

Two Lift Curtain on Undercover Work

Tell of Successes, Failures as Infiltrators of Antiwar Groups

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Two men who infiltrated the antiwar movement here for the FBI and D.C. police from 1970 through 1972 have described their operations, parting the curtain momentarily on the tangled world of the political undercover informant.

In interviews with The Washington Post, they detailed their successes, failures, a few absurdities, but most of all the personal confusion, ambivalence and agony they said they endured in doing such work for the country.

Much of their work, they said, was superficial and peripheral, and in the long run they provided little they could judge as being of real consequence.

The FBI, in keeping with time-honored tradition, does

not officially acknowledge that either man worked for the agency. But it has been independently determined that both were utilized as street-level FBI informants—one on a \$50-to-\$75-a-week salaried basis, the other primarily as a volunteer on an expenses-only basis. One man also worked for the D.C. police department.

Many of their alleged acts of surveillance could not be corroborated, but sources within the FBI confirmed that details of pay arrangements and other transactions with the FBI described by the men are authentic.

Their disclosures also provide some glimpse of the contrasting kinds of people the FBI uses for informants. The two men are:

• **Earl Robert Merritt**, timid, 29-year-old, small-town West Virginian who never

finished high school and says he "didn't even know what a Weatherman was" until FBI agents told him. He is a self-described homosexual.

• **J.A. Barrett**, a beefy, aggressive, 36-year old urban Irish Catholic ethnic with a one-time penchant for violence who saw the police-radical street clashes of the antiwar movement as a "cultural war between working class grunts . . . and spoiled upper class WASP and Jewish kids."

Each informant said he was caught in a web of financial or political circumstance compelling him to continue covert surveillance of people and institutions long after his original zeal to do so had ceased.

Each says he did not know the other was an undercover operative at the time,

though they both conducted surveillance of antiwar demonstrations in 1970 and 1971 and then almost simultaneously penetrated the Institute for Policy Studies (IPS), a governmental policy research organization here.

Merritt worked first for the police department and then the FBI, both on a salaried basis, he says. Barrett, "working more as a volunteer than anything else," he says, was utilized by the FBI only and was paid expenses but no salary.

Merritt's identity was first divulged by the Daily Rag, a small activist community newspaper here that published a carefully worded interview with Merritt in its Oct. 5-12 issue. The text had first been cleared and approved by Merritt's attorney, David B. Isbell, of the

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Washington law firm of Covington & Burling.

Shy, hesitant, baby faced, Merritt agreed to a subsequent interview by The Post but only in the presence of his attorney.

In contrast, Barrett spoke freely with this reporter in both formal and informal conversations during the last several months. His identity has not been previously disclosed.

"My motto was 'let's rip 'em off and do something to 'em,'" says Barrett, recalling how he first entered antiwar demonstrations here in the late 1960s as a freelance observer and occasional street fighter who would trip, punch and jab demonstrators during melees with the police. It was a habit he took with him when he joined the FBI informant ranks in 1970, but he says he has since repudiated it.

"At first, I thought my antagonism toward the left was an ideological one," now it was cultural.

"I'm working class Irish Catholic . . . These upper class WASP and Jewish kids

of the new left were the sons and daughters of the people charging me 36 per cent on a loan . . . They owned the slums and the tenements. They paid only \$1.25 an hour for hard work.

Those kids really held us in contempt—us, the working class slob, the beer drinkers, the hard hats, the pigs, the grunts—the people who fight the wars and police the streets of this country, who keep the nation moving while they piddle around with their intellectualism."

Thus, said Barrett, when he became an informant, "I had joined the army of the Lord."

Three years later, Barrett, the one time GOP ward-heeler in Maryland and hard-nosed Young Americans for Freedom (YAF) activist, is not so sure. Three years in the trenches with the new left had taken a certain toll.

"I had a hell of a time knowing where I began and where my role ended," he said. "I was very confused."

"I knew I was no longer a YAFer, but I didn't want to get into the left culture, either.

