

ANATOMY OF A STAKE-OUT The Case That Cracked the FBI

by Judy Gumbo Clavir
A.K.A. Judy Cleaver
"Gumbo"

Judith Lee Hemblen
FBI File #834-226-G
and Stew Albert
A.K.A. Stewart Edward Albert
Stew Alpert
Stu Alpert
FBI File # (unknown)

THE STORY YOU ARE ABOUT TO READ IS TRUE. THIS ARTICLE WAS
PREPARED WITH THE RELUCTANT COOPERATION OF THE
FEDERAL BUREAU OF INVESTIGATION, THE UNITED STATES DEPARTMENT
OF JUSTICE, AND THE UNITED STATES GOVERNMENT...

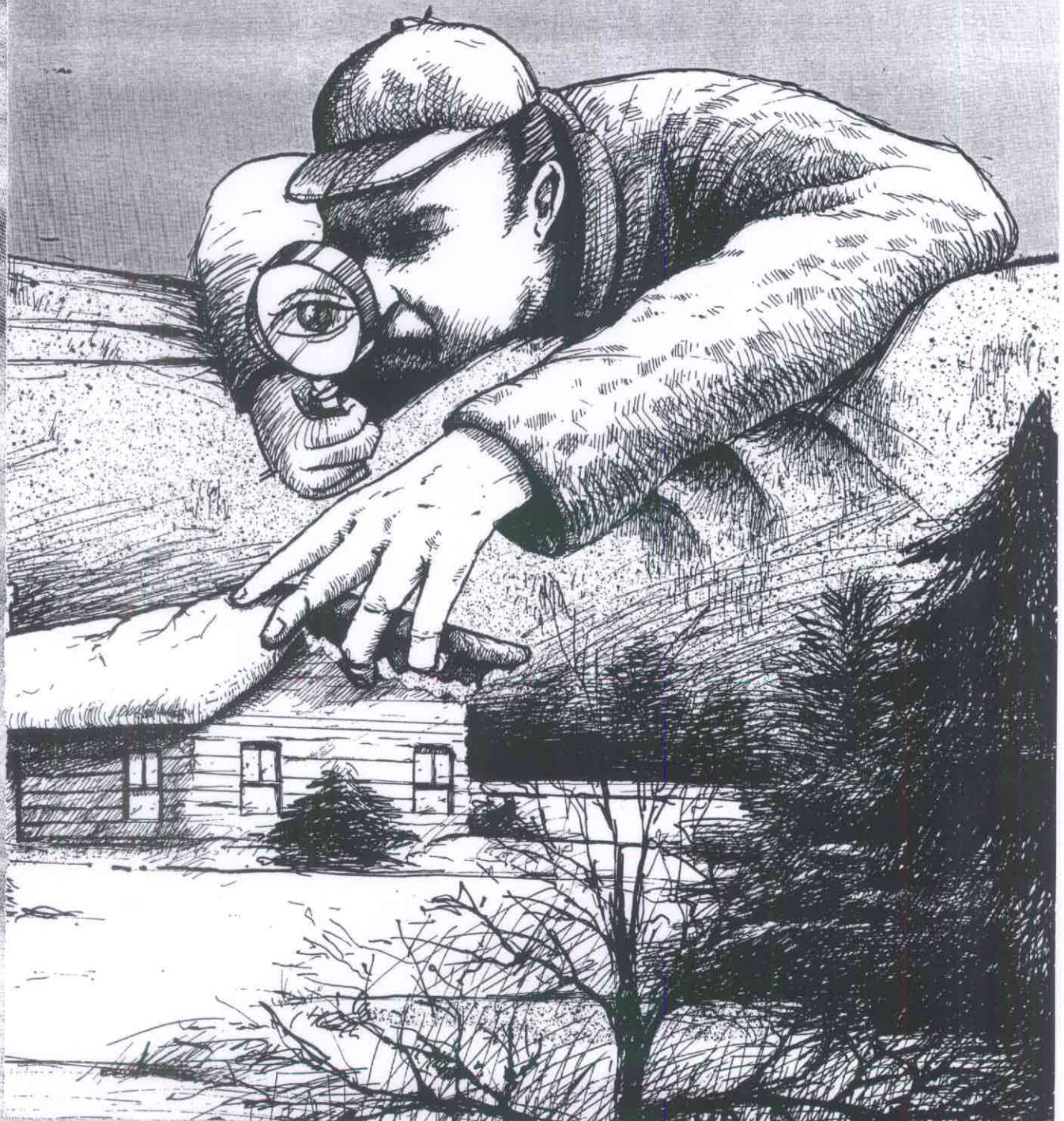
Illustrations by David Wilhelmson



Since we first covered the Clavir/Albert FBI spying case one year ago it has developed into a Continuing Saga. A \$400,000 lawsuit has slowly provoked a host of chilling revelations. The latest twist is that James O. Ingram, head of the FBI's revised domestic intelligence operation, is being investigated by federal prosecutors for having given an order to withhold from Congress information about a

