

An interview with Shirley Sutherland and Don Freed

What can the movement do for

EARL OFARI

On the evening of October 2, 1969, a small army of Los Angeles police officers and FBI agents broke into the homes of Shirley Sutherland and Don Freed, arresting them on charges of possessing illegal weapons.

The government charged that Sutherland and Freed, both members of the Friends of the Panthers, had conspired to purchase a box of hand grenades for the Black Panther Party.

Accompanying the police during the raid was James Jarrett, a former member of the Friends of the Panthers. It was later discovered that Jarrett was a police agent who had close connections with the Central Intelligence Agency. (See the L.A. Free Press for July 10, 1970).

Jarrett had been a leader of political assassination teams in Vietnam, Cambodia and Laos. He had also worked for the CIA in Latin America and had come to Los Angeles as an instructor for the Special Weapons and Tactics Squad (SWAT) of the Los Angeles Police Department. SWAT was responsible for the raid on the Black Panther Party headquarters in Los Angeles which resulted in the recently concluded trial of thirteen Panthers.

In September of 1969, one of the young women belonging to the Friends was raped, allegedly by reactionary Cubans. Jarrett, who had been teaching self-defense and first aid classes for the Friends, suggested that mace be obtained for the women to carry for self-defense. Freed evidently agreed to this.

On October 2, the day before Freed was scheduled to go to New York to supervise the Broadway opening of his play, *Inquest, the United States versus Julius and Ethel Rosenberg*, Jarrett delivered a brown cardboard box which was supposed to contain mace to Freed's home at 4:15 A.M. At 4:30 A.M. detectives arrived simultaneously at both the Sutherland and Freed houses and held guns at the heads of Don and Barbara Freed, and Shirley Sutherland and her three young children. Don Freed and Shirley Sutherland were arrested for possession of hand grenades and held on \$25,000 bond to face a ten year prison sentence.

When the case came to trial Judge Warren J. Ferguson of the United States Federal Court dropped all charges in view of the obvious entrapment. The U.S. Attorney, however, in an unprecedented move, appealed the Judges' decision.

The case stood in limbo until last November 15 when the government in a surprise move dropped all charges against Don Freed and Shirley Sutherland. It is claimed that the government reversed its position because they did not want to reveal the full extent of police wiretapping or present prosecution witnesses who had been involved in the frameup and whose testimony would therefore not hold up in court.

In an extensive interview last week with this reporter, Shirley Sutherland and Don Freed talked about the case and their rich history of association with movement organizations in Los Angeles.

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radicals on trial?

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EO: How did you get involved with the Friends of the Panthers?

DF: I had worked in the Southern movement with Martin Luther King. After Watts (in 1965) I helped form the Friends of Operation Bootstrap. When the Panther chapter opened in L.A., I set out to initiate dialogue between blacks and whites and to discuss the problems from their radical point of view. There were many coffee parties and at one I met Shirley. So they played a part. After John Huggins and Bunchy Carter were murdered at UCLA, it was clear that something further had to be done.

EO: What were some of the organized activities of the Friends?

SS: I remember the first meeting of the Friends at the Unitarian Church with 40 or 50 people. We decided it was necessary to have a fund raising event with Bobby Seale speaking. The idea of raising the money was to start a Free Breakfast Program.

Two weeks after we had that going the arrests started. We spent most of our time planning the breakfast program but because of the arrests all of our money started going for bail and lawyers. The breakfast program never became what it could have become. Our resources were completely drained.

DF: Each day was a new tragedy. We just didn't have time for the type of projects we thought desirable.

SS: If we had been able to concentrate on what we had wanted to do we would have had breakfast programs on every corner in the community. It was going beautifully for a while.

EO: Why did the Friends disband?

DF: It didn't disband! The Panthers, though their fortunes were low, insisted that the Friends become an independent group. They did not want to be dependent, financially or morally, on the Friends. It was Geronimo who enunciated this policy. It then became known as Liberation Union.

EO: What are the goals and objectives of Liberation Union?

DF: The objective was to decide whether the group could be autonomous or whether to study and decide what party they should join. The emphasis has been on study, though they have contributed money to the Panthers, and my case. They have been on union picket lines and done good media work. They've been active in the anti-war movement. It was a good group of people. Thanks to the Panthers it found an identity of its own.

EO: Are you working with Liberation Union, Shirley?

SS: No.

EO: Are you working with any organizations now?

SS: Once I came out of prison, the only thing I had on my mind was prisoners. I spent several months looking into groups that I felt were of value. Most were outside prison and were really not doing anything with persons inside prisons. The first group I met that was actually organizing in prisons was the United Prisoners Union. This was the first time I actually saw a prison organization that could accomplish anything it ever talked about.

