

A case of Pre-dawn, No-knock Nazism

DONALD FREED

The Weapons of the Brave

Harold Lieberman, the poet, and I had just finished celebrating. We had won a prize in the International Gandhi Centennial Competition. We had taken, as our theme, Gandhi's idea that in the human rights evolution we were "in a war" where those who were nonviolent used "the weapons of the brave." At 1:15 a.m., as I slept, a young man that I knew, who belonged to a group that I helped found, delivered a box of grenades to my apartment. At 1:30 a.m., he led a party of local and Federal agents in to arrest me. At the same hour, an even larger team of agents was breaking down the door at Shirley Sutherland's home in Beverly Hills. There, automatic weapons were put to the heads of the two women and three children in the house. There were no warrants anywhere, and at Mrs. Sutherland's a pre-vision of the "no-knock" strategy has left an indelible impression on those who were slammed against the wall but could still hear the house being torn apart behind them.

I had been an amphibious radical (commuting between the University and the ghetto), but the events of that night—and what has happened since—have turned me toward revolution as surely as the war and assassinations of the Sixties transformed me from a liberal to a radical.

"We Need Some Intelligence"

—Eldridge Cleaver

Shirley and I were held on \$25,000 bond and we face a ten-year Federal prison sentence. At the bail hearing the Government argued that our group, "The Friends of the Black Panthers," was para-military, and that a book I was writing, *The John Brown Book*, was a manual for revolution. We could not reduce the bail. (Weeks later the Government announced the discovery of "the largest arms cache in California history." The men involved, who were connected with the military and whose Nazi memorabilia included SS uniforms, were released on their own signatures.)

Looking back, the story unfolds stereotypically, except for an unexpected revelation in the end—hard proof that the CIA has begun the systematic infiltration of local police departments. And ringing in my ears is the last thing Eldridge

Cleaver said to me: "We need some intelligence machinery, so we can know who they plan to assassinate."

It all began when the Los Angeles Friends of the Black Panthers was started in order to help support the Panthers' hot breakfast for children and free clinic programs.

In March of 1969, Bobby Seale spoke at our rally to raise funds for the new breakfast—clinic projects and a small group were formed to set up black-white dialogues, small fund raising affairs and to service the Black Panther newspaper to white bookstores. Shirley Sutherland, the daughter of Canada's legendary T.C. (Tommy) Douglas, head of the New Democratic Party, had a little money to give besides her energy; but the others were mostly students and gave what they could—in short, activities which, had they been for almost any other group, would have been permitted, if not applauded, since they were exactly what both the Kerner and Eisenhower Reports had urged.

Meanwhile, the repression of the Panthers was going up by the numbers, and the Friends were sobered when several of its members were *beaten*. First aid and self-defense classes were initiated. They were taught by James Jarrett, a former Green Beret who had broken with the system—we thought. After the arrests he was identified as an undercover *agent provocateur* of the Los Angeles Police Department. *But that was not true either.*

Jarrett talked freely about atrocities he had committed in Vietnam, and of his current life as a cat burglar and gun runner. His acting-out personality was plain (to use the psychological vocabulary that is part of the problem, since it is precisely these "cases" that become, if they are allowed to, the shock troops for fascism); he did not conceal his racism, male supremacy and hunger for violence. I maintained that he was sick from Vietnam and should not be rejected. I was right—he was sick—but that sickness was being organized by forces of which I was ignorant.

Jarrett ran tight, effective self-defense and first-aid classes. He was skilled and patient and revealed a helpful, friendly side in direct contrast to his usual provocative behavior. Time passed, the Friends was becoming a cohesive, cogent group. Then one of the young wo-

men was raped by anti-Castro Cubans, and everything changed.

"When Are You Leaving For New York?"

"When are you leaving for New York?" was the question asked me by a Treasury agent the night of the arrest. I was going to New York to work on a new play, *Inquest/The United States Vs. Julius and Ethel*

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Bombing, killing, stealing and more from a provocateur

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Rosenberg. When he asked that, I knew that the insane tactic of bringing grenades to me in the middle of the night and then swooping in for an arrest had been dictated by the fact that I was shortly leaving Los Angeles and, by this time, no one else was even speaking to agent Jarrett. Time had run out for them. (When an incredulous Federal Judge Ferguson later demanded of the Government why it had ever involved itself in this scenario, the unhappy assistant U.S. Attorney blurted out, "Because, your Honor, the Government wanted this case.")

