# FBI Inquiry On Leftist Party Halted

## Long Probe Finds No Wrongdoing by Socialist Workers

By John M. Goshko  
Washington Post Staff Writer

The Justice Department revealed yesterday that it has ordered the FBI to halt its 38-year investigation of the Socialist Workers Party—a small left-wing political group whose counterattack helped to plunge the FBI into crisis.

The bureau had been pursuing the SWP since 1938 without producing any evidence of wrongdoing by the party or its members.

The FBI's activities caused the SWP in 1973 to file what has become a \$40 million lawsuit against the bureau and other federal law enforcement agencies, charging them with illegal harassment and intimidation.

As a result of evidence uncovered by the lawsuit, the Justice Department has been conducting a seven-month investigation into allegations that the FBI carried out widespread illegal burglaries against suspected "extremists" during the past five years.

Justice Department spokesmen confirmed that the FBI had been ordered to stop investigating the SWP after it was learned yesterday that the department had sent letters to the SWP and to Judge Thomas P. Griesa, who is hearing the suit in U.S. District Court in New York, notifying them of the action.

The spokesmen said Attorney General Edward H. Levi had issued the order following a "systematic review" of how recently issued guidelines covering domestic security investigations apply to the SWP and its youth affiliate, the Young Socialist Alliance.

The spokesmen insisted that Levi's decision came in the course of reviewing the cases of all political groups under investigation by the FBI and had no connection with the still pending lawsuit.

Levi's guidelines stipulate that the FBI can investigate an organization or

individual only if it has evidence that they have been engaged in some specific illegal act. The guidelines bar the FBI from maintaining surveillance of a group solely for the purposes of gathering intelligence or because it suspects that the members might do something illegal.

FBI Director Clarence M. Kelley also released a statement last night, saying that the bureau had participated with Levi in the review. Kelley added, "We agree it is now necessary to discontinue such investigations."

In New York, Cathy Perkus, a spokeswoman for the Political Rights Defense Fund, which is financing the SWP suit, said:

"We don't believe that this was done routinely. It's no coincidence that they picked the one organization that has been laying bare all the FBI's abuses and illegalities. We think they did it in hopes that we would end our lawsuit and put a stop to the revelations about what the FBI has done."

Perkus said the SWP plans to continue prosecuting its suit. She added that the SWP will ask Judge Griesa to issue a permanent injunction barring any further FBI activity against the SWP and to order the bureau to turn over immediately the names of all present and past informers infiltrated into the party.

The SWP, whose national membership is believed not to exceed 2,000, has its ideological roots in Trotskyism, a revisionist Marxist ideology based on the theory that permanent, worldwide revolution is needed to maintain economic systems beneficial to the working classes.

The party has insisted for years that it has no connection with the Communist Party or movement and does not advocate violence as a means of overthrowing the U. S. capitalist system.

In its suit, which originally asked damages of \$37 million, the SWP charged that its pursuit of legitimate political activities had been seriously undermined by an FBI "dirty tricks" campaign. The FBI activities included the use of paid informers, wiretapping, interception and opening of mail and burglaries of SWP offices and the homes of its members, the party alleged.

Also named as defendants in the suit were other federal agencies, including the Central Intelligence Agency, the National Security Agency and the International Revenue Service.

The suit is still a long way from resolution. But it already has triggered a number of sensational disclosures that include:

- An unprecedented admission by an FBI agent, George P. Baxtrum Jr.,

that, prior to 1965, he participated in at least 50 burglaries of SWP offices in New York at the direction of his superiors.

- Use by another FBI agent, Joseph Furrer, of his Fifth Amendment rights against self-incrimination — the first known instance of an FBI official taking the Fifth — when questioned about his knowledge of burglaries against the SWP.

- Disclosure that an FBI informer, Timothy J. Redfearn, committed three burglaries against the SWP — the most recent in July — and turned documents taken in these break-ins over to the bureau's Denver field office.

- A charge by a Portland, Oreg., man, Alan H. Selling, that the FBI had paid him to join the SWP and act as an informer against the party. Selling also contended that he was inducted by FBI officials to commit an illegal burglary, but he said that was directed against an organization not connected with the SWP.

Revelation that the bureau, over the years, had used approximately 1,600 persons as informers against the SWP and still retains 66 informers posing as members of the party.

The lawsuit also has had repercussions that go far beyond the FBI's involvement with the SWP. Earlier this year, Judge Griesa ordered the bureau to search the files in all its offices and turn over to the SWP all documents relating to the party.

The resulting documents search turned up a previously secret file in the New York field office indicating that the FBI had committed burglaries in the course of domestic security investigations during 1972 and 1973. Previously, the bureau had said it ceased such so-called "black bag jobs" in 1966.

This information prompted the Justice Department to launch an investigation that has spread across the country to a number of cities. It has resulted in the empanelling of a federal grand jury in New York to probe the break-ins there and consider whether the FBI officials involved should be indicted on criminal charges.

Sources familiar with this investigation said yesterday that the grand jury should complete the first phase of its inquiry by the end of this week or early next week.

In this initial phase, the sources added, Justice Department lawyers have concentrated on presenting to the grand jury testimony or information from FBI agents who, during 1972 and 1973, were assigned to the New York field office's squad investigating the radical Weather Underground.

## F.B.I. Ends Inquiry On Socialist Group

By NICHOLAS M. HORROCK

Special to The New York Times

WASHINGTON, Sept. 14 — Attorney General Edward H. Levi has ordered the Federal Bureau of Investigation to end its 38-year inquiry into the Socialist Workers Party, Department of Justice and party representatives said today.

His action brings to an end a case that amassed 8,000,000 file entries and saw the bureau commit numerous illegal burglaries, 92 in one six-year period, and hundreds of acts of harassment under the Counter-Intelligence Program.

Despite nearly four decades of intense investigation and harassment, the bureau has not brought criminal charges against any member of the party or its youth affiliate, the Young Socialist Alliance, since 1940, when 18 members were tried and convicted of violations of the Smith Act. The act was later declared unconstitutional.

Mr. Levi ended the investigation by an order issued to the bureau late Friday, according to Robert Havel, a spokesman for the Justice Department. Mr. Havel said that the Attorney General had taken the action on the recommendation of two internal review committees that reported that the party's activities did not justify F.B.I. scrutiny under government security investigation guidelines issued earlier this year.

On Monday, the Attorney General notified Federal District Judge Thomas P. Griesa in New York of his action. Judge Griesa is presiding over a two-year-old damage suit filed by the Socialists against the Federal Government, the F.B.I. and officials of the Nixon Administration. The party was notified at the same time.

Peter Camejo, the Socialist Workers candidate for President and long a party official, called the decision "an historic victory for Democratic rights for all Americans." He said that it was the "first step in bringing to a halt a Government program for political spying and harassment."

Mr. Camejo said that the decision "removes the last barrier to the release of files the F.B.I. has maintained in its investigation."

He said that the Socialist Party was "demanding the Government immediately remove all informants from our party and

our campaign committees."

### Wants Names of Informers

"We are also insisting the Government turn over to us the names and files on all informants, past and present," he said.

The Socialist case was a major vehicle for disclosing secret and often illegal F.B.I. investigative and harassment techniques. Only last month, it was disclosed that the bureau had used 316 regular paid informers against the party since 1960 and had "an army of some 1,300 free-floating informers who spy on the activities of members and a wide variety of groups," according to a court document.

The party membership has never exceeded 2,500 persons, according to a party spokesman. According to Cathy Perkus, a spokesman for the party, there are 66 informers in place now, and the party wants them removed, publicly identified and their files turned over to it.

Several party officials, including Mr. Camejo, feared that Mr. Levi was halting the investigation as the first step in attempting to negotiate a settlement of the lawsuit. Mr. Camejo said that the case was going "full speed ahead," and that the party was asking a \$40 million settlement in addition to the other demands.

Mr. Havel said that Mr. Levi's action was entirely separate from the Government's conduct of the civil lawsuit. He said that under guidelines covering how and when the bureau could conduct internal security investigations was a requirement that each on-going case be periodically reviewed.

He said that two internal review committees had studied that question and concluded that the activities of the party and of the Young Socialists did not justify investigation by the bureau.

"We think this is an admission that the F.B.I. was wrong for 38 years in spying on our party," Mr. Camejo said. However, the guidelines covering F.B.I.

internal security investigations were adopted only this year. Before that, it was unclear on what grounds the bureau opened and maintained many of its security investigations.

The origin of the Socialist Workers Party case is equally unclear, but it was apparently begun because of the party's connection with the Fourth International, a worldwide group following the tenets of Leon Trotsky.

In the following years, its members were put under surveillance, wiretapped, burglarized, driven from their employment, physically threatened and orally abused by bureau agents. There is no count of how many times the homes or offices of the party were illegally entered by bureau agents, but at least 92 illegal entries were made at two party offices in New York between 1960 and 1966.

### A Target of Cointelpro

In 1961, the Socialists were made a target of Cointelpro, an organized F.B.I. system of harassing groups it did not approve of. Under the program, the bureau wrote anonymous letters, hoping to harass or frighten party members; planted damaging stories in the news media, and committed other acts to confuse or harm them.

In most instances, the victims did not know that the bureau was involved.

As late as last month, it was disclosed that a paid F.B.I. informer in Denver, Colo., had stolen documents from a party headquarters there. Court documents indicated that the bureau had knowingly accepted the stolen documents.

Mr. Levi's order last Friday appeared to overrule an internal decision at the bureau last month that it would continue to investigate the party. Clarence M. Kelley, director of the bureau, announced at mid-month that the case would be transferred from the intelligence division to the general crimes division within the bureau, but continued as an active inquiry.