The main thing we have to work on now are the county jails. Unless the person is dealt with in these jails then all you can do is send care packages and write letters. When I was in jail there wasn't anyone in there who couldn't have been out on \$250 bail, and I'm speaking of a woman's jail. What happens there doesn't affect one person, it affects four or five children. It's a deeply moving and desperate 24 hours where you see the cycle begin.

I get very worried when I see more prisons being built out in the countryside. A person should be a part of society. No one ever dreams of walking into a prison and seeing how their money is being spent. It's up to people to go and see them, and it's up to the authorities to let them in.

EO: The prison movement outside seems to be passing the people in the county jails by.

SS: It's really the birth of tragedy walking into those county jails. You never see terrified people in big prisons like you do in county jails. These are people who don't know the law. They've never been in prison before and have no idea what they should do. Once they get to prison they've been in county jail so long they have a certain role and have decided how they're going to put in their time.

EO: Does the UPU have a specific program geared toward county jails?

SS: Originally they planned to concentrate just on hardened criminals, until they realized they were cutting out so many people; from conscientious objectors to county prisoners, that they decided to change this.

EO: Are there any plans specifically related to L.A. County Jail?

SS: We're talking to lawyers. We want to have a lawyer on duty 24 hours a day. Our phone number is being circulated and many persons

at the jail are calling us.

EO: I understand that there was a recent split in the United Prisoners Union?

SS: This is a myth. When the Union was formed it was called the California Prisoner's Union. When we went to see Caesar Chavez and the United Auto Worker's Union, both of whom strongly supported us, they suggested that the word "California" should be dropped since it was something that needed to be accepted across the country. So the board in complete accord voted to change the name to "United Prisoners Union."

Several months later, John Irwin resigned from the Union and proceeded to talk about forming a new union. To my knowledge nothing has been done with the new

DF: So the agent provocateur did not destroy there what it did here?

SS: No! One thing about Canadians is that they haven't tolerated the kind of red-baiting that has existed in this country. The Communist Party in Canada has existed out-front.

On the other hand, Canada did the most atrocious thing I've seen any country do, the War Measures Act. I don't believe you could have done it in this country. I didn't see anybody other than our party stand up and vote against it.

EO: What about Anti-American sentiment in Canada?

SS: That is enormous. A lot of it is envy. You'll find a Canadian is very



Shirley Sutherland and Donald Freed

Free Press Photo by Earl Ofari

union. The UPU in San Francisco is stronger than its ever been. There is still only one union.

EO: I have heard that you've had some experiences organizing in Canada?

SS: My father was one of the founders of the CCF (Canadian Commonwealth Federation) in the 1930's. That was the Socialist Party in Canada. In 1934, they drafted the Regina Manifesto which called for the public ownership of land, hospitals, etc. It was much more sweeping than the 10-point program of the Panthers.

It was a very serious Socialist Party, all poor people. In Canada it was a true class party, quite different than Spock's party. I watched the party come into power in 1944 in Saskatchewan and it was the first state in North America to implement National health and socialize several electric companies. So for the first ten years beginning with the late '30's, I watched the party develop at a very grass-roots level.

In Canada we never ran into this thing of provocation. We just had people who would break up meetings with chains.

Politics in Western Canada are taken very seriously. The party had tremendously dedicated people and they're still there. They kept the party going when this country lost its Socialist Party.

pro-American when he is with an Englishman and very pro-English when he's with an American, because many Canadians have not found an identity of their own.

EO: Canada seems to exist more or less a colony of America.

SS: American interests control about 99 3/4 of it. This infuriates Canadians. For example, the Canadians don't have a car of their own or a washing machine. There's nothing really made in Canada that isn't American.

EO: Don't the labor unions there also take their orders from bureaucrats here?

SS: Our unions are in better shape than the ones down here. They're closer to what unions are supposed to be.

worked for the L.A.P.D. and was deputized by the Treasury Department for the arrest. We later found out about his ties to the C.I.A. Because of the cancellation of the trial we were unable to find out where he is now.

EO: I heard some mention of him working in the Mid-East.

DF: He had been working with the C.I.A. in Vietnam and Latin America and then supposedly was out of it. After our arrest he was with them again and had gone to the Mid-East according to the judge and an Assistant District Attorney.

EO: The judge said this?

DF: He said this in chambers to a defense attorney in another case which Jarrett had set-up. For the record, it's impossible to get

EO: Being married to Donald Sutherland, did you receive any support from persons in the movie industry at the time of your arrest?
SS: I didn't have a great many friends in the movie industry anyway. They were so fairly shocked by the association with the Friends of the Panthers that by the time the arrest came this was just looked upon as inevitable.

EO: No one came forth?

SS: About the only one was Robert Aldrich, the director, who did send a contribution.

EO: Just briefly, what was Jarrett's role in the arrest?

