

# FREEDOM

ISSUE 63, NOV. - DEC. 1984

THE INDEPENDENT JOURNAL PUBLISHED BY THE CHURCH OF SCIENTOLOGY®

M. Wesley Swearingen, 57, became an agent of the Federal Bureau of Investigation in 1951. After 25 years, no longer able to stomach the hypocrisy, corruption and dishonesty that was the real FBI, Swearingen retired, having spent his last seven years in the Los Angeles office of foreign counterintelligence.

From the 43-foot yacht that he made his home, Swearingen told his story to FREEDOM in a series of interviews. He revealed his participation in hundreds of illegal break-ins (known in the bureau as "bag jobs") of the homes and offices of American citizens, justified by the bureau as necessary to national security.

Swearingen had decided that the only way to bring an end to the corruption and dishonesty within the bureau was to write about it and let the people know. He began to write a book entitled *Bag Job: One Agent's FBI*. That book became its own story when the FBI raided Swearingen's boat and the offices of his attorney in 1978

## SPYSCAM: Mormons Target Of FBI Sting?

by Stacy Young

in an unsuccessful attempt to confiscate the documents he had used in preparing the manuscript. Undaunted, Swearingen continued to work on the book in which he reveals:

• That he was one of only four men in the Chicago FBI office who knew about J. Edgar Hoover's 1957 order to formulate a plan to have labor leader Jimmy Hoffa assassinated.

prosecute an FBI agent for illegalities.

• That another high-ranking FBI official conspired to obstruct justice during a grand jury investigation into FBI illegal break-ins by ensuring that none of the agents called to testify would tell the truth about their part in the break-ins.

• Specific names of agents and targets in hundreds of criminal actions perpetrated against the American people by FBI agents.

As FREEDOM was preparing to interview Swearingen about his book, another event occurred.

On October 2, 1984, Richard W. Miller became the first FBI agent in history to be arrested on charges of espionage. Miller had been an agent in the Los Angeles office of foreign counter-intelligence.

According to a 30-page FBI affidavit, Miller had sought to sell bureau secrets to a pair of Soviet agents, Svetlana Oronrdnikova



Richard T. Bretzing (left), special agent in charge, and P. Bryce Christensen, assistant special agent in charge, both of the Los Angeles office of the FBI.

and Nikolai Ogorodnikov. In the affidavit the FBI claimed that through wiretaps and personal surveillance beginning on September 11, evidence was obtained that showed Miller had spoken and met with Svetlana Ogorodnikova on a number of occasions and had even traveled to San Francisco with her on August 24, when she took his FBI credentials into the Soviet Consulate to prove

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to them that Miller was cooperating.

Miller was arraigned on October 22 and is in a maximum security section of Terminal Island, a California prison, awaiting trial. Because Swearingen knew Miller and is intimately familiar with the procedures in that section of the FBI, FREEDOM took the opportunity to

interview Swearingen on the subject of Miller's arrest before turning to a discussion of his forthcoming book.

**FREEDOM:** You've been following the media reports about the Miller espionage case, and you've read the 30-page affidavit the FBI filed on the case. What is your reaction as a 25-year veteran who retired after working in that section of the Los Angeles office?

**SWEARINGEN:** Well, my initial reaction was that it was just about the stupidest and most juvenile display of FBI incompetence I'd ever seen. The corruption and

incompetence in the FBI has been publicized quite a bit in recent years, of course. Look at the bungling job the FBI did in Cleveland, Ohio — one of those ABSCAM things — toward the end of 1983. The FBI did an investigation for about two years on a certain judge in Cleveland. The people who were furnishing information that this judge was taking bribes described him by name, but nobody ever actually identified him, and the FBI ended up arresting the wrong man. Now this guy is suing the FBI, the Justice Department and everybody else involved.

With this kind of stupidity going on, my immediate reaction on this Miller case was that it was

just another example of the ridiculous level of incompetence in the FBI.

