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EDITORIAL

IT'S AN EVIL, EVIL WORLD

Few can fault President Reagan's expertise in the practice of demonic arts, at least as they are applied to preparations for mass destruction or the impoverishment of the multitudes at home and abroad. But his descriptive powers on the subject are weak and thin. The very worst words he could summon about the great Satan in the East (in Orlando, Florida, before a convention of parsons, no less) named the Soviet Union as "the focus of evil in the modern world."

Milton, thou shouldst be living at this hour! Consider the poet's warning of the Devil's hegemonic intent, as confided by Adam to Eve in that bosky biblical Oval Office known as Eden:

... for thou know'st
... what malicious Foe
Envyng our happiness, and of his own
Despairing, seeks to work us woe and shame
By sly assault; and somewhere nigh at hand
Watches, no doubt, with greedy hope to find
His wish and best advantage. . . .

Unfortunately, the President is neither poet nor theologian, and his attempts to demonize his ideological foe carried neither the force of moral law nor the conviction of art. Instead, his approach merely demonstrated the grinding poverty of his politics—and worse, the dangerous temper of his leadership. It is not only that Reagan misapplies his religious metaphors to mundane matters. To his worldwide audience beyond the evangelical clerics, he now appears to be teetering on the edge of fundamentalist fantasy, at a time when the great issues of war, weapons and tyranny are in negotiation.

There is evil everywhere in this world, and at the very least its focus is multinational. The President would better fight the Foe by doing good—in Geneva, in Central America, in his own embattled Eden—than by ranting to the self-righteous right and the moralistic minority.

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THE C.I.A.'S SECRET TIES TO LOCAL POLICE

PHILIP H. MELANSON

Two years ago, President Reagan signed Executive Order 12333, "unleashing" the Central Intelligence Agency to conduct domestic intelligence operations. Civil libertarians have rightly criticized the order for creating the danger of a police state in which the C.I.A., acting on its own or through local police forces, will seek to suppress dissent.

What has not been fully reported is the extent to which the agency has in the past worked with police departments in American cities. If the past is prologue, the President's order not only gives a cachet of legitimacy to such cooperation it also will encourage its expansion.

Executive Order 12333 authorizes the C.I.A. to conduct "administrative and technical support activities within and outside the United States. . . ." (Emphasis added.) This is coupled with a sweeping authorization for all intelligence agencies to "cooperate with appropriate law enforcement agencies for the purpose of protecting the employees, information, property and facilities of any agency within the intelligence community." Moreover, intelligence agencies can under certain circumstances, "participate in law enforcement activities to investigate or prevent clandestine intelligence activities by foreign powers, or international terrorist or narcotic activities."

Prior to this order, it was widely believed that the C.I.A.'s charter, which states that the agency shall exercise no "police, subpoena, or law enforcement powers or internal security functions," barred it from involvement in domestic security matters. When Congress approved

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jected her to a barrage of technical legal questions. Nor is her ordeal by deposition over. The defense has made a motion to compel this plaintiff, who is only one of a dozen in the suit, to answer additional questions.

Can the rules of the game be changed to induce more "private attorneys general" to come forward to represent civil rights litigants? Certainly, Congress could alter some of the Supreme Court's harmful rulings on the burden of proof, the appropriateness of class actions and attorneys' fees. But there is no possibility Congress will tinker with these decisions in the foreseeable future.

Civil rights attorneys would benefit from proposed changes in the Federal Rules of Civil Procedure, which would simplify and speed up pretrial proceedings. Even with more streamlined procedures, however, civil rights attorneys will still have the enormous burden of acquiring information from employers, and they will continue to have to rely heavily on costly experts. Funding support from civil rights organizations and foundations, now virtually nonexistent, also would help, but would not solve the problem.

