

Civil Liberties Defense Center

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SILENCING DISSENT:

COINTELPRO AND THE FBI'S CAMPAIGN AGAINST POLITICAL FREEDOM

- 1918: The FBI's predecessor, the Bureau of Investigation, conducted raids in New York and New Jersey against "deserters" and "selective service violators." With the assistance of local law enforcement agencies, the Bureau rounded some "50,000 men without warrants of sufficient probable cause for arrest." In an internal memo, the Bureau admitted there was a "mass deprivation of rights."
- 1920: The Bureau and the Immigration Bureau conducted the so-called "Palmer Raids" which rounded up 10,000 people in 33 cities across the U.S. Distinguished legal scholars (Roscoe Pound, Felix Frankfurter and others) later concluded that federal agents were "guilty of using third-degree tortures, making illegal searches and arrests, using agent provocateurs...."
- 1940: President Roosevelt issues secret memo to J. Edgar Hoover giving bureau power to deploy warrantless wiretaps and bugs in investigation of suspected dissidents.
- 1947: After years spent investigating the political left, less than 100 government employees had been identified as potential communists, and the FBI had no evidence to prove party membership for *any* of them. Despite this, Hoover portrayed communists as a major threat to the United States when he addressed Senator McCarthy's House Un-American Activities Committee, thus setting the framework for more extensive FBI investigative authority.
- Early 1950s: The FBI instituted COMINFIL, an intelligence program designed to expose communist infiltration in the United States. Under COMINFIL, all members of the Communist party in the United States were investigated, as were numerous liberal groups suspected to be influenced or controlled by communists (groups like the NAACP, NLG, ACLU, university professors). The FBI used more than 5,000 subversive informants to infiltrate these groups. Over 432,000 people were investigated.
- 1954: The Hoover Commission on Government Organization issued a classified report that stated that "we must learn to subvert, sabotage, and destroy our enemies by more clever, more sophisticated and more effective methods than those used against us."
- 1956: The FBI instituted the top-secret COINTELPRO (counter-intelligence program) in an effort to control political activity previously deemed illegal by the Smith Act. In the words of then-FBI Director J. Edgar Hoover, COINTELPRO's purpose was to "expose, disrupt, misdirect, discredit, or otherwise neutralize activities [of political dissenters]."
 - COINTELPRO was the FBI's response to a series of Supreme Court rulings that, in the words of a massive congressional investigation following the Watergate scandal, "limited the Government's power to proceed *overtly* against dissident groups."
- 1960s and 70s: COINTELPRO broadened its focus from the communist party to include any groups and individuals such as Martin Luther King, Jr. and the United Farm Workers Union. Many groups engaged in political dissent such as the Free Speech Movement in Berkeley, Students for a Democratic Society, the Socialist Workers Party, and the New Left were heavily targeted by the FBI. Other groups infiltrated and investigated included the Black Panther party, the American Indian Movement, and the Women's Liberation

Movement. The FBI's tactics extended to the use of lethal force in their attacks on the BPP and AIM, often through exploitation or exacerbation of internal factionalization, recruitment of racist groups and use of agent provocateurs.

- 1971: Once COINTELPRO was publicly exposed, the FBI announced it was terminating the programs. However, the FBI continued to use the same surveillance, disruption and misinformation tactics as it had during COINTELPRO. By 1972, the FBI had a significant number of delegates to the Democratic National Convention under surveillance. Many of the organizations to which delegates belonged were targeted for disruption.
- 1976: Senator Frank Church convened a series of hearings and investigations by the Senate's Select Committee to Study Governmental Operations with Respect to Intelligence Activities. The committee studied more than 20,000 pages of FBI documents and conducted extensive hearings. The Church Report concluding: "covert action programs have been used to disrupt the lawful political activities of individual Americans and groups and to discredit them, using dangerous and degrading tactics...."
 - The 1976 Church Report also concluded that counter-intelligence operations by the FBI did not end with the "official" termination of the program: "COINTELPRO existed for years on an 'ad hoc' basis before the formal programs were instituted, and more significantly, COINTELPRO-type activities may continue today under the rubric of 'investigation.'" Testimony to the committee in 1975 by then-FBI Director Clarence M. Kelly confirms that even after the official end of the program, "faced with sufficient threat, covert disruption is justified."
- 1980s and 90s: Starting in 1981 and continuing for nearly two decades, the Justice Department ordered the FBI to investigate the Committee in Solidarity with the People of El Salvador (CISPES), a U.S.-based organization composed mostly of U.S. citizens. While the organization had contacts with the *Frente Democratico Revolucionario*, the political branch of El Salvador's rebel groups, the FBI first concluded that CISPES was a domestic group engaged in lawful activities. Despite this conclusion, the FBI opened an international terrorism investigation into CISPES. FBI conducted surveillance of CISPES leadership nationwide and monitored First Amendment activities, including plans for peaceful marches and efforts to pass a local ballot initiative in San Francisco.
- Late 1980s, early 90s: The FBI targeted Earth First!, spending over \$2 million in a multi-year-long infiltration and disruption campaign including the use of agents provocateur and other tactics. Several people were charged with sabotage in a sting operation in Arizona in 1989 designed to take out the organization's leadership. In 1990, EF! activists Judi Bari and Darryl Cherney were targets of false charges after a bomb exploded in their car, nearly killing them. The FBI claimed that the two were terrorists but the Alameda County District Attorney refused to bring charges due to lack of evidence. Nonetheless, the FBI engaged in a long-term smear campaign against the two activists and EF! claiming that they were bomb-toting extremists. Bari and Cherney filed a federal civil rights suit against the FBI for Constitutional rights violations. **After an 11-year court fight, the jury vindicated the two activists when it returned a verdict finding their first and fourth amendment rights were violated, and awarded \$4.4 million in damages.**
- Late 1990s and today: Since the mass mobilizations and effective coalition building to protest corporate globalization started in 1999, the FBI has targeted the anarchist movement and other activist groups engaged in effective and lawful anti-globalization organizing.

COINTELPRO Tactics

- Infiltration in order to collect information, discredit and disrupt political activists
- Leaking confidential and sometimes false information such as arrest records to the press in an effort to discredit/expose politically active citizens
- Planting FBI-written articles in newspapers and magazines
- Writing letters to "subversive" citizens' employers in an effort to have them fired
- Harassment of dissidents through the legal system by encouraging local law enforcement agencies to arrest subversives under any pretext, and by discriminatory enforcement of tax laws and other government regulations
- Planting "snitch jackets" to make loyal members of targeted organizations appear as informants
- Use of extralegal force and violence, including break-ins, vandalism, assaults, beatings, and in some cases, political assassinations.