SS: When we were leaving, going to jail, we pulled into the parking lot. This man came up to the car and said, "I'm James Jarrett. I didn't realize who he was when he said it. It took me a few minutes to recognize him. He had a huge gun strapped around his shoulder.

The F.B.I. told him, "Now you can go home." Jarrett ignores them and gets into the car with us. While we're riding he's talking 90 miles a minute explaining the arrest to Freed.

The whole thing seemed to bother him. The last thing he said with tears falling down his face was "Shirley, I have a lot of problems and a lot of things to talk about, can I see you when you come out?"

EO: When did you find out he was an agent?

DF: When he arrested me. I did have suspicions at one point that he was a Minuteman agent and to that end conducted an investigation and tried to check out his background. I did not think of him as a police agent.

When he came to my house to make the arrest he flashed a card saying Police Agent and put the handcuffs on. One of the Treasury men said to him, — indicating the unopened box purporting to be grenades, — "You better take care of this, it's your baby." Then Jarrett went downstairs with the box.

EO: He was an L.A.P.D. man?

DF: No, he was a Treasury man. He

anything on this. The police, the C.I.A. will make no comment.

EO: The case has been completely dismissed?

DF: Right.

EO: How did movement people respond to your arrest?

SS: Justice For All was formed and raised some money for us. They were always very good about coming to the courtroom. The trouble is you're always asking the same people for money. It's really our fault that the group of people we can turn to is so small.

DF: We tried to reach a little different audience and not take funds away from the Panthers and others. So Robert Cohen, a journalist-film maker, sent a lot of press releases to papers and magazines. Herbert Magasum, founder of Individuals Against the Crime of Silence, was really the prime mover. He's one of the most resourceful men in the entire anti-war movement. Father Blaise Bonapine, Donald Duncan and a number of other people did what they could.

EO: Let's switch from your case to the just concluded Panther trial. Whose victory was it?

DF: Thanks to the long periods of silence by the press, it struck many citizens as a great victory for the Panthers. The last chapter they had tuned in on was the fire fight in December, 1969, and now they hear that no one's going to jail. Many people must feel that the Panthers have gotten away with something.

Those who followed the trial know that the court was not able to prevail in the courtroom as they did in the street with their armed force. In that way, the state did fail to exterminate the Party.

Now as far as the press is concerned they must have been ambivalent. They took one of the greatest cases in the country and tried to erase it from public consciousness; while the Manson case was rehashed daily. That case bored the public to death whereas a case

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such as the Panthers concentrated all the prevailing tensions in our culture and could have provided a Pulitzer Prize treatment.

As far as the movement is concerned, I would agree that it was not a victory because they did nothing to win it. This was the generosity of the court. The movement exerted no leverage.

EO: It seemed there was a complete lack of response from the white movement?

DF: This is rationalized in the white movement by saying that since the Panthers were fighting each other and did not make the trial their priority why should we? They failed to understand that this wasn't because the Panthers lost interest in their own people or in court, they simply refused to use all their money, time and energy on themselves.

The white movement with time on its hands between anti-war demonstrations and looking for ways to make a bridge to black liberation could at least have identified with those on trial as victims.

We're not subservient to the Panthers, we relate to liberation. Here were 13 blacks sitting on trial for their lives in a capital case. When they were in the streets for five hours they brought the entire movement out. It was regarded as the first urban fire-fight and it stirred the romantic imagination of the white left. None of this spilled over into any enthusiasm for the court battle.

EO: What were your personal experiences with the trial?

DF: The first day of the trial Deputy District Attorney Carroll said, I see Don Freed in the audience. He said to the judge, "Is he going to testify in this case." At the time they were excluding potential witnesses.

The judge asked me to stand up. I said I had no plan: to testify, so I was allowed to stay. I think of the reaction of that District Attorney to the presence of a supporter there, that gets through to the jury, the judge, the press and everyone else. The presence of the movement can change the entire chemistry.

EO: Were you involved in any kind of organization around the trial?

DF: We did have a movement wide meeting at the Long March and a committee was set-up.

EO: Was that the L.A. 13 Defense Committee?

DF: Yes. I hoped that the committee would represent all the various individuals and it would not be a Panther committee. But somehow the whites became paralyzed over whether it would seem like they were siding with one side (of the Panthers) or the other.

EO: Was there much support for the committee?

DF: That first night meeting was well attended and Luke McKissack spoke. But after that the few well motivated persons had to continue as individuals. The courtroom throughout the trial was virtually empty.

EO: I know that you attended the Panther trials in New Haven and New York. What were some of the similarities and differences you noted in the three trials?

DF: Each city has its style. In New York, the D.A., the judge, and the police were flagrant and melodramatic. Luckily the jurors were New Yorkers too and they were just as tough and rebellious. One juror said "bullshit" loudly once while the judge was saying something. After the verdict they all went down and hugged the Panthers and then went off to a party. This was after the longest trial in New York state history. They didn't even take a dinner break; they voted 164 counts of "not guilty" without let up.