Private attorneys, whether motivated by economic gain or by political commitment, cannot carry the load of enforcing antidiscrimination laws. The enforcement of these laws should be the responsibility of Federal, state and local agencies that are committed to the task and well funded. Unfortunately, given the present Administration's hostility to civil rights and its budget cuts, as well as the low level of funding made available to state and local antidiscrimination agencies, neither the commitment nor the money is there. □

The C.I.A.

(Continued From Front Cover)

the charter in 1947, it clearly intended that the agency would operate exclusively abroad. Instead, during the 1960s and 1970s, the C.I.A. secretly cooperated with "friendly" police departments, providing training, technical assistance, exotic equipment and explosives, and intelligence information. In return, municipal police departments, principally through their intelligence units, or "Red squads," gave the agency information on groups and individuals in which it was interested, provided C.I.A. agents with police credentials to use as "cover" and, on occasion, obtained information the agency wanted through surveillances and break-ins. In 1972, when the press and several members of Congress got wind of these activities, the agency denied and downplayed them, while continuing to engage in them until the mid-1970s. The agency also cooperated with local police officers in official and unofficial ways.

Although domestic spying by the C.I.A. was reported in the press in the 1970s, given the tight security at the agency's

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Langley, Virginia, headquarters, all the facts may never be known. However, I have obtained under the Freedom of Information Act a declassified 362-page file that provides numerous examples of C.I.A. involvement with police. The file, titled "Domestic Police Training" (hereinafter referred to as the D.P.T. file), reveals the tip of what must be considered a very large iceberg.*

According to the file, the agency cultivated friendships with police officers mainly by entertaining them at its headquarters and occasionally by giving them gifts and money. When a Fairfax County, Virginia, police chief took a vacation in Puerto Rico, he was furnished with a car by the San Juan field office. Nor did the agency forget the cop on the beat. According to the file, one police officer was given a week's vacation at a C.I.A. safe house in Miami; the agency picked up an \$800 car-rental tab for another officer.

Police chiefs and commissioners were frequently given red-carpet treatment at Langley. Invitees to a 1967 get-together were sent identical letters of warm greeting by Howard Osborn, director of the C.I.A.'s Office of Security:

Mr. Helms has a keen, personal interest in our meeting and has directed that such Agency facilities as you may require be put at your disposal. He will host a dinner in your honor on 6 October at the Headquarters Building.

The schedules for the visiting police dignitaries stressed play over work. There were lots of coffee breaks, "get-acquainted sessions," "free time" periods and long cocktail hours—more than enough to take the pain out of the tours and lectures, which usually ran from ten to forty-five minutes. "Recreation periods" took up as much as four hours of the nine-hour workday. Travel arrangements were made by the agency, and limousines and spacious suites at the Washington Hilton were provided to the guests.

At one such outing, participants were cordially invited to a steak dinner "served on the [deleted] patio and, if they so desire, individuals may prepare their own steaks." A memorandum describing a 1967 "Police Liaison Seminar" promised that all food, drink and transportation would be paid for by the agency, and that agency personnel would be assigned to the guests and would be on call at any time "to serve their needs." Dinner times were "flexible" so as to "adjust to individual recreational needs." Among the recreational options at one conference were fishing, golf, tennis, swimming and "dove hunting" (presumably the feathered kind). Guests were advised to bring their golf clubs "and/or a personal shotgun if the guest would prefer not to use weapons available at [deleted] for hunting." The hosts thought of everything: "Since the World Series will be in progress, television will be available at [deleted] during this period."

