

SUPPLEMENTARY DETAILED STAFF REPORTS
ON INTELLIGENCE ACTIVITIES AND THE
RIGHTS OF AMERICANS

BOOK III

FINAL REPORT
OF THE
SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO
INTELLIGENCE ACTIVITIES
UNITED STATES SENATE



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WITH RESPECT TO INTELLIGENCE ACTIVITIES

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COINTELPRO: THE FBI'S COVERT ACTION PROGRAMS AGAINST AMERICAN CITIZENS

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COINTELPRO: THE FBI'S COVERT ACTION PROGRAMS AGAINST AMERICAN CITIZENS

I. INTRODUCTION AND SUMMARY

COINTELPRO is the FBI acronym for a series of covert action programs directed against domestic groups. In these programs, the Bureau went beyond the collection of intelligence to secret action designed to "disrupt" and "neutralize" target groups and individuals. The techniques were adopted wholesale from wartime counterintelligence, and ranged from the trivial (mailing reprints of *Reader's Digest* articles to college administrators) to the degrading (sending anonymous poison-pen letters intended to break up marriages) and the dangerous (encouraging gang warfare and falsely labeling members of a violent group as police informers).

This report is based on a staff study of more than 20,000 pages of Bureau documents, depositions of many of the Bureau agents involved in the programs, and interviews of several COINTELPRO targets. The examples selected for discussion necessarily represent a small percentage of the more than 2,000 approved COINTELPRO actions. Nevertheless, the cases demonstrate the consequences of a Government agency's decision to take the law into its own hands for the "greater good" of the country.

COINTELPRO began in 1956, in part because of frustration with Supreme Court rulings limiting the Government's power to proceed overtly against dissident groups; it ended in 1971 with the threat of public exposure.¹ In the intervening 15 years, the Bureau conducted a sophisticated vigilante operation aimed squarely at preventing the exercise of First Amendment rights of speech and association, on the theory that preventing the growth of dangerous groups and the propagation of dangerous ideas would protect the national security and deter violence.²

Many of the techniques used would be intolerable in a democratic society even if all of the targets had been involved in violent activity, but COINTELPRO went far beyond that. The unexpressed major premise of the programs was that a law enforcement agency has the duty to do whatever is necessary to combat perceived threats to the existing social and political order.

¹ On March 8, 1971, the FBI resident agency in Media, Pennsylvania, was broken into. Documents stolen in the break-in were widely circulated and published by the press. Since some documents carried a "COINTELPRO" caption—a word unknown outside the Bureau—Carl Stern, a reporter for NBC, commenced a Freedom of Information Act lawsuit to compel the Bureau to produce other documents relating to the programs. The Bureau decided because of "security reasons" to terminate them on April 27, 1971. (Memorandum from C. D. Brennan to W. C. Sullivan, 4/27/71; Letter from FBI headquarters to all SAC's, 4/28/71.)

² The Bureau's direct attacks on speaking, teaching, writing, and meeting are discussed at pp. 28-33, attempts to prevent the growth of groups are set forth at pp. 34-40.

A. "Counterintelligence Program": A Misnomer for Domestic Covert Action

COINTELPRO is an acronym for "counterintelligence program."

Counterintelligence is defined as those actions by an intelligence agency intended to protect its own security and to undermine hostile intelligence operations. Under COINTELPRO certain techniques the Bureau had used against hostile foreign agents were adopted for use against perceived domestic threats to the established political and social order. The formal programs which incorporated these techniques were, therefore, also called "counterintelligence."^{2a}

"Covert action" is, however, a more accurate term for the Bureau's programs directed against American citizens. "Covert action" is the label applied to clandestine activities intended to influence political choices and social values.³

B. Who Were the Targets?

1. The Five Targeted Groups

The Bureau's covert action programs were aimed at five perceived threats to domestic tranquility: the "Communist Party, USA" program (1956-71); the "Socialist Workers Party" program (1961-69); the "White Hate Group" program (1964-71); the "Black Nationalist-Hate Group" program (1967-71); and the "New Left" program (1968-71).

2. Labels Without Meaning

The Bureau's titles for its programs should not be accepted uncritically. They imply a precision of definition and of targeting which did not exist.

Even the names of the later programs had no clear definition. The Black Nationalist program, according to its supervisor, included "a great number of organizations that you might not today characterize as black nationalist but which were in fact primarily black."^{3a} Indeed, the nonviolent Southern Christian Leadership Conference was labeled as a Black Nationalist "Hate Group."⁴ Nor could anyone at the Bureau even define "New Left," except as "more or less an attitude."⁵

Furthermore, the actual targets were chosen from a far broader group than the names of the programs would imply. The CPUSA program targeted not only Party members but also sponsors of the

^{2a} For a discussion of U.S. intelligence activities against hostile foreign intelligence operations, see Report on Counterintelligence.

³ See Senate Select Committee Report, "Alleged Assassination Plots Involving Foreign Leaders" and Staff Report: "Covert Action in Chile."

^{3a} Black Nationalist Supervisor deposition, 10/17/75, p. 12.

⁴ Memorandum from FBI Headquarters to all SAC's, 8/25/67, p. 2.

⁵ New Left Supervisor's deposition, 10/28/75, p. 8. The closest any Bureau document comes to a definition is found in an investigative directive: "The term 'New Left' does not refer to a definite organization, but to a movement which is providing ideologies or platforms alternate to those of existing communist and other basic revolutionary organizations, the so-called 'Old Left.' The New Left movement is a loosely-bound, free-wheeling, college-oriented movement spearheaded by the Students for a Democratic Society and includes the more extreme and militant anti-Vietnam war and anti-draft protest organizations." (Memorandum from FBI Headquarters to all SAC's, 10/28/68; Hearings, Vol. 6, Exhibit 61, p. 669.) Although this characterization is longer than that of the New Left Supervisor, it does not appear to be substantively different.

National Committee to Abolish the House Un-American Activities Committee⁶ and civil rights leaders allegedly under Communist influence or simply not "anti-Communist."⁷ The Socialist Workers Party program included non-SWP sponsors of antiwar demonstrations which were cosponsored by the SWP or the Young Socialist Alliance, its youth group.⁸ The Black Nationalist program targeted a range of organizations from the Panthers to SNCC to the peaceful Southern Christian Leadership Conference,⁹ and included most black student groups.¹⁰ New Left targets ranged from the SDS¹¹ to the Interuniversity Committee for Debate on Foreign Policy,¹² from all of Antioch College ("vanguard of the New Left")¹³ to the New Mexico Free University¹⁴ and other "alternate" schools,¹⁵ and from underground newspapers¹⁶ to students protesting university censorship of a student publication by carrying signs with four-letter words on them.¹⁷

C. What Were the Purposes of COINTELPRO?

The breadth of targeting and lack of substantive content in the descriptive titles of the programs reflect the range of motivations for COINTELPRO activity: protecting national security, preventing violence, and maintaining the existing social and political order by "disrupting" and "neutralizing" groups and individuals perceived as threats.

1. Protecting National Security

The first COINTELPRO, against the CPUSA, was instituted to counter what the Bureau believed to be a threat to the national security. As the chief of the COINTELPRO unit explained it:

We were trying first to develop intelligence so we would know what they were doing [and] second, to contain the threat. . . . To stop the spread of communism, to stop the effectiveness of the Communist Party as a vehicle of Soviet intelligence, propaganda and agitation.^{17a}

Had the Bureau stopped there, perhaps the term "counterintelligence" would have been an accurate label for the program. The ex-

⁶ Memorandum from FBI Headquarters to Cleveland Field Office, 11/6/64.

⁷ One civil rights leader, the subject of at least three separate counterintelligence actions under the CPUSA caption, was targeted because there was no "direct evidence" that he was a communist, "neither is there any substantial evidence that he is anti-communist." One of the actions utilized information gained from a wiretap; the other two involved dissemination of personal life information. (Memorandum from J.A. Sizoo to W.C. Sullivan, 2/4/64; Memorandum from New York Field Office to FBI Headquarters, 2/12/64; Memoranda from FBI Headquarters to New York Field Office, 3/26/64 and 4/10/64; Memorandum to New York Field Office from FBI Headquarters, 4/21/64; Memorandum from FBI Headquarters to Baltimore Field Office, 10/6/65.)

⁸ Memorandum from FBI Headquarters to Cleveland Field Office, 11/29/68.

⁹ FBI Headquarters memorandum, 8/25/67, p. 2.

¹⁰ Memorandum from FBI Headquarters to Jackson Field Office, 2/8/71, pp. 1-2.

¹¹ Memorandum from FBI Headquarters to San Antonio Field Office, 10/31/68.

¹² Memorandum from FBI Headquarters to Detroit Field Office, 10/26/66.

¹³ Memorandum from FBI Headquarters to Cincinnati Field Office, 6/18/68.

¹⁴ Memorandum from FBI Headquarters to Albuquerque Field Office, 3/14/69.

¹⁵ Memorandum from FBI Headquarters to San Antonio Field Office, 7/23/69.

¹⁶ Memorandum from FBI Headquarters to Pittsburgh Field Office, 11/14/69.

¹⁷ Memorandum from FBI Headquarters to Minneapolis Field Office, 11/4/68.

^{17a} COINTELPRO Unit Chief deposition, 10/16/75, p. 14.

pansion of the CPUSA program to non-Communists, however, and the addition of subsequent programs, make it clear that other purposes were also at work.

2. Preventing Violence

One of these purposes was the prevention of violence. Every Bureau witness deposed stated that the purpose of the particular program or programs with which he was associated was to deter violent acts by the target groups, although the witnesses differed in their assessment of how successful the programs were in achieving that goal. The preventive function was not, however, intended to be a product of specific proposals directed at specific criminal acts. Rather, the programs were aimed at groups which the Bureau believed to be violent or to have the potential for violence.

The programs were to prevent violence by deterring membership in the target groups, even if neither the particular member nor the group was violent at the time. As the supervisor of the Black Nationalist COINTELPRO put it, "Obviously you are going to prevent violence or a greater amount of violence if you have smaller groups." (Black Nationalist supervisor deposition, 10/17/75, p. 24.) The COINTELPRO unit chief agreed: "We also made an effort to deter or counteract the propaganda . . . and to deter recruitment where we could. This was done with the view that if we could curb the organization, we could curb the action or the violence within the organization."^{17b} In short, the programs were to prevent violence indirectly, rather than directly, by preventing possibly violent citizens from joining or continuing to associate with possibly violent groups.¹⁸

The prevention of violence is clearly not, in itself, an improper purpose; preventing violence is the ultimate goal of most law enforcement. Prosecution and sentencing are intended to deter future criminal behavior, not only of the subject but also of others who might break the law. In that sense, law enforcement legitimately attempts the indirect prevention of possible violence and, if the methods used are proper, raises no constitutional issues. When the government goes beyond traditional law enforcement methods, however, and attacks group membership and advocacy, it treads on ground forbidden to it by the Constitution. In *Brandenburg v. Ohio*, 395 U.S. 444 (1969), the Supreme Court held that the government is not permitted to "forbid or proscribe advocacy of the use of force or law violation except where such advocacy is directed toward inciting or producing imminent lawless action and is likely to incite or produce such action." In the absence of such clear and present danger, the government cannot act against speech nor, presumably, against association.

3. Maintaining the Existing Social and Political Order

Protecting national security and preventing violence are the purposes advanced by the Bureau for COINTELPRO. There is another purpose for COINTELPRO which is not explicit but which offers

^{17b} Unit Chief deposition, 10/16/75, p. 54.

¹⁸ "Possibly violent" did not necessarily mean likely to be violent. Concededly non-violent groups were targeted because they might someday change; Martin Luther King, Jr. was targeted because (among other things) he might "abandon his supposed 'obedience' to 'white, liberal doctrines' (non-violence) and embrace black nationalism." (Memorandum from FBI Headquarters to all SAC's, 3/4/68, p. 3.)

the only explanation for those actions which had no conceivable rational relationship to either national security or violent activity. The unexpressed major premise of much of COINTELPRO is that the Bureau has a role in maintaining the existing social order, and that its efforts should be aimed toward combating those who threaten that order.¹⁹

The "New Left" COINTELPRO presents the most striking example of this attitude. As discussed earlier, the Bureau did not define the term "New Left," and the range of targets went far beyond alleged "subversives" or "extremists." Thus, for example, two student participants in a "free speech" demonstration were targeted because they defended the use of the classic four-letter word. Significantly, they were made COINTELPRO subjects even though the demonstration "does not appear to be inspired by the New Left" because it "shows obvious disregard for decency and established morality."²⁰ In another case, reprints of a newspaper article entitled "Rabbi in Vietnam Says Withdrawal Not the Answer" were mailed to members of the Vietnam Day Committee "to convince [them] of the correctness of the U.S. foreign policy in Vietnam."²¹ Still another document inveighs against the "liberal press and the bleeding hearts and the forces on the left" which were "taking advantage of the situation in Chicago surrounding the Democratic National Convention to attack the police and organized law enforcement agencies."²² Upholding decency and established morality, defending the correctness of U.S. foreign policy, and attacking those who thought the Chicago police used undue force have no apparent connection with the expressed goals of protecting national security and preventing violence. These documents, among others examined, compel the conclusion that Federal law enforcement officers looked upon themselves as guardians of the status quo. The attitude should not be a surprise; the difficulty lies in the choice of weapons.

D. What Techniques Were Used?

1. The Techniques of Wartime

Under the COINTELPRO programs, the arsenal of techniques used against foreign espionage agents was transferred to domestic enemies. As William C. Sullivan, former Assistant to the Director, put it,

This is a rough, tough, dirty business, and dangerous. It was dangerous at times. No holds were barred. . . . We have used [these techniques] against Soviet agents. They have used [them] against us. . . . [The same methods were] brought home against any organization against which we were targeted. We did not differentiate. This is a rough, tough business.²³

Mr. Sullivan's description—rough, tough, and dirty—is accurate. In the course of COINTELPRO's fifteen-year history, a number of in-

¹⁹ This attitude toward change is apparent in many of those Bureau activities investigated by the Committee. It played a large part in the Martin Luther King, Jr. case, which is the subject of a separate report.

²⁰ FBI Headquarters memorandum, 11/4/68.

²¹ Memorandum from FBI Headquarters to San Francisco Field Office, 11/1/65.

²² Memorandum from Cartha DeLoach to John Mohr, 8/29/64, pp. 1-8.

²³ William C. Sullivan testimony, 11/1/75, pp. 97-98.

dividual actions may have violated specific criminal statutes;²⁴ a number of individual actions involved risk of serious bodily injury or death to the targets (at least four assaults were reported as "results");²⁵ and a number of actions, while not illegal or dangerous, can only be described as "abhorrent in a free society."²⁶ On the other hand, many of the actions were more silly than repellent.

The Bureau approved 2,370 separate counterintelligence actions.²⁷ Their techniques ranged from anonymously mailing reprints of newspaper and magazine articles (sometimes Bureau-authored or planted) to group members or supporters to convince them of the error of their ways;²⁸ to mailing anonymous letters to a member's spouse accusing the target of infidelity;²⁹ from using informants to raise controversial issues at meetings in order to cause dissent,³⁰ to the "snitch jacket" (falsely labeling a group member as an informant),³¹ and encouraging street warfare between violent groups;³² from contacting members of a "legitimate group to expose the alleged subversive background of a fellow member;³³ to contacting an employer to get a target fired;³⁴ from attempting to arrange for reporters to interview targets with planted questions,³⁵ to trying to stop targets from speaking at all;³⁶ from notifying state and local authorities of a target's criminal law violations,³⁷ to using the IRS to audit a professor, not just to collect any taxes owing, but to distract him from his political activities.³⁸

²⁴ A memorandum prepared for the Justice Department Committee which studied COINTELPRO in 1974 stated that COINTELPRO activities "may" have violated the Civil Rights statute, the mail and wire fraud statutes, and the prohibition against divulging information gained from wiretaps. (Memorandum to H. E. Petersen, 4/25/74.) Internal Bureau documents show that Bureau officials believed sending threats through the mail might violate federal extortion statutes. (See, e.g., Memorandum from FBI Headquarters to Newark Field Office, 2/19/71.) Such threats were mailed or telephoned on several occasions.

²⁵ Memorandum from FBI Headquarters to Chicago Field Office, 1/30/70.

²⁶ Hearing of the Subcommittee on Civil Rights and Constitutional Rights 11/20/74, p. 11. The Petersen Committee, composed of Department of Justice attorneys and Bureau agents, was formed in 1974 at the request of Attorney General Saxbe to investigate COINTELPRO. Its conclusions are discussed on pp. 73-76.

²⁷ 3,247 actions were proposed.

²⁸ E.g., Memorandum from FBI Headquarters to San Francisco Field Office, 11/1/65.

²⁹ E.g., Memorandum from FBI Headquarters to San Francisco Field Office, 11/26/68.

³⁰ E.g., Memorandum from Los Angeles Field Office to FBI Headquarters, 12/12/68.

³¹ E.g., Memorandum from Newark Field Office to FBI Headquarters, 7/3/69. The term "snitch jacket" is not part of Bureau jargon; it was used by those familiar with the Bureau's activities directed against the Black Panther Party in a staff interview.

³² E.g., Memorandum from Columbia Field Office to FBI Headquarters, 11/4/70.

³³ E.g., Memorandum from FBI Headquarters to Chicago Field Office, 8/2/68.

³⁴ E.g., Memorandum from FBI Headquarters to Cleveland and Boston Field Offices, 5/5/64.

³⁵ E.g., Memorandum from FBI Headquarters to Minneapolis Field Office, 11/18/69.

³⁶ E.g., Memorandum from FBI Headquarters to San Antonio Field Office, 4/6/70.

³⁷ E.g., Memorandum from FBI Headquarters to Minneapolis Field Office, 11/19/70.

³⁸ E.g., Memorandum from Midwest City Field Office to FBI Headquarters, 8/1/68.

