

from The Public Threat to Political Liberty, James Friends Service Committee

II. Rebellions and Repressions of the Sixties

During the turmoil of the Sixties, intelligence agencies on all levels began to consolidate. While their efficiency may have increased in some respects, the effect was also to cast their nets more widely, overlapping and duplicating efforts and entangling large sections of the public in their webbing.

INTERDIVISIONAL INTELLIGENCE UNIT (IDIU)

In its review of intelligence agency abuse, the Church Committee cited the Interdivisional Intelligence Unit (IDIU), created by the Justice Department under Attorney General Ramsey Clark in 1967. Established on the recommendation of Assistant Attorney General John Doar, its purpose was to review and reduce to retrievable form "all information that may come to the Department relating to organizations and individuals who may play a role, whether purposefully or not, either in instigating or spreading civil disorders or in preventing or checking them."

Included in the proposal for IDIU was a suggestion that the following agencies be utilized to gather information as part of their normal functioning:

- Community Relations Service
- Poverty Programs
- Neighborhood Legal Services
- Labor Department programs
- Intelligence Unit of Internal Revenue Service
- Alcohol, Tobacco and Firearms Division of Treasury Department
- Post Office Department

Based on its review, the Church Committee concluded: "...beginning in 1967-68, the IDIU was the focal point of a massive domestic intelligence apparatus established in response to ghetto riots, militant black rhetoric, anti-war protest and campus disruptions. Through IDIU, the Attorney General received the benefits of information gathered by numerous agencies, without setting limits to intelligence reporting or providing clear policy guidance. Each component of the structure — FBI, Army, IDIU, local police and many others—set its own generalized standards and priorities, resulting in excessive collection of information about law-abiding citizens."

A recent (December 20, 1978) letter from former Attorney General Ramsey Clark to AFSC's John A. Sullivan, Associate Executive Secretary for Information and Interpretation, further suggests the atmosphere in which the IDIU was created:

After the riots at Newark and Detroit in the summer of 1967 the country was awash with fear and racial hatred. Many believed the riots were caused by conspirators deliberately fomenting violence. Congressional hearings were held on the subject. Magazines and newspapers carried stories purporting to document such conspiracies. I never believed them and said so. I also condemned the shooting of looters and excessive police violence.

The interdivisional intelligence unit was, as I remember, my idea. It was an effort to know all we know; that is to centralize and organize information we possessed so we could quickly gather all knowledge bearing on the risk of riot in a particular place or illegal conduct by a particular group. It further sought an increase in knowledge particularly beyond police data which is so often biased. It was publicly announced in January 1968. We never authorized any illegal fact gathering. No wiretap or bugging was ever authorized against any domestic group or individual.

We thought we did pretty well. Others try to say all in government were the same. They ignore the vast lawless invasion of right by the FBI and the Nixon Department of Justice.

It is important to recognize the sincere concern with which the IDIU structure was established by the Justice Department, but also to recognize that it ultimately and perhaps inevitably led to violations of citizens' rights due to lack of police accountability and clear guidelines.

THE SPREADING NETWORK

Other federal commissions and agencies added to the momentum for increasing secret intelligence and centralization. The President's Commission on Law Enforcement and Administration of Justice (1966), the National Advisory Commission on Civil Disorders (1968), and the Justice Department urged during this period that local police develop intelligence units.³ A major concern was that these agencies lacked information and knowledge about Black communities in the big cities.

The National Advisory Commission on Civil Disorders suggested that these units use "undercover police personnel and informants," and draw on "community leaders, agencies, and organizations in

the ghetto." The commission also urged that these units be linked to "a national center and clearing house" in the Justice Department.⁴

As a result of these recommendations, the FBI increased its existing liaison with police in collecting and exchanging intelligence data. FBI field officers were instructed in a Hoover memorandum of 8/19/69 "that one way to continue obtaining intelligence on situations having a potential for violence... was to develop "in-depth liaison with local law enforcement agencies." The Church Committee report asserts that use of local police was also a convenient way for the FBI to avoid criticism for using covert techniques and informants. It was around this time that the FBI's Counter-Intelligence Program (COINTELPRO) was intensified against anti-war and "New Left" groups.

INACCURACIES COMPILED AND DISSEMINATED

Citing the findings of the Cook County Grand Jury, which in 1975 investigated police intelligence activities in Chicago, the Church Committee pointed out that federal intelligence became contaminated by "inherently inaccurate and distortive data" and quoted the conclusion of the Grand Jury:

Since federal agencies accepted data from the Security Section without questioning the procedures followed, or methods used to gain information, the federal government cannot escape responsibility for the harm done to untold numbers of innocent persons.⁵

The Cook County Grand Jury cites another example of unauthorized local police intelligence activities and unsubstantiated reports making their way into federal files:

One police officer testified that he listed any person who attended two public meetings of a group as a member. This conclusion was forwarded as a fact to the FBI. Subsequently, an agency seeking background information on that person from the Bureau in an employment investigation or for other purposes would be told that the individual was a member.