"I felt I was lying on a

jungle island surrounded by fever swamps recovering from the withdrawal symptoms of true believer."

He said, "When I started, I could give you an operating definition of 'right' and 'left,' but there's no way in God's world I could do it now."

Barrett still has not resolved questions about whether current FBI surveillance practices are morally correct.

"If the government hears that a group is trying to blow up the Capitol or kill the President," he said, "it has a right to find out if it is true and stop it through surveillance . . . But, if they find out it is not true, how do you pull 'em back? How do you keep surveillance within limits? That's the problem, as I see it. Once the surveillance ball starts rolling, it's hard to stop it."

Because so many policemen and other law enforcement officers are "working class ethnics" with a heavy infusion of Catholic conservatism, they are naturally antagonistic toward the "smart middle class airs" of the new left, Barrett said.

He described the FBI as a "bunch of Fordham boys watching Harvard boys."

While Barrett perceives himself as a person struggling to comprehend the cultural gap between the right and the left, Merritt said his fundamental lack of education in the realm of politics of either the left or the right made it difficult for him to penetrate the antiwar movement with any real activist credibility.

Uninitiated in radical left literature or rhetoric, he was unable to participate in political discussions and never tried to insinuate himself into the movement's administrative hierarchy, despite police requests that he do so, he said.

"But there were other people there, too, who were just as naive and ignorant as I was," he said, "so I didn't stick out like a sore thumb."

Merritt first entered the world of undercover surveillance when he was recruited by the Washington police department to do criminal narcotics work in the Dupont Circle area in mid-1970.

With the build-up in prep-

arations for the massive antiwar Mayday protests the following spring, however, he was switched to the police intelligence division. He was assigned the code name "Butch" and control number 16.

The police department confirmed his identity but, like the FBI, would not discuss details of his job.

Merritt said police intelli-

gence recruiters specifically sought him because they wanted a "white gay male" to cultivate antiwar gay activist Jack Davis who was reputed to be organizationally close to Rennie Davis (no relation), longtime war protester and a chief architect of the planned Mayday disruptions.

But Merritt did not get far. "I tried to get close to both of them," he said, "but just impossible . . . They were too busy moving around," and he related no important information in either of the Davises to police.

Soft spoken and clean shaven with short red hair, Merritt said he tried to blend into the antiwar crowd at organizational meetings by playing the role of "just another activist."

Paddling about from one antiwar office to another in downtown Washington, he said, he did odd jobs as a "volunteer" while noting automobile tag numbers and the names and addresses of activists and phoning them in regularly to the police intelligence division.

The police "asked me to join the (Mayday) marshal training, too," he said, "but I couldn't get into it . . . I was too spread out."

As the tempo of surveillance increased in the weeks just before Mayday, "I was asked to call in (to intelligence) every hour . . . I called in up to 16 times on Mayday itself," giving first hand street reports of activity.

The Mayday protest action—which triggered the arrest of more than 12,000 persons, along with intensive barrages of police tear gas and the brief occupation of portions of the city by federal troops—also brought on what Merritt says was

his first disillusionment with the law enforcement establishment.

The mass arrests and what he described as brutality by police "disgusted me," Merritt said, and he began questioning police procedures, including intelligence gathering.

Heretofore, he said, he had believed police surveillance "was the right thing to do because I believed (the antiwar movement) was a communist attempt to overthrow the government." Now his perspective was changing, he said.

Though he wanted to extricate himself from informant work, he said, there also "was the matter of some (bad) checks" he had written earlier in West Virginia and he feared the po- with arrest for the checks if he stopped working for them.

So he continued on the police payroll, he says, drawing \$50 a week salary plus expenses of \$25 to \$35 a week.

He went through a "limbo" period for the next two months as antiwar street activity dwindled after Mayday, he said.

Then on July 16, 1971, he said, the intelligence division asked him to "concentrate" on the Institute for Policy Studies at 1520 New Hampshire Ave. NW.

"I didn't even know what it was," he said. "They told me it was a communist think tank."