break-in at the home of Albert and Clavir in 1974. Other top bureau officials who have become targets of the inquiry have been transferred to new jobs or otherwise placed under sanction. For more than six months, Justice Department lawyers have been looking into illegal surveillance conducted by FBI agents centered in New York and claim they have sufficient evidence to seek criminal indictments

charging from 10 to 20 bureau officials with civil rights violations. More and more, the paranoia of the '60s is being proved the reality of the '70s. This article is perhaps the most realistic look ever at the day-to-day life of FBI huntsmen and their prey—told most revealingly in the words of itinerant G-men themselves.



TO: Director, FBI DATE: 11/30/73
FROM: SAC, New York
SUBJECT: STEWART EDWARD ALBERT
JUDITH LEE CLAVIR

AKA AKA

The December, 1973, issue of the University Review, 857 Broadway, New York City (new address), contains a letter written by STEW ALBERT, Hurley, N.Y., in which ALBERT delivers a eulogy about Victor Jara, an apparent Chilean folk-singer/revolutionary.

Investigation currently being conducted at Hurley, N.Y., to determine the present residence and activities of subjects ALBERT and CLAVIR.

Stew Albert is walking barefoot in the Catskill Mountains. It is December 4, 1973, Albert's thirty-fourth birthday, and the day is unusually warm. Albert and Clavir have recently left behind the paranoiac walls of New York City and purchased a compact, out-of-the-way log cabin. They are no longer activists in the New Left, which appears to be disintegrating from a combination of murder/suicide, FBI-CIA attacks, and its own internal self-hatred.

Albert and Clavir are at peace. The sun shines, the stream bubbles, the last of the autumn birds chirp in bare branches. Relaxed and happy, they are glad to be alive in their private world.

They are not aware that on the road at the bottom of the hill, the New York office (NYO) of the Federal Bureau of Investigation watches their every step, conducting a round-the-clock stake-out of their personal Garden of Eden.

TO: Director, FBI
FROM:

On 12/4/73 CLAVIR and ALBERT were observed at 300 Canary Hill Road, Hurley, N.Y. advised that CLAVIR or ALBERT would check their mail at the post office, Hurley, N.Y., every Monday through Friday. further advised that they drove a 1966 tan Volkswagen bearing license #845 MAC.

On 12/5/73 advised that CLAVIR and ALBERT purchased the house at 300 Canary Hill Road from Rt. 46, Woodstock, N.Y.

II

From December 4, 1973, to December 13, 1975, the FBI and its secret "Weather fugitive" unit will commit numerous criminal acts against the persons and property of Clavir and Albert. This federal conspiracy to violate their civil rights will include: burglary of their house; theft of objects from their house (subsequently sent to an FBI laboratory for "testing"); copying by U.S. Post Office employees of

addresses of every letter they send or receive; monitoring of their bank balance on a regular basis; installation without court permission of an electronic listening device "in the home" for a period of 17 days; placing of a homing device on their car in August and December, 1975. The FBI watchdogs will follow Clavir to and around the college campus where she is employed as a sociology professor. They will copy down the license plates of guests who visit the couple's cabin and, in some cases, will follow their visitors home.

The federal government, sources close to the government and the FBI itself will eventually admit these transgressions as a result of a lawsuit which Clavir and Albert launch against FBI Director Clarence Kelley. Clavir and Albert will receive "eyes-only" files kept on them by government agencies. The files are heavily censored prior to their release, with names and whole paragraphs detailing FBI



motivation whited out. Nonetheless, certain startling facts emerge.

Who are Clavir and Albert to deserve such attention?