All this Langley largesse for police officials served to put the agency's relationship with them on a social basis. By

* My efforts to obtain further information from the agency under the F.O.I.A. were unavailing. After filing two separate applications and after much correspondence back and forth over a fifteen-month period, my request was denied on the grounds that the agency kept no records on its involvement with local police. In view of the information recorded in the D.P.T. file, this answer is disingenuous, to put it mildly.

there was more to it than fun and games. The officials also received training in countersubversive techniques both at Langley and at "the Farm," a secret installation at Camp Perry, Virginia. Indeed, the agency ran a mini police academy offering a variety of courses, briefings, workshops and lectures. Some programs lasted a day; others went on for ten. The police studied security procedures, photographic techniques and surveillance photography, plastering and masonry (for concealing a "bug" or a hidden camera), lockpicking and telephone tapping. They learned techniques of disguise, surreptitious entry and intelligence data collection. There were also "hands-on" field exercises, which took place in Washington and included breaking and entering, surveillance, planting bugs and the like.

The syllabus for a ten-day course in audio surveillance offered in 1968 is typical of the Langley curriculum:

WEDNESDAY

0845

Telephone Tapping: A discussion and demonstration of telephone installations, including cold taps utilizing the DR-2 Dial Pulse Recorder, the Fargo Corporation Actuator and the Uher 4000L recorder with Akustomat and matching device. Commercial touch-tone recorder/actuator will also be covered.

Practical Work: Conducting telephone taps utilizing the above mentioned equipment.

Review of material covered to this point.

FRIDAY

0845-1200

Practical Work: Transmitter concealment and restoration. Includes concealment [deleted] in wall and a quick plant in furniture. Concealment of Type #1 transmitter in a lamp or in a device of the student's choice. Full restoration of the [deleted] installation including paint matching.

1300-1700

Practical Work: Setting up a Listening Post in the training site and taping resultant audio. Set up mobile listening

post in vehicle in parking lot and tape audio. Retrieve equipment and restore the walls.

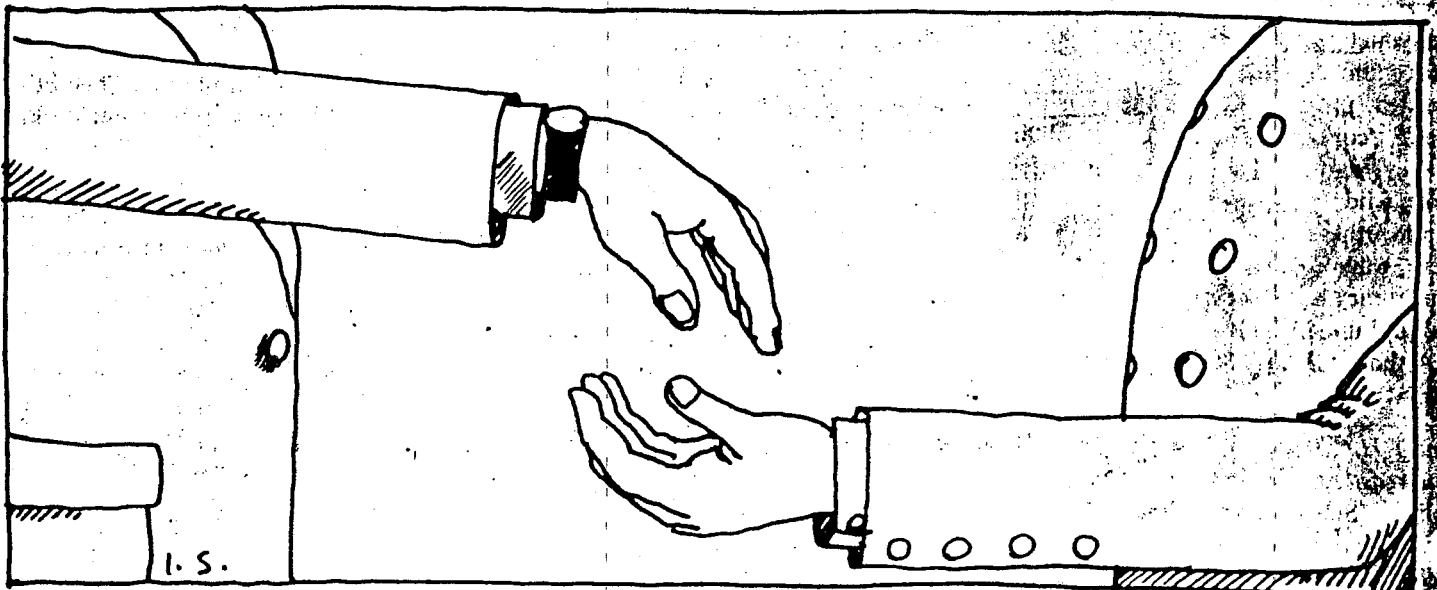
NOTE: Schedule is general guideline purposes—depending on student's progress.