(The IPS, a frequent target of criticism by conservative political figures, is described by its co-directors Marcus Raskin and Richard J. Barnet as an independent center for research and education in alternative concepts of public policy in such areas as foreign aid, education, military budget, and health services. The privately funded institute supports 17 full-time fellows and a research staff of about 50 persons.)

Merritt said police interest in IPS was apparently whetted by announcement that a series of weekly Marxism-anarchism seminars were to be held there, led by Marxist scholar Alfred Henley and Karl Hess, one-time Goldwater speech writer turned anarchist theoretician and ex-

aminer of alternative life styles.

"My job was to go to the classes and count how many people were there," Merritt said.

In addition to any names he could obtain, he said, police asked him for an attendance breakdown as to males and females, blacks and whites, "Jews, Germans and people of eastern European extraction

He said, "I was told to look for Europeans in look and dress . . . They told me to look for certain clothing styles (and) physical appearances, like high cheek bones. High cheek bones were supposed to be Ger-thing . . . Yes, accents, too. I man or Russian or some- was supposed to report foreign accents."

He said he told police that "most people at IPS were Jew." Asked how he distinguished Jews from non-Jews, he said he could do it

"vaguely," then added that his police mentors, "in a rather facetious manner, used Arthur Waskow as a comparison model."

Waskow, a hefty bearded man, is an IPS fellow and veteran activist in antiwar and Jewish affairs here.

In addition to monitoring the Marxism-anarchism seminars, Merritt said, police asked him to seek a job as a research assistant to one of the IPS fellows.

Merritt voiced concern that he was not educationally equipped for such a role.

"I questioned my ability to do it," he said, "but the police seemed to think it would be (the job of) a glorified errand boy."

Half heartedly, he said, he applied for the job but never got it.

In the meantime, Merritt was "terminated" by the police department (the wave of dramatic antiwar street demonstrations had subsided by mid-1971, he said, and the intelligence division was running out of money to pay informants).

With the recommendation of his police superiors, he was hired by the Washington field office of the FBI at \$50 to \$75 a week and continued his work at the IPS.

He was by this time so

disillusioned with the law enforcement establishment, he said, that he was deliberately cutting down on the amount of information he reported. He said he maintained the guise of the informer, however, because "I needed the money" and because of the continuing possible threat of arrest for the checks in West Virginia.

His FBI control agents additionally instructed him, he said, to watch for "Weather fugitives" entering the IPS, a reference to a dozen reputed members of the violent underground Weatherman organization wanted in connection with the bombing of numerous public buildings, including the Capitol, throughout the nation.

Merritt said he reported no Weather people entering the IPS and in fact told Jack Davis, alleged by police to have above-ground contact with the Weather organization, about what he was doing.

Likewise, Barrett said the FBI asked him to watch for "couriers" at IPS delivering money to Weather fugitives. Supplied with photographs of six or seven suspected couriers, Barrett said he sighted one and reported his presence immediately. He said he does not know if the FBI took any action.

Merritt says he became so distraught with his IPS work that by September, 1971, he told Robert E. Herzstein, an IPS board member and attorney in the firm of Arnold & Porter about it, and in December, 1971, made a similar confession to Arthur Waskow.

Yet, for another six months, until June, 1972, he continued calling in low-grade intelligence reports to the FBI field office, he said.

When he could stand it no longer, he said, he deliberately falsified a report on Jack Davis' whereabouts. FBI field agents quickly determined through other informants that the report was incorrect, Merritt said, and he was fired.

He has since tried to drop out of sight, refusing to divulge his home address or place of employment.

Barrett says he was first utilized by the FBI in the spring of 1970, after he and a companion offered the agency some film they had taken of street demonstrations in Washington.

Thereafter, he said, he monitored demonstrations regularly, phoning in street actions and plans to the field office. He also continued to shoot moving film of

and was reimbursed for his camera costs, he said.

He said he was also asked to "check out" Karl Hess, who by 1970 had turned away from Goldwater conservatism and became active in the antiwar movement, living in a houseboat colony off Buzzard Point in Southwest Washington.