2. Techniques Carrying A Serious Risk of Physical, Emotional, or Economic Damage.

The Bureau recognized that some techniques were more likely than others to cause serious physical, emotional, or economic damage to the targets. Any proposed use of those techniques was scrutinized carefully by headquarters supervisory personnel, in an attempt to balance the "greater good" to be achieved by the proposal against the known or risked harm to the target. If the "good" was sufficient, the proposal was approved.³⁹ For instance, in discussing anonymous letters to spouses, the agent who supervised the New Left COINTELPRO stated:

[Before recommending approval] I would want to know what you want to get out of this, who are these people. If it's somebody, and say they did split up, what would accrue from it as far as disrupting the New Left is concerned? Say they broke up, what then. . . .

[The question would be] is it worth it? ^{39a}

Similarly, with regard to the "snitch jacket" technique—falsely labeling a group member as a police informant—the chief of the Racial Intelligence Section stated:

You have to be able to make decisions and I am sure that labeling somebody as an informant, that you'd want to make certain that it served a good purpose before you did it and not do it haphazardly. . . . It is a serious thing. . . . As far as I am aware, in the black extremist area, by using that technique, no one was killed. I am sure of that.⁴⁰

Moore was asked whether the fact that no one was killed was the result of "luck or planning." He answered:

"Oh, it just happened that way, I am sure."⁴¹

It is thus clear that, as Sullivan said, "No holds were barred,"⁴² although some holds were weighed more carefully than others. When the willingness to use techniques which were concededly dangerous or harmful to the targets is combined with the range of purposes and criteria by which these targets were chosen, the result is neither "within bounds" nor "justified" in a free society.⁴³

³⁹ Mechanically, the Bureau's programs were administered at headquarters, but individual actions were proposed and usually carried out by the field. A field proposal under the COINTELPRO caption would be routed to a special agent supervising that particular program. During most of COINTELPRO's history that supervisor was a member of the section at the Domestic Intelligence Division with investigative responsibility for the subject of the proposal. The supervisor's recommendation then went up through the Bureau hierarchy. Proposals were rarely approved below the level of Assistant Director in charge of the Division, and often were approved by one of the top three men in the Bureau.

^{39a} New Left supervisor testimony, 10/28/75, pp. 72, 74.

⁴⁰ George C. Moore testimony, 11/3/75, p. 62.

⁴¹ Moore, 11/3/75, p. 64.

⁴² Sullivan, 11/1/75, p. 97.

⁴³ James B. Adams testimony, 11/19/75, Hearings, Vol. 6, pp. 73, 75.

E. Legal Restrictions Were Ignored

What happened to turn a law enforcement agency into a law violator? Why do those involved still believe their actions were not only defensible, but right? ⁴⁴

The answers to these questions are found in a combination of factors: the availability of information showing the targets' vulnerability gathered through the unrestrained collection of domestic intelligence; the belief both within and without the Bureau that it could handle any problem; and frustration with the apparent inability of traditional law enforcement methods to solve the problems presented.

There is no doubt that Congress and the public looked to the Bureau for protection against domestic and foreign threats. As the COINTEL PRO unit chief stated:

At this time [the mid-1950s] there was a general philosophy too, the general attitude of the public at this time was you did not have to worry about Communism because the FBI would take care of it. Leave it to the FBI.

I hardly know an agent who would ever go to a social affair or something, if he were introduced as FBI, the comment would be, "we feel very good because we know you are handling the threat." We were handling the threat with what directives and statutes were available. There did not seem to be any strong interest of anybody to give us stronger or better defined statutes.⁴⁵

Not only was no one interested in giving the Bureau better statutes (nor, for that matter, did the Bureau request them), but the Supreme Court drastically narrowed the scope of the statutes available. The Bureau personnel involved trace the institution of the first formal counterintelligence program to the Supreme Court reversal of the Smith Act convictions. The unit chief testified:

The Supreme Court rulings had rendered the Smith Act technically unenforceable. . . . It made it ineffective to prosecute Communist Party members, made it impossible to prosecute Communist Party members at the time.⁴⁶

This belief in the failure of law enforcement produced the subsequent COINTELPROs as well. The unit chief continued:

"The unit chief stated: "The Bureau people did not think that they were doing anything wrong and most of us to this day do not think we were doing anything wrong." (Unit chief, 10/16/75, p. 102.) Moore felt the same way: "I thought I did something very important during those days. I have no apologies to make for anything we did, really." (Moore 11/3/75, p. 25.)

⁴⁴ Unit chief, 10/16/75, pp. 11, 12, 14.

⁴⁵ Unit chief, 10/10/75, pp. 12-14, Deputy Associate Director Adams' testimony on COINTELPRO noted that "interpretations as to the constitutionality of [the Smith Act of 1940] leave us with a statute still on the books that proscribes certain actions, but yet the degree of proof necessary to operate under the few remaining areas is such that there was no satisfactory way to proceed." (Adams testimony, 11/19/75. Hearings, Vol. 6, p. 71.) In fact, the Smith Act decisions did not come down until 1957. Perhaps the witnesses were referring to *Communist Party v. Subversive Activities Control Board*, 351 U.S. 115 (1956), which held that testimony by "tainted" Government witnesses required remanding the case to the Board.

The other COINTELPRO programs were opened as the threat arose in areas of extremism and subversion and there were not adequate statutes to proceed against the organization or to prevent their activities.⁴⁷

Every Bureau witness deposed agreed that his particular COINTELPRO was the result of tremendous pressure on the Bureau to do something about a perceived threat, coupled with the inability of law enforcement techniques to cope with the situation, either because there were no pertinent federal statutes,⁴⁸ or because local law enforcement efforts were stymied by indifference or the refusal of those in charge to call the police.

Outside pressure and law enforcement frustration do not, of course, fully explain COINTELPRO. Perhaps, after all, the best explanation was proffered by George C. Moore, the Racial Intelligence Section chief:

The FBI's counterintelligence program came up because there was a point—if you have anything in the FBI, you have an action-oriented group of people who see something happening and want to do something to take its place.⁴⁹

F. Command and Control

1. 1956-71

While that "action-oriented group of people" was proceeding with fifteen years of COINTELPRO activities, where were those responsible for the supervision and control of the Bureau? Part of the answer lies in the definition of "covert action"—*clandestine* activities. No one outside the Bureau was supposed to know that COINTELPRO existed. Even within the Bureau, the programs were handled on a "need-to-know" basis.

Nevertheless, the Bureau has supplied the Committee with documents which support its contention that various Attorneys General, advisors to Presidents, members of the House Appropriations Subcommittee, and, in 1958, the Cabinet were at least put on notice of the existence of the CPUSA and White Hate COINTELPROs. The Bureau cannot support its claim that anyone outside the FBI was informed of the existence of the Socialist Workers Party, Black Nationalist, or New Left COINTELPROs, and even those letters or

⁴⁷ Unit chief, 10/16/75, p. 15.

⁴⁸ One witness also pointed out that while the federal antiriot and antibombing statutes were not passed until 1968, inadequate statutes were not the only problem. Statutes directed at specific criminal acts would only have served to allow prosecution after the crime; they would not have prevented the act in the first place. He also stated that he did not believe it would be possible to pass a statute which would have given the Bureau the tools necessary to prevent violence by disrupting the growth of violence-prone organizations—"because of something called the United States Constitution." When asked whether that answer implied that preventing the growth of an organization is unconstitutional, he answered, "I think so." (Black Nationalist supervisor, 10/1/75, pp. 25-26.) He was the only Bureau witness who had reservations about COINTELPRO's constitutionality. Another witness gave a more typical response. When asked whether anybody at any time during the course of the programs discussed their constitutionality or legal authority, he replied, "No, we never gave it a thought." (Moore, 11/3/75, p. 83.)

⁴⁹ Moore, 11/3/75, p. 79.

briefings which referred (usually indirectly) to the CPUSA and White Hate COINTELPROs failed to mention the use of techniques which risked physical, emotional, or economic damage to their targets. In any event, there is no record that any of these officials asked to know more, and none of them appears to have expressed disapproval based on the information they were given.

As the history of the Domestic Intelligence Division shows, the absence of disapproval has been interpreted by the Bureau as sufficient authorization to continue an activity (and occasionally, even express disapproval has not sufficed to stop a practice). Perhaps, however, the crux of the "command and control" problem lies in the testimony by one former Attorney General that he was too busy to know what the Bureau was doing,⁵⁰ and by another that, as a matter of political reality, he could not have stopped it anyway.⁵¹

2. Post-1971

Whether the Attorney General can control the Bureau is still an open question. The Petersen Committee, which was formed within the Justice Department to investigate COINTELPRO at Attorney General Saxbe's request, worked only with Bureau-prepared summaries of the COINTELPRO files.⁵² Further, the fact that the Department of Justice must work with the Bureau on a day-to-day basis may influence the Department's judgment on Bureau activities.⁵³

G. Termination

If COINTELPRO had been a short-lived aberration, the thorny problems of motivation, techniques, and control presented might be safely relegated to history. However, COINTELPRO existed for years on an "ad hoc" basis before the formal programs were instituted, and more significantly, COINTELPRO-type activities may continue today under the rubric of "investigation."

1. The Grey Area Between Counterintelligence and Investigation

The word "counterintelligence" had no fixed meaning even before the programs were terminated. The Bureau witnesses agreed that there is a large grey area between "counterintelligence" and "aggressive investigation," and that headquarters supervisors sometimes had difficulty in deciding which caption should go on certain proposals.⁵⁴

Aggressive investigation continues, and may be even more disruptive than covert action. An anonymous letter (COINTELPRO) can be ignored as the work of a crank; an overt approach by the Bureau

⁵⁰ Ramsey Clark testimony, 12/3/75, Hearings, Vol. 6, p. 249.

⁵¹ Nicholas deB. Katzenbach testimony, 12/3/75, Hearings, Vol. 6, p. 217.

⁵² These summaries were the point of departure for the Select Committee's investigation but were deemed unsatisfactory for a complete inquiry.

⁵³ For instance, the Department is defending litigation commenced against the Bureau by COINTELPRO victims who happen to have received their files through Freedom of Information Act requests. More such litigation may arise as more targets learn of Bureau actions taken against them.

⁵⁴ The New Left supervisor stated, "[The COINTELPRO caption was] as much as it was anything else, and administrative device to channel the mail to the Bureau . . . we get back to this old argument between the supervisors—not argument, but discussion, between the supervisors, it falls on yours, no, it doesn't, it's yours." (New Left Supervisor, 10/28/75, p. 49.)

("investigation") is not so easily dismissed.⁵⁵ The line between information collection and harassment can be extremely thin.

2. Is COINTELPRO Continuing?

COINTELPRO-type activities which are clearly not within the "grey area" between COINTELPRO and investigation have continued on at least three occasions. Although all COINTELPROs were officially terminated "for security reasons" on April 27, 1971, the documents discontinuing the program provided:

In exceptional circumstances where it is considered counter-intelligence action is warranted, recommendations should be submitted to the Bureau under the individual case caption to which it pertains. These recommendations will be considered on an individual basis.⁵⁶

The Committee requested that the Bureau provide it with a list of any "COINTELPRO-type" actions since April 28, 1971. The Bureau first advised the Committee that a review failed to develop any information indicating post-termination COINTELPRO activity. Subsequently, the Bureau located and furnished to the Committee two instances of COINTELPRO-type operations.⁵⁷ The Committee has discovered a third instance; four months after COINTELPRO was terminated, information on an attorney's political background was furnished to friendly newspaper sources under the so-called "Mass Media Program," intended to discredit both the attorney and his client.⁵⁸

The Committee has not been able to determine with any greater precision the extent to which COINTELPRO may be continuing. Any proposals to initiate COINTELPRO-type action would be filed under the individual case caption. The Bureau has over 500,000 case files, and each one would have to be searched. In this context, it should be

⁵⁵ The Bureau can and does reveal its interest in the subjects of investigation to employees, family members, and neighbors. The Black Nationalist supervisor explained, "Generally speaking, we should not be giving out information to somebody we are trying to get information from. As a practical matter sometimes we have to. The mere fact that you contact somebody about someone gives them the indication that the FBI is interested in that person." (Black Nationalist deposition, 10/17/75, p. 16). See also the statement of the Social Workers Party, 10/2/75, which details more than 200 incidents involving its members since COINTELPRO's termination. The SWP believes these to be as disruptive as the formal SWP COINTELPRO.

⁵⁶ Memorandum from Charles D. Brennan to William C. Sullivan, 4/27/71, Hearings, Vol. 6, Exhibit 55-3.

⁵⁷ In one instance, a field office was authorized to contact the editor of a Southern newspaper to suggest that he have reporters interview Klan members and write an article based on those interviews. The editor was also furnished information on Klan use of the polygraph to "weed out FBI informants." According to the Bureau, "subsequent publication of the Klan's activities resulted in a number of Klan officials ceasing their activities." (Letter from FBI to the Senate Select Committee 10/24/75.) The second case involved an anonymous letter and derogatory newspaper clipping which were sent to a Black Panther Party office in the Northeast to discredit a Panther leader's abilities. (Letter from FBI to the Senate Select Committee, 9/24/75.)

⁵⁸ It should be noted that Charles Colson spent seven months in jail for similar activity involving the client.

noted that a Bureau search of all field office COINTELPRO files revealed the existence of five operations in addition to those known to the Petersen committee.⁵⁹ A search of all investigative files might be similarly productive.

3. *The Future of COINTELPRO*

Attitudes within and without the Bureau demonstrate a continued belief by some that covert action against American citizens is permissible if the need for it is strong enough. When the Petersen Committee report on COINTELPRO was released, Director Kelley responded, "For the FBI to have done less under the circumstances would have been an abdication of its responsibilities to the American people." He also restated his "feeling that the FBI's counterintelligence programs had an impact on the crises of the time and, therefore, that they helped to bring about a favorable change in this country."⁶⁰ In his testimony before the Select Committee, Director Kelley continued to defend COINTELPRO, albeit with some reservations:

What I said then, in 1974, and what I believe today, is that the FBI employees involved in these programs did what they felt was expected of them by the President, the Attorney General, the Congress, and the people of the United States. . . .

Our concern over whatever abuses occurred in the Counterintelligence Programs, and there were some substantial ones, should not obscure the underlying purpose of those programs.

We must recognize that situations have occurred in the past and will arise in the future where the Government may well be expected to depart from its traditional role, in the FBI's case, as an investigative and intelligence-gathering agency, and take affirmative steps which are needed to meet an imminent threat to human life or property.⁶²

Nor is the Director alone in his belief that faced with sufficient threat, covert disruption is justified. The Department of Justice promulgated tentative guidelines for the Bureau which would have permitted the Attorney General to authorize "preventive action" where

⁵⁹ Letter from Attorney General Edward H. Levi to the Senate Select Committee, 5/23/75. These included: (1) 37 actions authorized between 1960 and 1971 "aimed at militant groups which sought Puerto Rican independence;" (2) "Operation Hoodwink," from October 1966 to July 1968, "aimed at putting organized crime elements in competition with the Communist Party USA;" (3) a 1961 program targeted against "a foreign-dominated group;" (4) two actions taken between January 1969 and March 1971 against "a foreign nationality group in the United States;" and (5) seven actions between 1961 and 1968 against members, leaders, and factions of "a foreign communist party."

The FBI's operations against "a foreign communist party" indicate that the Bureau, as well as the CIA, has engaged in covert action abroad.

⁶⁰ Clarence M. Kelley testimony, House Civil Rights and Constitutional Rights Subcommittee hearings, 11/20/74, pp. 44-45. This statement appears to be an explicit recognition that one purpose of COINTELPRO was to influence political events.

⁶² Clarence M. Kelley testimony, 12/10/75, Hearings, Vol. 6, p. 283, 284. Affirmative legal steps to meet an imminent threat to life or property are, of course, quite proper. The difficulty with the Director's statement, juxtaposed as it was with a discussion of COINTELPRO, is that the threats COINTELPRO purported to meet were not imminent, the techniques used were sometimes illegal, and the purposes went far beyond the prevention of death or destruction.

there is a substantial possibility that violence will occur and "prosecution is impracticable." Although those guidelines have now been dropped, the principle has not been rejected.

II. THE FIVE DOMESTIC PROGRAMS

A. Origins

The origins of COINTELPRO are rooted in the Bureau's jurisdiction to investigate hostile foreign intelligence activities on American soil. Counterintelligence, of course, goes beyond investigation; it is affirmative action taken to neutralize hostile agents.

The Bureau believed its wartime counterattacks on foreign agents to be effective—and what works against one enemy will work against another. In the atmosphere of the Cold War, the American Communist Party was viewed as a deadly threat to national security.

In 1956, the Bureau decided that a formal counterintelligence program, coordinated from headquarters, would be an effective weapon in the fight against Communism. The first COINTELPRO was therefore initiated.⁶³

The CPUSA COINTELPRO accounted for more than half of all approved proposals.⁶⁴ The Bureau personnel involved believed that the success of the program—one action was described as "the most effective single blow ever dealt the organized communist movement"⁶⁵—made counterintelligence techniques the weapons of choice whenever the Bureau assessed a new and, in its view, equally serious threat to the country.

As noted earlier, law enforcement frustration also played a part in the origins of each COINTELPRO. In each case, Bureau witnesses testified that the lack of adequate statutes, uncooperative or ineffective local police, or restrictive court rulings had made it impossible to use traditional law enforcement methods against the targeted groups.

Additionally, a certain amount of empire building may have been at work. Under William C. Sullivan, the Domestic Intelligence Division greatly expanded its jurisdiction. Klan matters were transferred in 1964 to the Intelligence Division from the General Investigative Division; black nationalist groups were added in 1967; and, just as the Old Left appeared to be dying out,⁶⁶ the New Left was gradually added to the work of the Division's Internal Security Section in the late 1960s.

Finally, it is significant that the five domestic COINTELPROs were started against the five groups which were the subject of intensified investigative programs. Of course, the fact that such intensive investigative programs were started at all reflects the Bureau's process of threat assessment: the greater the threat, the more need to

⁶³ Memorandum from Alan Belmont to L. V. Boardman, 8/28/56, Hearings, vol. 6, exhibit 12.