Police officials who took the agency's five-day course on surreptitious entry spent the first day being oriented, the second learning how to identify and pick luggage locks, the third learning how to "fabricate tools used in surreptitious entry" and the fourth learning how to deactivate alarm systems. As at any self-respecting academy, this all culminated in graduation day. The final exam consisted of conducting a "break-and-enter."

The documents in the D.P.T. file reveal that in addition to offering training, the agency loaned equipment and provided technical assistance. During the 1960s and 1970s, the C.I.A. furnished various police departments at different times with the following items: forged identification cards; decoders; recorders, receivers, transmitters and transmitter beacons; explosive-detection kits; polygraph equipment; security locks and safes for storing sensitive material; "document destruct devices" for destroying "highly sensitive investigative waste"; lamps with hidden eavesdropping devices; sophisticated photographic equipment; radio-equipped cars; mine detectors; tear gas and gas masks; grenades and flak jackets.

The agency also made its photography labs and safe houses available, provided names of firms that sold first-rate intelligence-gathering equipment and distributed copies of an agency-produced investigative manual titled "Where's What?" One C.I.A. "liaison" officer was assigned to a police department in Montgomery County, Maryland.

By my count, forty-four state, local and county police departments received training or equipment, including those in New York City; San Francisco; Los Angeles; Chicago; Boston; Philadelphia; Miami; Baltimore; Washington, D.C.; Long Beach, California; San Diego; Richmond; and Bloomington, Minnesota. Forty-four is surely a minimal number. One document states that eighty-three police organizations were briefed on "trace-metal detection techniques."



While the agency did everything within its power to conceal these activities and minimize their importance, the press eventually reported on some of them in several cities. The D.P.T. file shows just how sensitive the C.I.A. considered the matter of its police ties to be. In 1972, for example, *The New York Times* disclosed that some New York City police officers had received C.I.A. briefings. In the story, C.I.A. assistant director Angus Theurmer was quoted as saying that "similar courtesies" had been extended to police officers in other cities but that no records had been kept of the briefings. In an internal memorandum to the man in charge of C.I.A. police training, Office of Security director Osborn, Theurmer boasted of how he had handled the *Times* reporter:

I low-keyed the whole thing, saying that there was no "program" of such briefings, there had been the occasional request from other places for briefings and similar courtesies had been extended. I said the matter was of such an occasional nature that no one had records. I, therefore, couldn't tell him what other cities had been involved.

The agency did not "low-key" the story internally, however. It obtained information on the reporter who had written the story. According to C.I.A. memorandums, he had "rather complete access to the police department" and was "a very thorough investigative reporter" and a "Ramsey Clark liberal." Moreover, he was doing a follow-up and was pressing higher-ups in the New York City Police Department for interviews.

Administrators in the Office of Security decided that the New York City police should be given "guidance" on what to reveal about their relations with the agency. The wisdom from Langley was that the police should admit that a few officers received training in data processing, but they should



point out that this was "not unusual" because the F.B.I. and other Federal agencies had provided similar help.

