

New Report Details Spying on Radicals

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A voluminous report sent to the Justice Department by the U.S. attorney's office here reveals new details of how D.C. police and the FBI monitored antiwar radicals in Washington from 1969 through 1971, according to informed sources.

The classified report—based on an extensive eight-month investigation just completed here by federal prosecutors, FBI agents and D.C. police officers—documents allegations of illegal bugging and burglary by the police watching the radicals, according to the sources.

The document also reports conversations, picked up through electronic surveillance and infiltration of

radical groups by police, in which the radicals being monitored discussed kidnaping or assassinating government officials, bombing bridges and government offices, and causing planes to crash at National Airport.

The report, which has been classified "secret" because it deals with "national security" matters, is part of an "open" Justice Department investigation of whether law enforcement officers should be prosecuted for lawbreaking while monitoring groups ranging from the avowedly violent Weather Underground to Quakers who came to Washington to protest American involve-

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ment in the war in Southeast Asia, the sources said.

When informed by a reporter this week about the reported discussion by radicals of assassinations and bombings—none of which took place—Jerry V. Wilson, who was D.C. police chief at the time, said he felt that this potential of violence justified the intensive police monitoring of radical groups.

"It was not something (for the police) to be paranoid about," Wilson said. "But it was clearly enough of a threat to warrant a very concerted effort to monitor the possibility of violence."

Wilson, who reportedly was questioned during the recent investigation about his department's surveillance of antiwar groups, would not comment directly on the investigation or allegations of possible police misconduct. Justice Department officials also have refused to discuss the investigation publicly.

The investigators have not recommended any criminal prosecutions of law enforcement officers accused of illegal acts for a variety of legal and practical reasons, the sources said. Some investigators have conceded that they still do not believe that some of the police officers questioned in the

probe have yet fully described the extent of their activities, the sources said.

"These officers (in the D.C. police department's intelligence division) set out to do a job" to monitor the antiwar movement, one source involved in the investigation said. "They still have an incredible esprit d'corps and they believe they did what had to be done."

Among the incidents detailed in the report are two alleged break-ins in Washington in 1969-71 that were described by an undercover officer of the D.C. police department, the sources said.

The police officer, whom the sources refused to identify by name because he is still on the force, told investigators he committed one of the break-ins himself at the direction of his superiors and served as a lookout for another so-called "national security" break-in conducted by other police officers here.

The purpose of the first break-in reportedly was to retrieve documents from the headquarters of local and national antiwar groups in an office building at 1029 Vermont Ave. NW. The policeman said the documents showed how money was funneled to North Vietnam by American corporations, according to sources.

The second alleged break-in occurred at the Lanier Place NW apartment of antiwar leader Rennie Davis, sources said, the policeman told investigators. The policeman said he later copied documents reportedly obtained in that break-in that reported troop ship movements from the United States to South Vietnam.

Sources involved in the investigation, who said they had no reason to doubt the police officer's motivation or credibility, said they have been unable to corroborate with other policemen his information on either alleged burglary.

As many as 10 of the police officer's superiors and co-workers refused to testify about the incidents until they were given immunity from prosecutions, according to investigators. After they were given immunity, the

sources said, they denied any knowledge of any such events.

"There is always the possibility we were being 'stonewalled,'" one investigator said. "But there is a difference between hard evidence — which we couldn't gather — and my own suspicions, which remain."

Assistant U.S. Attorney Donald E. Campbell, chief of the major crimes division, who coordinated the investigation for the past eight months, said he could not discuss its results. "The report has been submitted to the Department of Justice for review and any possible action it might think is ap-

appropriate," Campbell said.

Sources said the investigation was hampered by the D.C. police department's destruction of all of its intelligence division files at the behest of the D.C. City Council about a year ago. As a result, there are no records to corroborate any of the division's activities at the height of the antiwar movement.

The investigators said they were told by intelligence officers, however, that conversations were picked up over "bugs" or through highly-placed police informants that included specific plans for bombings, assassinations and others by antiwar radicals six months before the disruptive "Mayday" antiwar demonstrations here.

"We aren't saying that all members of the antiwar movement were out to commit violence and we certainly know that violence within the movement was sporadic," said another government source. "But you can see how discussions like this — even if they never were carried out or even planned in any great detail—would scare the hell out of law enforcement officers who heard them."

Among the possible victims named in such plots were the vice presidents and specific members of the Cabinet in the first Nixon administration, the sources said. They added that the information concerning those plots never indicated any detailed attempts to carry out the plans, and it was doubtful that anyone could have been prosecuted for them.

One source said two persons in the anti-war movement reported to police on an alleged plot to blow up the bridges over the Potomac River, and that on another occasion the police were told that demonstrators had hidden a cache of dynamite in West Potomac Park on the eve of the 1971 Mayday demonstrations.

No dynamite was actually found in the park, said one top police official knowledgeable about the anti-war movement here.

Electronic bugs were placed in at least two different locations by the police department with the consent of police informants within the antiwar movement, investigators said. The actual equipment was furnished on one occasion by the Central Intelligence Agency, which reportedly received, along with the Secret Service, part of the information gathered with it.

A consensual monitoring of a conversation is legal under wiretap statutes. However, the bugs placed in the informants' apartments or offices technically became illegal the moment the informants who gave their consent left the room.

Many of the monitored conversations in which violence was discussed occurred when the source was out of the hearing of the radicals, one source added.

Although the surveillance became

illegal at various stages, the investigators found, they recommended against any prosecutions based on it. They said the state of the wiretap laws was such at the time that the police officials might be able to prove they did not know they were breaking the law, and said it would be difficult to assess the blame for any illegalities.

"Do you prosecute the fellow who listened in? The one who planted the bug? The one who approved it? The one who read reports from it? The source who allowed the bug to be planted? It's sloppy use of electronic surveillance, but that's about the most you could prove," one investigator

said.

As for the alleged break-ins, sources involved in that part of the probe said the five-year statute of limitation would have blocked any criminal prosecutions.

The first break-in allegedly occurred either in late 1969 or early 1970, a few days prior to a major antiwar demonstration in Washington, the police officer who claimed involvement told investigators. He said he was instructed to enter the 1029 Vermont Ave. NW. address and take a steel box out of a locked desk drawer, sources said.

The police officer claimed that while he was inside the building, he threw the box out of a window and hid under a desk because he thought he was being discovered. The box burst open when it hit the ground and he examined the documents himself he told investigators.

The policeman's superiors denied telling him to conduct that or any other break-in, and said they remember no such documents or event, according to sources involved in the investigation. It is known, however, that investigators talked to a woman who allegedly served as a lookout for the officer, and that she generally corroborated the officer's story as to the break-in itself.

The policeman told the investigators he served as a lookout at the alleged break-in at Rennie Davis's apartment in the 1800 block Lanier Place NW in either late 1970 or early 1971. He said that as many as 10 other law enforcement officials were involved, and that after the incident he was given the job of copying portions of the documents, which he said dealt with troop ship movements.

Investigators questioned Defense Department and State Department officials, who would have been aware of such sensitive materials at that time, and found no one who remembered such an incident. The other officers who testified after being given immunity said they remembered an incident where they were physically monitoring another commune at 18th and Lanier Place NW, but that they knew nothing about a break-in or such documents.

FBI and police officers intercepted sensitive documents or prevented violence rather than bring prosecutions on numerous occasions during the antiwar years, they told investigators, because it was generally felt that the police informants in the movement were too important to be disclosed.

The only agency involved in the investigation that does not yet have a copy of the report is the D.C. police department itself. Its officers involved in the investigation do not have the security clearance necessary to look at the final document, sources said.