## Columbus Citizen-Journal, Ohio September 13, 1976

### Quotes

"(FBI Director Clarence) Kelley has admitted that he cannot flatly deny that FBI agents are engaging in illegal burglaries and other unlawful conduct at this time ... If Kelley were really intent on changing the policies of the FBI, he would announce an end to the infiltration of my campaign committees, an end to the investigations of my supporters, and an end to the harassment of ... people who signed petitions supporting my right to be on the ballot." — Peter Camejo, presidential candidate for the Socialist Workers Party, which is suing the FBI for \$37 million damages.



# FBI Probe Ends, But Socialists Say Their Suit Stays

WASHINGTON — (AP) — The Socialist Workers Party still intends to continue its \$40 million suit against the FBI, even though the Justice Department has decided after 38 years to drop its fruitless investigation of the group.

The Justice Department announced Tuesday that the FBI was ending its long probe which had failed to produce any criminal charges. Department spokesman Robert Havel said Attorney General Edward H. Levi had determined in a routine review that the party was not a serious and immediate threat of harm to the country.

JUSTICE DEPARTMENT standards set last spring permit intelligence-gathering investigations of domestic organizations only when the FBI has determined that the group presents a serious and immediate threat of harm to the country.

Party officials say they oppose violence and are working for a socialist system by running candidates for office and other peaceful means.

In New York, Cathy Perkus, a spokeswoman for the Political Rights Defense Fund, which is financing the party's suit, said, "We don't believe that this was done routinely. It's no coincidence that they picked the one organization that has been laying bare all the FBI's abuses and illegalities. We think they did it in hopes that we would end the suit."

SHE SAID the SWP has no intention of dropping the suit which was filed in 1973 seeking \$40 million in damages and a permanent injunction against future harassment.

The lawsuit uncovered evidence which prompted the Justice Department to conduct an inquiry into allegations that the FBI carried out at least 92 illegal burglaries against suspected "extremists" during the past five years. Some of these breakins were directed against SWP offices, the FBI acknowledges.

Levi's action was disclosed to the judge hearing that case, Thomas Griesa, in a letter from Assistant U.S. Attorney William Brandt.

"The attorney general has now concluded that the investigation of the (SWP and its affiliate, the Young Socialist Alliance) should be terminated," Brandt wrote.

HE DID NOT elaborate, except to say that Levi made the decision in the course of reviewing current domestic security investigations.

The party's presidential candidate, Peter Camejo, said Levi's

order "is an historic victory for the democratic rights of all Americans. It's the first step in bringing to a halt the government's program of political spying and harassment."

Ms. Perkus, who prefers that honorific, said, "We think this is a tremendous concession they have made, an admission that the FBI has been wrong for 40 years."

"We're making no such admission," responded Havel, the Justice Department spokesman. "Levi is saying that under the guidelines it should be discontinued. This is not saying it was illegal over all these years."

The guidelines require the attorney general to pass judgment on such investigations annually.

FBI DIRECTOR Clarence M. Kelley issued a statement noting that FBI officials participated in the department review of the case.

"We agree it is now necessary to discontinue such investigations, and we have notified all of our offices to do so," Kelley added. The instructions to field offices were issued Monday, the FBI said.

Attorney Leonard Boudin, who represents the plaintiffs in the suit, wrote Griesa Tuesday to repeat the request for an injunction and additional court orders forcing the FBI to turn over all its files on the party and the names of 1,600 informers the FBI has acknowledged using against the SWP and YSA since 1960.

The membership of the SWP is believed not to have exceeded 2,500.

The FBI also has acknowledged that 66 informers are posing as party members. "We want all 66 informers out of the party immediately," Ms. Perkus said.

# Some Editorial Comments

## CBS News, commentary by Bruce Morton

September 15, 1976

"The FBI has called off its fruitless 38-year long investigation of the Socialist Workers Party, an investigation which never produced any criminal charges. The SWP is not calling off, but is continuing, its \$40-million suit charging harassment by the FBI."

## The Christian Science Monitor

September 16, 1976

"Levi ends an FBI mistake. . . . in all the subsequent years of FBI surveillance, break-ins, and Cointelpro (counterintelligence program) harassment, the bureau did not come up with the evidence to make a case of SWP law violation. . . .

Certainly almost 40 years is too long to continue on a false trail. Now the resolution of the SWP's damage suit against the government should be expedited."

## The Nation

September 18, 1976

"One must wish the Socialist Workers Party and their counsel, Leonard Boudin and Herbert Jordan, well in their suit against the government. Their cause in this action should be the cause of all Americans."

## Birmingham Post-Herald, Alabama

September 18, 1976

"End of futility. . . . It does indeed seem that Levi's order was due."

## Los Angeles Times

September 21, 1976

"Att. Gen. Edward H. Levi has now ordered the FBI to quit its investigation of the two groups. . . .

This order—somewhat tardy, yet welcome nevertheless—amounts to a confession that the FBI, stepping outside the law, acted for many years as a political policeman over a group of Americans who were exercising their rights of citizenship within the law."

## That 38-Year Investigation

**I**T WAS THE FIRST appearance of the director of the FBI before the new Senate Intelligence Committee, and Clarence Kelley's disclosures made the most of it. Mr. Kelley announced that the FBI's domestic intelligence caseload had been reduced by 97 per cent, from 21,414 investigations in 1973 to 626 cases currently. This was, Mr. Kelley said, in line with the bureau's new emphasis on "quality over quantity." It's not every day that an agency of government announces the virtual abolition of an activity, and the significance of Mr. Kelley's announcement cannot be overemphasized, for it represents further evidence that the FBI is emerging from the dark shadow of its past.

But it ought not to be forgotten that Mr. Kelley's announcement is also a stark indictment of that past. His very use of the words "quality over quantity" in describing the elimination of practically all domestic intelligence cases tends to confirm what many had suspected about the bureau's activities: that the FBI had become a bureaucracy in relentless pursuit of political groups that gave top FBI officials ideological or social offense.

And nothing better illustrates this point than the saga of the FBI and the Socialist Workers Party. It may never be known or understood what aroused the interest of J. Edgar Hoover's FBI in the SWP back in 1938. One might guess that it was the inevitable result of a time of great concern about communism, socialism and "isms" generally. Still, nothing can justify or excuse the infiltration, bugging and harassment of a legitimate political party in the manner of the FBI operation. That the FBI enterprise lasted for 38 years and was closed down by the Justice Department only two weeks ago defies all understanding.

To this day, the FBI's justification for this affront to the democratic process has not been made public. No particular crime was alleged, no violence on the part of the SWP was suggested, and no evidence of espionage was brought forward as far as we know. In short, none of the reasons a police agency should have for being interested in a political group appears to have played any part in the FBI's decision.

Nevertheless, the FBI had 1,600 informers in the SWP over those four decades, and 66 of them were still functioning in the party at the time the Justice Department finally decided enough was enough. The SWP has brought a \$40 million lawsuit against the FBI and others associated with the campaign against the party. In one poignant paragraph, the lawsuit says that the party has been so thoroughly infiltrated that it is impossible for its leaders to tell when some aspects of the party's work might have been directed by FBI infiltrators.

Within the FBI, there appear to have been no brakes and no place where the effort was evaluated or where some rigorous standard was set for what constituted a proper use of agency manpower. Surely any such review at any point along the way in nearly 40 years

might have suggested to someone at the top of the agency that perhaps it would do well to shut down the Socialist Workers desk.

Instead, something quite different appears to have happened: What was done to the SWP was done to others. By the mid-1960s, that kind of operation was standard operating procedure, and it even had a name of its own, COINTELPRO, standing for counterintelligence program. The program had as its major and enduring target the Communist Party, of course, but it soon came to include many others. The same slovenly standards for what should be a target of government attention applied to all—they needed only to have offended some FBI standard of conduct, or to have had the name "black" or "liberation" in their title. Some had shown violent tendencies, but many, if not most, had not.

Regardless, they were spied upon, had their mail covered, their phones tapped, their meetings bugged. They became the victims of government-sponsored pranks and dirty tricks, some quite deadly. As far as anyone can tell, the biggest intelligence yield from the FBI's labors in the Socialist Workers' vineyard was a great deal of intelligence, if we can use that word, on the sex lives of SWP members, stuff that is no business of the FBI.

As Mr. Kelley's Senate testimony suggests, there is a great struggle going on to clean up the FBI and make it a police agency again and not a malevolent busybody. That effort is laudable and necessary. But those files of dirty information about members of the SWP and other groups should have been destroyed long ago. An FBI task force at the Justice Department is now in the process of studying the accumulation of such files to determine their future disposition. Where the files contain information about the personal lives of individuals having no bearing on crimes and law enforcement, that material should be destroyed—period. This kind of information has a great potential for harm—and virtually no potential for good.

Others have obligations too. Those of us who were pleased to leave all the crime-busting and Red-chasing to the FBI without asking what they were doing can see now why citizens should continue to show an active interest in what government does in our name—and what Congress does on our behalf. The FBI had so many friends in Congress it never had to give any real account of itself. The bureau has said that it sent reports to the various Attorneys General over the years describing COINTELPRO. Practically all living former Attorneys General express surprise at that, claiming to have heard little or nothing of the sort of thing now coming out. That is not good enough. Those responsible in the executive branch should be put on notice that the public expects them to know what the government's police agencies are doing. Not knowing, in these situations, is not a matter of mere ignorance; it is a matter of gross negligence.