⁶⁴ 1,388 of a total of 2,370.

⁶⁵ Excerpt from materials prepared for the FBI Director's briefing of the House Appropriations Subcommittee, FY 1966, p. 2.

⁶⁶ According to Sullivan, membership in the Communist Party declined steadily through the '60s. When the CPUSA membership dropped below a certain figure, Director Hoover ordered that the membership figures be classified. Sullivan believes that this was done to protect the Bureau's appropriations. (Sullivan, 11/1/75, pp. 33-34.)

know about it (intelligence) and the more impetus to counter it (covert action). More important, however, the mere existence of the additional information gained through the investigative programs inevitably demonstrated those particular organizational or personal weaknesses which were vulnerable to disruption. COIN TELPRO demonstrates the dangers inherent in the overbroad collection of domestic intelligence; when information is available, it can be—and was—improperly used.

B. The Programs

Before examining each program in detail, some general observations may be useful. Each of the five domestic COINTELPROs had certain traits in common. As noted above, each program used techniques learned from the Bureau's wartime efforts against hostile foreign agents. Each sprang from frustration with the perceived inability of law enforcement to deal with what the Bureau believed to be a serious threat to the country. Each program depended on an intensive intelligence effort to provide the information used to disrupt the target groups.

The programs also differ to some extent. The White Hate program, for example, was very precisely targeted; each of the other programs spread to a number of groups which do not appear to fall within any clear parameters.⁶⁷ In fact, with each subsequent COINTELPRO, the targeting became more diffuse.

The White Hate COINTELPRO also used comparatively few techniques which carried a risk of serious physical, emotional, or economic damage to the targets, while the Black Nationalist COINTELPRO used such techniques extensively. The New Left COINTELPRO, on the other hand, had the highest proportion of proposals aimed at preventing the exercise of free speech. Like the progression in targeting, the use of dangerous, degrading, or blatantly unconstitutional techniques also appears to have become less restrained with each subsequent program.

1. *CPUSA*.—The first official COINTELPRO program, against the Communist Party, USA, was started in August 1956 with Director Hoover's approval. Although the formal program was instituted in 1956, COINTELPRO-type activities had gone on for years. The memorandum recommending the program refers to prior actions, constituting "harassment," which were generated by the field during the course of the Bureau's investigation of the Communist Party.⁶⁸ These prior actions were instituted on an *ad hoc* basis as the opportunity arose. As Sullivan testified, "[Before 1956] we were engaged in COINTELPRO tactics, divide, confuse, weaken in diverse ways, an organization. . . . [Before 1956] it was more sporadic. It depended on a given office. . . ." ⁶⁹

In 1956, a series of field conferences was held to discuss the development of new security informants. The Smith Act trials and related proceedings had exposed over 100 informants, leaving the Bureau's

⁶⁷ For instance, the Southern Christian Leadership Conference was targeted as a "Black Nationalist-Hate Group." (Memorandum from FBI headquarters to all SAC's, 3/4/68, p. 4.)

⁶⁸ Memorandum from Alan Belmont to L. V. Boardman, 8/28/56, Hearings, Vol. 6, exhibit 12.

⁶⁹ Sullivan testimony, 11/1/75, pp. 42-43.

intelligence apparatus in some disarray. During the field conferences, a formal counterintelligence program was recommended, partly because of the gaps in the informant ranks.⁷⁰

Since the Bureau had evidence that until the late 1940s the CPUSA had been "blatantly" involved in Soviet espionage, and believed that the Soviets were continuing to use the Party for "political and intelligence purposes,"⁷¹ there was no clear line of demarcation in the Bureau's switch from foreign to domestic counterintelligence. The initial areas of concentration were the use of informants to capitalize on the conflicts within the Party over Nikita Khrushchev's denunciation of Stalin; to prevent the CP's efforts to take over (via a merger) a broad-based socialist group; to encourage the Socialist Workers Party in its attacks on the CP; and to use the IRS to investigate underground CP members who either failed to file, or filed under false names.

As the program proceeded, other targets and techniques were developed, but until 1960 the CPUSA targets were Party members, and the techniques were primarily aimed at the Party organization (factionalism, public exposure, etc.)

2. *The 1960 Expansion.*—In March 1960, CPUSA COINTELPRO field offices received a directive to intensify counterintelligence efforts to prevent Communist infiltration ("COMINFIL") of mass organizations, ranging from the NAACP⁷² to a local scout troop.⁷³ The usual technique would be to tell a leader of the organization about the alleged Communist in its midst, the target, of course, being the alleged Communist rather than the organization. In an increasing number of cases, however, both the alleged Communist and the organization were targeted, usually by planting a news article about Communists active in the organization. For example, a newsman was given information about Communist participation in a SANE march, with the express purpose being to discredit SANE as well as the participants, and another newspaper was alerted to plans of Bettina Aptheker to join a United Farm Workers picket line.⁷⁴ The 1960 "COMINFIL" memorandum marks the beginning of the slide from targeting CP members to those allegedly under CP "influence" (such civil rights leaders as Martin Luther King, Jr.) to "fellow travelers" (those taking positions supported by the Communists, such as school integration, increased minority hiring, and opposition to HUAC.)⁷⁵

3. *Socialist Workers Party.*—The Socialist Workers Party ("SWP") COINTELPRO program was initiated on October 12, 1961, by the headquarters supervisor handling the SWP desk (but with Hoover's concurrence) apparently on a theory of even-handed treat-

⁷⁰ As noted earlier, Bureau personnel also trace the decision to adopt counterintelligence methods to the Supreme Court decisions overturning the Smith Act convictions. As the unit chief put it, "The Supreme Court rulings had rendered the Smith Act technically unenforceable. . . . It made it ineffective to prosecute Communist Party members, made it impossible to prosecute Communist Party members at the time." (Unit chief, 10/16/75, p. 14).

⁷¹ Unit chief, 10/16/75, p. 10.

⁷² Memorandum from New Haven Field Office to FBI Headquarters, 5/24/60.

⁷³ Memorandum from Milwaukee Field Office to FBI Headquarters, 7/13/60, pp. 1-2.

⁷⁴ Memorandum from FBI Headquarters to San Francisco Field Office, 9/13/68.

⁷⁵ Sullivan, 11/1/75, p. 29.

ment: if the Bureau has a program against the CP, it was only fair to have one against the Trotskyites. (The COINTELPRO unit chief, in response to a question about why the Bureau targeted the SWP in view of the fact that the SWP's hostility to the Communist Party had been useful in disrupting the CPSUA, answered, "I do not think that the Bureau discriminates against subversive organizations.")⁷⁶

The program was not given high priority—only 45 actions were approved—and was discontinued in 1969, two years before the other four programs ended. (The SWP program was then subsumed in the New Left COINTELPRO.) Nevertheless, it marks an important departure from the CPUSA COINTELPRO: although the SWP had contacts with foreign Trotskyite groups, there was no evidence that the SWP was involved in espionage. These were, in C. D. Brennan's phrase, "home grown tomatoes."⁷⁷ The Bureau has conceded that the SWP has never been engaged in organizational violence, nor has it taken any criminal steps toward overthrowing the country.⁷⁸

Nor does the Bureau claim the SWP was engaged in revolutionary acts. The Party was targeted for its rhetoric; significantly, the originating letter points to the SWP's "open" espousal of its line "through running candidates for public office" and its direction and/or support of "such causes as Castro's Cuba and integration problems arising in the South." Further, the American people had to be alerted to the fact that "the SWP is not just another socialist group but follows the revolutionary principles of Marx, Lenin, and Engles as interpreted by Leon Trotsky."⁷⁹

Like the CPUSA COINTELPRO, non-Party members were also targeted, particularly when the SWP and the Young Socialist Alliance (the SWP's youth group) started to co-sponsor antiwar marches.⁸⁰

4. *White Hate*.—The Klan COINTELPRO began on July 30, 1964, with the transfer of the "responsibility for development of informants and gathering of intelligence on the KKK and other hate groups" from the General Investigative Division to the Domestic Intelligence Division. The memorandum recommending the reorganization also suggested that "counterintelligence and disruption tactics be given further study by DID and appropriate recommendations made."⁸¹

⁷⁶ Unit chief, 10/16/75, p. 40.

⁷⁷ Charles D. Brennan testimony, Senate Select Committee on Campaign Activities, 6/13/73, p. 10.

⁷⁸ Robert Shackelford testimony, 2/6/76, pp. 88–89.

⁷⁹ Memorandum from FBI Headquarters.

⁸⁰ For example, anonymous letters were sent to the parents of two nonmember students participating in a hunger strike against the war at a midwest college, because the fast was sponsored by the Young Socialist Alliance. The letters warned that the students' participation "could lead to injury to [their] health and damage [their] academic standing," and alerted them to their sons' "involvement in left wing activities." It was hoped that the parents would "protest to the college that the fast is being allowed" and that the Young Socialist Alliance was permitted on campus. (Memorandum from FBI headquarters to Cleveland Field Office, 11/29/68.)

⁸¹ Memorandum from J. H. Gale to Charles Tolsen, 7/30/64, p. 5. Opinion within the Division had been sharply divided on the merits of this transfer. Some saw it as an attempt to bring the Intelligence Division's expertise in penetrating secret organizations to bear on a problem—Klan involvement in the murder of civil rights workers—creating tremendous pressures on the Bureau to solve. Traditional law enforcement methods were insufficient because of a lack of

Accordingly, on September 2, 1964, a directive was sent to seventeen field offices instituting a COINTELPRO against Klan-type and hate organizations "to expose, disrupt, and otherwise neutralize the activities of the various Klans and hate organizations, their leadership, and adherents."⁸² Seventeen Klan organizations and nine "hate" organizations (e.g., American Nazi Party, National States Rights Party, etc.) were listed as targets. The field offices were also instructed specifically to consider "Action Groups"—"the relatively few individuals in each organization who use strong arm tactics and violent actions to achieve their ends."⁸³ However, counterintelligence proposals were not to be limited to these few, but were to include any influential member if the opportunity arose. As the unit chief stated:

The emphasis was on determining the identity and exposing and neutralizing the violence prone activities of "Action Groups," but also it was important to expose the unlawful activities of other Klan organizations. We also made an effort to deter or counteract the propaganda and to deter violence and to deter recruitment where we could. This was done with the view that if we could curb the organization, we could curb the action or the violence within the organization.⁸⁴

The White Hate COINTELPRO appears to have been limited, with few exceptions,⁸⁵ to the original named targets. No "legitimate" right wing organizations were drawn into the program, in contrast with the earlier spread of the CPUSA and SWP programs to non members. This precision has been attributed by the Bureau to the superior intelligence on "hate" groups received by excellent informant penetration.

Bureau witnesses believe the Klan program to have been highly effective. The unit chief stated:

I think the Bureau got the job done. . . . I think that one reason we were able to get the job done was that we were able to use counterintelligence techniques. It is possible that we eventually could have done the job without counterintelligence techniques. I am not sure we could have done it as well or as quickly.⁸⁶

This view was shared by George C. Moore, Section Chief of the Racial Intelligence Section, which had responsibility for the White Hate and Black Nationalist COINTELPROs:

I think from what I have seen and what I have read, as far as the counterintelligence program on the Klan is concerned, that it was effective. I think it was one of the most effective

Federal statutes and the noncooperation of local law enforcement. Others thought that the Klan's activities were essentially a law enforcement problem, and that the transfer would dilute the Division's major internal security responsibility. Those who opposed the transfer lost, and trace many of the Division's subsequent difficulties to this "substantial enlargement" of the Division's responsibilities. ("Unit chief, 10/16/75, pp. 45-47.)

⁸² Memorandum from FBI Headquarters to Atlanta Field Office, 9/2/64, p. 1.

⁸³ FBI Headquarters memorandum, 9/2/64, p. 3.

⁸⁴ Unit Chief, 10/14/75, p. 54.

⁸⁵ A few actions were approved against the "Minutemen," when it became known that members were stockpiling weapons.

⁸⁶ Unit Chief, 10/16/75, p. 48.

programs I have ever seen the Bureau handle-as far as any group is concerned.⁸⁷

5. *Black Nationalist-Hate Groups*.⁸⁸—In marked contrast to prior COINTELPROs, which grew out of years of intensive intelligence investigation, the Black Nationalist COINTELPRO and the racial intelligence investigative section were set up at about the same time in 1967.

Prior to that time, the Division's investigation of "Negro matters" was limited to instances of alleged Communist infiltration of civil rights groups and to monitoring civil rights protest activity. However, the long, hot summer of 1967 led to intense pressure on the Bureau to do something to contain the problem, and once again, the Bureau heeded the call.

The originating letter was sent out to twenty-three field offices on August 25, 1967, describing the program's purpose as

... to expose, disrupt, misdirect, discredit, or otherwise neutralize the activities of black nationalist, hate-type organizations and groupings, their leadership, spokesmen, membership, and supporters, and to counter their propensity for violence and civil disorder. . . . Efforts of the various groups to consolidate their forces or to recruit new or youthful adherents must be frustrated.⁸⁹

Initial group targets for "intensified attention" were the Southern Christian Leadership Conference, the Student Nonviolent Coordinating Committee, Revolutionary Action Movement, Deacons for Defense and Justice, Congress of Racial Equality, and the Nation of Islam. Individuals named targets were Stokely Carmichael, H. "Rap" Brown, Elijah Muhammed, and Maxwell Stanford. The targets were chosen by conferring with Headquarters personnel supervising the racial cases; the list was not intended to exclude other groups known to the field.

According to the Black Nationalist supervisor, individuals and organizations were targeted because of their propensity for violence or their "radical or revolutionary rhetoric [and] actions":

Revolutionary would be [defined as] advocacy of the overthrow of the Government. . . . Radical [is] a loose term that might cover, for example, the separatist view of the Nation of Islam, the influence of a group called U.S. Incorporated. . . . Generally, they wanted a separate black nation. . . . They [the NOI] advocated formation of a separate black nation on the territory of five Southern states.⁹⁰

⁸⁷ Moore, 11/3/75, p. 31.

⁸⁸ Note that this characterization had no substantive meaning within the Bureau. See p. 4.

⁸⁹ Memorandum from FBI Headquarters to all SAC's, 8/25/67.

⁹⁰ Black Nationalist supervisor, 10/17/75, pp. 66-67. The supervisor stated that individual NOI members were involved with sporadic violence against police, but the organization was not itself involved in violence. (Black National supervisor, 10/17/75, p. 67.) Moore agreed that the NOI was not involved in organizational violence, adding that the Nation of Islam had been unjustly blamed for violence in the ghetto riots of 1967 and 1968: "We had a good informant coverage of the Nation of Islam. . . . We were able to take a very positive stand and tell the Department of Justice and tell everybody else who accused the Nation of

The letter went on to direct field offices to exploit conflicts within and between groups; to use news media contacts to disrupt, ridicule, or discredit groups; to preclude "violence-prone" or "rabble rouser" leaders of these groups from spreading their philosophy publicly; and to gather information on the "unsavory backgrounds"—immorality, subversive activity, and criminal activity—of group members.⁹¹

According to George C. Moore, the Southern Christian Leadership Conference was included because

... at that time it was still under investigation because of the communist infiltration. As far as I know, there were not any violent propensities, except that I note ... in the cover memo [expanding the program] or somewhere, that they mentioned that if Martin Luther King decided to go a certain way, he could cause some trouble. ... I cannot explain it satisfactorily ... this is something the section inherited.⁹²

On March 4, 1968, the program was expanded from twenty-three to forty-one field offices.⁹³ The letter expanding the program lists five long-range goals for the program:

(1) to prevent the "coalition of militant black nationalist groups," which might be the first step toward a real "Mau Mau" in America;

(2) to prevent the rise of a "messiah" who could "unify, and electrify," the movement, naming specifically Martin Luther King, Stokely Carmichael, and Elijah Muhammed;

(3) to prevent violence on the part of black nationalist groups, by pinpointing "potential troublemakers" and neutralizing them "before they exercise their potential for violence;"

(4) to prevent groups and leaders from gaining "respectability" by discrediting them to the "responsible" Negro community, to the white community (both the responsible community and the "liberals"—the distinction is the Bureau's), and to Negro radicals; and

Islam ... [that they] were not involved in any of the riots or disturbances. Elijah Muhammed kept them under control, and he did not have them on the streets at all during any of the riots." (Moore, 11/3/75, p. 36.)

When asked why, therefore, the NOI was included as a target, Mr. Moore answered: "Because of the potential, they did represent a potential ... they were a paramilitary type. They had drills, the Fruit of Islam, they had the capability because they were a force to be reckoned with, with the snap of his finger Elijah Muhammed could bring them into any situation. So that there was a very definite potential, very definite potential." (Moore, 11/3/75, p. 37.)

⁹² The unit chief, who wrote the letter on instructions from his superiors, concedes that the letter directed field offices to gather personal life information on targets, not for "scandalous reasons," but "to deter violence or neutralize the activities of violence-prone groups." (Unit chief, 10/16/75, p. 66.)

⁹³ Moore, 11/3/75, pp. 37, 39, 40.

⁹⁴ Primary targets listed in this second letter are the Southern Christian Leadership Conference, the Student Nonviolent Coordinating Committee, Revolutionary Action Movement, Nation of Islam, Stokely Carmichael, H. "Rap" Brown, Martin Luther King, Maxwell Stanford, and Elijah Muhammed. CORE was dropped for reasons no witness was able to reconstruct. The agent who prepared the second letter disagreed with the inclusion of the SCLC, but lost. (Black Nationalist supervisor, 10/17/75, p. 14.)