"They wanted to know what he was doing," Barrett said. "There were rumors he was messing with some pretty heavy people."

Barrett pursued Hess sporadically at first and did not begin to "zero in" on him until the summer of 1971, he said, when Hess and Henley began their Marxism-anarchism seminar at IPS.

Though he devoted most of his time to Hess, Barrett says he circulated generally through IPS, coming to know many of its research fellows, exchanging political views with them and "playing the role of resident redneck."

"I even joked about the fact that I was an informant," he said. "I refused to play the game of being sympathetic to the new left. I spoke and acted exactly the way I felt . . . The only thing was they didn't really know

that I was in fact an informant."

Hess recalls Barrett as a "very thoughtful, smart guy" who liked to write and who "made some really incisive criticisms of the new left's misunderstanding of the right in America."

Barrett for his part said he never observed Hess doing anything worth reporting to the FBI.

In fact, he said, "everything I saw at IPS was completely legitimate. They (IPS research fellows) probably won't like it, but their operation there, with its emphasis on individual decisions and decentralization of power, reminds me of a sort of 1948 Robert Taft workshop."

In addition to monitoring Hess and the presence of Weather "couriers at IPS, Barrett says he attempted to determine if any of the secret Pentagon papers divulged by antiwar activist Daniel Ellsberg had been copied at IPS. He said he was also asked to find out details about a "delegation"

of IPS members going to Paris in 1972 to meet with the Hanoi entourage at the Vietnam peace talks.

He said he found no evidence that the Pentagon papers were copied at IPS and determined only the "approximate departure times" of two IPS flights to Paris.

(IPS co-director Raskin says only he and fellow co-director Barnett went to Paris, each on separate flights and each "primarily on a journalistic assignment" for major U.S. newspapers. He said they met and talked with both the Hanoi and National Liberation Front (NLF) delegations in that connection.)

Barrett says his decision to quit informant work occurred at the 1972 Republican National Convention in Miami Beach where he had volunteered to film demonstrations and monitor street actions for the FBI.

During the last night of the convention when police and demonstrators clashed violently and tear gas was sprayed into the crowds, "I saw this VVAW (Vietnam Veterans Against the War) guy on crutches who had stumbled down and couldn't get out of the gas . . . I picked him up and carried him as far as I could. I've got a lot of respect for most of those VVAW people.

" . . . They've paid their dues. Why should they get

this treatment just for protesting the government, when it's the spoiled kids from Yale and Harvard that set off the police? It wasn't the vets. They're a very disciplined group."

Barrett stressed that he always maintained his independence from the FBI because "I was never salaried like some of these other guys. I wanted it that way."

In interviews, Barrett refused to specify his control agents, his code name or details of his financial arrangements.

Unlike Merritt, Barrett says his FBI superiors explicitly instructed him not to violate any laws or instigate sabotage or violence. Though he acknowledges ripping down Vietcong flags

and "punching out a few people" during street demonstrations, the actions were not requested or sanctioned by his bosses, he said.

On the other hand, Merritt said his FBI control agents encouraged him "to take anything" from the IPS, "but they would never say exactly what or how. They would never be specific on something like that."

He acknowledged stealing one paper bag filled with mail from IPS and giving it to D.C. police. He also says he broke into the Community Bookshop, 2023 P St. NW, in late May, 1971, at police suggestion and stole a quantity of antiwar petitions containing names and addresses of activists and supporters.

In addition, he said he fashioned three false identification documents using an alias. One was a Social Security card which he said he fashioned before becoming a police informant. The other two were a draft card and a D.C. public library card made at the request of police, he said.

Merritt said he also engaged in disruption and sabotage during street demonstrations. The actions included giving protesters false information about places and times of demonstrations and yanking the wires and tubes from two sound systems at the Mayday encampment in West Potomac Park in early May, kind of smokescreen right now to obscure some other (FBI), throwing up some 1971

Such is the varied life of Merritt with a brief laugh. "I "Who knows?" says Barrett the political informant. "You never know."