The Christian Science Monitor  
September 21, 1976

# Heat on FBI to name informants

By Lucia Mouat  
Staff correspondent of  
The Christian Science Monitor

Washington

In a reversal of its traditional role, the FBI is feeling the heat of Socialist Workers Party (SWP) demands — and the bureau, well aware that there might be reprisals, must now decide whether to identify and remove 66 FBI informants from the ranks of the party.

"I don't know how they're going to handle it," confesses FBI spokesman Homer Boynton, who nonetheless offers the following advice:

"If I were a member of the party and not an FBI informant, this would not be the time to quit the SWP."

"The informants are in the party," says Justice Department spokesman Robert Havel. "It will be up to them to decide."

The party's demand came on the heels of news last week that the Justice Department had ordered a halt to the FBI's 38-year investigation of the SWP.

During reviews of that investigation, it had been disclosed that over the years the FBI had used more than 1,600 informers against the SWP. The party now asks that the names and files of all such informants "past and present" be turned over to it.

## Thorough review under way

During recent months, as federal intelligence activities have been under review in both the executive branch and on Capitol Hill, charges of improper and sometimes illegal behavior of informants have been made with an eye to reform.

The FBI claims a thorough review of its policies on informants, and of the individuals themselves, is under way.

Those in the FBI who have dealt with informants say there really is no way to thoroughly sanitize the business.

"You can't set up the same standards as you would in hiring an agent," says W. Mark Felt, former acting associate director of the FBI. "For example, if you want an informer out of the Mafia, he's going to be someone who's accepted by the Mafia. The chances are that he's not going to be the most upright citizen in the community. . . . You have to be as careful as you can, but you have to take what you can get, too."

Often informants are difficult to control. They are assigned to an "agent handler" and given guidance but not specific training.

"There have always been restrictions," insists Mr. Boynton, who says he has both guided informants and substantiated evidence offered by them in his 24 years as an FBI agent.

## Discipline may be lacking

"You try to caution him and govern what he does," says Mr. Felt, "but some aren't the most disciplined in the world. . . ."

Some informants are paid, often according to information offered. Under the recent Justice Department order to the FBI to halt its investigation of the Socialist Workers Party, informants no longer will be paid for information supplied. However, Mr. Boynton argues, if information continues to be offered, the FBI really has little choice but to accept it.

"Under the law, we don't have a right to refuse information," says Mr. Boynton. "We close cases all the time on groups, but if someone subsequently furnishes information on that group, we normally put it in the record and close the file . . . you wouldn't devote time to evaluating or investigating it . . . it just rests there."

New York Post  
Editorial  
September 24, 1976

## Criminal Record

Although no incriminating evidence against the Socialist Workers Party was turned up in a 38-year investigation by the Department of Justice, it would be wrong to suggest that the dogged inquiry was entirely barren. It set events in motion that have now revealed extensive, serious subversion by the FBI.

Documents produced by the bureau under federal court orders issued in connection with the SWP's pending suit against the government have revealed repeated break-ins and burglaries by the FBI.

That background, at a time when other investigations of possible government criminality are in progress, may help account for Attorney General Levi's decision that the FBI discontinue its lengthy, futile pursuit of the small Socialist Workers sect.

The party has no intention of suspending its suit seeking \$40 million in damages. Indeed, the purposes of justice have been only partially served by the government's decision to cease what it should never have begun. Until all the details are available, it will be impossible to judge the dimensions of this dismal chronicle of official crime.

# Socialist Workers Party Assails FBI Over Investigation

By John M. Goshko  
Washington Post Staff Writer

The Socialist Workers Party charged yesterday that the FBI may be trying to circumvent an order to halt its 38-year investigation of the party by employing "back-door methods" to continue pursuing the small, left-wing political group.

To support this charge, the party made public an order by FBI Director Clarence M. Kelley advising FBI field agents that they may continue investigating party members who have engaged in activities indicating they are "likely to use force or violence in violation of a federal law."

Kelley's order was issued despite government admissions that the FBI has been probing the Socialist Workers Party since 1938 without producing any evidence of wrongdoing by the party or its members.

After reviewing this record, Attorney General Edward H. Levi ordered the bureau on Sept. 13 to terminate its investigation. Levi acted after concluding that the probe did not conform with the Justice Department's new guidelines covering domestic security investigations.

These guidelines state, in effect, that the FBI cannot spy on a group solely for purposes of gathering intelligence or because it suspects that the members might do something illegal at some future time.

Under the guidelines, the FBI can investigate an organization or individual only if there is evidence of some specific illegal act or if the evidence discloses activities of a nature that could result in violent or illegal acts.

The Socialist Workers Party is suing the FBI and other federal agencies for \$40 million, charging them with illegal harassment and intimidation over several years.

In addition to this suit, the party is now attempting to make the government document publicly what it has done to ensure that the investigation has actually been ended.

In particular, the party has demanded that the FBI turn over to it all bureau files on the party and its

members and reveal the names of 66 FBI informers who infiltrated the party and its youth affiliate, the Young Socialist Alliance. The Justice Department, which is defending the FBI in the lawsuit, has opposed both demands.

However, the department did turn over to party lawyers copies of Kelley's messages to FBI field offices, advising that the investigation was being ended. These were the documents made public by the party yesterday.

In one message, dated Sept. 13, Kelley stated that while each office should discontinue investigations of the party, the alliance, their chapters, leaders and members, the field offices should continue probing those members whose activities indicate they are "likely to use force or violence."

In a subsequent message, dated Sept. 23, Kelley elaborated by stating that any continued investigations of individual members "must be based on the Attorney General's guidelines." These state that field offices must report such investigations to FBI headquarters which, in turn, must refer them to the Justice Department for further review and a decision about whether they should be continued.

Spokesmen for the FBI and Justice Department denied yesterday that Kelley's instructions were intended to serve as a device for continuing surveillance of the Socialist Workers Party. Any new investigations, these spokesmen said, would have to be conducted in accordance with the safeguards provided by the guidelines.

However, some Justice Department sources privately expressed concern that Kelley's instructions might be interpreted by some FBI agents as a covert signal to continue pursuing the party.

The sources said they did not believe that this was Levi's or Kelley's intention. But, they noted that there was strong opposition within the FBI to discontinuing the investigation and said that some forces in the bureau could be tempted to take Kelley's instructions as an excuse for footdragging in ending scrutiny of the party.

# Socialist Workers Say FBI Still on Their Trail

WASHINGTON (AP) — Members of the Socialist Workers Party say documents they have obtained show that the announced end of the FBI's 38-year investigation of the party was a "publicity stunt."

The party's presidential candidate, Peter Camejo, made that charge Thursday as the group released documents obtained during discovery proceedings stemming from its suit against the FBI.

The documents show that FBI Director Clarence Kelley has told field agents they may continue to investigate "a limited number" of Socialist Workers Party members who are considered violence-prone.

Kelley said those investigations may continue even though the FBI has ended its probe of the party itself and its affiliate, the Young Socialist Alliance.

Camejo said Kelley's instructions "make it clear that the whole 'termination' of the FBI's harassment of the SWP was a publicity stunt without substance."

Atty. Gen. Edward H. Levi ordered the FBI to stop investigating the party and its youth branch after concluding that the probe failed to meet new Justice Department guidelines for intelligence investigations into domestic organizations.

Though the investigation lasted nearly four decades, the government has brought charges against party members only once. Some party members were convicted after World War II of violating the antiradical Smith Act. The Supreme Court later ruled that such prosecutions,

based on political beliefs and not on actual attempts to overthrow the government, were unconstitutional.

Camejo contended that the FBI is attempting to pursue the probe of the party. "The FBI is trying to pull another fast one on the American people, this time with the help of the attorney general, who knows that his instructions are vague enough to allow the FBI to do anything it pleases," he said.

Justice Department spokesman Robert Havel denied the assertion. "They're saying it's a sham on our part. I'm saying it's not a sham," he said.

Havel said any continuing investigations of party members will be subject to the same department review that led to Levi's order terminating the probe of the party itself.

The department guidelines allow intelligence investigations

only when the FBI has evidence that the target has used or will use violence in committing a federal crime. An FBI spokesman declined comment.

Kelley's first instructions did not elaborate on the statement that continued investigations of individuals considered likely to engage in violence would be permitted.

But 10 days later he wrote, "For clarification, an investigation cannot be continued because of an individual's affiliation with SWP-YSA. Any continued investigation . . . must be based on the attorney general's guidelines. Continued investigations, if any, must be reported to FBI headquarters which in turn must report the matter to the department for further review under the guidelines."

Kelley said these cases would concern "a limited number of individuals."

# Kelley Deposition Ordered in SWP Civil Suit

By Jerry Oppenheimer

Washington Star Staff Writer

FBI Director Clarence M. Kelley has been ordered to give a sworn deposition about the bureau's use of illegal burglaries, break-ins, wiretapping, mail covers and electronic surveillance during its recently concluded 38-year investigation of the Socialist Workers party.

In ruling against a government motion seeking to quash Kelley's deposition, U.S. District Judge Thomas P. Griesa in New York City indicated that two years ago he would never have allowed the head of the FBI to undergo such an extraordinary examination.

But, based on recent disclosures about FBI activities, the judge emphasized that, "I cannot presume that Mr. Kelley is without information relevant to this action.

**DECLARED GRIESA,** "I cannot conceive of not permitting a deposition of Mr. Kelley in this case." The judge rejected further pleas by the government that Kelley be allowed to respond to written questions rather than submit to an oral deposition.

He told the government's attorney, Asst. U.S. Atty. William S. Brandt at the hearing on Friday to appeal "to a higher authority" if he disagreed with the ruling.