At one time, the Federal Bureau of Investigation seemed committed to the belief that Clavir and Albert were responsible for the bombing of the U.S. Capitol Building in Washington, D.C., in March of 1971. In fact, Clavir and Albert were in Washington when the explosion went off. Together with a group of other activists, they were editing a newspaper which would urge people to attend the upcoming Mayday antiwar demonstrations. Their work completed, they had left Washington the day after the big blast.

Just outside Philadelphia, the suspects' car was stopped.

"Get out of there with your hands up," boomed a loudspeaker. Shotgun barrels stared. Four shaky individuals emerged

from the Volkswagen and were spread-eagled against the hood. This was no ordinary traffic violation. The G-men and Army Bomb Disposal Unit searched the VW and found nothing more dangerous than a bald tire.

When Clavir and Albert returned to New York City, they were tailed constantly for two weeks and then subpoenaed to a grand jury. Nothing came of this investigation. Clavir and Albert did not comprehend that the FBI believed that a couple of stoned, disorganized Yippies could be responsible for the Capitol assault; after all, the Weather Underground had already claimed full credit for this retaliation against Nixonian violence in Vietnam. Instead, Clavir and Albert viewed themselves as convenient targets for political harassment by an FBI apparatus clearly unable to locate the fast-moving fugitives of the Weather Underground.

The couple was already used to a certain degree of surveillance. In the late 1960s, the FBI had surrounded them with informers. These paid agents and unsalaried volunteers who insinuated themselves into the couple's friendship had often fed the FBI spectacularly false pieces of information about their political activities and psychological make-up:

DATE: 7/23/69

On July 23, 1969,

advised as follows:

had occasion to be in the residence occupied by ALBERT, CLAVIR and

in Berkeley on July 20, 1969. After consuming some wine, ALBERT boasted about smuggling ELDRIDGE CLEAVER out of the UNITED STATES. At approximately 12:30 a.m. on July 21, 1969, a telephone call was received at the residence which originated from Algiers, Algeria. The caller was reported to be KATHLEEN CLEAVER. Both ALBERT and CLAVIR talked to KATHLEEN CLEAVER. gave the impression that ALBERT and CLAVIR intended to travel to Algiers and were going to bring ELDRIDGE CLEAVER back to the United States via a secret route.

On one occasion STEWART ALBERT was described as an egotist who was uncomfortable when realizing he was "second rank" among the leadership of radical youth in the United States. ALBERT was jealous of the publicity and attention which has been afforded to other nationally known leaders such as JERRY CLYDE RUBIN, ELDRIDGE CLEAVER, THOMAS HAYDEN, who are presently friends and associates of ALBERT. It was typical of ALBERT to hint and imply that he assisted ELDRIDGE CLEAVER evade arrest in California.

It was believed that STEWART ALBERT was not trusted sufficiently by the

CRAWDADDY

2/77

CLEAVERS and other BPP leaders to be a party in the CLEAVERS' possible secret return to the United States.

The phone call really happened, but neither Clavir nor Albert nor the Cleavers would be so indiscreet as to discuss Eldridge's return on a tapped telephone. The FBI's analysis of Albert's behavior was one-sided. Albert liked to boast, but not about things he hadn't done. Through lies and exaggerations, the informer had tried to improve his standing with the G-men.

In 1969-70, as part of the antiwar offensive, Clavir had done a lot of international traveling. The FBI had monitored her flight plans with the thoroughness of topnotch travel agents.

REPORT OF

DATE: 1/10/70

OFFICE: San Francisco, Calif.

JUDITH CLAVIR, of Berkeley, Calif. went to Hanoi, North Vietnam, via Moscow, USSR, on May 14, 1970. The were ostensibly invited by the North Vietnamese government at the time was attending the Stockholm, Sweden, International antiwar conference.

TO: Director, FBI
FROM:

advised on 7-4-70 that arrived in Paris from the United States on 7-8-70 accompanied by one JUDY CLEAVER. They reportedly came to discuss the organization of a conference with the North Vietnamese delegation to the Peace Conference.

requested to be furnished with information regarding the identity of JUDY CLEAVER and if she is related to

Clavir's alleged family ties with Cleaver seem amusing, but she was once kicked out of an Oakland apartment by an irate landlady who was told by the FBI of this blood relationship.

Informers can earn incentive pay and build their self-importance through flights of fancy, but they also harbor personal hostilities which lead them to exaggerated political biases.