A memorandum from the assistant deputy director of security (whose name is deleted) to Director of Central Intelligence William Colby rails against the *Times* article as "inaccurate and misleading." It relays to Colby a request (by a person whose identity has been deleted) for permission, "if pressed, to respond with minimal information." The memorandum includes a "proposed guideline" for Colby's approval as to what information the C.I.A. should disclose to the press. "Minimal" is right. The guideline proposes admitting only that eight officers from "a number of U.S. cities" were invited to attend a two-day demonstration in 1967 that dealt with "types of explosive device . . . manufactured from readily available commercial material." And reporters were to be told that "no training of any kind was given."

In a 1973 "Headquarters Bulletin" to all employees, the C.I.A. again challenged the accuracy of the *Times* article and sought to create another myth about its police ties—or it would repeat again and again to Congress and the press. The C.I.A. insisted that it only got involved with police departments when they requested help in their effort against "hijacking, terrorism, and the flow of drug traffic into the United States." "We did nothing to encourage these police requests," the agency told its employees.

The C.I.A.'s own documents say otherwise. In one memorandum, Osborn approves an expanded program of training in explosives patterned on a session held with the Washington, D.C., police, which would include surveillance and surreptitious entry. Osborn recommends "writing" police departments. Other memorandums show that never departments were subsequently "contacted" by the C.I.A. A 1970 agency memorandum discusses the suggestion that the C.I.A. "offer" training to "friendly" police departments.

Despite the agency's efforts to minimize the fallout, the *Times* article prompted James Kronfeld, a staff member of the House Committee on Government Operations, to ask the assistant deputy director of security whether domestic police training was illegal under the 1947 charter. He was given the agency's standard reply: the training involved only the storing, handling and retrieval of information. Then Edward Koch, at the time a Representative from New York, got on the case. He pressed the agency for more information about the extent of its ties to police departments. The C.I.A.'s legislative counsel, John Maury (a former clandestine operative), provided Koch with a bit more information: "Less than fifty police officers all told [up from the eight described in the "proposed guideline"], from a total of about a dozen city and county police forces, have received some sort of Agency briefing within the past two years. This was misleading. The briefings "covered a variety of subjects such as procedures for processing, analyzing, filing and retrieving data, security devices and procedures, metal and explosive detection techniques"—also misleading.

Koch was not placated. In the words of one C.I.A. memorandum, he wrote to fellow representatives "say

something to the effect that here is what the nutty guys at CIA are doing and why don't you write to them about the police training they are giving in your area." Representative Dante Fascell of Florida wrote and inquired; so did Representative Phillip Burton of California.

Burton is a fiery politician, and his letter touched off a panic because the C.I.A. had loaned equipment to the intelligence unit of the San Francisco Police Department. In response to his inquiry, C.I.A. headquarters cabled its field office: "It is felt that every attempt should be made to regain the equipment, since it possibly could be traced to the agency." The agency alerted its friends in the San Francisco Police Department. According to a memorandum, police officers there "had previously stated that they did not want to admit that they had received C.I.A. training." The agency said that it was in no position to "lie to" Burton, and it gave the police officers the choice of telling Burton the truth themselves or letting the agency do it. They chose the latter. Such disclosures were painful for both parties. The C.I.A. had, according to one of its memorandums, pledged to all police departments with which it was involved that the ties "would be held in the strictest confidence."

From 1972 through 1975, the stories in the press continued. In 1975, *The Washington Post* disclosed C.I.A.-police involvements that went far beyond "training" and "briefing." C.I.A. agents had used police credentials to infiltrate antiwar demonstrations in Washington, D.C. Senator James Abourezk of South Dakota wrote Director of Central Intelligence William Colby in 1975 to inquire about *The Post's* story. Colby replied that on "two occasions" in 1971 the agency had obtained police badges. The first occurred:

When police identification cards were obtained to permit passage through police lines of some twenty employees whose assignment at the time related to the protection and functioning of Agency installations.

The second involved:

Efforts to determine whether Agency employees were involved in the unauthorized disclosure of information relating to disclosure of foreign intelligence sources and methods.