(5) to prevent the long range growth of these organizations, especially among youth, by developing specific tactics to "prevent these groups from recruiting young people."⁹⁴

6. *The Panther Directives.*—The Black Panther Party ("BPP") was not included in the first two lists of primary targets (August 1967 and March 1968) because it had not attained national importance. By November 1968, apparently the BPP had become sufficiently active to be considered a primary target. A letter to certain field offices with BPP activity dated November 25, 1968, ordered recipient offices to submit "imaginative and hard-hitting counterintelligence measures aimed at crippling the BPP." Proposals were to be received every two weeks. Particular attention was to be given to capitalizing upon the differences between the BPP and US, Inc. (Ron Karenga's group), which had reached such proportions that "it is taking on the aura of gang warfare with attendant threats of murder and reprisals."⁹⁵

On January 30, 1969, this program against the BPP was expanded to additional offices, noting that the BPP was attempting to create a better image. In line with this effort, Bobby Seale was conducting a "purge"⁹⁶ of the party, including expelling police informants. Recipient offices were instructed to take advantage of the opportunity to further plant the seeds of suspicion concerning disloyalty among ranking officials.⁹⁷

Bureau witnesses are not certain whether the Black Nationalist program was effective. Mr. Moore stated:

I know that the . . . overall results of the Klan [COINTELPRO] was much more effective from what I have been told than the Black Extremism [COINTELPRO] because of the number of informants in the Klan who could take action which would be more effective. In the Black Extremism Group . . . we got a late start because we did not have extremist activity [until] '67 and '68. Then we had to play catch-up. . . . It is not easy to measure effectiveness. . . . There were policemen killed in those days. There were bombs thrown. There were establishments burned with molotov cocktails. . . . We can measure that damage. You cannot measure over on the other side, what lives were saved because somebody did not leave the organization or suspicion was sown on his leadership and this organization gradually declined and [there was] suspicion within it, or this organization did not join with [that] organization as a result of a black power conference which was aimed towards consolidation efforts. All we know, either through their own ineptitude, maybe it emerged through counterintelligence, maybe, I think we like to think that that helped to do it, that there was not this development. . . . What part did counterintelligence [play?] We hope that it did play a part. Maybe we just gave it a nudge."⁹⁸

⁹⁴ Memorandum from FBI headquarters to all SAC's, 3/4/68, pp. 3-4.

⁹⁵ Memorandum from FBI Headquarters to Baltimore Field Office, 11/25/68.

⁹⁶ Memorandum from FBI Headquarters to all SAC's, 1/30/69.

⁹⁷ This technique, the "snitch jacket," was used in all COINTELPRO programs.

⁹⁸ Moore, 11/3/75, pp. 34, 50-52.

7. *New Left*.—The Internal Security Section had undergone a slow transition from concentrating on the “Old Left”—the CPUSA and SWP—to focusing primarily on the activities of the “New Left”—a term which had no precise definition within the Bureau.⁹⁹ Some agents defined “New Left” functionally, by connection with protests. Others defined it by philosophy, particularly antiwar philosophy.

On October 28, 1968, the fifth and final COINTELPRO was started against this undefined group. The program was triggered in part by the Columbia campus disturbance. Once again, law enforcement methods had broken down, largely (in the Bureau’s opinion) because college administrators refused to call the police on campus to deal with student demonstrations. The atmosphere at the time was described by the Headquarters agent who supervised the New Left COINTELPRO:

During that particular time, there was considerable public, Administration—I mean governmental Administration—[and] news media interest in the protest movement to the extent that some groups, I don’t recall any specifics, but some groups were calling for something to be done to blunt or reduce the protest movements that were disrupting campuses. I can’t classify it as exactly an hysteria, but there was considerable interest [and concern]. That was the framework that we were working with. . . . It would be my impression that as a result of this hysteria, some governmental leaders were looking to the Bureau.¹⁰⁰

And, once again, the combination of perceived threat, public outcry, and law enforcement frustration produced a COINTELPRO.

According to the initiating letter, the counterintelligence program’s purpose was to “expose, disrupt, and otherwise neutralize” the activities of the various New Left organizations, their leadership, and adherents, with particular attention to Key Activists, “the moving forces behind the New Left.” The final paragraph contains an exhortation to a “forward look, enthusiasm, and interest” because of the Bureau’s concern that “the anarchist activities of a few can paralyze institutions of learning, induction centers, cripple traffic, and tie the arms of law enforcement officials all to the detriment of our society.” The internal memorandum recommending the program further sets forth the Bureau’s concerns:

Our Nation is undergoing an era of disruption and violence caused to a large extent by various individuals generally connected with the New Left. Some of these activists urge revolution in America and call for the defeat of the United States in Vietnam. They continually and falsely allege police bru-

⁹⁹ As the New Left supervisor put it, “I cannot recall any document that was written defining New Left as such. It is my impression that the characterization of New Left groups rather than being defined at any specific time by document, it more or less grew. . . . Agreeing it was a very amorphous term, he added: “It has never been strictly defined, as far as I know. . . . It is more or less an attitude. I would think.” (New Left supervisor, 10/28/75, pp. 7-8.)

¹⁰⁰ New Left supervisor, 10/28/75, pp. 21-22.

tality and do not hesitate to utilize unlawful acts to further their so-called causes.

The document continues:

The New Left has on many occasions viciously and scurrilously attacked the Director and the Bureau in an attempt to hamper our investigation of it and to drive us off the college campuses.¹⁰¹

Based on those factors, the Bureau decided to institute a new COINTELPRO.

8. *New Left Directives.*—The Bureau's concern with "tying the hands of law enforcement officers," and with the perceived weakness of college administrators in refusing to call police onto the campus, led to a May 23, 1968, directive to all participating field offices to gather information on three categories of New Left activities:

(1) false allegations of police brutality, to "counter the wide-spread charges of police brutality that invariably arise following student-police encounters";

(2) immorality, depicting the "scurrilous and depraved nature of many of the characters, activities, habits, and living conditions representative of New Left adherents"; and

(3) action by college administrators, "to show the value of college administrators and school officials taking a firm stand," and pointing out "whether and to what extent faculty members rendered aid and encouragement."

The letter continues, "Every avenue of possible embarrassment must be vigorously and enthusiastically explored. It cannot be expected that information of this type will be easily obtained, and an imaginative approach by your personnel is imperative to its success."¹⁰³

The order to furnish information on "immorality" was not carried out with sufficient enthusiasm. On October 9, 1968, headquarters sent another letter to all offices, taking them to task for their failure to "remain alert for and to seek specific data depicting the depraved nature and moral looseness of the New Left" and to "use this material in a vigorous and enthusiastic approach to neutralizing them."¹⁰⁴ Recipient offices were again instructed to be "particularly alert for this type of data"¹⁰⁵ and told:

¹⁰¹ Memorandum from Charles D. Brennan to William C. Sullivan, 5/9/68.

¹⁰³ Memorandum from FBI headquarters to all SAC's, 5/23/68.

¹⁰⁴ Memorandum from FBI headquarters to all SACs, 10/9/68.

¹⁰⁵ This time the field offices got the message. One example of information furnished under the "Immorality" caption comes from the Boston field office; "[Informant] who has provided reliable information in the past concerning the activities of the New Left in the Metropolitan Boston area, has advised that numerous meetings concerning anti-Vietnam and/or draft activity are conducted by members sitting around the table or a living room completely in the nude. These same individuals, both male and female, live and sleep together regularly and it is not unusual to have these people take up residence with a different partner after a six or seven month period.

"According to the informant, the living conditions and habits of some of the New Left adherents are appalling in that certain individuals have been known to wear the same clothes for an estimated period of weeks and in some instances

As the current school year commences, it can be expected that the New Left with its anti-war and anti-draft entourage will make every effort to confront college authorities, stifle military recruiting, and frustrate the Selective Service System. Each office will be expected, therefore, to afford this program continuous effective attention in order that no opportunity will be missed to destroy this insidious movement.¹⁰⁶

As to the police brutality and "college administrator" categories, the Bureau's belief that getting tough with students and demonstrators would solve the problem, and that any injuries which resulted were deserved, is reflected in the Bureau's reaction to allegations of police brutality following the Chicago Democratic Convention.

On August 28, 1968, a letter was sent to the Chicago field office instructing it to "obtain all possible evidence that would disprove these charges" [that the Chicago police used undue force] and to "consider measures by which cooperative news media may be used to counteract these allegations." The administrative "note" (for the file) states:

Once again, the liberal press and the bleeding hearts and the forces on the left are taking advantage of the situation in Chicago surrounding the Democratic National Convention to attack the police and organized law enforcement agencies. . . . We should be mindful of this situation and develop all possible evidence to expose this activity and to refute these false allegations.¹⁰⁷

In the same vein, on September 9, 1968, an instruction was sent to all offices which had sent informants to the Chicago convention demonstrations, ordering them to debrief the informants for information "indicating incidents were staged to show police reacted with undue force and any information that authorities were baited by militants into using force."¹⁰⁸ The offices were also to obtain evidence of possible violations of anti-riot laws.¹⁰⁹

The originating New Left letter had asked all recipient offices to respond with suggestions for counterintelligence action. Those re-

for months. Personal hygiene and eating habits are equally neglected by these people, the informant said.

"The informant has noted that those individuals who most recently joined the movement are in most instances the worst offenders as far as moral and personal habits are concerned. However, if these individuals remain in the movement for any length of time, their appearance and personal habits appear to improve somewhat." (Memorandum from Boston Field Office to FBI Headquarters, 6/13/68.)

¹⁰⁶ Memorandum from FBI Headquarters to all SACs, 10/9/68.

¹⁰⁷ Memorandum from FBI Headquarters to Chicago Field Office, 8/28/68.

¹⁰⁸ Memorandum from FBI Headquarters to all SACs, 9/9/68.

¹⁰⁹ Note that there was no attempt to determine whether the allegations were true. Ramsey Clark, Attorney General at the time, testified that he did not know that either directive had been issued and that "they are highly improper." He also noted that the Bureau's close working relationship with state and local police forces had made it necessary to "preempt the FBI" in cases involving the investigation of police misconduct; "we found it necessary to use the Civil Rights Division, and that is basically what we did." (Clark, 12/3/75, Hearings Vol. 6, pp. 254-255.)

sponses were analyzed and a letter sent to all offices on July 6, 1968, setting forth twelve suggestions for counterintelligence action which could be utilized by all offices. Briefly the techniques are:

(1) preparing leaflets designed to discredit student demonstrators, using photographs of New Left leadership at the respective universities. "Naturally, the most obnoxious pictures should be used";

(2) instigating "personal conflicts or animosities" between New Left leaders;

(3) creating the impression that leaders are "informants for the Bureau or other law enforcement agencies";

(4) sending articles from student newspapers or the "underground press" which show the depravity of the New Left to university officials, donors, legislators, and parents. "Articles showing advocacy of the use of narcotics and free sex are ideal";

(5) having members arrested on marijuana charges;

(6) sending anonymous letters about a student's activities to parents, neighbors, and the parents' employers. "This could have the effect of forcing the parents to take action";

(7) sending anonymous letters or leaflets describing the "activities and associations" of New Left faculty members and graduate assistants to university officials, legislators, Boards of Regents, and the press. "These letters should be signed 'A Concerned Alumni,' or 'A Concerned Taxpayer'";

(8) using "cooperative press contacts" to emphasize that the "disruptive elements" constitute a "minority" of the students. "The press should demand an immediate referendum on the issue in question";

(9) exploiting the "hostility" among the SDS and other New Left groups toward the SWP, YSA, and Progressive Labor Party;

(10) using "friendly news media" and law enforcement officials to disrupt New Left coffeeshouses near military bases which are attempting to "influence members of the Armed Forces";

(11) using cartoons, photographs, and anonymous letters to "ridicule" the New Left; and

(12) using "misinformation" to "confuse and disrupt" New Left activities, such as by notifying members that events have been cancelled.¹¹⁰

As noted earlier, the lack of any Bureau definition of "New Left" resulted in targeting almost every anti-war group,¹¹¹ and spread to students demonstrating against anything. One notable example is a proposal targeting a student who carried an "obscene" sign in a demonstration protesting administration censorship of the school newspaper,

¹¹⁰ Memorandum from FBI Headquarters to all SAC's, 7/6/68.

¹¹¹ The New Left supervisor confirmed what the documents reveal: "legitimate" (nonviolent) antiwar groups were targeted because they were "lending aid and comfort" to more disruptive groups. According to the New Left supervisor:

"This [nonviolent groups protesting against the war] was the type of thing that the New Left, the violent portion, would seize upon. They could use the legitimacy of an accepted college group or outside group to further their interests." (New Left supervisor, 10/28/75, p. 39)

Nonviolent groups were thus disrupted so there would be less opportunity for a violent group to make use of them and their respectability. Professors active in "New Left matters," whether involved in violence or just in general protest, were targeted for "using [their] good offices to lend aid and comfort to the entire protest movement or to help disrupt the school through [their] programs." (New Left supervisor, 10/28/75, p. 69.)

and another student who sent a letter to that paper defending the demonstration.¹¹² In another article regarding "free love" on a university campus was anonymously mailed to college administrators and state officials since free love allows "an atmosphere to build up on campus that will be a fertile field for the New Left."¹¹³

None of the Bureau witnesses deposed believes the New Left COINTELPRO was generally effective, in part because of the imprecise targeting.

III. THE GOALS OF COINTELPRO: PREVENTING OR DISRUPTING THE EXERCISE OF FIRST AMENDMENT RIGHTS

The origins of COINTELPRO demonstrate that the Bureau adopted extralegal methods to counter perceived threats to national security and public order because the ordinary legal processes were believed to be insufficient to do the job. In essence, the Bureau took the law into its own hands, conducting a sophisticated vigilante operation against domestic enemies.

The risks inherent in setting aside the laws, even though the purpose seems compelling at the time, were described by Tom Charles Huston in his testimony before the Committee:¹¹⁴

The risk was that you would get people who would be susceptible to political considerations as opposed to national security considerations, or would construe political considerations to be national security considerations, to move from the kid with a bomb to the kid with a picket sign, and from the kid with the picket sign to the kid with the bumper sticker of the opposing candidate. And you just keep going down the line.¹¹⁵

The description is apt. Certainly, COINTELPRO took in a staggering range of targets. As noted earlier, the choice of individuals and organizations to be neutralized and disrupted ranged from the violent elements of the Black Panther Party to Martin Luther King, Jr., who the Bureau concedes was an advocate of nonviolence; from the Communist Party to the Ku Klux Klan; and from the advocates of violent revolution such as the Weathermen, to the supporters of peaceful social change, including the Southern Christian Leadership Conference and the Inter-University Committee for Debate on Foreign Policy.

The breadth of targeting springs partly from a lack of definition for the categories involved, and partly from the Bureau's belief that dissident speech and association should be prevented because they were incipient steps toward the possible ultimate commission of an act which might be criminal. Thus, the Bureau's self-imposed role as protector of the existing political and social order blurred the line be-

¹¹² Memorandum from FBI Headquarters, Minneapolis Field Office, 11/4/68.

¹¹³ Memorandum from FBI Headquarters to San Antonio Field Office, 8/27/68.

¹¹⁴ Huston was the Presidential assistant who coordinated the 1970 recommendations by an interagency committee for expanded domestic intelligence, including concededly illegal activity. The so-called "Huston Plan" is the subject of a separate report.

¹¹⁵ Tom Charles Huston testimony, 9/23/75. Hearings, Vol. 2, p. 45.

tween targeting criminal activity and constitutionally protected acts and advocacy.

The clearest example of actions directly aimed at the exercise of constitutional rights are those targeting speakers, teachers, writers or publications, and meetings or peaceful demonstrations.¹¹⁶ Approximately 18 percent of all approved COINTELPRO proposals fell into these categories.¹¹⁷

The cases include attempts (sometimes successful) to get university and high school teachers fired; to prevent targets from speaking on campus; to stop chapters of target groups from being formed; to prevent the distribution of books, newspapers, or periodicals; to disrupt news conferences; to disrupt peaceful demonstrations, including the SCLC's Washington Spring Project and Poor People's Campaign, and most of the large antiwar marches; and to deny facilities for meetings or conferences.

A. Efforts to Prevent Speaking

An illustrative example of attacks on speaking concerns the plans of a dissident stockholders' group to protest a large corporation's war production at the annual stockholders meeting.¹¹⁸ The field office was authorized to furnish information about the group's plans (obtained from paid informants in the group) to a confidential source in the company's management. The Bureau's purpose was not only to "circumvent efforts to disrupt the corporate meeting," but also to prevent any attempt to "obtain publicity or embarrass" corporate officials.¹¹⁹

In another case,¹²⁰ anonymous telephone calls were made to the editorial desks of three newspapers in a Midwestern city, advising them that a lecture to be given on a university campus was actually being sponsored by a Communist-front organization. The university had recently lifted its ban on Communist speakers on campus and was experiencing some political difficulty over this decision. The express purpose of the phone calls was to prevent a Communist-sponsored speaker from appearing on campus and, for a time, it appeared to have worked. One of the newspapers contacted the director of the university's conference center. He in turn discussed the meeting with the president of

¹¹⁶ The usual constitutional inquiry is whether the government is "chilling" First Amendment rights by indirectly discouraging a protected activity while pursuing an otherwise legitimate purpose. In the case of COINTELPRO, the Bureau was not attempting indirectly to *chill* free speech or association; it was squarely attacking their exercise.

¹¹⁷ The percentage is derived from a cross-indexed tabulation of the Petersen Committee summaries. Interestingly, these categories account for 39 percent of the approved "New Left" proposals, which reflects both the close connection between antiwar activities and the campuses, and the "aid and comfort" theory of targeting, in which teachers were targeted for advocating an end to the war through nonviolent means.

¹¹⁸ The group was composed largely of university teachers and clergymen who had bought shares in order to attend the meeting. (Memorandum from Minneapolis Field Office to FBI headquarters, 4/1/70.)

¹¹⁹ Memorandum from FBI Headquarters to Minneapolis Field Office, 4/23/70; memorandum from Minneapolis Field Office to FBI Headquarters, 4/1/70.