REPORT OF:

TO: Director, FBI

GUMBO is a very intelligent and well-organized individual, but would be more effective but for personality defects. GUMBO was an extremely irritable, bad-tempered person who was not very well liked by "movement" people. She made herself extremely hard to like. She was well-versed in Maoism. She was also a smoker of "grass" (marijuana). GUM-

FEBRUARY 1977

BO appeared to be deeply involved in the New Left Movement.

During this time ALBERT appeared to be friendly with , but was constantly badgered by the irritable JUDY GUMBO. ALBERT appeared to be deeply committed to the "movement" as this was his only source of identity. He appeared to be an easygoing person who did not respond to the verbal abuse of Miss GUMBO.

(Miss GUMBO is well-known among the Berkeley radical community and is considered as one of the leading activists in the militant Women's Liberation Front).

FBI informers do not like militant feminists. Clavir was portrayed not so much as a woman struggling for liberation but as an old battle-axe. The FBI tried to discredit Clavir in the women's movement. They invented a grotesque tale in the COINTELPRO manner.

TO: Director, FBI DATE: 4/25/72
FROM: SAC, New York

Subject was supposedly aided during rape by JUDY CLAVIR (Judy Gumbo) who allegedly held the victim immobile while committed the act.

Some radical women's groups have knowledge of rape and allegedly spread money around to quiet things.

III

One year later, when the couple moves to the mountains, the FBI moves with them. It takes the feds nine months to locate their hideaway. After conventional detective work fails, Albert unwittingly tips his hand in writing a letter to a radical magazine from "Hurley, N.Y."

In the late winter, hungry deer come down to the mountain cabin looking for handouts. The land is stark, snowy white and peaceful. Five years earlier, Clavir had been made aware of the importance of terrain by Vietnamese patriots. "Always be aware," they told her as she toured hospitals and factories hidden in caves, "of the earth, the sky and the people." At the time, she did not understand how the physical layout of the land could become significant in an undeclared war with the FBI.

The shelter of the forest also forces the agents to invent excuses for failure.

TO: Director, FBI DATE: 11/27/74
FROM: SAC, New York VIA: AIRTEL

The Bureau should be aware of the fact that the subjects reside in a rural area in an isolated dwelling that is accessible only by the most circumspect methods, usually at night when surveilling personnel cannot be seen. This, of course, makes complete coverage of the subjects on a 24-

hour basis very difficult.

In addition, Clavir, who in every surveillance situation encountered to date is the person who drives when the subjects leave their residence, is known to drive at speeds in excess of 80 miles per hour on roads which are sometimes devoid of any other traffic. This also makes surveillance very difficult.

Clavir and Albert have never owned a car which can do much more than 60, but Clavir is very familiar with the narrow winding roads on Hurley Mountain. The FBI wheelmen can't follow her and need to find an explanation for how an old Volkswagen can outdistance a new Ford. The charge of "speeding" is added to Clavir's other crimes.

The Special Agents, similarly, do not prove to be made of rugged stuff. When the heavy snows and subzero storms of January and February blow in icily from the north country, the feds migrate south, back to the heated offices of New York City.

TO: Director, FBI
FROM: SAC, New York VIA: AIRTEL

Coverage of the CLAVIR/ALBERT residence during the month of January has been greatly hampered by the inclement weather conditions prevalent in that area.

Investigation is continuing within the New York Division in an effort to of the of CLAVIR and ALBERT and determine exactly what the activities of these two individuals are.

In the dead of winter, agents from New York visit Hurley rarely, leaving surveillance activities to their Kingston counterparts. These local agents drop in every week or two on the Hurley post office. There, two middle-age women hand them a carefully copied list of names of every person who has corresponded with the couple, and every person the pair have written to. These busybodies feign friendliness, engaging the couple in conversations which they then faithfully report to the feds. Their intelligence-gathering goes as far as noting any changes in physical appearance. Clavir, the women reveal, is now wearing her hair in braids. Albert appears to have gained weight, and "a small gold earring was observed on the subject's left ear, which appears to be pierced."

TO: Director FBI DATE: 12/27/73
FROM: SAC, New York

NYO feels that no mail cover should be initiated at this time for subjects' mail because of the close working relationship existing with and because is willing to supply more information about the subjects than that which would be requested under mail cover.

In a small, somewhat wealthy town like Hurley, where FBI agents have been acquaintances and neighbors for thirteen years, the thought of not cooperating with the authorities does not cross these women's minds. No one needs to request authorization for "mail covers" which, when they are legally administered, have time limitations set down in the post office rule book. No sanctions are placed on upstanding citizens who merely comment on small-town gossip.