In New Haven it was very New English: sports jackets, no guns in sight, no police, super quiet. It was a little New England courtroom. The superego of the geography took the place of the beefy New York pigs. After the verdict they went to a party too. Some of them even began to help the Panthers in their voter registration program.

In New Orleans, the jurors quoted Martin Luther King in rendering their decision. This must have shocked many to see blacks putting Martin Luther King and the Panthers in the same syntax. They had tried to separate the bad niggers from the good colored folks.

EO: You're writing a book about the New Haven trial?

DF: It's all finished. Unfortunately it won't be published until next Fall, making it almost irrelevant.

EO: How did you treat the trial in your book?

DF: I tried to treat it as a combat and not as a game of chess. I tried to show the atavism as well as the social and political realities involved.

I tried to give human insight into the major characters: Charles Garry, Ericka Huggins, Bobby Seale, and so forth. I wanted to keep it almost as a day-by-day diary.

EO: I'd like to talk a little about the Citizen's Research Investigating Committee (CRIC). I know that they were responsible for bringing the police informer, Louis Tackwood, to the surface. I thought you could tell me something about the objectives of that group since you are doing extensive work with them.

DF: It's just a small media group with no plans to be anything more. It hopes to stimulate research and centers for the analysis of law enforcement. We hope to establish a mailing address so that people like Tackwood have a place to send an anonymous letter or make an anonymous call.

The original Nader group also didn't have any offices, or even stationery. They were just a conduit for information. But as time went by the Nader group became almost like a foundation and branched off into a whole constellation of activities.

CRIC hopes to bring lawyers forward for people who are in jail because of police provocation, to acquaint the media with the facts about police provocation and to publish a book which will show the police-industrial complex as the context in which the provocateur swims. We want to do for citizenship what the Nader group did for consumers.

EO: Is the book CRIC is putting together based on the taped interviews that were done with him?

DF: His oral history which forms the core of the book is some of the most remarkable I have ever seen. I think it's fair to say that we are using this oral history in an extremely political fashion. Except for the first long section which reads almost like a spy novel, we go further out until we talk about the entire electronic battlefield that American intelligence has become and the threat to the individual citizen. But always through to the end is that voice, which is authentic when it is lying and authentic when it is telling the truth.

We say in the book, which is titled *The Glasshouse Tapes*, that it stands in relation to the Pentagon Papers as hell does to Main St. Louis Tackwood is no Daniel Ellsberg; and the ghetto is not the Pentagon. But the network of the drama flows from the same sources. Everything is in oversized terms among the poor, but one can trace it back to the impulses in the ruling class.



James Jarrett, Police Informer

EO: Does The Glasshouse Tapes go into more than just Tackwood's revelations about Angela Davis, the Soledad Brothers, Karenga, etc.?

DF: He goes a great deal into the philosophy of his role. He gives an idea of what it feels like to be in the world of the provocateur. To me this is the best part.

The confessions are fascinating. If you forget for a moment that he worked for the police, what you're reading about is one of the voices of the ghetto, a hustler who either becomes a Black Panther, goes to prison, or winds up a police agent. Up until a certain point there is a commonality. So it tells a great deal more than about an individual.

Unfortunately, some of the most startling allegations that were brought out concerning the Marin County Courthouse shootout and Angela Davis, we couldn't even put in the book. However, they did subsequently check out. In essence, let me say that what Ruchell Magee has been saying is true. His version of what happened is absolutely correct.

EO: What's been the response from publishers?

DF: Simon & Schuster and Bantam Books have shown the greatest interest. I suppose there will be film interests because of things like the French Connection, the Anderson Tapes and so on. The public's appetite is so enormous to penetrate

the mystery that surrounds their lives.

EO: What are Tackwood's plans for the future?

DF: They are trying to get him behind bars. He has court appearances upcoming. Tackwood will receive most of the money from the book. He has spoken on college campuses to packed audiences. He's a tremendous newsmaker wherever he goes.

We envision a national tour for him. We hope that the proceeds from the book, magazine articles and tours will give him the headstart to stay out of the clutches of the police and make his own way. This may give him some breathing space.

EO: Have any other Tackwoods come forth to the CRIC?

DF: In the case of Tackwood, we were sort of cut-off before certain explosive information might have developed. We assume there will be lawyers and young people who wish to do some investigating. We are trying to put together teams of researchers and start new projects.

We can be contacted through KPFK, or, I guess, now through you at the *Free Press*. Mr. Tackwood's lawyer is a part of the Bar Sinister Collective at 619 S. Bonnie Brae. CRIC's legal representation is also at that address.