The deposition will be taken as part of the SWP's \$40 million civil suit against the bureau and other federal law enforcement agencies charging them with illegal harassment and intimidation.

In making available details of the hearing yesterday, SWP spokeswoman Cathy Perkus said that the party's attorney, Leonard Boudin, was to meet tomorrow in New York with Brandt to set

the date for the taking of Kelley's deposition.

**GRIESA ALSO** ordered that the FBI make available the full texts of all of Kelley's communications to field offices regarding the Justice Department's decision to end the bureau's investigation of the party. Perkus said that Kelley would also be questioned about these field directives. She said that a number of questions have been raised as to whether the investigation is still continuing under a different guise.

Earlier this week, the party made public a message sent by Kelley to field offices on Sept. 13 ordering discontinuance of the investigation. However, the directive noted that investigations of individual party members should be continued in cases where a "member has engaged in activities which indicate he is likely to use force or violence in violation of a federal law."

But 10 days later Kelley sent another directive to clarify the earlier one. This directive said that any continued investigation must be based on Atty. Gen. Edward H. Levi's new guidelines on domestic intelligence investigations.

**LEVI ORDERED** the bureau's probe of the SWP ended on Sept. 13 after concluding the investigation did not conform with the new guidelines. These guidelines state in effect that the FBI cannot probe an organization solely for intelligence gathering purposes because it suspects that an illegal act might take place in the future.

Perkus said that the wording of Kelley's two directives has raised suspicions that the bureau is trying to get around the guidelines.

The SWP is also attempting to get the

names from the bureau of 66 informants who are still active members. Kelley, in his two directives, ordered field offices to notify the informants "to discontinue active information gathering" but the informants were not advised to give up their membership in the party.

Peter Camejo, the SWP's candidate for president, said in a statement issued earlier this week that Kelley's instructions to subordinates "make it clear that the whole 'termination' of the FBI's harassment of the SWP was a publicity stunt without substance."

**THE GOVERNMENT,** in a document filed on Oct. 1 as part of the civil suit against it, indicated that it still felt the SWP was suspect, even the probe of its activities was officially ended.

"By the very nature of its political ideology," the document stated, "(SWP) remains committed to the overthrow of the government by force and violence."

At Friday's hearing, the government contended that the SWP was trying to "harass" the FBI by seeking to take Kelley's deposition. But Judge Griesa said, "I think that we're not dealing with that kind of thing here. During Mr. Kelley's tenure, we've had at least one prominent incident. I cannot presume that Mr. Kelley is without information relevant to this action. . . ."

**THE INCIDENT** referred to by the judge involved the July burglary of documents from the SWP's Denver office. The action was carried out by Timothy J. Redfearn, who had been a paid FBI informant. Documents in the case revealed that, although Redfearn acted without authorization, the FBI's Denver field office was aware of his participation in the break-in.

The FBI concealed from the Denver police for eight days that the burglary was committed by an FBI operative.

Kelley has previously stated that he was unaware of any illegal break-ins or burglaries by agents as part of domestic intelligence investigations.

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# COINTELPRO

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BY NELSON BLACKSTOCK WITH AN  
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S. D. Union 11-23-34

# Woman Dead In Car Found Under Water

A missing divorcee from Cardiff-by-the-Sea was found dead yesterday inside her submerged car in the Penasquitos Lagoon south of Del Mar and east of the Santa Fe Railway bridge.

San Diego police identified her as Mrs. Dorothy Juanita Puckett, 39, of 1757 Dora Drive.

Deputy Coroner Warren C. Chambers delayed fixing the cause of death pending a complete analysis by the police homicide detail.

## MISSING FROM OFFICE

Her employer, Henry Schuette, said he made inquiries when she did not come to work Monday morning at the Rayne Water Co. in Sorrento Valley, where she was secretary and office manager. He filed a missing person report with the sheriff's department.

Mrs. Puckett's body, clothed in a black checked dress and white shoes and with her glasses on, was found in her car in 15 feet of water by an oceanography student from La Jolla about noon yesterday.

"I was out in the boat gathering samples," said Peter Sertik, 28, who said he lives at Scripps Institution of Oceanography. "when I spotted the car in the water. I thought at first it was a big piece of wood."

## STUDENT MAKES REPORT

He dove into the water to see if anyone was alive, Sertik said, and then called park rangers, who called police.

"The car came off the 2200 block of Carmel Valley Road, rapidly accelerated 510 feet across the open ground to the lagoon," said Patrolman Herman V. Iglesias, investigating officer. "It hit a small post and then went 75 feet out into 15 feet of water. The car was in third gear. The ignition key and lights were off. The doors were unlocked."

The body was in the back seat with the feet between the front seats when the car was recovered.

De Anza Players

S.D. Union 4-28-81

# Alien Worker Identification Backed

## Former Attorney General Supports Systems Other Than Identity Cards

By BENJAMIN SHORE

Copley News Service

WASHINGTON — Former U.S. Attorney General Benjamin Civiletti yesterday said a federal system for identifying persons legally eligible to work in the United States would be constitutional and effective in deterring illegal aliens from seeking jobs in the United States.

Civiletti said he opposes issuing work identity cards to all job holders and job seekers, arguing that the "police state" aspects of such a centralized federal identification system would outweigh the benefits.

But, in testimony before the House subcommittee on census and population, Civiletti endorsed the development of a less easily counterfeited Social Security card or a telephone call-in verification system, or both, for employers to use.

A work-eligibility identification system, recommended by the Select Commission on Immigration and Refugee Policy in its final report in February, is considered essential to enforcing a proposed law making it a federal crime to knowingly hire an illegal alien.

Civiletti, who stepped down as attorney general Jan. 20 and resumed the practice of law here, served on the commission.

The hearing yesterday was called by subcommittee Chairman Robert Garcia, D-N.Y., who said he wanted to look at the issue of immigration from the Hispanic viewpoint.

Garcia's hearing had a week's jump on the long-scheduled joint hearing planned for three days next week by the House and Senate immigration subcommittees.

Garcia, chairman of the Congressional Hispanic Caucus, said that migration globally "has become a rapidly growing world problem which requires a multinational solution."

He noted that Hispanics are not in agreement on the best solution for the United States. "There is no single Hispanic point of view with respect to immigration," he

added, except great "sensitivity" to the pending debate over immigration reform because most Americans view immigration as a Hispanic issue.

Civiletti said the select commission's controversial proposal for some kind of work eligibility identification system would pose substantial administrative but not constitutional problems.

He said it would be unfair to impose sanctions on employers who hire illegal aliens without requiring, and providing the means for, all employers to verify that each job applicant is legally entitled to work in the United States.

Such identification, Civiletti said, would have to apply to everyone to eliminate pressures for discrimination by employers who may deny jobs to foreign-looking workers.

Civiletti's endorsement of an identification system was challenged by Antonia Hernandez, Washington counsel for the Mexican American Legal Defense and Educational Fund (MALDEF).

Hernandez said the select commission's recommendation of a "system of more secure identification" is translated by many Hispanics to mean "the creation of a national identity card."

"This proposal and all its variants place the heaviest burden on Hispanics and other 'foreign-looking' minorities in the United States," she said.

"The adoption of employer sanctions," Hernandez added, "will endanger the future of equal employment opportunity for minorities. Well-meaning employers, fearful of government sanctions, will shy away from hiring individuals who appear 'foreign.' Racist employers will simply use the sanctions as an excuse to avoid hiring qualified minorities."

Cruz Reynoso, a justice on the California Appeal Court and a former member of the select commission, agreed with Hernandez that employer sanctions would result in the hiring of only "risk-free workers, those who don't look Mexican or foreign, and this will mean discrimination for native Americans."

S. D. Union 11-20-44

# Woman Dead In Car Found Under Water

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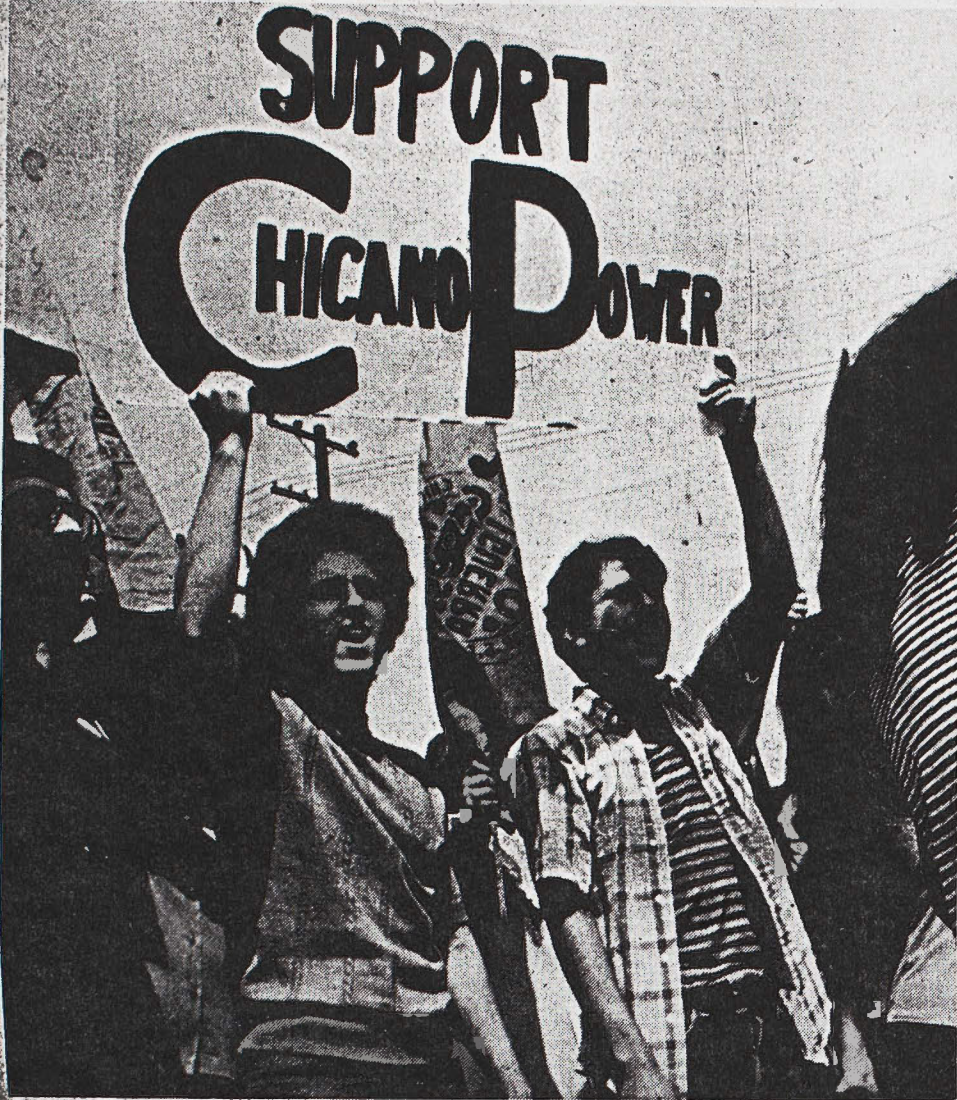
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# Chicano Cointelpro