The harshest post office caper is copying down messages found on the back of post cards. As far as the couple can tell, however, their letter mail remains sealed.

The local agents also make it their business to check periodically with the Kingston Trust Company to obtain ongoing reports of the ups and downs of the couple's bank balance. Again, the local bank is happy to comply, and the files show fortunes dipping to an ebb of \$0.27 in January of 1974. The FBI's interest is in large transactions, which indicate to their minds that Clavir and Albert might be turning over vast sums to fugitives. The files show no such withdrawals.

The bank also provides the FBI copies of every check Clavir writes. A bank official walks to the local FBI office to deliver the evidence personally.

As the snow melts and robins begin to chirp, the forest comes alive with early flowers, baby frogs and a fresh crop of FBI agents.

In May of 1974, the FBI is conducting a nationwide hunt for Patricia Hearst. Their widely-publicized inability to find her is proving a gross embarrassment. During this period, agents apparently receive information that Patty might be sitting in the living room of the mountain cabin, warming her toes by the wood-burning stove.

_____ revealed that _____ may be hiding at the CLAVIR/ALBERT cabin, Hurley, NY. On 1/7/74 through 5/3/74, agents from the NYO conducted a _____ of the CLAVIR/ALBERT cabin.

Further surveillance of the CLAVIR/ALBERT cabin on the nights of 5/1/74 and 5/2/74 revealed the presence of an unidentified Caucasian female, medium height/build, with shoulder length black hair.

_____ by NYO has failed to identify this individual.

_____ several unidentified individuals have visited the CLAVIR/ALBERT cabin during the last two weeks. _____, however, was not observed.

During this period, the FBI makes an especially vigilant effort to check out the

names of every individual who writes to the couple, to find out if SLA soldiers are corresponding via code. The search is exhaustive, extending as far as Clavir's middle-age aunt in Toronto. Patty Hearst and Bill and Emily Harris, as Clavir and Albert would learn months later, were indeed visiting the Catskills during this period, but the SLA is not so foolish as to pitch their tent at such an obvious camping spot as Hurley Mountain. The fugitives stay at Grossinger's instead. Bill Harris wears a beard and yarmulke and, underground in the midst of the Borscht Belt, the trio passes unnoticed as wealthy hippie Jews.

In the course of this intensive surveillance, just what does the FBI learn about the threateningly subversive activities of Clavir and Albert? It turns out that the subjects lead a relatively conventional life.

TO: SAC
FROM: _____

During the period 11/23-12/19/74, spot checks conducted in the Hurley-Kingston, N.Y., area regarding activities and movements of the subjects have been negative in results. The subjects on several occasions have been observed by _____ frequenting the U.S. Post Office, Hurley, N.Y., and stores in the Kingston Shopping Plaza, Kingston, N.Y., notably the laundromat and Grand Union. No unusual activity has been observed. No subjects were observed accompanying CLAVIR or ALBERT during these occasions.

In connection with activities and movements of captioned subjects, spot checks were conducted by _____ as indicated below, _____ off campus in vicinity of Duryea House, State University College (SUC), New Paltz, N.Y. This location is frequented on a regular basis by CLAVIR and appears to be the focal point for her activities on campus, specifically her teaching of sociology courses. In addition to observing the subjects' Volvo, bearing N.Y. license 436 ALF, the following vehicles all bearing N.Y. license were observed parked in the vicinity of the Duryea House on a regular basis:

TO: Director, FBI
FROM: SAC, New York

On 5/1/74 CLAVIR and ALBERT were observed transporting an unidentified Caucasian male to the Kingston, N.Y., Continental Trailways Bus Station, in CLAVIR'S Volkswagen. This individual was further observed by Bureau Agents when he arrived in New York City and was identified through _____

Sensible secret police would abandon surveillance attempts that consistently yield no meaningful data. But someone in Washington is convinced that the subjects must be up to something—why else would they have moved to a place where spying is so difficult? Desperate for input, they have even gone so far as to obtain a hospital report on Albert which describes his rather serious heart condition in pessimistic terms doctors have kept hidden from the patient himself.

The lower-level field agents are under heavy pressure to draw some incriminating evidence from this bottomless well of ambiguous information. These operatives can't even accurately evaluate what data they do have because they have been ordered by their bosses to find evidence of illicit activity. When a year of relentless gumshoe work yields no substantial results, the FBI makes the decision to burglarize the cabin.