¹²⁰ Memorandum from Detroit Field Office to FBI Headquarters, 10/26/60; Memoranda from FBI Headquarters to Detroit Field Office, 10/27/60, 10/28/60, 10/31/60; Memorandum from F. J. Baumgardner to Alan H. Belmont, 10/26/60.

the university who decided to cancel the meeting.¹²¹ The sponsoring organization, supported by the ACLU, took the case to court, and won a ruling that the university could not bar the speaker. (Bureau headquarters then ordered the field office to furnish information on the judge.) Although the lecture went ahead as scheduled, headquarters commended the field office for the affirmative results of its suggestion: the sponsoring organization had been forced to incur additional expense and attorneys' fees, and had received newspaper exposure of its "true communist character."

B. Efforts to Prevent Teaching

Teachers were targeted because the Bureau believed that they were in a unique position to "plant the seeds of communism [or whatever ideology was under attack] in the minds of unsuspecting youth." Further, as noted earlier, it was believed that a teacher's position gave respectability to whatever cause he supported. In one case, a high school teacher was targeted for inviting two poets to attend a class at his school. The poets were noted for their efforts in the draft resistance movement. This invitation led to an investigation by the local police, which in turn provoked sharp criticism from the ACLU. The field office was authorized to send anonymous letters to two local newspapers, to the city Board of Education, and to the high school administration, suggesting that the ACLU should not criticize the police for probing into high school activities, "but should rather have focused attention on [the teacher] who has been a convicted draft dodger." The letter continued, "[the teacher] is the assault on academic freedom and not the local police." The purpose of the letter, according to Bureau documents, was "to highlight [the teacher's] antidraft activities at the local high school" and to "discourage any efforts" he may make there. The letter was also intended to "show support for the local police against obvious attempts by the New Left to agitate in the high schools."¹²² No results were reported.

In another case,¹²³ a university professor who was "an active participant in New Left demonstrations" had publicly surrendered his draft card and had been arrested twice (but not convicted) in antiwar demonstrations. The Bureau decided that the professor should be "removed from his position" at the university. The field office was authorized to contact a "confidential source" at a foundation which contributed substantial funds to the university, and "discreetly suggest that the [foundation] may desire to call to the attention of the University administration questions concerning the advisability of [the professor's] continuing his position there." The foundation official was told by the university that the professor's contract would not be renewed, but in fact the professor did continue to teach. The following

¹²¹ It is interesting to note that after the anonymous calls to the newspapers giving information on the "communist nature" of the sponsor, the conference center director called the local FBI office to ask for information on the speaker. He was informed that Bureau records are confidential and that the Bureau could not make any comment.

¹²² Memorandum from FBI Headquarters to Pittsburgh Field Office, 6/19/69.

¹²³ Memorandum from FBI Headquarters to Pittsburgh Field Office, 5/1/70.

academic year, therefore, the field office was authorized to furnish additional information to the foundation official on the professor's arrest and conviction (with a suspended sentence) in another demonstration. No results were reported.

In a third instance, the Bureau attempted to "discredit and neutralize" a university professor and the Inter-University Committee for Debate on Foreign Policy, in which he was active. The field office was authorized to send a fictitious-name letter to influential state political figures, the mass media, university administrators, and the Board of Regents, accusing the professor and "his protesting cohorts" of "giving aid and comfort to the enemy," and wondering "if the strategy is to bleed the United States white by prolonging the war in Vietnam and pave the way for a takeover by Russia." No results were reported.¹²⁴

C. Efforts to Prevent Writing and Publishing

The Bureau's purpose in targeting attempts to speak was explicitly to prevent the "propagation" of a target's philosophy and to deter "recruitment" of new members. Publications and writers appear to have been targeted for the same reasons. In one example,¹²⁵ two university instructors were targeted solely because they were influential in the publication of and contributed financial support to a student "underground" newspaper whose editorial policy was described as "left-of-center, anti-establishment, and opposed [to] the University administration." The Bureau believed that if the two instructors were forced to withdraw their support of the newspaper, it would "fold and cease publication. . . . This would eliminate what voice the New Left has in the area." Accordingly, the field office was authorized to send an anonymous letter to a university official furnishing information concerning the instructors' association with the newspaper, with a warning that if the university did not persuade the instructors to cease their support, the letter's author would be forced to expose their activities publicly. The field office reported that as a result of this technique, both teachers were placed on probation by the university president, which would prevent them from getting any raises.

Newspapers were a common target. The Black Panther Party paper was the subject of a number of actions, both because of its contents and because it was a source of income for the Party.¹²⁶ Other examples include contacting the landlord of premises rented by two "New Left" newspapers in an attempt to get them evicted; ¹²⁷ an anonymous letter to a state legislator protesting the distribution on campus of an underground newspaper "representative of the type of mentality that is fol-

¹²⁴ Memorandum from Detroit Field Office to FBI Headquarters, 10/11/66; memorandum from FBI Headquarters to Detroit Field Office, 10/26/66.

¹²⁵ Memorandum from Mobile Field Office to FBI Headquarters, 12/9/70; memorandum from FBI Headquarters to Mobile Field Office, 12/31/70; memorandum from Mobile Field Office to FBI Headquarters, 2/3/71.

¹²⁶ In one example, a letter signed "A Black Parent" was sent to the mayor, the Superintendent of Schools, the Commander of the American Legion, and two newspapers in a northeastern city protesting a high school's subscription to the BPP newspaper. The letter was also intended to focus attention on the teacher who entered the subscription "so as to deter him from implementing black extremist literature and philosophy into the Black History curriculum" of the school system. (Memorandum from Buffalo Field Office to FBI Headquarters, 2/5/70.)

¹²⁷ Memorandum from Los Angeles Field Office to FBI Headquarters, 9/9/68; memorandum from FBI Headquarters to SAC, Los Angeles Field Office, 9/23/68.

lowing the New Left theory of immorality on certain college campuses¹²⁸; a letter signed "Disgusted Taxpayer and Patron" to advertisers in a student newspaper intended to "increase pressure on the student newspaper to discontinue the type of journalism that had been employed" (an article had quoted a demonstrator's "vulgar language");¹²⁹ and proposals (which, according to the Bureau's response to a staff inquiry, were never carried out) to physically disrupt printing plants.¹³⁰

D. Efforts to Prevent Meeting

The Bureau also attempted to prevent target groups from meeting. Frequently used techniques include contacting the owner of meeting facilities in order to have him refuse to rent to the group;¹³¹ trying to have a group's charter revoked;¹³² using the press to disrupt a "closed" meeting by arriving unannounced;¹³³ and attempting to persuade sponsors to withdraw funds.¹³⁴ The most striking examples of attacks on meeting, however, involve the use of "disinformation."¹³⁵

In one "disinformation" case, the Chicago Field Office duplicated blank forms prepared by the National Mobilization Committee to End the War in Vietnam ("NMC") soliciting housing for demonstrators coming to Chicago for the Democratic National Convention. Chicago filled out 217 of these forms with fictitious names and addresses and sent them to the NMC, which provided them to demonstrators who made "long and useless journeys to locate these addresses." The NMC then decided to discard all replies received on the housing forms rather than have out-of-town demonstrators try to locate nonexistent addresses.¹³⁶ (The same program was carried out when the Washington Mobilization Committee distributed housing forms for demonstrators coming to Washington for the 1969 Presidential inaugural ceremonies.)¹³⁷

In another case, during the demonstrations accompanying inauguration ceremonies, the Washington Field Office discovered that NMC marshals were using walkie-talkies to coordinate their movements and

¹²⁸ Memorandum from Newark Field Office to FBI Headquarters, 5/23/69; memorandum from FBI Headquarters to Newark Field Office, 6/4/69.

¹²⁹ Memorandum from Detroit Field Office to FBI Headquarters, 2/28/69; memorandum from FBI Headquarters to Detroit Field Office, 3/27/69.

¹³⁰ For example, one proposal requested that the FBI Lab prepare a quart of solution "capable of duplicating a scent of the most foul smelling feces available," along with a dispenser capable of squirting a narrow stream for a distance of approximately three feet. The proposed targets were the physical plant of a New Left publisher and BPP publications prior to their distribution. Headquarters instructed the field office to furnish more information about the purpose for the material's use and the manner and security with which it would be used. The idea was then apparently dropped. (Memorandum from Detroit Field Office to FBI Headquarters, 10/13/70; memorandum from FBI Headquarters to Detroit Field Office, 10/23/70.)

¹³¹ Memorandum from FBI Headquarters to Los Angeles Field Office, 9/23/68.

¹³² Memorandum from FBI Headquarters to San Antonio Field Office, 5/13/69.

¹³³ Memorandum from FBI Headquarters to Indianapolis Field Office, 6/17/68.

¹³⁴ Memorandum from FBI Headquarters to all SAC's, 12/30/68.

¹³⁵ One of the 12 standard techniques referred to in the New Left memorandum discussed at pp. 25-26, disinformation bridges the line between "counter-intelligence" and sabotage.

¹³⁶ Memorandum from Chicago Field Office to FBI Headquarters, 9/9/68; memorandum from Charles Brennan to William C. Sullivan, 8/15/68.

¹³⁷ Memorandum from Washington Field Office to FBI Headquarters, 1/21/69.

activities. WFO used the same citizen band to supply the marshals with misinformation and, pretending to be an NMC unit, countermanded NMC orders.¹³⁸

In a third case¹³⁹ a midwest field office disrupted arrangements for state university students to attend the 1969 inaugural demonstrations by making a series of anonymous telephone calls to the transportation company. The calls were designed to confuse both the transportation company and the SDS leaders as to the cost of transportation and the time and place for leaving and returning. This office also placed confusing leaflets around the campus to show different times and places for demonstration-planning meetings, as well as conflicting times and dates for traveling to Washington.

In a fourth instance, the "East Village Other" planned to bomb the Pentagon with flowers during the 1967 NMC rally in Washington. The New York office answered the ad for a pilot, and kept up the pretense right to the point at which the publisher showed up at the airport with 200 pounds of flowers, with no one to fly the plane. Thus, the Bureau was able to prevent this "agitational-propaganda activity as relates to dropping flowers over Washington."¹⁴⁰

The cases discussed above are just a few examples of the Bureau's direct attack on speaking, teaching, writing and meeting. Other instances include targeting the New Mexico Free University for teaching, among other things, "confrontation politics" and "draft counseling training."¹⁴¹ In another case, an editorial cartoonist for a north-east newspaper was asked to prepare a cartoon which would "ridicule and discredit" a group of antiwar activists who traveled to North Vietnam to inspect conditions there; the cartoon was intended to "depict [the individuals] as traitors to their country for traveling to North Vietnam and making utterances against the foreign policy of the United States."¹⁴² A professor was targeted for being the faculty advisor to a college group which circulated "The Student As Nigger"

¹³⁸ Egil Krogh has stated to the Committee staff that he was in charge of coordinating D.C. law enforcement efforts during demonstrations, and gained the cooperation of NMC marshals to ensure an orderly demonstration. This law enforcement/NMC coordination was effected through the same walkie-talkie system the Bureau was disrupting. (Memorandum from FBI Headquarters to Washington Field Office, 1/10/69; staff summary of Egil Krogh interview, 5/23/75.)

¹³⁹ Memorandum from Cincinnati Field Office to FBI Headquarters, 12/20/68; memorandum from FBI Headquarters to Cincinnati Field Office, 12/29/68.

¹⁴⁰ Memoranda from New York Field Office to FBI Headquarters, 9/15/67, 9/26/67, and 10/17/67; memorandum from FBI Headquarters to New York Field Office, 9/29/67. By letter of January 14, 1976, the Bureau submitted specific instances of "action, other than arrest and prosecution, to prevent any stage of [a] crime or violent acts from being initiated" which had been taken. The examples were intended to aid in developing "preventive action" guidelines.

One of the examples was the prevention of the publisher's plan to drop flowers over the Pentagon: "A plan was thus thwarted which could well have resulted in tragedy had another pilot accepted such a dangerous flying mission and violated Federal or local regulations in flying low over the Pentagon which is also in the heavy traffic pattern of the Washington National Airport." The letter does not explain why it was necessary to act covertly in this case. If flying over the Pentagon violates Federal regulations, the Bureau could have arrested those involved when they arrived at the airport. No informant was involved; the newspaper had advertised openly for a pilot.

¹⁴¹ Memorandum from FBI Headquarters to Albuquerque Field Office, 3/19/69.

¹⁴² Memorandum from Boston Field Office to FBI Headquarters, 1/22/66.

on campus.¹⁴³ A professor conducting a study on the effect and social costs of McCarthyism was targeted because he sought information and help from the American Institute of Marxist Studies.¹⁴⁴ Contacts were made with three separate law schools in an attempt to keep a teaching candidate from being hired, or once hired, from getting his contract renewed.¹⁴⁵

The attacks on speaking, teaching, writing, and meeting have been examined in some detail because they present, in their purist form, the consequences of acting outside the legal process. Perhaps the Bureau was correct in its assumption that words lead to deeds, and that larger group membership produces a greater risk of violence. Nevertheless, the law draws the line between criminal acts and constitutionally protected activity, and that line must be kept.¹⁴⁶ As Justice Brandeis declared in a different context fifty years ago:

Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people, by its example. Crime is contagious. If the Government becomes a law-breaker, it breeds contempt for law: it invites every man to become a law unto himself. To declare that in the administration of the criminal law the end justifies the means—to declare that the Government may commit crimes in order to secure the conviction of the private criminal—would bring terrible retribution. Against the pernicious doctrine this Court should resolutely set its face. *Olmstead v. U.S.*, 277 U.S. 439, 485 (1927)

IV. COINTELPRO TECHNIQUES

The techniques used in COINTELPRO were—and are—used against hostile foreign intelligence agents. Sullivan's testimony that the "rough, tough, dirty business"¹⁴⁷ of foreign counterintelligence was brought home against domestic enemies was corroborated by George Moore, whose Racial Intelligence Section supervised the White Hate and Black Nationalist COINTELPROs:

You can trace [the origins] up and back to foreign intelligence, particularly penetration of the group by the individual informant. Before you can engage in counterintelligence you must have intelligence. . . . If you have good intelligence and

¹⁴³ Memorandum from FBI Headquarters to El Paso Field Office, 12/6/68.

¹⁴⁴ Memorandum from FBI Headquarters to New York Field Office, 3/19/65.

¹⁴⁵ Memorandum from FBI Headquarters to Cleveland and Boston Field Offices, 5/5/64.

¹⁴⁶ Mr. Huston learned that lesson as well:

"We went from this kind of sincere intention, honest intention, to develop a series of justifications and rationalizations based upon this . . . distorted view of inherent executive power and from that, whether it was direct . . . or was indirect or inevitable, as I tend to think it is, you went down the road to where you ended up, with these people going into the Watergate.

"And so that has convinced me that you have just got to draw the line at the top of the totem pole, and that we would then have to take the risk—it is not a risk-free choice, but it is one that, I am afraid, in my judgment, that we do not have any alternative but to take." (Huston, 9/23/75, p. 45.)

¹⁴⁷ Sullivan, 11/1/75, pp. 97-98.

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, misinformation, disruption, is used in the domestic groups, although in the domestic groups you are dealing in '67 and '68 with many, many more across the country . . . than you had ever dealt with as far as your foreign groups.¹⁴⁸

The arsenal of techniques used in the Bureau's secret war against domestic enemies ranged from the trivial to the life-endangering. Slightly more than a quarter of all approved actions were intended to promote factionalization within groups and between groups; a roughly equal number of actions involved the creation and dissemination of propaganda.¹⁴⁹ Other techniques involved the use of federal, state, and local agencies in selective law enforcement, and other use (and abuse) of government processes; disseminating derogatory information to family, friends, and associates; contacting employers; exposing "communist infiltration" or support of target groups; and using organizations which were hostile to target groups to disrupt meetings or otherwise attack the targets.

A. Propaganda

The Bureau's COINTELPRO propaganda efforts stem from the same basic premise as the attacks on speaking, teaching, writing and meeting: propaganda works. Certain ideas are dangerous, and if their expression cannot be prevented, they should be countered with Bureau-approved views. Three basic techniques were used: (1) mailing reprints of newspaper and magazine articles to group members or potential supporters intended to convince them of the error of their ways; (2) writing articles for or furnishing information to "friendly" media sources to "expose" target groups;¹⁵⁰ and (3) writing, printing, and disseminating pamphlets and fliers without identifying the Bureau as the source.

1. Reprint Mailings

The documents contain case after case of articles and newspaper clippings being mailed (anonymously, of course) to group members. The Jewish members of the Communist Party appear to have been inundated with clippings dealing with Soviet mistreatment of Jews. Similarly, Jewish supporters of the Black Panther Party received articles from the BPP newspaper containing anti-Semitic statements. College administrators received reprints of a *Reader's Digest* article¹⁵¹ and a *Barron's* article on campus disturbances intended to persuade them to "get tough."¹⁵²

Perhaps only one example need be examined in detail, and that only because it clearly sets forth the purpose of propaganda reprint mailings. Fifty copies of an article entitled "Rabbi in Vietnam Says With-

¹⁴⁸ Moore, 11/3/75, pp. 32-33.

¹⁴⁹ The percentages used in this section are derived from a staff tabulation of the Petersen Committee summaries. The numbers are approximate because it was occasionally difficult to determine from the summary what the purpose of the technique was.

¹⁵⁰ The resulting articles could then be used in the reprint mailing program.

¹⁵¹ Memorandum from FBI Headquarters to Minneapolis Field Office, 11/4/68.

¹⁵² Memorandum from FBI Headquarters to Boston Field Office, 9/12/68.

drawal Not the Answer," described as "an excellent article in support of United States foreign policy in Vietnam," were mailed to certain unnamed professors and members of the Vietnam Day Committee "who have no other subversive organizational affiliations." The purpose of the mailing was "to convince [the recipients] of the correctness of the U.S. foreign policy in Vietnam."¹⁵³

Reprint mailings would seem to fall under Attorney General Levi's characterization of much of COINTELPRO as "foolishness."¹⁵⁴ They violate no one's civil rights, but should the Bureau be in the anonymous propaganda business?