In this connection it is interesting to note that a Friend and former AFSC Peace Education staff member was repeatedly identified in FBI files as once having attended a Communist Party conference as an observer, and as having chaired a meeting at which a Communist was among the speakers. As these files—obtained from the FBI by the Friends Peace Committee—progressed, the Friend at one point, in a document where his name was listed, was falsely labeled "CP member.")

GUILT BY IMPLICATION

Characteristic of directives that led local police to overstep First and Fourth Amendment boundaries is a statement made in a 1968 International Association of Chiefs of Police (IACP) survey of the Seattle Police Department:

... The typical police intelligence operation is designed to investigate individuals rather than specific offenses (emphasis added.) The intelligence function is heavily dependent on contributions of information received from a variety of sources inside and outside the department.⁸

Urban intelligence units have been able to use their own discretion in making their activities public, since state and local public disclosure laws are either non-existent or automatically exempt police intelligence files from public access. (See Seattle and Baltimore pp. 33 & 54 for exceptions, also Appendices I, p. 119 and 2, p. 123.)

On an NBC national telecast of "First Tuesday" on June 2, 1970, then Philadelphia Police Commissioner Frank Rizzo and Civil Affairs Unit head George Fencil identified participants in a peaceful demonstration which had been photographed by police cameras. After naming several of the protesters and showing dissenters' file cards with names visible on the video screen, Inspector Fencil stated:

We have made a record of every demonstration that we've handled in the city of Philadelphia and reduced this to writing, first by report and then taking out the names of persons connected with the different movements. We have some 18,000 names and we've made what we call an alphabetical file. We made a 5 x 8 card on each demonstrator that we know the name and so forth that we handle. This card shows the information as the name, address, picture if possible, and a little run down on the person... on the back of the card, we show the different demonstrations, the date, time, and location and the groups that the person has picketed with. We have some 600 different organizations that we've encountered in the Philadelphia area. We have such organizations as the Ku Klux Klan... all the way over to the other extreme, the left organizations such as the SDS... both the Labor Committee, the Weatherman organizations and a lot of the peace groups are extremely active at this time... the Student Mobilization Committee, the New Mobilization Committee, the Friends' Peace Committee, Quaker Action Groups and so forth.

This nationwide exposure on television of surveillance of lawful activity conveyed the impression that these groups and individuals were legitimate targets of such surveillance. Without their consent, this public exposure disregarded their privacy and right to dissent, further creating a climate conducive to public condemnation by implying that illegal activities were being carried out (see p. 76). (The news media, although sometimes manipulated by sources in the intelligence agencies, can also be a major source of information and advocacy for citizens' rights, exposing official abuses, crimes and misdemeanors in its traditional adversary role as a free press vis-a-vis the government. Exposé of the My Lai massacre, top-level military chicanery revealed in the Pentagon papers, of political crimes emanating from the Nixon White House, of assassination plots—all were results of relentless investigative reporting and editors willing to take risks for the public's right to know.)

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION (LEAA)

The role of the federal bureaucracy in the development of urban intelligence units has been considerable. As a result of the massive urban unrest and protest against the Vietnam war in the Sixties, this role took on new dimensions. The creation of the IDIU and the National Commission on Civil Disorders has already been mentioned. Another agency developed around the same time has had significant impact on urban intelligence units is the Law Enforcement Assistance Administration (LEAA). LEAA was established by Title I of the Omnibus Crime Control and Safe Streets Act of 1968, a "law and order" bill developed in response to the crises of the Sixties. The reason given for setting up LEAA was that:

Congress finds that the high incidence of crime in the United States threatens the peace, security and general welfare of the nation and its citizens. To reduce and prevent crime and juvenile delinquency and to insure the greater safety of the people, law enforcement and criminal justice efforts must be better coordinated, intensified and made more effective at all levels of government.⁹

LEAA was to be, among other things, a funding mechanism for local police to acquire crime prevention hardware and techniques. According to FBI statistics, crime rates had increased during the Sixties (with similar increases and fluctuations now recorded by the FBI in the Seventies).¹⁰ But the underlying reasons—growing

numbers of unemployed, especially of youth (among whom crime rates are greatest), and the disruptive effects of war and conscription, among others—were hardly addressed appropriately with increased technical equipment.¹¹ Nor was it against delinquent youth that much of this new technology was directed.