Burglaries are felonies, even when the second-story men are government bureaucrats. (The break-in is never specifically mentioned in the FBI documents, but the Justice Department admits that an "electronic listening device" was installed in the Clavir/Albert cabin for a 17-day period, from November 1 to November 17, 1974. Later, when the burglary comes to light, a very reliable source will inform the couple that as well as installing the device, the FBI agents also searched their house, ransacked their garbage and photographed all their notebooks and documents.) In the coded language of the FBI memoranda of this period, the spies compliment themselves for a difficult job well done.

TO: Director, FBI DATE: 11/27/74
FROM: SAC, New York

For the information of the Bureau, the NYO has, over a period of several months, been intensifying its efforts to determine exactly how CLAVIR and ALBERT are involved with _____, and what role they are playing in _____ activities in this area. In an effort to accomplish this, the NYO has conducted thorough and penetrative investigations utilizing all logical and imaginative techniques at its disposal.

In spite of the logistical problems, the NYO gained the following information during the surveillance of the subjects from 11/1/74 to 11/17/74:

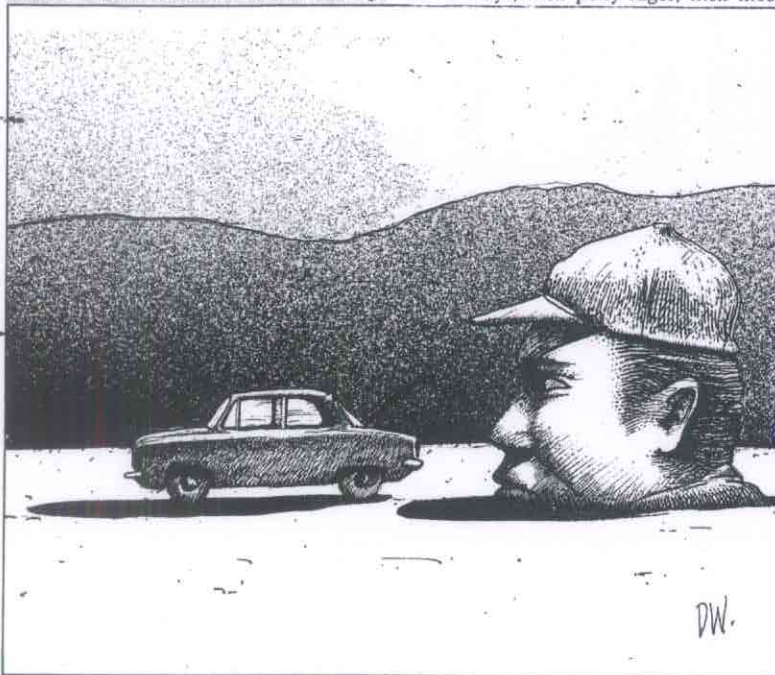
The isolated cabin becomes a clear channel radio station, broadcasting loud and clear over WFBI. November is deer-hunting season in the Catskills and this year the land abounds with trespassing hunters; a suspicious army of hunters vir-

CRAWDADDY

tually camp out on the couple's front lawn. But all the FBI's "logical" and "penetrative" techniques yield little information.

TO: Director, FBI
FROM:

It has been learned that the subjects are involved in at least one discussion group in the Hurley, N.Y., area, which probably meets on Sunday nights. The exact location of this study group and the identities of the individuals who make it up



are, as yet, undetermined. It is felt that these discussions center around and that CLAVIR and ALBERT take an active role in such discussions. referred to as " ", has also been a topic for discussion. The NYO is not aware of any current and request that receiving offices promptly contact logical sources to determine if this is a

The quotation marks around the whited-out area indicate a direct overhear on the listening device. The discussion group will come to haunt the New York office of the FBI. Again and again they will try to pin down who is in it, where it meets and what its relationship might be to something worth investigating. But even with their sophisticated electronic eavesdropping, the special agents are unable to break the group. If they had been able to place a live informer inside the discussions, he or she would have discovered a reading list of such subversive classics as Gore Vidal's *Burr*, Jerry

FEBRUARY 1977

Rubin's *Growing Up at 37*, and Marge Piercy's *Small Changes*.