2. "Friendly" Media

Much of the Bureau's propaganda efforts involved giving information or articles to "friendly" media sources who could be relied upon not to reveal the Bureau's interests.¹⁵⁵ The Crime Records Division of the Bureau was responsible for public relations, including all headquarters contacts with the media. In the course of its work (most of which had nothing to do with COINTELPRO) the Division assembled a list of "friendly" news media sources—those who wrote pro-Bureau stories.¹⁵⁶ Field offices also had "confidential sources" (unpaid Bureau informants) in the media, and were able to ensure their cooperation.

The Bureau's use of the news media took two different forms: placing unfavorable articles and documentaries about targeted groups, and leaking derogatory information intended to discredit individuals.¹⁵⁷

A typical example of media propaganda is the headquarters letter authorizing the Boston Field Office to furnish "derogatory information about the Nation of Islam (NOI) to established source [name excised]".¹⁵⁸

¹⁵³ Memorandum from FBI Headquarters to San Francisco Field Office, 11/1/65.

¹⁵⁴ Levi 12/11/75, Hearings, Vol. 6, p. 318.

¹⁵⁵ "Name checks" were apparently run on all reporters proposed for use in the program, to make sure they were reliable. In one case, a check of Bureau files showed that a television reporter proposed as the recipient of information on the SDS had the same name as someone who had served in the Abraham Lincoln Brigade. The field office was asked to determine whether the "individuals" were "identical." The field office obtained the reporter's credit records, voting registration, and local police records, and determined that his credit rating was satisfactory, that he had no arrest record, that he "stated a preference for one of the two major political parties"—and that he was not, in fact, the man who fought in the Spanish Civil War. Accordingly, the information was furnished. (Memorandum from Pittsburgh Field Office to FBI Headquarters, 12/26/68; memorandum from FBI Headquarters to Pittsburgh Field Office, 1/23/69.)

¹⁵⁶ The Bureau also noted, for its files, those who criticized its work or its Director, and the Division maintained a "not-to-contact" list which included the names of some reporters and authors. One proposal to leak information to the *Boston Globe* was turned down because both the newspaper and one of its reporters "have made unfounded criticisms of the FBI in the past." The Boston Field Office was advised to resubmit the suggestion using another newspaper. (Memorandum from FBI Headquarters to Boston Field Office, 2/8/68.)

¹⁵⁷ Leaking derogatory information is discussed at p. 50.

¹⁵⁸ The Committee's agreement with the Bureau governing document production provided that the Bureau could excise the names of "confidential sources" when the documents were delivered to the Committee. Although the staff was permitted to see the excised names at Bureau headquarters, it was also agreed that the names not be used.

Your suggestions concerning material to furnish [name] are good. Emphasize to him that the NOI predilection for violence,¹⁵⁹ preaching of race hatred, and hypocrisy, should be exposed. Material furnished [name] should be either public source or known to enough people as to protect your sources. Insure the Bureau's interest in this matter is completely protected by [name].¹⁶⁰

In another case, information on the Junta of Militant Organizations ("JOMO", a Black Nationalist target) was furnished to a source at a Tampa television station.¹⁶¹ Ironically, the station manager, who had no knowledge of the Bureau's involvement, invited the Special Agent in Charge, his assistant, and other agents to a preview of the half-hour film which resulted. The SAC complimented the station manager on his product, and suggested that it be made available to civic groups.¹⁶²

A Miami television station made four separate documentaries (on the Klan, Black Nationalist groups, and the New Left) with materials secretly supplied by the Bureau. One of the documentaries, which had played to an estimated audience of 200,000, was the subject of an internal memorandum "to advise of highly successful results of counterintelligence exposing the black extremist Nation of Islam."

[Excised] was elated at the response. The station received more favorable telephone calls from viewers than the switchboard could handle. Community leaders have commented favorably on the program, three civic organizations have asked to show the film to their members as a public service, and the Broward County Sheriff's Office plans to show the film to its officers and in connection with its community service program.

This expose showed that NOI leaders are of questionable character and live in luxury through a large amount of money taken as contributions from their members. The extreme nature of NOI teachings was underscored. Miami sources advised the expose has caused considerable concern to local NOI leaders who have attempted to rebut the program at each open meeting of the NOI since the program was presented. Local NOI leaders plan a rebuttal in the NOI newspaper. Attendance by visitors at weekly NOI meetings has dropped 50%. This shows the value of carefully planned counterintelligence action.¹⁶³

The Bureau also planted derogatory articles about the Poor People's Campaign, the Institute for Policy Studies, the Southern Students Organizing Committee, the National Mobilization Committee, and a host of other organizations it believed needed to be seen in their "true light."

¹⁵⁹ Note that Bureau witnesses testified that the NOI was not, in fact, involved in organization violence. See pp. 20-21.

¹⁶⁰ Memorandum from FBI Headquarters to Boston Field Office, 2/27/68.

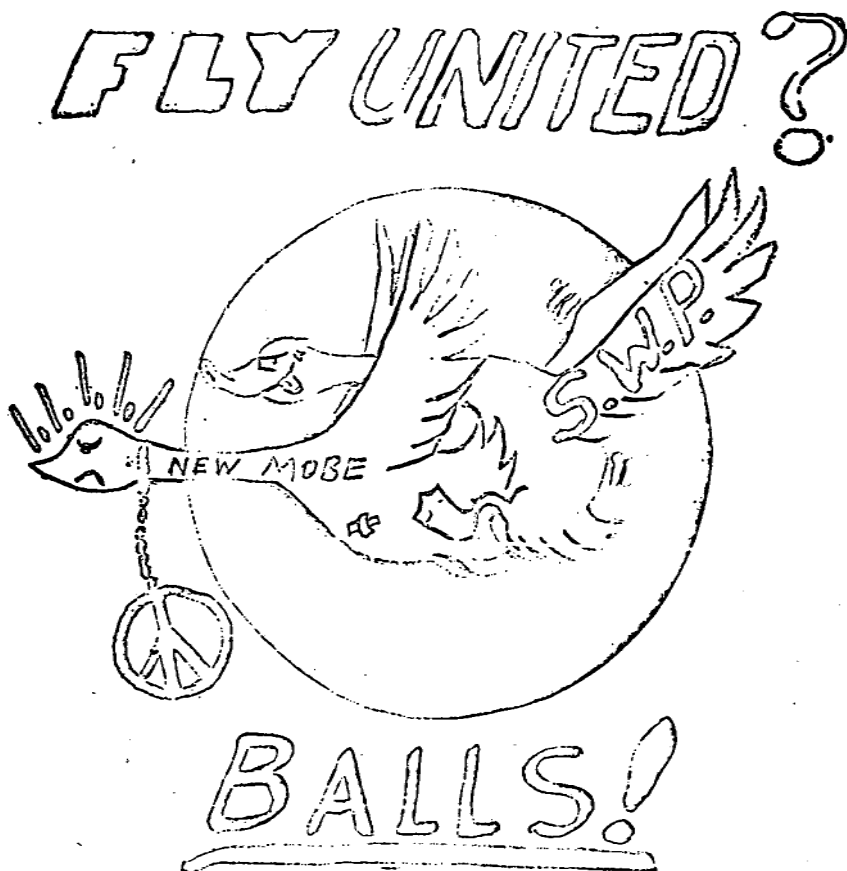
¹⁶¹ Memorandum from Tampa Field Office to FBI Headquarters, 8/5/68.

¹⁶² Memorandum from Tampa Field Office to FBI Headquarters, 2/7/69.

¹⁶³ Memorandum from G. C. Moore to William C. Sullivan, 10/21/69.

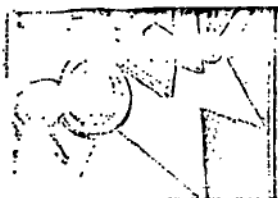
3. Bureau-Authored Pamphlets and Fliers.

The Bureau occasionally drafted, printed, and distributed its own propaganda. These pieces were usually intended to ridicule their targets, rather than offer "straight" propaganda on the issue. Four of these fliers are reproduced in the following pages.



Dig, it. It's time to pull the chain, brothers and sisters. If the peace movement in Amerika is to survive, the crap influence of the Socialist Workers Party and its bastard youth group - Young Socialist Alliance - must be flushed from New Mobe once and for all. Stagnant zeros like Freddie Halstead and Harry Ring, both members of the SWP Nat'l Committee, must be dumped. Let's get rid of the Carol Lipmans, Gus Horowitz and the Joanna Misniks along with other SWP shits! DEMAND AN END TO SWP BALLING! Write New Mobe today at Suite 900, 1039 Vermont Ave., N.W., Washington, D.C.

NOTE: Memorandum from New York Field Office to FBI Headquarters, 1/14/70; memorandum from FBI Headquarters to New York Field Office, 1/20/70.



THE GIGANTIC "PICK THE FAG CONTEST" IS HERE!

* 504 Fabulous Prizes!

* Nothing To Buy!

* YOU can win!

* Hurry! Hurry!



CONTEST RULES: Simply pick the fagget from the following photos. Print your choice on the entry blank at the bottom of this page and pop it into the mail. YOU COULD EASILY WIN!



Dave Dollinger



Che Guevara*



Mark Rudd



Herbert Marcuse

CHECK THESE COLOSSAL PRIZES!

- * GRAND PRIZE..... Seven full days in Hanoi - Expenses paid!
- * SECOND PRIZE..... Fourteen full days in Hanoi!
- * THIRD PRIZE..... A weekend with Josie Duke in a genuine fire-damaged Columbia University dormitory!
- * FOURTH PRIZE..... Two weekends with tubby little Josie!
- * ADDITIONAL PRIZES..... 500 rolls of red toilet tissue, each sheet bearing the picture of Chairman Mao in living color!

*****MAIL TODAY*****

FAG CONTEST,
Post Office Box 220, Old Chelsea Station,
New York, New York (10011)

The REAL Fag pictured above is.....

Name.....Address.....Zip.....

(*Note: Che, unfortunately, was disconnected from the world last year.)

NOTE: Memorandum from New York Field Office to FBI Headquarters, 2/7/69; memorandum from FBI Headquarters to New York Field Office, 2/14/69.

FLASHFLASHFLASHFLASHFLASHFLASH

DESPERATE DAVE DANGLES DINGUS

SEP 68

Murdercusly Mangles MOBE

Washington, D. C. Jan. 20 - Speaking in his usual high pitched voice, Dave Dellinger, National Chairman of the National Mobilization Committee (MOBE), today claimed that the anti-inaugural demonstrations called by his organization had been responsible in getting the Paris peace talks going again.

Dellinger made this startling disclosure before an audience of newsmen in the dingy Hawthorne School which housed many of his followers. A cluster of the latter stood behind their Guru sniffing and fingering wilted flowers. Dellinger, looking pale - more fairy-like than ever - tried to control the squeaks in his voice to no avail. "How many demonstrators did MOBE bring to the inaugural?", he was asked.

"At least 10,000," he answered.

"Bullshit", was heard in several sections of the room.

Dellinger shuffled his notes. "Let's make that 5,000."

"Bullshit".

"Would you believe 3,000?" Silence. Dave rolled his eyes at the ceiling: "I'm not going to play at numbers," he chirped. "What matters is that MOBE accomplished so much. We did get the peace talks going. We did break some windows in the National Geographic Society building. Despite police brutality, our brave people managed to throw cans and sticks at the President." His voice went higher - sounding like glass bells in a soft summer breeze. "We shook the establishment, gentlemen."

Associated Press stood up. "We understand MOBE is broke. That you lost control of the thing. That SDS and many other organizations in the peace movement refused to back you. That you have no idea how MOBE funds were spent."

Dellinger put a finger in his mouth and sucked it reflectively. Some minutes passed before he spoke. "MOBE is solvent, boys. As of this morning, we have \$1.54 in the treasury. The price of peace is high." He tried to look grim. "SDS, of course, is just a bunch of dirty college kids with grass for brains. We didn't want them or need them." He formed his lips into a cute bow. "I must go now. We're hitching a ride back to New York today unless we can raise bus fare."

He shoved four fingers into his mouth and was led slowly from the room humming "We Shall Overcome."

NOTE: Memorandum from New York Field Office to FBI Headquarters, 1/21/69; memorandum from FBI Headquarters to New York Field Office, 1/24/69.

sds* - The American Komiks?

My folks busted
their humps to
send me to
college



But I took up
with SDS, the
Third World and
Revolution. I
dug the grass bit
and talking them
radical chicks



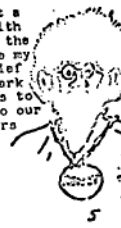
I blew my mind
on Mao, Che and
Marxism. Man, it
was revolution
all over the
scene. We even
burned the
library, not to
mention flags
and draft cards



It wasn't all
easy, though.
I got the
clap from the
chicks...and
last fall I
called a TFP
pig a mother-
fucker and he
broke my
front
teeth. My
folks sent
broads for new
choppers



In May, I hit a
capitalist with
a bottle and the
bastard broke my
nose. Our chief
acid head, Mark
Rudd, told us to
smuggle up to our
black brothers
so



I went to a Panther
rally and they broke my
new teeth and the
other arm. I got 30
days for being a bum.
Well, SDS is dead
now. The Panthers
hate our guts and the
Army won't have me. I
wonder if the
folks still live
in the same old
place?



SDS STUDENTS FOR A DEMOCRATIC SOCIETY -

NOTE: Memorandum from New York Field Office to FBI Headquarters, 8/5/69; memorandum from FBI Headquarters to New York Field Office, 8/11/69.

B. Effects to Promote Enmity and Factionalism Within Groups or Between Groups

Approximately 28% of the Bureau's COINTELPRO efforts were designed to weaken groups by setting members against each other, or to separate groups which might otherwise be allies, and convert them into mutual enemies. The techniques used included anonymous mailings (reprints, Bureau-authored articles and letters) to group members criticizing a leader or an allied group;¹⁶⁴ using informants to raise controversial issues; forming a "notional"—a Bureau-run splinter group—to draw away membership from the target organization; encouraging hostility up to and including gang warfare, between rival groups; and the "snitch jacket."

1. Encouraging Violence Between Rival Groups

The Bureau's attempts to capitalize on active hostility between target groups carried with them the risk of serious physical injury to the targets. As the Black Nationalist supervisor put it:

It is not easy [to judge the risks inherent in this technique]. You make the best judgment you can based on all the circumstances and you always have an element of doubt where you are dealing with individuals that I think most people would characterize as having a degree of instability.¹⁶⁵

The Bureau took that risk. The Panther directive instructing recipient officers to encourage the differences between the Panthers and

¹⁶⁴ This technique was also used in disseminating propaganda. The distinction lies in the purpose for which the letter, article or flier was mailed.

¹⁶⁵ Black Nationalist supervisor, 10/17/75, p. 40.

U.S., Inc. which were "taking on the aura of gang warfare with attendant threats of murder and reprisals,"¹⁶⁶ is just one example.

A separate report on disruptive efforts aimed at the Panthers will examine in detail the Bureau's attempts to foment violence. These efforts included anonymously distributing cartoons which pictured the U.S. organization gloating over the corpses of two murdered Panthers, and suggested that other BPP members would be next,¹⁶⁷ and sending a New Jersey Panther leader the following letter which purported to be from an SDS member:¹⁶⁸

"To Former Comrade [name]

"As one of 'those little bourgeois, snooty nose'—'little schoolboys'—'little sissies' Dave Hilliard spoke of in the 'Guardian' of 8/16/69, I would like to say that you and the rest of you black racists can go to hell. I stood shoulder to shoulder with Carl Nichols last year in Military Park in Newark and got my a— whipped by a Newark pig all for the cause of the wineheads like you and the rest of the black pussycats that call themselves Panthers. Big deal; you have to have a three hour educational session just to teach those . . . (you all know what that means don't you! It's the first word your handkerchief head mamma teaches you) how to spell it.

"Who the hell set you and the Panthers up as the vanguard of the revolutionary and disciplinary group. You can tell all those wineheads you associate with that you'll kick no one's ' . . . a—,' because you'd have to take a three year course in spelling to know what an a— is and three more years to be taught where it's located.

"Julius Lester called the BPP the vanguard (that's leader) organization so international whore Cleaver calls him racist, now when full allegiance is not given to the Panthers, again racist. What the hell do you want? Are you getting this? Are you lost? If you're not digging then you're really hopeless.

"Oh yes! We are not concerned about Hilliard's threats.

"Brains will win over brawn. The way the Panthers have retaliated against US is another indication. The score: US—6: Panthers—0.

"Why, I read an article in the Panther paper where a California Panther sat in his car and watched his friend get shot by Karenga's group and what did he do? He run back and write a full page story about how tough the Panthers are and what they're going to do. Ha Ha—B— S—.

"Goodbye [name] baby—and watch out. Karenga's coming.

¹⁶⁶ Memorandum from FBI Headquarters to Baltimore Field Office, 11/25/68.

¹⁶⁷ Memorandum from San Diego Field Office to FBI Headquarters, 2/20/69; memorandum from San Diego Field Office to FBI Headquarters, 3/27/69; memorandum from FBI Headquarters to San Diego Field Office, 4/4/69.

¹⁶⁸ Memorandum from Newark Field Office to FBI Headquarters, 8/25/69. According to the proposal, the letter would not be typed by the field office stenographic pool because of the language. The field office also used asterisks in its communication with headquarters which "refer to that colloquial phrase . . . which implies an unnatural physical relationship with a material parent." Presumably the phrase was used in the letter when it was sent to the Panthers.

“‘Right On’ as they say.”

An anonymous letter was also sent to the leader of the Blackstone Rangers, a Chicago gang “to whom violent type activity, shooting, and the like, are second nature,” advising him that “the brothers that run the Panthers blame you for blocking their thing and there’s supposed to be a hit out for you.” The letter was intended to “intensify the degree of animosity between the two groups” and cause “retaliatory action which could disrupt the BPP or lead to reprisals against its leadership.”¹⁶⁹

EDITOR:

What’s with this bull—— SDS outfit? I’ll tell you what they has finally showed there true color White. They are just like the commies and all the other white radical groups that suck up to the blacks and use us. We voted at our meeting in Oakland for community control over the pigs but SDS says no. Well we can do with out them mothers. We can do it by ourselves.