But according to an internal C.I.A. memorandum written the same year as Colby's letter to Senator Abourezk, badges and IDs were obtained from "four separate police jurisdictions between 1960 and 1972." Either Colby was dissembling or he was spectacularly ill informed about his own agency's activities. He also implied in his letter that, in the first instance, the use of the credentials was legitimate because it was for the purpose of protecting agency installations. In that instance, at least, this was not entirely true. An internal agency memorandum describes what really happened:

Eighteen to twenty police identification credentials were also obtained from the Metropolitan Police Department in Washington, D.C. for use by Special Agents from the [deleted]. These credentials were issued to Agents who monitored the anti-war demonstration which occurred in the Metropolitan area in May 1971. The credentials were used solely for the purpose of allowing [deleted] personnel to penetrate within police lines during the demonstration. The

credentials were subsequently destroyed by the [deleted] with prior approval from representatives of the Metropolitan Police Department.

Another document shows that during a number of antiwar demonstrations between 1968 and 1971, the agency loaned radio cars and drivers to the Washington, D.C., police and set up "command posts" at C.I.A. headquarters and at police headquarters: "The police intelligence material was monitored at both locations." In return for its loan of equipment and personnel, the C.I.A. received data on antiwar activists that the Metropolitan Police Department had compiled. The agency's intelligence reports on the demonstrations make no mention of any direct threat to its personnel or its facilities.

These domestic spying incidents show that C.I.A. involvement with police in the 1960s and 1970s went beyond liaison. When asked by reporters about the legality of those ties, the C.I.A. cited the Omnibus Crime Control and Safe Streets Act, which encourages Federal law enforcement agencies to assist local police. But the C.I.A. is not a law enforcement agency; moreover, the Omnibus Crime Act was passed in 1968, and the agency had been working with police long before that.

Furthermore, the C.I.A. was not supporting its local police solely in the interests of law and order. The fears of many Americans that the agency would use police ties to carry out its own agenda of domestic spying are amply confirmed by the D.P.T. file and by other sources. Osborn summed up the objectives of the liaison program in one memorandum:

Some aspects of Agency support to police operations have served to greatly enhance our working relationship and to secure, in return, police commitment to activities and operations which might otherwise have the department's negative response.

One example of those "operations" was the surveillance the Washington, D.C., police intelligence unit placed on Washington attorney Bernard Fensterwald Jr. and the group he headed, the Committee to Investigate Assassinations. In 1972, Fensterwald drew the agency's attention by investigating possible C.I.A. complicity in the murder of John Kennedy. The police spied on Fensterwald's offices and members of the committee's staff and reported their findings to the agency.

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Hamilton Fish 3rd

On another occasion, the agency apparently had an uncooperative police intelligence unit chief demoted. In 1968, C.I.A. agents visited Chicago Superintendent of Police James Conlisk. According to a C.I.A. report on their visit, they discovered a serious problem: the Chicago intelligence unit's head, William Duffy, wanted to concentrate on investigating organized crime, while the C.I.A. wanted the unit to redirect its activities toward left-wing political activists and radicals. Two months after the agents' visit, Duffy was demoted to Watch Commander, and the Chicago intelligence unit was hounding radicals instead of Mafiosi.

The C.I.A. liaison with the police extended to matters pertaining to its own employees. A 1975 document titled "Relationships With Police" states that the agency will request police help in "resolving certain personal problems of employees" (defined as "staff, contract, or service employees") who are arrested or are the victims of a crime. This raises the possibility of the agency interfering with law enforcement—for example, persuading a friendly department not to press charges against a C.I.A. employee because of national security considerations. The agency also used its police contacts to check up on its employees.

The C.I.A.'s clandestine dealings with law enforcement agencies can undermine the normal police accountability processes. The House Select Committee on Intelligence (the Pike Committee) reported that the C.I.A. provided "exotic" surveillance equipment to police departments on a "no-questions-asked basis." The agency placed no controls on the ways the devices could be used, even though it knew that police intended to use them in "operational missions." Since the C.I.A. regarded the eavesdropping devices as "nonaccountable equipment," the police may not have had to account for how they used them.