It's traumatic to have G-men running around outside one's house late at night but it is a violation of more obscene intent to have all semblance of privacy ripped away. Clavir and Albert are raped by the FBI. The special agents regard their victims as rival machines, without rights or feelings; in the process of electronic eavesdropping, civility is shed. How can the couple hope for a dignified life when, for 17 days, their petty rages, their most

intimate conversations, even their lovemaking become data for police computers?

As well as burglary, Clavir and Albert are also victims of theft. Objects are taken from their house, items innocuous enough not to be missed but somehow vital to the interests of the FBI.

TO: Director, FBI
FROM: SAC, New York

On 2/7/75 the NYO submitted various to the FBI laboratory for Examination to determine if any of those samples match samples already filed. Results of this examination will be appropriately disseminated.

The only major political event which takes place on Hurley Mountain during this entire period is a fund-raising picnic for the Shoshanna (Pat Swinton) Defense Committee. Two hundred people from the Catskills, New York City and New England show up on what turns out to be 1975's hottest day. Alerted by

neighbors, the FBI stakes out a private road and copies every license plate. The feds are amazed "that visitors arriving in the area of the subjects' cabin do not have difficulty locating the site." Every license number is run through a computer and the G-men learn the names, ages and addresses of those picnickers who thought they were innocently contributing a few bucks and having a good time over hot dogs and beer.

But the special agents are starting to reach the boiling point. Surveillance, burglary, electronic eavesdropping have not yielded even the names of the people in the study group, let alone evidence of criminal conspiracies or harbored fugitives. Excuses must become even more inventive.

TO: Director, FBI
FROM: SAC, New York DATE: 6/10/75

surveilling agents have continued to meet with the greatest degree of difficulty when attempting to provide effective coverage of the subjects and their movements. The subjects' movements are completely unpredictable, making logical investigative techniques very difficult to employ. Instead of leaving on the appointed day, the subjects chose to leave three days later, leaving behind four individuals,

REQUEST OF THE BUREAU

In order to effect surveillance of the subjects during the summer months when experience has shown their activities increase, permission is requested to utilize an electronic "beeper" on the vehicle driven by the subjects. The bureau should be advised that the equipment necessary to effect the above procedure

, and available for use as soon as approval is received.

TO: SAC, New York DATE: 6/27/75
FROM: Director, FBI

Bureau authority is granted for New York to utilize electronic "beeper" on vehicle being driven by subjects CLAVIR and ALBERT. New York ensure that no entry is made to any part of this vehicle and ensure that installation of this "beeper" is made while vehicle is parked in a public area or on a public access.

New York should keep FBIHQ advised of the results gained from the use of this device.

Several weeks later, the special agents admit to making no interesting discoveries concerning the activities and contacts of Clavir and Albert during the period this homing device was in operation. Nevertheless, they report to their superiors that the device "appeared most effective." As a result, they request and are granted permission to place a second

device on the car in December, 1975. This overreaching, it turns out, is to become a humiliating and costly mistake.

TO: Director, FBI DATE: 12/15/75
FROM: SAC, New York

At approximately 11 a.m., December 11, 1975, this device was placed on the above vehicle while it was parked in a public shopping area in Kingston, N.Y. This installation was conducted under the most secure conditions, in that prior to installation, it was determined that CLAVIR and her companion, STEWART ALBERT were alone, and at the exact time of installation were placed in a department store several hundred yards from the vehicle. Both subjects were under close and constant visual observation, and at no time could observe even the parking lot during the installation.

The device was placed between the portion of the rear body of the vehicle which extends below the rear bumper and gas tank. The location of the beeper was determined after NYO agents visited a NYC Volvo dealer and inspected several similar vehicles. This location was previously utilized with success during the period August 25, 1975-Sept. 5, 1975.

The craziness of New York City streets provides better cover for spies than the mellow woodlands of the Catskills, and so Clavir and Albert almost convince themselves that those funny-looking men flashing hand signals to one another are merely another variety of Manhattan psychotic. But these hunters are just too obvious. Perhaps G-men are tiring of the couple and their unpredictable schedules; perhaps they unconsciously want to blow it. Probably they are simply overconfident. Too much routine can lead even strict professionals into sloppy behavior and public embarrassment.

From this point on, both CLAVIR and ALBERT became very evasive, obviously attempting to determine if they were being followed. Around 11:15 p.m. the above returned to Grove Street. They were accompanied by WILLIAM M. KUNSTLER. The surveillance was terminated after no activity was observed for the next two hours and all lights were turned off in the building.