OFF THE PIGS POWER TO THE PEOPLE

Soul Brother Jake

In another case, the Bureau tried to promote violence, not between violent groups, but between a possibly violent person and another target. The field office was given permission to arrange a meeting between an SCLC officer and the leader of a small group described as “anti-Vietnam black nationalist [veterans’] organization.” The leader of the veterans’ group was known to be upset because he was not receiving funds from the SCLC. He was also known to be on leave from a mental hospital, and the Bureau had been advised that he would be recommitted if he were arrested on any charge. It was believed that “if the confrontation occurs at SCLC headquarters,” the veterans’ group leader “will lose his temper, start a fight,” and the “police will be called in.” The purpose was to “neutralize” the leader by causing his commitment to a mental hospital, and to gain “unfavorable publicity for the SCLC.”¹⁷⁰

At least four assaults—two of them on women—were reported as “results” of Bureau actions. The San Diego field office claimed credit for three of them. In one case, US members “broke into” a BPP meeting and “roughed up” a woman member.¹⁷¹

In the second instance, a critical newspaper article in the Black Panther paper was sent to the US leader. The field office noted that “the possibility exists that some sort of retaliatory actions will be taken against the BPP.”¹⁷² The prediction proved correct; the field office reported that as a result of this mailing, members of US assaulted a Panther newspaper vendor.¹⁷³ The third assault occurred after the

¹⁶⁹ Memorandum from Chicago Field Office to FBI Headquarters, 1/12/69; memorandum from FBI Headquarters to Chicago Field Office, 1/30/69.

¹⁷⁰ Memorandum from Philadelphia Field Office to FBI Headquarters, 11/25/68; memorandum from FBI Headquarters to Philadelphia Field Office, 12/9/68.

¹⁷¹ Memorandum from San Diego Field Office to FBI Headquarters, 4/10/69, p. 4.

¹⁷² Memorandum from San Diego Field Office to FBI Headquarters, 11/12/69.

¹⁷³ Memorandum from San Diego Field Office to FBI Headquarters, 11/12/69.

San Diego Police Department, acting on a tip from the Bureau that "sex orgies" were taking place at Panther headquarters, raided the premises. (The police department conducted a "research project," discovered two outstanding traffic warrants for a BPP member, and used the warrants to gain entry.) The field office reported that as a "direct result" of the raid, the woman who allowed the officers into the BPP headquarters had been "severely beaten up" by other members.¹⁷⁴

In the fourth case, the New Haven field office reported that an informant had joined in a "heated conversation" between several group members and sided with one of the parties "in order to increase the tension." The argument ended with members hitting each other. The informant "departed the premises at this point, since he felt that he had been successful, causing a flammable situation to erupt into a fight."¹⁷⁵

2. *Anonymous Mailings*

The Bureau's use of anonymous mailings to promote factionalism range from the relatively bland mailing of reprints or fliers criticizing a group's leaders for living ostentatiously or being ineffective speakers, to reporting a chapter's infractions to the group's headquarters intended to cause censure or disciplinary action.

Critical letters were also sent to one group purporting to be from another, or from a member of the group registering a protest over a proposed alliance.

For instance, the Bureau was particularly concerned with the alliance between the SDS and the Black Panther Party. A typical example of anonymous mailing intended to separate these groups is a letter sent to the Black Panther newspaper:¹⁷⁶

In a similar vein, is a letter mailed to Black Panther and New Left leaders.¹⁷⁷

Dear Brothers and Sisters,

Since when do us Blacks have to swallow the dictates of the honky SDS? Doing this only hinders the Party progress in gaining Black control over Black people. We've been —— over by the white facists pigs and the Man's control over our destiny. We're sick and tired of being severely brutalized, denied our rights and treated like animals by the white pigs. We say to hell with the SDS and its honky intellectual approaches which only perpetuate control of Black people by the honkies.

The Black Panther Party theory for community control is the only answer to our problems and that is to be followed and enforced by all means necessary to insure control by Blacks over all police departments regardless of whether they are run by honkies or uncle toms.

The damn SDS is a paper organization with a severe case of diarrhea of the mouth which has done nothing but feed us

¹⁷⁴ Memorandum from San Diego Field Office to FBI Headquarters, 12/3/69.

¹⁷⁵ Memorandum from New Haven Field Office to FBI Headquarters, 2/18/70.

¹⁷⁶ Memorandum from San Francisco Field Office to FBI Headquarters, 8/27/69; memorandum from FBI Headquarters to San Francisco Field Office, 9/5/69.

¹⁷⁷ Memorandum from Detroit Field Office to FBI Headquarters, 2/10/70; memorandum from FBI Headquarters to Detroit Field Office, 3/3/70.

lip service. Those few idiots calling themselves weathermen run around like kids on halloween. A good example is their "militant" activities at the Northland Shopping Center a couple of weeks ago. They call themselves revolutionaries but take a look at who they are. Most of them come from well heeled families even by honky standards. They think they're helping us Blacks but their futile, misguided and above all white efforts only muddy the revolutionary waters.

The time has come for an absolute break with any non-Black group and especially those ——— SDS and a return to our pursuit of a pure black revolution by Blacks for Blacks.

Power!

Off the Pigs!!!!

These examples are not, of course, exclusive, but they do give the flavor of the anonymous mailings effort.

3. Interviews

Interviewing group members or supporters was an overt "investigative" technique sometimes used for the covert purpose of disruption. For example, one field office noted that "other [BPP] weaknesses that have been capitalized on include interviews of members wherein jealousy among the members has been stimulated and at the same time has caused a number of persons to fall under suspicion and be purged from the Party."¹⁷⁸

In another case, fourteen field offices were instructed to conduct simultaneous interviews of individuals known to have been contacted by members of the Revolutionary Union. The purpose of the coordinated interviews was "to make possible affiliates of the RU believe that the organization is infiltrated by informants on a high level."¹⁷⁹

In a third instance, a "black nationalist" target attempted to organize a youth group in Mississippi. The field office used informants to determine "the identities of leaders of this group and in interviewing these leaders, expressed to them [the target's] background and his true intentions regarding organizing Negro youth groups." Agents also interviewed the target's landlords and "advised them of certain aspects of [his] past activities and his reputation in the Jackson vicinity as being a Negro extremist." Three of the landlords asked the target to move.¹⁸⁰ The same field office reported that it had interviewed members of the Tougaloo College Political Action Committee, an "SNCC affiliated" student group. The members were interviewed while they were home on summer vacation. "Sources report that these interviews had a very upsetting effect on the PAC organization and they felt they have been betrayed by someone at Tougaloo College. Many of the members have limited their participation in PAC affairs since their interview by Agents during the summer of 1968."¹⁸¹

4. Using Informants To Raise Controversial Issues

The Bureau's use of informants generally is the subject of a separate report. It is worth noting here, however, that the use of inform-

¹⁷⁸ Memorandum from Indianapolis Field Office to FBI Headquarters, 9/23/69.

¹⁷⁹ Memorandum from FBI Headquarters to all SACs, 10/28/70.

¹⁸⁰ Memorandum from Jackson Field Office to FBI Headquarters, 11/27/68.

¹⁸¹ *Ibid.*

ants to take advantage of ideological splits in an organization dates back to the first COINTELPRO. The originating CUPSA document refers to the use of informants to capitalize on the discussion within the Party following Khrushchev's denunciation of Stalin.¹⁸²

Informants were also used to widen rifts in other organizations. For instance, an informant was instructed to imply that the head of one faction of the SDS was using group funds for his drug habit, and that a second leader embezzled funds at another school. The field office reported that "as a result of actions taken by this informant, there have been fist fights and acts of name calling at several of the recent SDS meetings." In addition, members of one faction "have made early morning telephone calls" to other SDS members and "have threatened them and attempted to discourage them from attending SDS meetings."¹⁸³

In another case, an informant was used to "raise the question" among his associates that an unmarried, 30-year old group leader "may be either a bisexual or a homosexual." The field office believed that the question would "rapidly become a rumor" and "could have serious results concerning the ability and effectiveness of [the target's] leadership."¹⁸⁴

5. Fictitious Organizations

There are basically three kinds of "notional" or fictitious organizations. All three were used in COINTELPRO attempts to factionalize.

The first kind of "notional" was the organization whose members were all Bureau informants. Because of the Committee's agreement with the Bureau not to reveal the identities of informants, the only example which can be discussed publicly is a proposal which, although approved, was never implemented. That proposal involved setting up a chapter of the W.E.B. DuBois Club in a Southern city which would be composed entirely of Bureau informants and fictitious persons. The initial purpose of the chapter was to cause the CPUSA expense by sending organizers into the area, cause the Party to fund Bureau coverage of out-of-town CP meetings by paying the informants' expenses, and receive literature and instructions. Later, the chapter was to begin to engage in deviation from the Party line so that it would be expelled from the main organization "and then they could claim to be the victim of a Stalinist type purge." It was anticipated that the entire operation would take no more than 18 months.¹⁸⁵

The second kind of "notional" was the fictitious organization with some unsuspecting (non-informant) members. For example, Bureau informants set up a Klan organization intended to attract membership away from the United Klans of America. The Bureau paid the informant's personal expenses in setting up the new organization, which had, at its height, 250 members.¹⁸⁶

The third type of "notional" was the wholly fictitious organization, with no actual members, which was used as a pseudonym for mailing

¹⁸² Memorandum from FBI Headquarters to New York Field Office, 9/6/56.

¹⁸³ Memorandum from Los Angeles Field Office to FBI Headquarters, 12/12/68.

p. 2.

¹⁸⁴ Memorandum from San Diego Field Office to FBI Headquarters, 2/2/70.

¹⁸⁵ Memorandum from New York Field Office to FBI Headquarters, 7/9/64.

¹⁸⁶ Memorandum from C. D. Brennan to W. C. Sullivan, 8/28/67.

letters or pamphlets. For instance, the Bureau sent out newsletters from something called "The Committee for Expansion of Socialist Thought in America," which attacked the CPUSA from the "Marxist right" for at least two years.¹⁸⁷

6. Labeling Targets As Informants

The "snitch jacket" technique—neutralizing a target by labeling him a "snitch" or informant, so that he would no longer be trusted—was used in all COINTELPROs. The methods utilized ranged from having an authentic informant start a rumor about the target member,¹⁸⁸ to anonymous letters or phone calls,¹⁸⁹ to faked informants' reports.¹⁹⁰

When the technique was used against a member of a nonviolent group, the result was often alienation from the group. For example, a San Diego man was targeted because he was active in draft counseling at the city's Message Information Center. He had, coincidentally, been present at the arrest of a Selective Service violator, and had been at a "crash pad" just prior to the arrest of a second violator. The Bureau used a real informant to suggest at a Center meeting that it was "strange" that the two men had been arrested by federal agents shortly after the target became aware of their locations. The field office reported that the target had been "completely ostracized by members of the Message Information Center and all of the other individuals throughout the area . . . associated with this and/or related groups."¹⁹¹

In another case, a local police officer was used to "jacket" the head of the Student Mobilization Committee at the University of South Carolina. The police officer picked up two members of the Committee on the pretext of interviewing them concerning narcotics. By pre-arranged signal, he had his radio operator call him with the message, "[name of target] just called. Wants you to contact her. Said you have her number."¹⁹² No results were reported.

The "snitch jacket" is a particularly nasty technique even when used in peaceful groups. It gains an added dimension of danger when it is used—as, indeed, it was—in groups known to have murdered informers.¹⁹³

For instance, a Black Panther leader was arrested by the local police with four other members of the BPP. The others were released, but the leader remained in custody. Headquarters authorized the field office to circulate the rumor that the leader "is the last to be released" because "he is cooperating with and has made a deal with the Los Angeles Police Department to furnish them information concerning the BPP."

¹⁸⁷ Memorandum from F. J. Baumgardner to W. C. Sullivan, 1/5/65.

¹⁸⁸ Memorandum from FBI Headquarters to San Diego Field Office, 2/14/69.

¹⁸⁹ Memorandum from FBI Headquarters to Jackson Field Office, 11/15/68.

¹⁹⁰ Memorandum from FBI Headquarters to New York Field Office, 2/9/60.

¹⁹¹ Memorandum from San Diego Field Office to FBI Headquarters, 2/17/69;

memorandum from FBI Headquarters to San Diego Field Office, 3/6/69; memorandum from San Diego Field Office to FBI Headquarters 4/30/69.

¹⁹² Memorandum from San Diego Field Office to FBI Headquarters, 1/31/69;

memorandum from FBI Headquarters to San Diego Field Office, 2/14/69.

¹⁹³ One Bureau document stated that the Black Panther Party "has murdered two members it suspected of being police informants." (Memorandum from FBI Headquarters to Cincinnati Field Office, 2/18/71.)

The target of the first proposal then received an anonymous phone call stating that his own arrest was caused by a rival leader.¹⁹⁴

In another case, the Bureau learned that the chairman of the New York BPP chapter was under suspicion as an informant because of the arrest of another member for weapons possession. In order to "cast further suspicion on him" the Bureau sent anonymous letters to BPP headquarters in the state, the wife of the arrested member, and a local member of CORE, saying "Danger-Beware-Black Brothers, [name of target] is the fink who told the pigs that [arrested members] were carrying guns." The letter also gave the target's address.¹⁹⁵

In a third instance, the Bureau learned through electronic surveillance of the BPP the whereabouts of a fugitive. After his arrest, the Bureau sent a letter in a "purposely somewhat illiterate type scrawl" to the fugitive's half-brother:

Brother:

Jimmie was sold out by Sister [name—the BPP leader who made the phone call picked up by the tap] for some pig money to pay her rent. When she don't get it that way she takes Panther money. How come her kid sells the paper in his school and no one bothers him. How comes Tyler got busted up by the pigs and her kid didn't. How comes the FBI pig fascists knew where to bust Lonnie and Minnie way out where they were.

—Think baby.¹⁹⁶

In another example, the chairman of the Kansas City BPP chapter went to Washington in an attempt to testify before a Senate subcommittee about information he allegedly possessed about the transfer of firearms from the Kansas City Police Department to a retired Army General. The attempt did not succeed; the committee chairman adjourned the hearing and then asked the BPP member to present his information to an aide. The Bureau then authorized an anonymous phone call to BPP headquarters "to the effect that [the target] was paid by the committee to testify, that he has cooperated fully with this committee, and that he intends to return at a later date to furnish additional testimony which will include complete details of the BPP operation in Kansas City."¹⁹⁷

In the fifth case, the Bureau had so successfully disrupted the San Diego BPP that it no longer existed. One of the former members, however, was "'politicking' for the position of local leader if the group is ever reorganized." Headquarters authorized the San Diego field office to send anonymous notes to "selected individuals within the black community of San Diego" to "initiate the rumor that [the target],

¹⁹⁴ Memorandum from San Diego Field Office to FBI Headquarters, 2/11/69; memorandum to San Diego Field Office from FBI Headquarters, 2/19/69.

¹⁹⁵ Memorandum from New York Field Office to FBI Headquarters, 2/14/69; memorandum from FBI Headquarters to New York Field Office, 3/10/69.

¹⁹⁶ Memorandum to FBI Headquarters from SAC, Newark, 7/3/69; memorandum to Newark Field Office from FBI Headquarters, 7/14/69.

¹⁹⁷ Memorandum from Kansas City Field Office to FBI Headquarters, 10/16/69; memorandum from FBI Headquarters to San Francisco Field Office, 11/3/69.

who has aspirations of becoming the local Black Panther Party Captain, is a police informant.”¹⁹⁸

In a sixth case, a letter alleging that a Washington, D.C., BPP leader was a police informant was sent “as part of our continuing effort to foment internal dissension within ranks of Black Panther Party.”¹⁹⁹

Brother:

I recently read in the Black Panther newspaper about that low dog Gaines down in Texas who betrayed his people to the pigs and it reminded me of a recent incident that I should tell you about. Around the first part of Feb. I was locked up at the local pigpen when the pigs brought in this dude who told me he was a Panther. This dude who said his name was [deleted] said he was vamped on by six pigs and was brutalized by them. This dude talked real bad and said he had killed pigs and was going to get more when he got out, so I thought he probably was one of you. The morning after [name] was brought in a couple of other dudes in suits came to see him and called him out of the cell and he was gone a couple of hours. Later on these dudes came back again to see him. [Name] told me the dudes were his lawyers but they smelled like pig to me. It seems to me that you might want to look into this because I know you don't want anymore low-life dogs helping the pigs brutalize the people. You don't know me and I'm not a Panther but I want to help with the cause when I can.

A lumpen brother

In a seventh case, the “most influential BPP activist in North Carolina” had been photographed outside a house where a “shoot out” with local police had taken place. The photograph, which appeared in the local newspaper, showed the target talking to a policeman. The photograph and an accompanying article were sent to BPP headquarters in Oakland, California, with a handwritten note, supposedly from a female BPP member known to be “disenchanted” with the target, saying, “I think this is two pigs oinking.”²⁰⁰

Although Bureau witnesses stated that they did not authorize a “snitch jacket” when they had information that the group was *at that time* actually killing suspected informants,²⁰¹ they admitted that the risk was there whenever the technique was used.

¹⁹⁸ Memorandum to FBI Headquarters from San Diego Field Office, 3/6/70; memorandum from FBI Headquarters to San Diego Field Office, 3/6/70.

¹⁹⁹ Memorandum from Charlotte Field Office to FBI Headquarters, 3/23/71; memorandum from FBI Headquarters to Charlotte Field Office, 3/31/71.

²⁰⁰ Memorandum from Charlotte Field Office to FBI Headquarters 3/23/71; memorandum FBI Headquarters to Charlotte Field Office, 3/31/71.

²⁰¹ In fact, some proposals were turned down for that reason. See, e.g., letter from FBI Headquarters to Cincinnati Field Office, 2/18/71, in which a proposal that an imprisoned BPP member be labeled a “pig informer” was rejected because it was possible it would result in the target's death. But note that just one month later, two similar proposals were approved. Letter from FBI Headquarters to Washington Field Office, 3/19/71, and letter from FBI Headquarters to Charlotte Field Office, 3/31/71.