LEAA funding for urban intelligence units has been a significant factor in the accelerated growth of local police surveillance. U.S. General Accounting Office reports and documents described below show that LEAA has provided substantial support funding for local police departments to set up and operate intelligence divisions, grants for surveillance equipment, computerization of subversive files, and intelligence training.

A memorandum prepared by staff of the Center for National Security Studies in 1977 cites the District of Columbia, Chicago, and Michigan as having issued official reports documenting massive local police surveillance. In each case the LEAA connection was made:

Police Chief Maurice Cullinane of the Metropolitan Police Department (District of Columbia) in his official report to Mayor Walter Washington states that "with the exception of (\$150,000) supplied by the Department of the Army, intelligence operations have been entirely supported from appropriated funds or LEAA grant awards."

The Cook County Grand Jury Report states that "as much as \$79,000 in federal funds was given to the Chicago Police Department Intelligence Division between 1972 and 1974."

In Michigan, the Staff Study of the House Civil Rights Committee of the State of Michigan documents that LEAA, through the State Office of Criminal Justice Planning, funded, in separate grants, (1) the computerization of all subversive files into a "Rapid Retrieval Microfilm System," (2) the conduct of Michigan Intelligence Network (MIN) schools for officers who were trained in the use of surveillance equipment, the control and deployment of informants, and the internal security threat, ... and (3) the establishment of a State Police Civil Disturbance Planning Section to "combat the threat of militant activities that have been directed toward the violent overthrow of the democratic process in the State."¹²

A summary of hearings held by Congressman John Conyers' Subcommittee on Crime (August 17, 1978) on a proposed restructuring of LEAA stated that LEAA spent nearly 6 billion dollars in ten years with "little or no impact on the rate of crime, the fear of victimization, or the sense of injustice experienced by persons—

especially minorities and the poor—who come into contact with the criminal justice system."

Typically, Conyers reported, LEAA-funded programs consist of hiring more police, building detention centers, conducting police training and public relations, and purchasing communications and computer equipment. Conyers concluded that an entirely new policy direction is needed for the federal role in financing the state and local criminal justice planning.¹³

MINORITIES AND DISSIDENTS TARGETED

During the Sixties, minorities and especially Black groups became particular targets of FBI and local police intelligence surveillance and disruption. In a memo to FBI field offices in August 1967, FBI Director Hoover wrote that the primary goal of the Counter-Intelligence Program (COINTELPRO) at that time was "to expose, disrupt, misdirect, discredit or otherwise neutralize the activities of black nationalist, hate-type organizations and groups... and to counter their propensity for violence and civil disorder."¹⁴

Hoover expanded further on this theme in a 1968 memo which stated that one of his goals was to "prevent the rise of a 'messiah' who could unify and electrify the militant black nationalist movement."¹⁵

The FBI's harassment of Martin Luther King, Jr. before his assassination in 1968, is public knowledge. The Chicago police raid (planned in coordination with the FBI) on the Black Panther apartment in Chicago resulted in the killing of Fred Hampton and Mark Clark (December 1969). An FBI informant was also implicated, as we now know, in the 1965 shooting of civil rights worker Viola Liuzzo and in other acts of violence in the South (see p. 18).

During the period 1969-71, the FBI's active disruption of dissenting groups was expanded through COINTELPRO. Whereas such political groups as the Communist Party and the Socialist Workers Party (whose lawsuit in the Seventies has revealed nearly 100 burglaries of its offices by the FBI) had long been targeted, "New Left" and anti-war groups and individuals—including "key activists" such as Stewart Meacham, at that time AFSC's Peace Education Secretary—were now listed for "neutralization."¹⁶

AFSC's Chicago office was "bugged" in 1969 when defense for the "Chicago 8" was discussed there. This was accomplished by a right-wing group called the "Legion of Justice" with the knowledge and cooperation of local police and Army Intelligence (see p. 99).

During these war years many anti-war offices were raided—War Resisters League and Liberation News Service in New York among

others—and the Jane Addams building in Philadelphia (which housed the Women's International League for Peace and Freedom, the Philadelphia Resistance, and other groups) was burned out. AFSC offices were also burglarized.¹⁷ In most cases files were removed. FBI and local police have not found the culprits.

Included in nearly 53,000 documents on COINTELPRO, released to the public by the FBI in early 1978 through the Freedom of Information Act, is a memorandum detailing plans to sow seeds of discontent among Southern Christian Leadership Conference (SCLC) and AFSC workers involved in planning the Poor People's March on Washington. The FBI suggested that rumors be spread that Martin Luther King, Jr. was getting the lion's share of the march's funding, and that AFSC was trying to dominate planning for the march.