But after I read that 30-page affidavit the ASAC [Assistant Special Agent in Charge] Christensen filed and I thought about it for a while, I began to wonder if Miller or his bosses could really be that stupid or if something else altogether was going on, because it just doesn't fit anything I have seen in my 25 years in the bureau, in the way of foreign counterintelligence investigation by the FBI.

**FREEDOM:** What else could be going on?

**SWEARINGEN:** Well, I first thought these guys — Miller, Christensen and Bretzing — were about the dumbest guys that ever fell off the turnip truck. That may not be true, though. Oh, you might say that about Miller — and obviously some guys in the office agree, because they've already

told reporters that. But no one has said that about Christensen or Bretzing — no one has even implied that they're stupid — in fact [FBI Director William] Webster has said that he handpicked these people because of their ability. So let's say Webster was right — that Special Agent in Charge Bretzing and Assistant Special Agent in Charge Christensen know what the hell they're doing, that they're competent. They might be naive and a lot of other things, but they're not that stupid. Then what other choice do you have? The only other possibility is that for some reason Bretzing and Christensen were set up — a DeLorean sting operation — some hot shot just gave them a real zinger.

**FREEDOM:** But even as a hypothetical alternative, isn't that a bit far-fetched?

**SWEARINGEN:** If you knew the bureau the way I do after 25 years, you wouldn't think it was far-fetched at all. You have to know how these people think, and what they are capable of doing. And

boy, you get somebody that's straight and honest — assuming Bretzing and Christensen are — and you can do a number on them every time. You get somebody who's straight and honest and they're so naive they don't know what the hell is going on.

**FREEDOM:** But why would the FBI set up its own people in an espionage scheme that is turning into one of the biggest scandals the bureau has ever had?

**SWEARINGEN:** Look, there are power structures in every organization, and the FBI is certainly no exception. This so-called Mormon Mafia within the FBI is being played up big in the press right now, because Miller and two of his superiors in the Los Angeles office are Mormons. But there are other powers within the FBI with far more influence than the Mormons. And the control of the major offices — Chicago, New York, Los Angeles — is very important.

I can well imagine someone back in Washington, or even someone lower down on the

totem pole in Los Angeles, saying "Hey! These Mormons want to run Salt Lake City, fine. They can have it. They can have the whole state of Utah. But they aren't going to run Los Angeles."

So when Bretzing moves in, the ASAC, Matt Perez, gets bumped to El Paso, which is a big setback for him. Perez happens to be a Catholic, and he is replaced by a Mormon, and maybe some people don't like that.

It takes a little while to get things going — Bretzing has only been there a couple of years. But if somebody doesn't want the guy moving in, and they start trying to figure out how to get rid of the

They say, "Well, let's see. We can't get these Mormons out of incompetence, because Webster handpicked them himself. They aren't going out screwing secretaries in any bureau cars in the parking lot, and they're not falling down drunk on their off hours, so we'll have to make up something. Let's see if we can't get rid of them."

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## SPYSCAM

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They can't think of any other logical way, because these Mormons are clean. But when you're working foreign counterintelligence and you're thinking like spies, you can really do a number on them.

First, you look for a patsy.

So they say, "Hey! We've got this guy Miller who's kind of off the wall. I mean, I remember telling him one day that it was OK to sell Amway products out of the trunk of his FBI car, and that idiot believed me! This guy will believe anybody. And he's a Mormon. Let's recommend him for one of the most sensitive areas in the Los Angeles office — foreign counterintelligence."

**FREEDOM:** How could a guy like Miller — if he really is as incompetent as it has been reported — ever get clearance to work in such a sensitive area?

**SWEARINGEN:** Oh, that's simple. There's an old trick that's used by all the guys in the bureau when they want to get rid of an agent they don't like, or somebody they consider incompetent.