August 29, 1970; Chicano Moratorium

Militant/John Gray

## The government's war against la Raza

Although not acknowledged by Washington, all evidence points to the existence of a coordinated 'Counterintelligence Program' to disrupt the struggles of la Raza. This article traces how an army of Democratic and Republican politicians, FBI and CIA agents, local cops, state and federal courts, as well as assorted informers, provocateurs, and right-wing terrorists, have conspired to destroy the Chicano movement.

### Target: the Movement

José Angel Gutiérrez looked at the files he'd forced the CIA to hand over to him. Page after page was headed, "Operation CHAOS; Chicano Power Movement." CHAOS—an appropriate code name for the CIA's disruption plots against domestic dissidents.

By Miguel Pendás

Last fall José Angel Gutiérrez, a founding leader of the Texas Raza Unida Party, publicly released the file that the CIA had collected on his activities in the Chicano movement. He had obtained the materials through the federal Freedom of Information Act.

Long passages—sometimes whole pages—had been blacked out. Despite the censorship, Gutiérrez's file showed that CIA agents have targeted virtually every leading activist and organization in the *movimiento*.

Most of the entries in Gutiérrez's file fell under the heading "Operation CHAOS; Chicano Power Movement." Operation CHAOS was a special CIA squad launched while Democrat Lyndon Johnson was in the White House. Its aim—like the FBI's notorious counterintelligence programs (Cointelpro)—was to spy on and disrupt the growing social protest movements in this country.

Some entries in Gutiérrez's file are marked "priority" or "eyes only"—CIA lingo for top secret. A look at just some of the entries illustrates the extent of the government's operations against the entire Chicano movement.

There is, for example, a report on a visit to Mexico in 1972 by a delegation that included Gutiérrez and other Chicano figures such as Reies López Tijerina, leader of the land-grant movement in New Mexico; Arturo Sánchez of *La Raza* magazine in Los Angeles; Antonio Rodríguez, a movement lawyer; Olga Villa from Notre Dame University; Dr. Juan Gómez; Prof. Narciso Alemán; Texas activist Mario Cantú; and Bert Corona, a figure in the antideportation movement.

The CIA noted that the delegation was going to hold "public gatherings" that would "create embarrassment for [Mexican] President Echeverría."

To cite another example, the file contains a report on the national convention of Raza Unida parties held in El Paso, Texas, in September 1972. Certain passages were marked for special attention. One stated: "Gutiérrez has achieved considerable publicity from the Trotskyist Socialist Workers Party."

(Someone in the CIA felt that was significant.)

The CIA also circled names of Chicanos who attended the gathering. In addition to Gutiérrez, Tijerina, and Corona, the agents circled the names of participants from Washington, D.C., Arizona, California, Michigan, Texas, and Colorado.

And the file also shows that the CIA spied on a Chicano conference held in the fall of 1970 at Highlands University in Las Vegas, New Mexico. It notes that the Raza Unida Party was among the participants.

#### Why the spies?

What was the CIA investigating at this meeting? The Operation CHAOS report states that the following were the main themes of the conference: "demand for the respect for the treaty of Guadalupe Hidalgo," which guaranteed land and other rights to Chicanos after the U.S. conquest of Mexico; "protest against the educational system which prohibits the rise of Mexican Americans, . . . demand for complete civil rights; denunciation of repressive police acts, . . . support for the strike movement of Cesar CHAVEZ.

"Unity of action of all Mexican organizations in a single program and the creation of a formal 'Chicano Power' movement; protest against all racial discrimination, which they refer to as 'institutionalized racism'; protest against the Vietnamese war; . . . and participation of Mexicans in that war; Spanish-language education in the schools; . . . and the improvement of living and working conditions of Mexican-Americans."

In another file, the CIA notes that the Mexican American Youth Organization "attempts to politically organize in areas where there are a large number of Mexican-Americans and to win political positions by elections, from 'white' politicians. MAYO advocates the need for a political program and united action by all Mexican-Americans."

Clearly, the government was spying on Chicanos solely because of their political views and legal activities.

Such operations are reminiscent of J. Edgar Hoover's 1961 memorandum initiating the FBI's "SWP Disruption Program." That memo, obtained through a Freedom of Information Act request, said:

"The Socialist Workers Party (SWP) has, over the past several years, been openly espousing its line . . . through running candidates for public office and strongly directing and/or supporting such causes as Castro's Cuba and integration problems arising in the South."

Extensive CIA files obtained by the SWP through its suit show that the socialists, as well as the anti-Vietnam War movement, also were victims of Operation CHAOS.

As with Gutiérrez, the socialists' files were heavily censored. In sworn testimony, however, former CIA Director George Bush admitted that CHAOS operations against the socialists included break-ins, electronic surveillance, mail covers, and informers.

#### Black liberation movement

Files released on the government's campaign against the Black liberation movement graphically illustrate the goals of CIA and FBI operations against the Chicano liberation struggle.

In 1967, for example, the FBI launched a special Cointelpro drive against "black nationalist hate groups." The FBI urged its agents to "expose, disrupt, misdirect, discredit, or otherwise neutralize" the Black movement.

FBI Director J. Edgar Hoover listed several more specific goals. One was to "prevent the coalition" of Blacks. He also sought to "prevent the rise of a 'messiah' who could unify, and electrify" the Black masses; "to prevent militant black nationalist groups and leaders from gaining respectability"; and to "prevent the long-range growth of militant black nationalist organizations, especially among youth." (Emphasis in original.)

One Cointelpro action, for example, was designed to inflame a feud between the San Diego Black Panther Party and another Black organization. Four Panthers were subsequently killed in San Diego and four other Black activists wounded.

"As a result of our efforts the Black Panther party in San Diego is no more. It has been completely done away with," boasted a San Diego FBI memorandum to Hoover.

Has there been a Cointelpro against the Chicano movement as well?

All the evidence points to the answer, "yes," although specific government documents of such an operation have not yet been unearthed.

Continued on next page

Continued from preceding page

The record shows, nevertheless, that from the very beginning of the Chicano struggles in the 1960s the government has tried to smash the *movimiento*.

## Target: la Alianza

New Mexico Attorney General Stewart Hatch had written a memo on Reies López Tijerina: "In personal conversation T speaks approvingly of F. Castro's 'land reforms.'" Hatch added a scribbled note: "What to do about this . . . Communist Wetback?"

A classic example of how federal and local cops, capitalist politicians, and the big-business-controlled news media worked together to "disrupt, discredit and destroy" a movement for social change was the New Mexico land-grant movement.

In the 1950s, Reies López Tijerina and others began to organize Chicanos in northern New Mexico to reclaim lands that had belonged to their ancestors before the U.S. conquest of the Southwest. For more than a century these lands had been slowly taken away by outright robbery, as well as "legal" fraud and deceit, leaving thousands of Chicano farmers landless.

From the beginning, the land-grant movement met hostile resistance from powerful moneyed interests. In 1968 alone, timber from land-grant territory in the forests around Santa Fe brought in \$28 million for these profiteers. Some grants have great value as grazing lands; others contain some of the richest mineral deposits in North America.

Northern New Mexico is also one of the most impoverished places in the United States. A 1966 government study found that in Rio Arriba County, where two-thirds of the residents are either Chicano or Indian, 74 percent of the homes had no flush toilets; 70 percent had no electric or gas stoves; 66 percent had no television; 87 percent no telephone; half were on welfare; and 28 percent were unemployed. Ranch hands, the majority of them Chicanos, earned an average of \$805 a year.

### The Alianza

By 1965 the Alianza, as Tijerina's movement was called, grew into a mass movement. *Newsweek* estimated its membership at 3,000 families—14,000 individuals. Its 1966 state convention drew 3,000 people, and the discussion went beyond the land question to include other issues affecting Chicanos.

The Alianza began denouncing the war in Vietnam, saying that Chicanos shouldn't be sent off to die for their oppressors. They protested suppression of the Spanish language in the schools.

The Alianza, like *la causa* of the United Farm Workers in California, became a rallying point for the rapidly developing nationalist consciousness among Chicanos, not only in New Mexico, but throughout the Southwest.