The same is true of the explosives that the C.I.A. dispensed to police free of charge. One agency memorandum claims that the materials were used in training courses, but it also describes the explosives as "not available to them [police] through their established sources of supply." And the agency provided training in surreptitiously planting explosives in buildings. So sensitive was this training that the agency insisted that police not discuss it "inside or outside the respective police departments."

The C.I.A. once provided 200 rounds of ammunition to a police officer in a Florida drug-enforcement unit. A C.I.A. memorandum explains: "Officers in [deleted] unit normally utilize .38 caliber weapons, however, [deleted] prefers to use his own .9 mm automatic, ammunition which is difficult to obtain." Since C.I.A.-dispensed ammunition is difficult to trace, this raises questions of accountability.

There was another problem: being in the business of deception, the agency sometimes deceived its friends. Many police departments received C.I.A. assistance without even knowing it. In 1970, with the direct approval of agency head Richard Helms, six C.I.A. agents posed as Law Enforcement Assistance Administration "consultants" and provided briefings to thirty-four departments.

C.I.A. agents joined police in carrying out at least one illegal break-in to retrieve pictures and documents in which

the agency was interested. Neither the police nor the C.I.A. had obtained a search warrant.

Perhaps most chilling of all, the 1975 Rockefeller Report on C.I.A. domestic spying describes one instance in which agents posed as police, flashing police identity cards—date and city unknown—while conducting a break-in. Another document from the D.P.T. file reveals that as early as 1960, the C.I.A. possessed at least nine police ID cards.

Spying is a complex business. The links between the C.I.A. and local police departments greatly increase the likelihood of illegal operations and abuses of power. During the 1960s and 1970s, the C.I.A.'s police activities were coordinated by its Office of Security. In the 1960s this office bugged and tailed reporters. In the 1970s it had columnists Jack Anderson and Les Whitten and *Washington Post* reporter Michael Gelter placed under surveillance. Shortly after the Watergate break-in, a paid informant of the Office of Security went to the home of Watergate burglar and C.I.A. man James McCord and helped McCord's wife burn documents that linked McCord to the agency. Howard Osborn instructed that the informant's file be removed prior to a post-Watergate review of agency files conducted by the C.I.A. inspector general's office. (When Osborn's staff vigorously protested, the instructions were withdrawn and the file remained.)

There is no documentary evidence that the agency is now conducting a police training program, but there surely is a relationship between the C.I.A. and the police—probably an expanding one. Even during the height of Congressional and media criticism of the antidemocratic implications of the agency's activities, C.I.A. chiefs William Colby and James Schlesinger would not rule out future police training programs. The future is now, and the C.I.A. has been authorized to combat domestic terrorism and to assist police.

Executive Order 12333 provides a legal umbrella that will permit the agency to dramatically extend those activities. Gone is the bulldog countenance of J. Edgar Hoover, who would have used his political clout to curb the C.I.A.'s expansion into the arena of local law enforcement.

The C.I.A.'s links to police departments will continue to be highly secretive, and the agency will continue to be highly selective as to which police officials will be considered its friends. Most departments will still not want to be publicly associated with the C.I.A. If the abuses of the past are to be avoided, vigilance at the local level may prove more effective than C.I.A. oversight structures in Washington. Mayors, the press, civilian review boards and city administrators must query police departments—especially intelligence units—about their relationships with the agency. Cities and towns should establish legal guidelines for such relationships. Local governments have the latitude to pursue questions of accountability and responsibility without assuming that "national security" must preclude answers.

In every city, big or small, questions about police ties to the C.I.A. are worth asking. As Senator J. William Fulbright put it, the real problem with such ties is: "If you start in teaching them [police] and become their patron and you are more sophisticated, they become your organization." □