Let's say the Special Agent in Charge of the Louisville, Kentucky, office has an agent he considers incompetent. He can't fire him — he doesn't have the authority. So how does he get rid of him? He writes a glowing recommendation on this bumbling idiot to his superiors, makes the guy out to look like Jesus

Christ. His superiors read this thing and say, "Hey! This guy is a real asset. Let's promote him!" So the guy gets promoted out of Louisville — maybe to a bigger office or maybe even to Washington. That's the way you get rid of someone you don't want in your squad: you recommend him highly and you get him promoted. This was a common practice when I was in the bureau.

Now the SAC of an office as large as Los Angeles isn't going to know all of his agents personally. It'd be impossible with something like 425 agents. So the SAC would rely on the recommendations of his squad supervisors. Especially if you're relatively new in the office, as Bretzing and Christensen are, and some 20-year veteran gives you a report saying, "Man, have I got the guy for foreign counterintelligence! Man, he is super." If this vet has a pretty good reputation, you're going to say, "Well, this guy knows what the hell he's talking about. I haven't been around very long, and I don't know this guy Dick Miller from a telephone pole — and he's getting this kind of recommendation? Hell, put him on the squad! I'll initial it." And Miller goes into foreign counterintelligence.

Then they steer him with advice. And he says, "Oh, sure, I'll do it," because he's been in the FBI for 20 years, he's used to doing what he's told, he's used to following orders. He thinks, "Hey, it's OK — my supervisor said it's OK."

**FREEDOM:** You said you read the 30-page affidavit released by the FBI and implied that there was something about it that didn't make sense. What was your reaction when you read the affidavit?

**SWEARINGEN:** I have a lot of questions about that affidavit. First of all, I don't understand why Christensen, the Assistant Special Agent in Charge of the Los Angeles FBI office, wrote the affidavit that was released to the public.

**FREEDOM:** Well, according to the recent press on the case, Christensen was supervising Miller . . .

**SWEARINGEN:** Oh, that's a lot of bull. Christensen wasn't supervising Miller or any other agents directly. As the Assistant Special Agent in Charge, Christensen would not be supervising agents directly. Miller had a squad supervisor — the squad supervisor for the foreign counterintelligence squad, and he's the guy who

should have been — and would have been — handling this case. Not the Assistant Special Agent in Charge. Yet the newspaper accounts are making it sound like the SAC and ASAC of the LA office were running the case, were in on it from the beginning. There's no mention of the foreign counterintelligence squad supervisor. And there's no explanation offered for why the ASAC wrote the affidavit instead of the supervisor.

**FREEDOM:** Maybe it was such an important case that he decided to take it over directly.

**SWEARINGEN:** No, I know the SAC and the ASAC did not supervise him. They are executives with duties of their own. I mean, you've got to be kidding! This guy has 425 agents in his LA headquarters. He couldn't even say hello to that many people in one day. How is he going to supervise them? Each agent has an average of 20 cases. That would mean Christensen is supervising 8,500 cases directly! It's impossible, and it's not set up that way.

But — on the other hand, maybe Christensen's got somebody who's shucking and jiving him, and this guy says to him, "Hey! Why don't you handle this

case yourself? You've got more authority than I do anyway, you've got more position. This case is too hot for me — you take it." And then he watches while Christensen digs a grave for himself. What an ABSCAM — that is beautiful!

**FREEDOM:** OK, let's take up some specific points. According to the FBI's affidavit, they had Miller under surveillance and a phone tap for over two weeks before he was arrested. Is it unusual to wait that long?

**SWEARINGEN:** It sure is. In an ordinary counterespionage situation — say in a big corporation — you might want to watch the guy for a while to let him develop his contacts. But here you've got an FBI agent who may be threatening the security of the entire foreign counterintelligence squad, and you're going to let this thing go on for over two weeks? No — it doesn't make sense.

And there's another thing about this. The FBI might let a guy in military intelligence or some other intelligence agency go or for a couple of weeks — they'd let him hang himself. But they wouldn't do that to one of their own agents — not when he's only got three years to go before