U.S. Sen. Joseph Montoya (D—N.M.) considered the Alianza a subversive development, and called on the FBI to investigate it.

He needn't have bothered. The FBI had started a file on the Alianza as early as 1964.

In February of that year the district attorney in Tierra Amarilla, Alfonso Sánchez, wrote a letter to J. Edgar Hoover advising him that the land-grant movement was "communistic" and should be investigated.

In a later memo, New Mexico Attorney General Stewart Hatch took note of Tijerina's growing influence.

"In personal conversation, [Tijerina] speaks approvingly of F. Castro's 'land reforms,'" wrote Hatch. He termed Tijerina a "potential danger to maintenance of order . . . may be controlled by accused and possible actual Communists."

The state attorney general scribbled a note: "What to do about this (so-called) Communist Wetback?"

On October 15, 1966, the Alianza held a protest at the Echo Amphitheater, a natural rock formation in a national park that was once part of the San Joaquín del Río de Chama land grant.

The authorities apparently decided never again to allow the Alianza to hold another protest. A short time later, when the Alianza called a public meeting in Coyote, District Attorney Alfonso Sánchez banned it.

FBI agents and local cops swarmed all over the small towns of northern New Mexico, illegally stopping and searching cars and handing out leaflets saying that anyone who wants to take over the land is a communist.

The cases cited below single out just some of the most prominent individuals and organizations in the movement that have been victimized by government dirty tricks. Many other similar incidents have undoubtedly occurred.

Authorities raided Alianza offices and seized membership lists. Wholesale round-ups took place. *alianzistas* lost their jobs.

Because of these arbitrary violations of civil liberties, the Alianza called a meeting where they decided to carry out a citizen's arrest of the district attorney at the courthouse in Tierra Amarilla, where some of those illegally rounded up were still being held. A judge later ruled that this was a perfectly legal thing to do.

So on June 5, 1967, a group of twenty *alianzistas* arrived at the courthouse looking for the D.A., who was not there. In the events that followed, a local cop was shot and wounded.

The next day newspapers across the country were filled with the story. "Land Grabbing Mob Guns Down 2 Cops" read the headline in the *New York Daily News*.

### All-out war

This was the chance the authorities had been waiting for. They launched an all-out war on the land-grant movement.

Gov. David Cargo declared, "You can't sit down and negotiate with Jesse James." He called out the biggest National Guard mobilization since 1952 and put up \$500 out of his own pocket as a reward for the capture of one of the "raiders."

A massive manhunt was mobilized throughout northern New Mexico to track down the Alianza activists and terrorize the Chicano population.

A force of 500 hunters rolled out, including 350 troops, state and local police, forest rangers, and FBI agents. An additional 400 National Guard troops were put on standby. The force commanded 200 vehicles, including helicopters and tanks. The troops were issued 20,000 rounds of ammunition.

Gen. John Pershing Jolly, commander of the operation, ordered more ammunition, saying that "20,000 rounds won't last very long if we start shooting." He gave his troops an order to shoot anyone who resisted.

The invaders rolled down dirt roads, stopping at houses, shining searchlights, pulling people out of their homes. Many people compared the operation to U.S. tactics in Vietnam. It was three days of terror that the Chicanos of New Mexico have not yet forgotten.

About forty Raza—men, women and children—were rounded up at a picnic and kept incommunicado in a makeshift concentration camp for over twenty-four hours without food, water, or shelter.

The public campaign to discredit the Alianza reached a fever pitch.

Senator Montoya called Tijerina a "charlatan, monster, racist, creature of darkness" and a "rabble-rouser" who was "setting back race relations."

### Solidarity builds

But while the Tierra Amarilla courthouse incident brought down the full wrath of U.S. ruling circles on the Chicanos of New Mexico, many people rallied to their side. Their cause became known everywhere.

Bert Corona and César Chávez traveled from California, and Corky Gonzales from Colorado, to show their solidarity. Chicano activists came from all over the country.

In the Black community, Martin Luther King, Dick Gregory, Elijah Muhammad of the Nation of Islam, the Black Panther Party, the Student Non-Violent Coordinating Committee, the Congress of Racial Equality, and others expressed solidarity.

Nonetheless, the next two years were a rough road for the Alianza. Most of its time and energies were consumed in trials arising from the incident and other charges.

Terrorism against the Alianza also increased. Three dynamite blasts occurred at Alianza headquarters. A building in Taos was bombed. A co-op clinic in Tierra Amarilla was burned to the ground.



United Farm Workers pickets

Members' homes were dynamited and shot at.

On April 16, 1968, a man stopped his car in front of an Alianza building, jumped out, and ran toward the building, carrying a stick of dynamite with the fuse lit. He tripped and fell. The bomb blew off his hand. It turned out he was a former Bernalillo County deputy. He was never punished for the attempted bombing.

In the summer of 1969 the FBI arrested Roberto DePugh, top leader of the ultraright Minutemen and another man. The government agents discovered a cache of arms in their possession so large that the inventory-sheet report was twenty-four pages long. It included aerial maps of land-grant villages, as well as dynamite, grenades, homemade pipe bombs, hundreds of fuses, a veritable arsenal of rifles, shotguns, and revolvers, twenty-five canisters of cyanide gas, bows and arrows equipped to launch bombs, and thousands of rounds of ammunition.

Membership lists for the Minutemen were also found. They were said to contain the names of numerous cops. The lists disappeared. To avoid publicity, DePugh was taken out of the state.

## Target: the

After cops killed three picketers at a minimum antiwar rally, Los Angeles, that "known communist" Eustacio Cruz was killed. Two years later Eustacio Cruz was found to be a government informant. He had been a government informant committee.

The tumultuous growth of the anti-Vietnam War movement in the 1960s created big headaches for the government. And by 1969 something had begun to develop that gave the Nixon White House even more worries: the antiwar movement plus Chicano.



REIES LOPEZ TIJERINA



Militant/Dennis Scarja

sentiment against the war ran particularly deep there.

Chicanos were dying in record numbers. One study found that 20 percent of the dead from five southwestern states were Chicanos, whereas Chicanos made up only 10 percent of the population there. Chicanos were being sent to the slaughter in twice their proportion of the population.

The Chicano moratoriums caught on all over the country.

In March 1970, at a national Chicano Youth Liberation Conference in Denver sponsored by the Crusade for Justice, a call went out for a national demonstration to take place in Los Angeles on August 29. Weeks later Nixon invaded Cambodia, and student protesters at Kent State and Jackson State were gunned down. These events sparked some of the biggest spontaneous demonstrations that had ever rocked this country.

May 1970 helped set the stage for the Chicano Moratorium, which began gathering unprecedented support in the community.

On the day of the march, the turnout surpassed all expectations. It is estimated that between 20,000 and 40,000 people participated.

### Brutal police attack

A few blocks away a massive phalanx of cops in full riot gear assembled under the pretext of quelling a minor disturbance at a liquor store. They marched relentlessly toward the demonstration, brutally beating everyone they could get their hands on.

The police attacks went on all night. Three Chicanos were killed, including Rubén Salazar, a prize-winning reporter for the *Los Angeles Times*.

The news media and local authorities blamed the Chicanos for the violence, calling the demonstration a "riot." The mayor and city cops said that "known communist agents" provoked the violence.

Almost two years later, the unabashed cynicism of this charge was exposed when Eustacio "Frank" Martínez publicly admitted that he had acted as a government agent-provocateur in the National Chi-

cano Moratorium Committee.

Martínez worked for the Alcohol, Tobacco and Firearms Division of the U.S. Treasury Department. He infiltrated the moratorium committee and unseated Rosalio Muñoz as chairperson by accusing him of being "too soft," "not militant enough," and not ready "to go all the way."

Martínez's job was to provide a pretext for police violence at demonstrations by shouting provocative slogans and throwing rocks.

Even after the Chicano Moratorium stopped functioning, the feds did not relent on their campaign to frame up its participants. One of the most militant contingents in the moratorium demonstration had been organized by Casa Carnalismo from Los Angeles. This community organization was involved in anti-drug addiction counseling, as well as a number of other issues in the community.

### Los Tres del Barrio

In 1971 federal narcotics agents cooked up a plot to entrap some of its members. Robert Canales, a federal narcotics agent posing as a heroin dealer, offered to buy drugs from activist Rudy Sánchez.

Sánchez tried to tell Canales that he was an antidrug activist, not a dealer. But Canales was insistent. So Sánchez and two other activists, Juan Fernández and Alberto Ortiz, decided to meet Canales, tell him off, and kick him out of the community.

Canales pulled a gun. But before he could hurt the young Chicano activists, they shot him in self-defense. He ended up paralyzed. Half an hour later Los Tres del Barrio—the three from the barrio, as the brothers came to be known—were rounded up at their homes by federal authorities. The whole transaction had been a setup.

During the trial defense attorneys tried to bring Martínez, the former ATF agent, to the stand. Martínez would have testified that he knew of cooperative efforts between the Los Angeles Police Department and federal cops targeting Casa Carnalismo. But the judge would not allow his testimony.

Los Tres were convicted and are still in prison.

## Target: the Farm Workers

The White House counsel sent an order to the Justice and Labor departments. President Nixon had a "personal interest" in stopping the United Farm Workers. "Only if you can find some way to work against Chavez's union should you take any action."

"I think a wholesale agribusiness conspiracy against our union started in 1970," United Farm Workers President César Chávez told his biographer Jacques Levy. "Agribusiness has strong government support—federal, state, county, local, the courts, and the police."