Now Jarrett's provocation was reaching the limit even for me, who had argued that the more violent his rhetoric the more compassion his illness demanded. It was, I insisted, much easier to organize Jewish intellectuals than racist, ruined poor American white veterans!

Jarrett suggested that Ron Karenga (of the black cultural nationalist group US) be killed. He tried to organize a band of "Red Berets" to assassinate rightwing leaders. He suggested that school buildings be blown up. He proposed the killing of anti-Castro Cubans, and the grenading of their headquarters. He proposed stealing guns. He urged a bank robbery. He wanted to set up SIX teams (a military acronym for

Sabotage, Intelligence and Experiment). He wanted to set up target files of plans for dynamiting public buildings and sabotaging aerospace facilities. He complained bitterly that all the radicals only read books and leaflets while he had to have a revolution, no matter which side he fought on.

But after six months, instead of provoking the Friends into nihilistic violence, he was in danger of being humanized by our acceptance of his problems and our encouragement of his real teaching contribution. He was distrusted, but it could not be denied that if turned away he was an obvious candidate for the right wing, and that there were thousands like Jarrett who would soon be returning, and the movement must be able to face them and accept them despite their contradictions and identity crises, crises that represent the American spoilation of millions of its working class youth, all of them war casualties.

But when Jarrett offered a box of MACE to give to the girls in the group, I said yes. He called Shirley Sutherland, who had never set eyes on him, made his dawn delivery of a brown box to my apartment, and minutes later returned to put a gun to my head and to say to his federal companions, "Now I can get a haircut." (They were later to ask me why I didn't have long hair.) The box was never opened. It contained, they said, ten hand grenades.

Justice for All

We were held for \$25,000 bail as Black Panther agents. Shirley and her young children had had rifles put to their heads; I would never teach again; and the Friends of the Panthers were panic-stricken and destroyed.

A Defense Fund (Justice for All) was started by the author Robert C. Cohen, and we found bail and hired lawyers. The Friends rallied superbly—after very deep soul-searching. Thanks to Shirley and her remarkable husband, Donald (the actor), we were able to retain on our legal staff an outstanding investigator. Michael McCowan, a lawyer and the private investigator from the Sirhan case, joined chief Southern California Panther attorney Luke McKissack, and the well-known political defense advocate Hugh Manes. We began to prepare for the trial. Just then, Jarrett re-

and give citations to the Friends as they left their meetings. We now documented Jarrett's past sexual and criminal behavior, which people began to volunteer. We awaited our investigator's report.

Jarrett had been a "hit" man—the leader of political assassination teams in Vietnam; Cambodia and Laos. He had worked for the CIA in Africa and Latin America. He had come to the Los Angeles Police to help train the Special Weapons and Tactics squad. (In December these "anti-sniper" SWAT squads dressed in black, and in the middle of the night—with dynamite and special weapons—had attacked the Los Angeles Panther office in force. The lines of our political defense began to be clear. We would make the usual motions for dismissal, but then we would find out in court who was responsible—finally—for the use of men like Jarrett. But the tables were turning now.

Memorandum of Fact

Wm. Matthew Byrne, Jr., United States Attorney; Robert L. Brosio, Assistant U.S. Attorney, Chief, Criminal Division; Dennis E. Kinnaird, Assistant U.S. Attorney, 1200 U.S. Court House, 312 N. Spring St., Los Angeles, Calif. 90012.

Attorneys for Plaintiff

United States of America

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

United States of No. 486-(WF)-CD
America, Plaintiff

MEMORANDUM OF FACT

v.

DONALD FREED

SHIRLEY JEAN SUTHERLAND,
Defendants.

This memorandum is submitted by the plaintiff to advise the court and defendants of the facts concerning the acquisition of post-arrest tape recorded conversations between a private investigator, Mike McCowan, defendants FREED and SUTHERLAND, and Mrs. Sutherland's maid....

On December 10, 1969, Sam Bluth, an employee of private investigator Mike McCowan, visited the Venice Police Department. Mr. Bluth had been an officer of the Los Angeles Police Department, who had resigned under pressure....

'Revolution in the Mother Country'

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recorder previously provided for a tape recorder that contained a larger spool. No additional information was received from Bluth at this time.

...Bluth came to the Intelligence Division and gave Sgt. Dyer a transcript which consisted of approximately 10 or 20 pages. The transcript was a condensed version by McCowan of the earlier tapes that had been received on December 10, 1969, and some additional information that had been obtained.