Tagging the civil rights and anti-war movements as potential national security threats, FBI and local police spent a great deal of time attempting to find "foreign connections" of many domestic groups. The Church Committee reported that some 500,000 domestic intelligence files had been opened at FBI headquarters, augmented by additional files at field offices: 65,000 files had been opened in 1972 alone.¹⁸

Press coverage of trials, police raids, and demonstrations focused on the more sensational aspects of other prosecutions, conveying the impression that activists generally were violence-prone, anti-American, etc. This helped create a climate in which police and politicians shaped public disapproval of political activities without regard for the right to free speech or the validity of the issues raised.

FEARS OF VIOLENCE

In assessing the value of domestic security investigations, the Church Committee heard from local police officials such as James Ahern of the New Haven Police Department, who stated that FBI reports which led to the positioning of federal troops near his city in the late Sixties were "... almost completely composed of unsorted and unevaluated stories, threats, and rumors that had crossed my desk in New Haven. Many of these had long been discounted by our Intelligence Division. But they had made their way from New Haven to Washington, had gained completely unwarranted credibility, and had been submitted by the Director of the FBI to the President of the United States. They seemed to present a convincing picture of impending holocaust."¹⁹

Public and police fears of bombing and riots were certainly real, but exaggerated the dangers. In January 1978 the following exchange occurred between Seattle City Council Member Michael Hildi and Major Ray Connerly of the Seattle Police Department:

Major Connerly: I think it would be important... to point out that during those same years, Seattle was the bombing capital of the U.S. We had more bombs going off per capita in this city than anywhere else in the entire United States. Now very few of those explosions have really been solved. Ever. It's all well and good to talk about excessive paranoia on the part of the police department but we feel responsibility when people start setting off explosions around town.

Councilman Hildi: I don't want to be bombed either, but I don't think that we have to face a choice realistically between being bombed and having intelligence activity that is not justified on the basis of... reasonable grounds of evidence. *I don't think we have (to make) the choice between political intelligence-gathering and being bombed (emphasis added).*²⁰

Yet in several notable instances, FBI and police were aware of violence that was planned and did not prevent it.

One FBI-paid provocateur, Gary Thomas Rowe, told the Church Committee that he was with the Ku Klux Klan when they committed acts of violence. These included the murder of civil rights worker Viola Liuzzo in 1965, the bombing of a Birmingham church in which four black children were killed in 1963, and the killing of a Black man during a racial disturbance in Birmingham also in 1963.²¹

The FBI did not intervene in the above acts of terror, or when Rowe reported that the Klan was planning to attack black people at a county fair. Nor did they intervene in 1961 when Rowe reported three weeks in advance that Freedom Riders arriving in Birmingham would be greeted by local Klan members, who Rowe said had assurances that they could beat the civil rights workers for fifteen minutes before the police would intervene.²²

Reviewing the disturbance known as "Days of Rage" in Chicago in October 1969, the Cook County Grand Jury pointed out a significant contradiction between what police say and what they sometimes actually do. The Grand Jury reported:

The Weatherman faction of the Students for a Democratic Society had publicly announced their intention to commit acts of violence in the City of Chicago. This announcement together with their past history of violence placed that group within the scope of legitimate police infiltration and surveillance.

The undercover officers who penetrated the group testified that they submitted reports detailing accounts of the meetings in which SDS leaders agreed to commit acts of violence. These officers also witnessed acts in furtherance of this conspiracy including the gathering of weapons, the drawing of maps, and preparations for escape.

Armed with this information, the police could have arrested the leadership of the Weatherman faction of the SDS, and prevented the riots, but they did not. The Grand Jury asked Chicago police officials why they did not prevent the riots and the resulting destruction of property and physical harm, even though they possessed detailed, corroborated evidence. Their reply was that the acts of violence must actually occur before any charges can be brought to the State's Attorney's office.

This, of course, is absurd and totally wrong. In Illinois, it is a crime to conspire to commit an offense if a step in furtherance of the agreement is committed. In this case, weapons were gathered, maps were drawn, escape routes established, and so forth.

The callous disregard for the health and property of those harmed during the "Days of Rage" is characteristic of the entire police spying operation. Peaceful groups were spied upon and disrupted for apparently political reasons while a violent group was permitted to carry out their intended plan of violence.²³

Whether or not the purpose of this dereliction on the part of the police was to create more public fear and justification for repression of all dissent, it is clear that the Vietnam war was a war that was being fought not just abroad, but also at home against a wide range of dissenting citizens. Although not all police, of course, were caught up in the excesses, harassments, and sometimes criminal activities of many "overzealous" agents, the prevailing political climate of the time and the absence of clear limitations resulted in police assumptions and actions that are with us still.