It would be fair to say there was an element of risk there which we tried to examine on a case by case basis.²⁰²

Moore added, "I am not aware of any time we ever labeled anybody as an informant, that anything [violent] ever happened as a result, and that is something that could be measured." When asked whether that was luck or lack of planning, he responded, "Oh, it just happened that way, I am sure."²⁰³

C. Using Hostile Third Parties Against Target Groups

The Bureau's factionalism efforts were intended to separate individuals or groups which might otherwise be allies. Another set of actions is a variant of that technique; organizations already opposed to the target groups were used to attack them.

The American Legion and the Veterans of Foreign Wars, for example, printed and distributed under their own names Bureau-authored pamphlets condemning the SDS and the DuBois Clubs.

In another case, a confidential source who headed an anti-Communist organization in Cleveland, and who published a "self-described conservative weekly newspaper," the *Cleveland Times*, was anonymously mailed information on the Unitarian Society of Cleveland's sponsorship of efforts to abolish the House Committee on Un-American Activities. The source had "embarrassed" the Unitarian minister with questions about the alleged Communist connections of other cosponsors "at public meetings."²⁰⁴

It was anticipated that the source would publish a critical article in her newspaper, which "may very well have the result of alerting the more responsible people in the community" to the nature of the movement and "stifle it before it gets started."²⁰⁵

The source newspaper did publish an article entitled "Locals to Aid Red Line," which named the Minister, among others, as a local sponsor of what it termed a "Communist dominated plot" to abolish the House Committee.²⁰⁶

One group, described as a "militant anticommunist right wing organization, more of an activist group than is the more well known John Birch Society," was used on at least four separate occasions. The Bureau developed a long-range program to use the organization in "counterintelligence activity" by establishing a fictitious person named "Lester Johnson" who sent letters, made phone calls, offered financial support, and suggested action:

In view of the activist nature of this organization, and their lack of experience and knowledge concerning the interior workings of the [local] CP, [the field office proposes] that efforts be made to take over their activities and use them in such a manner as would be best calculated by this office to

²⁰² Black Nationalist supervisor, 10/17/75, p. 39.

²⁰³ Moore, 11/3/15, p. 64.

²⁰⁴ The minister has given the Select Committee an affidavit which states that there was an organized attempt by the Bureau's source to disrupt the Church's meetings, including "fist fights." Affidavit of Rev. Dennis G. Kuby, 10/19/75.

²⁰⁵ Memorandum from Cleveland Field Office to FBI Headquarters, 10/28/64; memorandum from FBI Headquarters to Cleveland Field Office, 11/6/64.

²⁰⁶ Memorandum from FBI Headquarters to Cleveland Field Office, 11/6/64.

completely disrupt and neutralize the [local] CP, all without [the organization] becoming aware of the Bureau's interest in its operation.²⁰⁷

"Lester Johnson" used the organization to distribute fliers and letters opposing the candidacy of a lawyer running for a judgeship²⁰⁸ and to disrupt a dinner at which an alleged Communist was to speak.²⁰⁹ "Johnson" also congratulated the organization on disrupting an anti-draft meeting at a Methodist Church, furnishing further information about a speaker at the meeting,²¹⁰ and suggested that members picket the home of a local "communist functionary."²¹¹

Another case is slightly different from the usual "hostile third party" actions, in that both organizations were Bureau targets. "Operation Hoodwink" was intended to be a long-range program to disrupt both La Cosa Nostra (which was not otherwise a COINTELPRO target) and the Communist Party by "having them expend their energies attacking each other." The initial project was to prepare and send a leaflet, which purported to be from a Communist Party leader to a member of a New York "family" attacking working conditions at a business owned by the family member.²¹²

D. Disseminating Derogatory Information to Family, Friends, and Associates

Although this technique was used in relatively few cases it accounts for some of the most distressing of all COINTELPRO actions. Personal life information, some of which was gathered expressly to be used in the programs, was then disseminated, either directly to the target's family through an anonymous letter or telephone call, or indirectly, by giving the information to the media.

²⁰⁷ Memorandum from Detroit Field Office to FBI Headquarters, 10/18/66, p. 2.

²⁰⁸ Memorandum from Detroit Field Office to FBI Headquarters, 1/19/67.

The lawyer was targeted, along with his law firm, because the firm "has a long history of providing services for individual communists and communist organizations," and because he belonged to the National Lawyers Guild.

²⁰⁹ Memorandum from FBI Headquarters to Detroit Field Office, 1/16/67.

²¹⁰ Memorandum from FBI Headquarters to Detroit Field Office, 1/10/67.

²¹¹ Memorandum from FBI Headquarters to Detroit Field Office, 11/3/66.

²¹² Memorandum from F. J. Baumgardner to William C. Sullivan, 10/4/66; memorandum from FBI Headquarters to New York Field Office, 10/5/66.

A similar proposal attempted "to cause dissension between Negro numbers operators and the Italian hoodlum element" in Detroit. The Bureau had information that black "numbers men" were contributing money to the local "black power movement." An anonymous letter containing a black hand and the words "watch out" was sent a minister who was "the best known black militant in Detroit." The letter was intended to achieve two objectives. First, the minister was expected to assume that "the Italian hoodlum element was responsible for this letter, report this to the Negro numbers operators, and thereby cause them to further resent the Italian hoodlum element." Second, it is also possible that [the minister] may become extremely frightened upon receipt of this letter and sever his contact with the Negro numbers men in Detroit and might even restrict his black nationalist activity or leave Detroit. (Memorandum from the Detroit Field Office to FBI Headquarters, 6/14/68; Memorandum from FBI Headquarters to Detroit Field Office, 6/28/68.)

Several letters were sent to spouses; three examples follow.²¹³ The names have been deleted for privacy reasons.

The first letter was sent to the wife of a Grand Dragon of the United Klans of America ("Mrs. A"). It was to be "typed on plain paper in an amateurish fashion."²¹⁴

"My Dear Mrs. (A),

"I write this letter to you only after a long period of praying to God. I must cleanse my soul of these thoughts. I certainly do not want to create problems inside a family but I owe a duty to the klans and its principles as well as to my own menfolk who have cast their divine lot with the klans.

"Your husband came to [deleted] about a year ago and my menfolk blindly followed his leadership, believing him to be the savior of this country. They never believed the "stories that he stole money from the klans in [deleted] or that he is now making over \$25,000 a year. They never believed the stories that your house in [deleted] has a new refrigerator, washer, dryer and yet one year ago, was threadbare. They refuse to believe that your husband now owns three cars and a truck, including the new white car. But I believe all these things and I can forgive them for a man wants to do for his family in the best way he can.

"I don't have any of these things and I don't grudge you any of them neither. But your husband has been committing the greatest of the sins of our Lord for many years. He has taken the flesh of another unto himself.

"Yes, Mrs. A, he has been committing adultery. My menfolk say they don't believe this but I think they do. I feel like crying. I saw her with my own eyes. They call her Ruby. Her last name is something like [deleted] and she lives in the 700 block of [deleted] Street in [deleted.] I know this. I saw her strut around at a rally with her lustfilled eyes and smart aleck figure.

"I cannot stand for this. I will not let my husband and two brothers stand side by side with your husband and this woman in the glorious robes of the klan. I am typing this because I am going to send copys to Mr. Shelton and some of the klans leaders that I have faith in. I will not stop until your husband is driven from [deleted] and back into the flesh-pots from wherein he came.

²¹³ Letters were also sent to parents informing them that their children were in communes, or with a roommate of the opposite sex; information on an actress' pregnancy by a Black Panther was sent to a gossip columnist; and information about a partner's affair with another partner's wife was sent to the members of a law firm as well as the injured spouses.

Personal life information was not the only kind of derogatory information disseminated; information on the "subversive background" of a target (or family member) was also used, as were arrest records.

²¹⁴ Memorandum from Richmond Field Office to FBI Headquarters, 8/26/66.

"I am a loyal klanswoman and a good churchgoer. I feel this problem affects the future of our great country. I hope I do not cause you harm by this and if you believe in the Good Book as I do, you may soon receive your husband back into the fold. I pray for you and your beautiful little children and only wish I could tell you who I am. I will soon, but I am afraid my own men would be harmed if I do."

"A God-fearing klanswoman"

The second letter was sent to the husband ("Mr. B") of a woman who had the distinction of being both a New Left and Black Nationalist target; she was a leader in the local branch of the Women's International League for Peace and Freedom, "which group is active in draft resistance, antiwar rallies and New Left activities," and an officer in ACTION, a biracial group which broke off from the local chapter of the Congress of Racial Equality and which "engaged in numerous acts of civil disruption and disobedience."²¹⁵

Two informants reported that Mr. B had been making suspicious inquiries about his wife's relationship with the Black males in ACTION. The local field office proposed an anonymous letter to the husband which would confirm his suspicions, although the informants did not know whether the allegations of misconduct were true. It was hoped that the "resulting marital tempest" would "result in ACTION losing their [officer] and the WILPF losing a valuable leader, thus striking a major blow against both organizations."²¹⁶

Accordingly, the following letter,^{216a} written in black ink, was sent to the husband:

²¹⁵ Memorandum from St. Louis Field Office to FBI Headquarters, 1/30/70.

²¹⁶ Memorandum from St. Louis Field Office to FBI Headquarters, 1/30/70. Note that there is no allegation that ACTION was engaged in violence. When the target was interviewed by the staff, she was asked whether ACTION ever took part in violent activities. She replied that someone once spat in a communion cup during a church sit-in and that members sometimes used four letter words, which was considered violent in her city. The staff member then asked about more conventionally violent acts, such as throwing bricks or burning buildings. Her response was a shocked, "Oh, no! I'm a pacifist—I wouldn't be involved in an organization like that." (Staff interview of a COINTELPRO target.)

^{216a} Memorandum from St. Louis Field Office to FBI Headquarters, 1/30/70.

Dear Mr. B

Look man I guess your old lady
 doesn't get enough at home or
 she wouldn't be shucking and
 giving with our Black Men in
 ACTION; you dig? Like all she
 wants to intergrate is the bed room
~~and~~ ~~as~~ Black Sisters aint gonna
 take no second best from our
 men. So lay it on her, man -
 or get her the hell off Newstead.
 A Soul Sister

A letter from the field office to headquarters four months later reported as a "tangible result" of the letter that the target and her husband had recently separated, following a series of marital arguments:

This matrimonial stress and strain should cause her to function much less effectively in ACTION. While the letter sent by the [field office] was probably not the sole cause of this separation, it certainly contributed very strongly.²¹⁷

The third letter was sent to the wife of a leader of the Black Liberators ("Mrs. C"). She was living in their home town with their two daughters while he worked in the city. Bureau documents describe Mrs. C. as a "faithful, loving wife, who is apparently convinced that her husband is performing a vital service to the Black world. . . . She is to all indications an intelligent, respectable young mother, who is active in the AME Methodist Church."²¹⁸

The letter was "prepared from a penmanship, spelling style to imitate that of the average Black Liberator member. It contains several accusations which should cause [X's] wife great concern." It was expressly intended to produce "ill feeling and possibly a lasting distrust" between X and his wife; it was hoped that the "concern over what to do about it" would "detract from his time spent in the plots and plans of his organization."²¹⁹

The letter was addressed to "Sister C":

²¹⁷ Memorandum from St. Louis Field Office to FBI Headquarters, 6/17/70.

²¹⁸ Memorandum from St. Louis Field Office to FBI Headquarters, 2/14/69, p. 1.

²¹⁹ Memorandum from St. Louis Field Office to FBI Headquarters, 2/14/ 69, pp. 2-3.

~~Sister C~~

A The Black Liberator are trained to respect Black Women and special are wives and girls. Brother C keeps telling the Brothers this but he don't treat you that way. I only been in the organization 12 months but C has been making it hard with Sister Maria Bass & Sister Tony and then he gives ~~us~~ ^{us} his fine bout their better in bed then you and ~~how~~ ^{how} he keeps you off his back & sends you a little ~~dislike~~ ^{dislike} over now an then.

He says he gotta send you money. He Draft bowdie gonna smack him in the arse smethin. This aint rite and were saying that is trutin you wrong -

A Black Liberator

The Petersen Committee said that some COINTELPRO actions were "abhorrent in a free society." This technique surely falls within that condemnation.²²⁰

²²⁰ House Judiciary Committee, Subcommittee on Civil and Constitutional Rights, Hearings, 11/20/74, p. 11.

E. Contacts with Employers

The Bureau often tried to get targets fired, with some success.²²¹ If the target was a teacher, the intent was usually to deprive him of a forum and to remove what the Bureau believed to be the added prestige given a political cause by educators. In other employer contacts, the purpose was either to eliminate a source of funds for the individual or (if the target was a donor) the group, or to have the employer apply pressure on the target to stop his activities.

For example, an Episcopal minister furnished "financial and other" assistance to the Black Panther Party in his city. The Bureau sent an anonymous letter to his bishop so that the church would exert pressure on the minister to "refrain from assistance to the Black Panther Party."²²² Similarly, a priest who allowed the Black Panther Party to use his church for its breakfast program was targeted; his bishop received both an anonymous letter and three anonymous phone calls. The priest was transferred shortly thereafter.²²³

In another case, a black county employee was targeted because he had attended a fund raiser for the Mississippi Summer Project and, on another occasion, a presentation of a Negro History Week program. Both functions had been supported by "clandestine CP members." The employee, according to the documents, had no record of subversive activities; "he and his wife appear to be genuinely interested in the welfare of Negroes and other minority groups and are being taken in by the communists." The Bureau chose a curiously indirect way to inform the target of his friends' Party membership; a local law enforcement official was used to contact the County Administrator in the expectation that the employee would be "called in and questioned about his left-wing associates."²²⁴

The Bureau made several attempts to stop outside sources from funding target operations.²²⁵ For example, the Bureau learned that SNCC was trying to obtain funds from the Episcopal Church for a "liberation school." Two carefully spaced letters were sent to the Church which falsely alleged that SNCC was engaged in a "fraudulent scheme" involving the anticipated funds. The letters purported to be from local businessmen approached by SNCC to place fictitious orders for school supplies and divide the money when the Church paid the bills.²²⁶ Similar letters were sent to the Interreligious Foundation for Community Organizing, from which SNCC had requested a grant for its "Agrarian Reform Plan." This time, the letters alleged kickback approaches in the sale of farm equipment and real estate.²²⁷

Other targets include an employee of the Urban League, who was fired because the Bureau contacted a confidential source in a foundation which funded the League;²²⁸ a lawyer known for his representation

²²¹ There were 84 contacts with employers or 3 percent of the total.

²²² Memorandum from New Haven Field Office to FBI Headquarters, 11/12/69.

²²³ Memorandum from FBI Headquarters to San Diego Field Office, 9/11/69.

²²⁴ Memorandum from FBI Headquarters to San Francisco Field Office, 9/29/64.

²²⁵ The FBI also used a "confidential source" in a foundation to gain funding for a "moderate" civil rights organization. (Memorandum from G. C. Moore to W. C. Sullivan, 10/23/68.)

²²⁶ Memorandum from New York Field Office to FBI Headquarters, 6/18/70.

²²⁷ Memorandum from New York Field Office to FBI Headquarters, 8/19/70.

²²⁸ Memoranda from FBI Headquarters to Pittsburgh Field Office, 3/3/69 and 4/3/69.

of "subversives," whose nonmovement client received an anonymous letter advising it not to employ a "well-known Communist Party apologist";²²⁹ and a television commentator who was transferred after his station and superiors received an anonymous protest letter. The commentator, who had a weekly religious program, had expressed admiration for a black nationalist leader and criticized the United States' defense policy.²³⁰

F. Use and Abuse of Government Processes

This category, which comprises 9 percent of all approved proposals includes selective law enforcement (using Federal, state, or local authorities to arrest, audit, raid, inspect, deport, etc.); interference with judicial proceedings, including targeting lawyers who represent "subversives"; interference with candidates or political appointees; and using politicians and investigating committees, sometimes without their knowledge, to take action against targets.

1. Selective Law Enforcement

Bureau documents often state that notifying law enforcement agencies of violations committed by COINTELPRO targets is not counter-intelligence, but part of normal Bureau responsibility. Other documents, however, make it clear that "counterintelligence" was precisely the purpose. "Be alert to have them arrested," reads a New Left COINTELPRO directive to all participating field offices.²³¹ Further, there is clearly a difference between notifying other agencies of information that the Bureau happened across in an investigation—in plain view, so to speak—and instructing field offices to find evidence of violations—*any* violations—to "get" a target. As George Moore stated:

Ordinarily, we would not be interested in health violations because it is not my jurisdiction, we would not waste our time. But under this program, we would tell our informants perhaps to be alert to any health violations or other licensing requirements or things of that nature, whether there were violations and we would see that they were reported.²³²

State and local agencies were frequently informed of alleged statutory violations which would come within their jurisdiction.²³³ As noted above, this was not always normal Bureau procedure.

A typical example of the attempted use of local authorities to disrupt targeted activities is the Bureau's attempt to have a Democratic Party fund raiser raided by the state Alcoholic Beverage Control Commis-

²²⁹ Memorandum from FBI Headquarters to New York Field Office, 7/2/64.

²³⁰ Memorandum from FBI Headquarters to Cincinnati Field Office, 3/28/69.

²³¹ Memorandum from FBI Headquarters to all SAC's, 10/9/68.

²³² Moore, 11/3/75, p. 47.

²³³ Federal agencies were also used. For instance, a foreign-born professor active in the New Left was deported by the Immigration and Naturalization Service at the Bureau's instigation. (Memorandum from FBI Headquarters to San Diego Field Office, 9/6/68.) The Bureau's use of the IRS in COINTELPRO is included in a separate report. Among other actions, the Bureau obtained an activist professor's tax returns and then used a source in a regional IRS office to arrange an audit. The audit was intended to be timed to interfere with the professor's meetings to plan protest demonstrations in the 1968 Democratic convention.