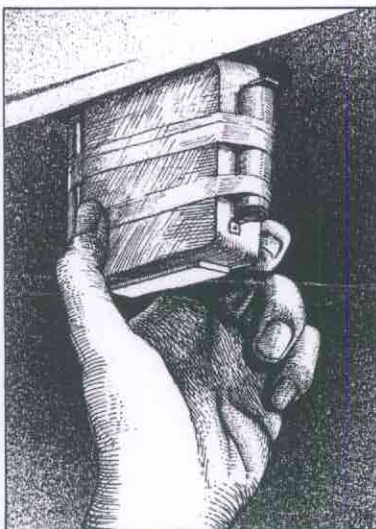
The next morning, following breakfast in a luncheonette, Clavir and Albert walk to their car. Clavir has spotted some peculiar characters in the street and wants to check the Volvo. She looks under the rear bumper. One area is unusually clean for such an unkempt auto. She reaches under and feels, to her amazement, a metallic package attached to the underside. Clavir wants to take it out but Albert is worried—maybe it's an impor-

tant part of the car or, worse yet, a bomb? Impetuously, Clavir clips it out—finds two batteries held together with red tape.

The next day, at a press conference, they discuss the event publicly and the feds read all about it in the *New York Post*. The FBI is upset, the street operatives on the defensive.

Reference is made to the fact that CLAVIR at one point reached under the fender and pulled one of the batteries out of the beeper. The facts regarding this are as follows:

When the subjects approached their vehicle at approximately 1:00 p.m. on December 13, 1975, they were observed opening the trunk and moving packages around. At the time, the beeper was working. After entering the car and driving for approximately five minutes, surveilling agents realized the beeper had stopped. At the next opportunity, under secure conditions, while both subjects



were under surveillance away from the vehicle, the device was removed and checked. At that time it was discovered that one of the batteries was missing. Presumably it had fallen out of its clip. After replacing this battery, the device was put back on CLAVIR'S vehicle. At no time was either subject observed attempting to locate the device or remove batteries. If such was the case, the device most certainly would not have been put back. The assumption that the above battery had fallen out of its clip was based on CLAVIR'S propensity for high-speed driving over many miles of rough terrain, where ample opportunity is available for such a thing to happen.

When in trouble, the agents again blame Clavir's driving. In reality, Clavir

had cut the batteries out before their very eyes. The G-men are lying to save their skins, asserting authority in their written report in an attempt to avoid blame.

The NYO can only speculate as to how the subjects became aware of the electronic beeper on their car.

It is not difficult to spot the five-car tail, which has to crawl into the Volvo's rear-view mirror to keep tabs on the now-alert couple. Clavir and Albert are dumbfounded, and not a little frightened, wondering why, after some three years of living in seclusion, they are now being tracked by carloads of FBI agents. They speculate that it has something to do with their friends, radical lawyers Margaret Ratner and William Kunstler.

Both CLAVIR and ALBERT were observed entering their car and proceeding on several circuitous routes along the West Side highway and surrounding vicinity, obviously attempting to stop a surveillance. After several such trips, CLAVIR and ALBERT return to KUNSTLER/RATNER house, where they again entered.

A few moments later, Kunstler, Ratner, Clavir and Albert re-emerge. Kunstler bends down, reaches under the rear bumper of the Volvo and yanks off a fully functioning homing device. To the bitter end, the feds had behaved by rote. Rather than switching tactics, they had repaired the device instead of removing it.

IV

These extracts from the files of the FBI are concrete evidence of a prolonged criminal attack on Judith Clavir and Stew Albert. The pair is now suing the government for damages and relief. Before they learned of the break-in at their home, they (along with Kunstler and Ratner) had demanded \$100,000 apiece. Now, perhaps, they'll ask for more.

Clavir and Albert still live in the cabin on top of Hurley Mountain. Nature's seasons continue to evoke an inspiring and diverse beauty but now the foliage is more than lovely, it is also potential camouflage for police. The forest, through no fault of its own, has lost its innocence.

Repeated efforts to surveil the subjects' study group meeting place have failed due to the conditions existing in the area where the subjects reside and extreme paranoia which seems to pervade their thinking.

When official burglars and eavesdroppers call their victims paranoid, words, as well as laws, have lost their meaning. ■

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