In 1970, the UFW scored a major breakthrough, forcing California's grape growers to grant union recognition and sign contracts. It had taken a five-year international boycott of scab grapes to win. But finally it looked like the multi-billion-dollar agricultural industry was on its way to unionization.

Then the Teamsters stepped in, signing "sweetheart" contracts with lettuce growers—the UFW's next major target—behind the backs of the field hands.

"[Nixon had] been harassing farm worker organizations since the late forties," said Chávez, "when, as a congressman, he took on the DiGiorgio strikers. . . . When he ran for president in 1968 he was the only politician to eat grapes publicly, stuffing himself with grapes before the cameras in Fresno."

### Nixon and the Teamsters

Chávez charges that Nixon was an essential part of the drive by Teamster union bureaucrats and agribusiness to run the UFW out of the fields.

According to Chávez, "The White House set up the meeting between [Teamster President Frank] Fitzsimmons and the farm bureau after Nixon's landslide victory in 1972. That's when the deals were made to destroy us."

The August 15, 1972, Boston *Real Paper* published two memos from White House counsel Charles Colson to the Justice and Labor Departments and the National Labor Relations Board. The Colson memos stressed that these agencies were not to intervene in the Teamster-UFW fight—unless they could strike a blow against the UFW.

The president has a "personal interest" in the dispute, wrote Colson in May 1971. "Only if you can

find some way to work against Chavez's union should you take any action."

In a second memo a year later Colson wrote, "We will be criticized if this thing gets out of hand and there is violence, but we must stick to our position. The Teamsters Union is now organizing in the area and will probably sign up most of the grape growers this coming spring, and they will need our support against the UFW. . . ."

As Colson's memos prove, the Teamsters, Washington, and the growers were all working hand-in-glove. When the 1970 grape contracts came up for renegotiation in the spring of 1973, the growers signed sweetheart deals with the Teamster bureaucrats. The UFW was reduced to a handful of contracts during the summer.

What had started as a major obstacle to the union's expansion had become a pitched struggle for its life.

Chávez believes that the Watergate exposures of links between mobsters, Teamsters, and Nixon helped cool the Teamster bureaucrats-grower-government conspiracy somewhat.

But the union still faced plenty of hurdles. Court injunctions, prohibiting picketing were issued in record numbers by rural judges friendly to the growers. Police intimidation, arrests, and beatings continued.

In August 1973, Nagi Daifullah, an Arab farm worker, was beaten to death by a Kern County sheriff's deputy. The following day Juan de la Cruz was murdered by unknown assailants, also in the San Joaquín Valley. Neither case was investigated by state, local, or federal authorities. Daifullah's death was proclaimed an "accident."

The UFW eventually beat back this conspiracy. In response to mass pressure, the California legislature enacted a law providing for union representation elections in the fields. And, despite antiunion provisions of the law, the UFW scored such sweep-

Continued on next page

## Moratorium

sons at the Chicano moratoriums in Los Angeles city officials charged "agents" started the violence. "Frank" Martínez confessed provocateur in the moratorium.

Power.

In Los Angeles a group of Chicanos began organizing opposition to the Vietnam War in the barrios. From the success of the initial protests, which drew several thousand Chicanos, it was obvious that



Continued from preceding page

ing victories that the Teamster bureaucrats were forced to negotiate a face-saving jurisdictional agreement and leave the organizing of field hands to the UFW.

But this was not the only time that the government had schemed to destroy the UFW.

At about the same time that Alcohol, Tobacco and Firearms was plotting to destroy the Chicano Moratorium, that agency was also involved in covering up an assassination plot against César Chávez.

A U.S. Treasury Department report dated September 23, 1971, from the ATF's Bakersfield, California, office showed an informer named Larry Shears knew that a group of Delano growers had given \$25,000 to Richard Pedigo to hire a hit man to kill Chávez.

The ATF memo states that Pedigo told Shears: "The people who want the arson done are farmers in the Delano, Jasmine, McFarland area, and . . . they have so much money that they are probably not afraid of an inquiry."

Two days after learning of this, the ATF arrested Pedigo on an unrelated drug charge. Later the ATF dropped the investigation completely.

Robert Mardian, Nixon's assistant attorney general in charge of internal security (who was later convicted for the Watergate break-in), had written a letter to the ATF fifteen days before the decision to drop the investigation. Mardian's family in Arizona is deeply involved in agribusiness.

### Democrats too

It was only after the Republican dirty tricks against the UFW unraveled before the public that the equally sordid history of antiunion attacks under Democratic presidents began to come out.

## Target: the Crusade

Even cops described their star witness against Crusade for Justice leader Juan Haro as "a crook" who had been offered "thousands and thousands of dollars" and "a new life" for his testimony. The jury found Haro not guilty, and the foreman announced they hadn't "ruled out" that Haro was the victim of a government conspiracy.

The Chicano movement in Colorado has been the target of an especially brutal government campaign of repression and slander.

Since 1973, seven people associated with the movement have been killed, hundreds arrested, and scores have faced attempted frame-ups. Countless articles in Denver newspapers have been devoted to smears of the movement.

What is it about the *movimiento* that upsets the rulers so much?

One landmark event was the 1970 announcement by leaders of the Crusade for Justice that they were forming La Raza Unida, an independent Chicano political party, in Colorado.

At the same time, nearly forty Chicano Democratic Party officials handed in their resignations and cast their lot with the Raza Unida Party. A full slate of candidates was announced for the fall elections. They reflected sectors of the community that went well beyond the Crusade.

For an initial effort, the young party did very well. Marcela Trujillo, running for University of Colorado Board of Regents, polled 5 percent of the vote statewide. It was clear that the party could win local races in Chicano districts.

The Crusade developed ties with the antiwar movement and mobilized a large contingent in the November 6, 1971, demonstration in Denver of 15,000 people—one of the largest outpourings in the city's history.

And the Crusade played an increasingly important role in the Chicano movement nationally. Thousands attended its annual National Chicano Liberation Youth Conferences. At the September 1972 national Raza Unida convention in El Paso, Texas, the Colorado RUP delegation of several hundred played a leading part.

### Escuela Tlatelolco attack

A few months after the El Paso convention, the Crusade and RUP became the victims of an attack that would match in savagery those leveled at the Alianza in New Mexico and the Chicano Moratorium in Los Angeles.

In the predawn hours of March 17, 1973, a large force of Denver police attacked an apartment building used as a dormitory for the Escuela Tlatelolco,

On April 19, 1976, Jerome Ducote, a former sheriff's deputy and a leader of the John Birch Society, pleaded guilty to charges stemming from a string of political burglaries he committed in northern California in 1966 and 1967—during a Democratic administration in Washington.

A major aim of the break-ins was to destroy the United Farm Workers. The black-bag jobs were partly financed by major growers.

Where did the stolen material go?

Ducote implicated the FBI, the CIA, two members of Congress, and the Pacific Gas and Electric Company.

The FBI as much as confirmed that it received Ducote's information by issuing vague statements such as "we never knowingly dealt with him," while refusing to comment on reports that they received the material through intermediaries.

Much more about FBI involvement was expected to come out during Ducote's trial. But Ducote plead guilty after a full day of negotiations between the defense, prosecution, and judge.

Thus, a more full public disclosure about the burglaries was avoided. It takes only passing familiarity with the FBI's methods, however, to know they almost certainly were deeply involved.

For example, after repeated denial the FBI was forced to confess last year that it had burglarized the national offices of the Socialist Workers Party and Young Socialist Alliance ninety-two times over a period of six years. The FBI used the stolen files to try to get socialists fired from their jobs, run out of their apartments, and disowned by families, as well as to try to create friction within the socialist organizations and between the socialists and other groups.

The UFW material was undoubtedly stolen with similar aims in mind.

carrying officers Carol Hogue and Stephen Snyder pulled up to the building, where a birthday party was going on. The cops claim they tried to arrest Martínez for jaywalking after he objected to their presence. When he ran away, Snyder shot him.

The cops said that when police reinforcements began to arrive, they received sniper fire from the building. More cops arrived and began pouring ferocious volleys into the building.

Then an explosion tore through the second floor of the building. Police said bullets must have detonated some dynamite. Cops later reported they found an "arsenal" of more than 100 guns in the building.

Local newspaper headlines parroted the police version that "drunken," violent Chicanos had started the confrontation.

### Setup and cover-up

The autopsy showed that Luis Martínez was shot from the front, very close up, through the neck, shattering his spinal cord.

There were no bullet holes in police cars to indicate sniper fire.

The "arsenal" discovered by police turned out to be mostly props for the school's dance company. No charges that the few real weapons were illegal were filed after the incident.

Was the Tlatelolco attack a setup? Witnesses reported that police officer Carol Hogue attended the birthday party dressed in street clothes a couple of hours before the incident. What was she doing there?

How did so many cops (an eyewitness reported 200 in the *Militant*) get to the scene in full riot gear so quickly?

As such questions piled up, Denver cops responded with an escalating cover-up.

The day following the attack, a construction firm acting under police orders demolished the remains of the building, making it impossible to determine what really caused the explosion.

The Denver district attorney got indictments against five of the Chicano victims. Despite flimsy evidence, he obtained one conviction.

The two cops who started the incident—Hogue and Snyder—were given medals.

Large protest meetings were held in Denver, and Chicano activists from all over the country expressed their solidarity. But police, prosecutors, courts, and the big-business news media succeeded in creating a climate that furthered their aim of destroying the Chicano movement.