On January 20, 1970, Sgt. Arnold and Sgt. Guterding met with Bluth and picked up the tape recorder which they had left with Bluth. At this time they advised Bluth that the United States Attorney's Office had been informed of their transactions.

Respectfully Submitted,

WM. MATTHEW BYRNE, JR.
United States Attorney

Agents and double agents and more besides that await the trial. But this much the Government was forced to expose to our investigator, McCowan: the charges range from simple burglary to conspiracy to violate a number of constitutional guarantees. We now know that in a showdown the U.S. Attorney confronted the FBI and the LAPD, and the FBI refused to back up the police.

"Why Did the Government Break Its Own Laws?"

Judge Ferguson did not spare the Government. It was only two days after the Chicago Conspiracy verdicts, and it was moving to see the man pit himself against the State. He scored them for two things: provocation and entrapment. ("You brought the grenades to Freed's house in order to arrest him, didn't you? You didn't intend for him to

use them on City Hall—did you, or did you?"), and for violating precisely the law we were indicted under. ("What was your hurry? You went to the naval base and got the grenades, and then neglected to sign the necessary tax papers involved. What was your hurry?")

Fred Hampton was dead; Bobby Seale gone the "legal" way of Huey Newton; and the Los Angeles Panthers were fighting in the streets for their lives. On February 16, Federal District Judge Warren Ferguson dismissed all charges. The United States Attorney, deeply compromised by the police, had turned over the shocking memorandum to the Judge. But the Judge did not choose to mention it in court.

We thought it was over: charges dismissed, a \$1,000,000 suit against the police by us, \$250,000 by McCowan, high ranking police officers facing indictment—vindication!

The United States Attorney has been replaced, there has been no indictment, and James Jarrett has been identified as a CIA agent, who is now gone on assignment to Israel!

Jarrett was the only witness in the other case against the Friends, but their judge announced that Mr. Jarrett was working for the government and had to leave the country. The other details followed. A dangerous provocateur and saboteur in Israel! Doing what for the United States? How much had the police really known before the pending criminal charges forced Jarrett to give up his deep cover and flee? Or, rather, before the CIA had to surface and give away its plans for the infiltration of local police forces with counterinsurgency agents.

These and questions like them must be answered. Now, if we can raise funds, we will force the government to account for its

agents. The police, FBI and CIA will be confronted on the stand in the public courtroom.

The Friends of the Black Panthers—because of the urging of the Panthers—grew up and became the "Liberation Union" and extended its support to labor insurgents and the anti-war GI movement, and all political prisoners. Thus, the Panthers, despite their own terrible boundary situation, said to their white friends, "Make the revolution in the mother country."

We are going ahead, despite the fact that both the United States and the District Attorney refuse to bring charges against the agents who have violated over twenty state and federal laws. We have been given to understand that, should the government lose its appeal of our case, the State of California intends to rearrest us. Mike McCowan has been beaten and shot at. But to quit now would be nothing short of collaboration with evil. So we call for help and we are going on.

The movement, if it is to survive, must now have the intelligence that Eldridge Cleaver called for—that is clear. To that end, intelligence and security training has begun in a number of collectives. There is no money for private investigators, and yet without one we would be in jail now. We have, of course, been carefully educated so as not to survive. Now it is clear we must begin our education over at ground level: naivete is no substitute for trust and solidarity, and paranoia no substitute for intelligence. (One recalls the Panthers' urging of a united front against fascism almost with nostalgia, now, for the missed opportunity.) But with Huey P. Newton at the Finland Station, the movement must put its beautiful childhood away once and for all.

The Right coalition pattern of CIA infiltration, police militarization and politicalization, CIA-backed Cuban and Right militants is starting to come together. The movement—with its back to the wall—is starting to use its head.

I felt, more than ever, that it was true what I had said when Shirley and I worked on that rally for Bobby and the breakfasts:

"I decided to work with the Black Panther Party because I discovered a core of love in their program of feeding thousands of hungry children, and of trying to bring hope into the lives of the miserable and the poor. The self-inspired efforts of these young ghetto-dwellers are, to me, a true renaissance of the damned."

And Shirley, too, stands behind what she said:

"I became a member of the Friends of the Black Panther Party because I found myself in complete agreement with Eldridge Cleaver's statement: 'There is pain, there is suffering, there is