

Agent Rebels Over Snooping Orders

The Jittery Life of

By Nicholas M. Harrock
New York Times

Washington

ELSA SUAREZ Gutierrez is a vivacious 33-year-old divorcee of Cuban extraction who lives with her three children and a German police dog in a comfortable Spanish style house in the Coral Gables section of Miami.

But there are aspects of Mrs. Gutierrez's life that are quite different from the lives of housewives in the other tree-shaded homes of the neighborhood. When Mrs. Gutierrez has a dinner date, she asks her escort to drive a circuitous route, wary of "a tail car" and particularly watchful for license numbers on cars that linger behind too long.

No one can enter Mrs. Gutierrez's house without careful commands being given to the dog, Rommel, who is trained to attack any adult stranger without provocation. When Mrs. Gutierrez talks on the telephone from her home it is often in Spanish or English codes.

The intrigue in Mrs. Gutierrez's life has been created by her career. She is a professional informant.

★ ★ ★

BY THE standards of interest, skill and longevity, she has put as much

effort into her work as has a school teacher or legal secretary of the same age.

Between 1968 and the present, Mrs. Gutierrez has been a paid informer for the Secret Service, the Miami Organized Crime Strike Force, the Bureau of Narcotics and Dangerous Drugs (later Drug Enforcement Agency) and the intelligence division of the Internal Revenue Service. But it was on her last assignment, which she maintains was to investigate sexual lives and drinking habits of 30 prominent Miamians, that she came a cropper.

She left the employ of the IRS in anger over the nature of what she was asked to do, and she has charged that her "control" (the agents who "ran" her) made threats against her. Her charges are now being sorted out by the IRS inspection team and presumably will be heard by several congressional committees.

★ ★ ★

BUT TO many thoughtful law enforcement officers, lawyers and members of Congress, Mrs. Gutierrez's story symbolizes something far more sinister.

For example, Nathan Lewin, a Washington lawyer who is a former deputy attorney general, said in connection with a Supreme Court case on an informer in 1971: "A far greater danger to our free society is presented by the prospect that friends and associates may be employed as government spies than by the possibility that an informer with whom we speak may be instantaneously transmitting our conversation to a near-by receiver."

The U.S. government and the police in this nation have institutionalized the informant. His role in law enforcement and political control has become far more important than many persons realize, and millions of dollars are spent each year to pay informants.

In the federal service alone a veritable laundry list of agencies receive funds for secret payments to informants: the Federal Bureau of Investigation, the Drug Enforcement Agency, the Internal Revenue Service, the Alcohol Tax and Firearm Division, the Secret Service and the Immigration

a Professional In

and Naturalization Service, to mention only the better known. Naturally the intelligence agencies, Central Intelligence, defense intelligence and the military police units also make use of informants.

There is no record kept on how many persons are on the payroll of the federal government as secret informants, but one rule of thumb is that there are two informants for every full-time agent. This would mean that between the Treasury and Justice departments alone there are something like 30,000 paid informants.

★ ★ ★

POLICEMEN SWEAR by informants, and in the locker rooms and lunch-eon spots of lawmen one often hears the adage that "a cop is only as good as his snitch (informant)."

Informants are important. Mrs. Gutierrez's work with the drug agency, for instance, broke several important narcotics seizures, responsible agents

privately confirmed. Much of the assault on organized crime has been heavily on informants paid by the government.

The Justice Department has informants so valuable that it has a program within the U.S. Marshals Office to give informants (and those who testify they are dubbed "witnesses") protection through new identities, jobs and new lives to hide them from the persons they have compromised.

The U.S. Customs Service and other agencies can pay a reward to anyone who gives it a tip on contraband, heroin or nylons. To someone who catches tax evaders, the IRS offers a reward of 10 per cent of the amount of money it recovers.

★ ★ ★

BUT AS one prominent federal prosecutor put it in a recent interview: "Informants are like using a placebo drug. You had better be sure you're not curing a disease you're trying to cure."