### Bomb hysteria

In the fall of 1973, a series of explosions and alleged attempted bombings in Denver—following closely on each other—attracted front-page attention for weeks. A near-hysteria prevailed. Public buildings were evacuated on the slightest suspicion there might be a bomb. Mysteriously, cops frequently arrived in the nick of time to defuse alleged

an alternative Chicano school run by the Crusade.

Cops killed one Crusade activist, Luis "Junior" Martínez, and wounded several others. Sixty-seven were arrested.

The incident began when a police squad car



There was an explosion at dormitory of Escuela Tlatelolco during March 17, 1973, police attack. Cops said dynamite stored in building caused blast but then demolished remains of the building a day later, destroying all the evidence.

Militant/Harry Ring

explosives.

Soon police announced they had a suspect: Francisco "Kiko" Martínez, a young movement lawyer who had worked for Colorado Rural Legal Services (CLRS).

Martínez received a quick trial and conviction in the big-business press. One *Rocky Mountain News* headline claimed, "Martínez is remembered as save-the-world zealot." And the *Denver Post* offered a \$2,500 bounty for information leading to his capture.

(The "save-the-world zealot" headline is a good example of the press campaign against Chicanos. It is a falsification of what Martínez's former employer at CLRS had actually said: "He worked very hard. . . . He was all over the place—a fanatic, and I don't use that in a negative sense. I didn't always agree with him, but he did have a messianic zeal about what he was doing.")

Fearing for his life, Martínez dropped out of sight. Thus, without any evidence, trial, or conviction, blame for the bombings was laid at the door of the Chicano movement.

A few months later, Gary Garrison, a Crusade activist, was arrested and charged with throwing a dynamite bomb through the window of a paint store.

In a slanderous attempt to establish a motive, a newspaper reported that the owner of the paint store was the landlord of the Crusade building.

A jury found Garrison not guilty.

### Boulder explosions

In the spring of 1974 a tragic event in Boulder, Colorado, sent a chill through the entire Chicano movement. In two separate explosions, on May 27 and 29, six Chicanos were killed and another maimed for life.

Both explosions took place in parked cars in well-traveled public areas.

Making convenient use of their earlier smear campaign, police tried to portray the deaths as the result of the premature explosions of bombs being assembled in the cars. Yet no evidence was offered to link anyone in the cars with terrorist activities. Although several were well-known activists, at least one person was known to be completely apolitical.

Among those killed were Florencio Granado, Raza Unida candidate for University of Colorado Board of Regents in 1972 and Reyes Martínez, brother of Francisco.

Scattered debris from the explosion indicated the bombs were hidden between the seats and floorboard. But the courts clamped a suppression order on all evidence in the investigation.

Instead of following up possible angles that might indicate a plot against the activists, police used the tragedy to further their assaults on the movement.

A federal grand jury set out to investigate other Chicanos. Authorities threatened the lone survivor of the explosions with prosecution.

Cops raided the homes of Chicano activists in Denver, with the participation of the Treasury Department's Alcohol, Tobacco and Firearms Bureau, supposedly in search of bombs and arms.

Who carried out the Boulder bombings? No one has ever been charged with the crime.

### Government role?

But the theory of right-wing and/or government involvement in the killings is not at all far-fetched.

For example, in 1973 the CIA was linked to a string of attacks three years earlier by counterrevolutionary Cuban exiles against the Los Angeles offices of the Socialist Workers Party and other radical groups.

In 1975, a member of the Chicago Legion of Justice gave a detailed accounting under oath of how the local police and the army's 113th Military Intelligence Group organized, financed, and gave cover to the legion's terrorist attacks against the socialist, Black, and antiwar movements.

In Los Angeles, shortly after a February 1975 near-lethal bombing of Socialist Workers Party offices, Joe Tommassi, a leader of a Nazi group, publicly claimed responsibility for the attack. "We know the cops aren't interested if we bomb the Left," Tommassi explained. As in the Boulder case, no one has ever been arrested for the crime.

### Agent provocateur in Denver

The use of agent provocateurs against the Colorado Chicano movement was confirmed when Denver police arrested Crusade vice-chairperson Juan Haro and activist Anthony Quintana in the fall of 1974.

The state government charged them with plotting to blow up Denver police stations. The federal government also accused Haro of possessing illegal, unregistered firearms—practice grenades altered to explode.

The cases rested on the testimony of José Cor-

dova. At first, police pictured Cordova as a sincere Crusade member who turned informer to prevent bloodshed.

But Cordova in reality was a criminal who had been a Denver police provocateur for several months before the arrests of Haro and Quintana. Cordova became an agent after the police promised to drop pending charges against him.

At Haro's trial on the federal charges, police testified that Cordova was "a crook" who had been offered "thousands and thousands of dollars" and "a new life" for his testimony against Crusade members.

Although Cordova was the only person to testify that Haro ever possessed the grenades, the jury convicted Haro. That conviction is still being appealed.

Haro's trial on state charges came up in the spring of 1977. Again the government's case rested on Cordova's word. But this time, a nearly all-white rural Colorado jury found Haro innocent. The foreman announced the jury hadn't "ruled out" that Haro was the victim of a government conspiracy. After the verdict, the district attorney announced he would drop charges against Quintana.

### Fits the pattern

The numerous attempted frame-ups of Crusade for Justice, Raza Unida, and other Colorado Chicano movement activists fits the pattern of other FBI-orchestrated harassment campaigns. Between the police attack on Escuela Tlatelolco and the Boulder explosions, more than 100 activists faced various charges. Since then there have been more cases.

In the past, the FBI has used this procedure to attack the Black movement. One "Counterintelli-

gence Program" (Cointelpro) memorandum encouraged actions such as "one apparently directed against the Student Nonviolent Coordinating Committee in 1967. Local police, alerted by the FBI, arrested leaders "on every possible charge until they could no longer make bail" so that they "spent most of the summer in jail."

The government still uses this technique. Hundreds of trumped-up charges against the American Indian Movement leaders and supporters followed the 1973 occupation of the Pine Ridge Indian Reservation town of Wounded Knee, South Dakota. For example, one prominent AIM leader, Russell Means, faced thirty-seven felony and three misdemeanor charges in twelve separate state and federal cases over three-and-one-half years. In addition, there have been four attempts to assassinate Means since Wounded Knee. Means says cops were involved in every one.

Although the only hard facts now available about the Colorado operation against the Chicano movement implicate mainly local authorities, evidence from the Socialist Workers Party lawsuit has proven the existence of a close working relationship between Denver cops and the FBI.

Timothy Redfearn, an FBI informer who burglarized the Denver SWP's office, had previously worked as an informer for the local red squad, for example. And Denver cops communicated back and forth with the FBI when it was discovered that the burglary had been carried out by an FBI informer.

Other information indicates that the Denver district attorney's office knew more about the Redfearn break-in than it ever revealed.

So there is every reason to believe that federal and local governments conspired against the Colorado Chicano movement as well.

## Target: la Raza Unida

At first, it was just the Texas attorney general's office snooping around Crystal City, birthplace of the Raza Unida Party. But soon there followed five separate federal investigations, court suits by tax-dodging Anglo landowners, and red-baiting tirades from Gov. Dolph Briscoe.

Early this year, José Angel Gutiérrez received more government files in the mail—this time from the U.S. Fourth Army Intelligence Division.

The file was a summary of a March 27, 1970, article in the *Militant* reporting on a Chicano student conference in Houston.

Curiously, Gutiérrez has been unable to obtain any of his files dated later than 1972. Yet it is in that period that Raza Unida has made its greatest impact on Texas politics.

Maybe that's why the files are not being given out.

"When you view the events of the last year in Zavala County," Gutiérrez said earlier this year, "you get the clear picture that there is an organized, orchestrated effort to destroy not only the credibility of the party, but its actual existence."

In just one year:

- Texas Gov. Dolph Briscoe red-baited a cooperative farm project in Crystal City, calling it an attempt to establish "a little Cuba in Texas."

- The Texas Attorney General's Task Force on Organized Crime set up a special office in the small Chicano town to investigate "corruption."

The task force got three related indictments against school administrators from a mostly white grand jury. When the first case came to trial, evidence showed there was no basis for the accusation that a person had been put on the payroll while doing no work, and the defendant was exonerated.

- State officials went to court to block federal antipoverty grants. That, too, failed.

- A group of wealthy Anglo ranchers filed suit against the county to stop collection of taxes. When Raza Unida won control of the county government, they initiated a systematic review of tax rolls. They found wholesale tax dodging, with Anglo-owned ranch lands substantially undervalued. By reassessing properties closer to their true values, the county was able to increase revenues and lower the overall tax rate.

- The General Accounting Office (the investigating arm of Congress), the congressional Government Operations subcommittee, and the federal Office of Economic Development all sent delegations to pore over the affairs of the 8,000-resident town. The federal Community Services Agency sent down two teams. Again, no evidence of wrongdoing.

At this point, if anything needs investigating, it's why the state and federal government wasted so much money trying to get Raza Unida. And the



Militant/Harry Ring  
JOSE ANGEL GUTIERREZ: obtained spy files from CIA and Army Intelligence, but none dates later than 1972.

Chicano party proposes to do just that.

On the basis of these indications of a coordinated government harassment campaign, and the files Gutiérrez has already received, the RUP voted at its September 1976 state convention to file a lawsuit similar to the one filed by the Socialist Workers Party and Young Socialist Alliance four years ago. They are now soliciting evidence from participants in the Chicano movement in preparation for the suit.

Efforts such as this deserve the active support of all those in the *movimiento* who have been targets of the FBI, CIA, ATF or other political police agencies.

Such a united effort against government spying and harassment could help forge one of those "coalitions" that the Democrats and Republicans have been so eager to "disrupt, discredit, and neutralize."