

Informers Play Key Police Role

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Special to The New York Times

WASHINGTON, April 1—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 of cars that linger behind too long.

"That doesn't really help you, you know," she said. "They change the license plates all the time. I know, of course, I've done it myself."

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, and her children are taught to notice and keep track of any stranger who pays too much attention to them.

A Trained Professional

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 Agency. 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 I.R.S. 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 an I.R.S. 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 nearby receiver."

Yearly Cost in Millions

The United States 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 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 of how many persons are on the payroll of the Federal Government as secret informants, but one rule of thumb is that there



Associated Press

Elsa Suarez Gutierrez at an interview last month in Coral Gables, Fla.

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 luncheon spots of lawmen one often hears the adage the "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 narcotic seizures, responsible agents privately confirmed. Much of the assault on organized crime has relied heavily on informants paid by the Government.

The Justice Department found informants so valuable that it has created a program within the United States Marshal's office to give informants (after they testify they are dubbed "witnesses") protection through new identities, new jobs and new lives to hide them from the persons they have compromised.

Some Rewards for Tips

The United States Customs Service and other agencies can pay a reward to someone who helps it catch tax evaders, the I.R.S. pays 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 wonder drug. You had better be sure the disease you're trying to cure is lethal, because the side effects sure can be." It is the "side effects" particularly in the use of infor-

mants in investigations of new left and antiwar movements that have raised the deepest concern among civil libertarians.

The paid informant's future, for instance Mrs. Gutierrez's, relies heavily on the "quality" of their information, and many critics of the informant system suggest that when an informant's pay and rewards are based upon what he can say he begins to exaggerate.

The danger is particularly great if the informant is dealing in "intelligence" material and not required later to testify.

In the past decade the informer as agent provocateur has aroused increasing concern. Boyd Douglas, for example, was a convict hired by the F.B.I. to befriend the radical priest, the Rev. Philip F. Berrigan and keep the bureau informed of father Berrigan's antiwar schemes. But court testimony later revealed that Mr. Douglas was doing a little more than simply "informing." He supplied Father Berrigan with a manual on explosives and seemed to suggest as many schemes as he reported.

In the criminal and drug field the informer is more often than not a criminal—"It takes one to know one" is the oft-heard philosophy — and has often been recruited to work with lawmen under the duress of a criminal charge. The usual scenario is that the lawmen hold a charge in abeyance until the informer "cooperates" sufficiently with the Government and then make a recommendation for leniency or drop the charge as a reward.

Informants are not always disarmed by the agents. And Federal agents, particularly in the narcotics field, make every effort to keep a good "snitch" out of jail or other crime so he can continue feeding them information. This means going about quietly trying to apply pressure on local police agents so they will not prosecute an important informant for something in the area.

For the nation as a whole the most troubling "side effect" of the growing informer business may have been typified by Mrs. Gutierrez's recent charges.

She has testified in an affidavit that the I.R.S. asked her to see out material about the personal lives of judges, lawyers and politicians and not merely to report whether they had committed a crime.

"You know this stuff is why many of us left Cuba under Castro," she said with an angry wave of her hand.