

“To Disrupt, Discredit and Destroy”

The FBI’s Secret War against the Black Panther Party

by Ward Churchill

The record of the FBI speaks for itself

—J. Edgar Hoover
Introduction to *The FBI Story*
1965

Beginning in August 1967, the Black Panther Party was savaged by a campaign of political repression, which in terms of its sheer viciousness has few parallels in American history. Coordinated by the Federal Bureau of Investigation as part of its then-ongoing domestic counterintelligence program (COINTELPRO) and enlisting dozens of local police departments around the country, the assault left at least thirty Panthers dead,¹ scores of others imprisoned after dubious convictions,² and hundreds more suffering permanent physical or psychological damage.³ Simultaneously, the Party was infiltrated at every level by agents provocateurs, all of them harnessed to the task of disrupting its internal functioning.⁴ Completing the package was a torrent of “disinformation” planted in the media to discredit the Panthers before the public, both personally and organizationally, thus isolating them from potential support.⁵

Although an entity bearing its name would continue to exist in Oakland, California for another decade, as would several offshoots situated elsewhere, the Black Panther Party in the sense that it was originally conceived was effectively destroyed by the end of 1971.⁶ In this, it was hardly alone. During the 1960s, similar if usually less lethal campaigns were mounted against an array of dissident groups ranging from the Socialist Workers Party to the Student Nonviolent Coordinating Committee, from the Revolutionary Action Movement to Students for a Democratic Society, from the Republic of New Africa to the Southern Christian Leadership Conference. The list goes on and on, and the results were always more-or-less the same.⁷

The FBI’s politically repressive activities did not commence during the 1960s, nor did they end with the formal termination of COINTELPRO in 1971.⁸ On the contrary, such operations have been sustained for nearly a century, becoming ever more refined, comprehensive and efficient. This in itself implies a marked degradation of whatever genuinely democratic possibilities once imbued “the American experiment,” an effect amplified significantly by the fact that the Bureau has consistently selected as targets those groups which, whatever their imperfections, have been most clearly committed to the realization of egalitarian ideals.⁹ All things considered, to describe the resulting sociopolitical dynamic as “undemocratic” would be to fundamentally understate the case. The FBI is and has always been a frankly *anti*-democratic institution, as are the social, political and economic elements it was created and maintained to protect.¹⁰

Predictably, the consequences of this protracted and systematic suppression of the democratic impulse in American life, and the equally methodical reinforcement of its opposite, have by now engulfed us. These will be apprehended not only in the ever greater concentration of wealth among increasingly narrow and corporatized sectors of society,¹¹ but in the explosive growth of police and penal “services” over the past thirty years,¹² the erosion of constitutional safeguards supposedly guaranteeing the basic rights of average citizens,¹³ and a veritable avalanche of regulatory encroachments reaching ever more deeply into the most intimate spheres of existence. Again, the list of indicators could be extended to great length.

Such trends do not imply the danger that, if they continue, the United States “may become” a police state. The United States has been a police state for some time now.¹⁴ Questions of how to prevent this from happening are at best irrelevant. The only real question is what to do about it now that it’s occurred. The answer, of course, is entirely dependent upon our ability to apprehend the precise nature of the problem confronting us. Only thus can we hope to achieve the clarity of vision necessary to devise an adequate response and, from there, chart a truly alternative course into the future. Attainment of the necessary ex-

attitude in assessing our current circumstances and options is itself contingent upon our achieving an accurate understanding of the historical processes which have led us to this pass. History, therefore, is in many ways paramount. Without it we can neither fix our present position nor hope to move forward.¹⁵

There is to be sure a multiplicity of lenses through which we might fruitfully examine the phenomena at hand. Few of them, however, offer the explanatory power embodied in the experience of the Black Panther Party. It follows that this essay is intended to both summarize and contextualize the repression of the Panthers, probing the ugly history of their destruction in hopes of gleaning lessons valuable to those who now strive to take up their mantle. Indeed, it should be viewed in that light, as a conscious effort to make some small contribution to continuing the Panthers' exemplary struggle for liberation.

A History of Repression

Despite its carefully contrived image as the country's premier crime-fighting agency,¹⁶ the FBI has always functioned primarily as a political police force. Tracing its origins to the Pinkerton Detective Agency, a government-contracted private firm notorious during the late nineteenth century for its anti-labor brutalities and other service to Big Business, the Justice Department's newly-formed Bureau of Investigation (BoI), as it was then called, could hardly have been expected to conduct itself as anything else.¹⁷ Hence, although its original charter tasked the Bureau merely with gathering evidence necessary to support a range of federal prosecutions, it was understood all-round that its real job would be something else again.¹⁸

The BoI's underlying agenda began to surface on July 30, 1916, when saboteurs blew up a munitions dump on Black Tom Island, in New York Harbor, containing approximately two million pounds of high explosives earmarked to support the British war effort against Germany and the Austro-Hungarian Empire.¹⁹ Aside from eventually declaring war on Germany, Congress reacted by passing the Sedition Act of 1917 and both the Alien and Espionage acts a year later.²⁰ The last of these statutes facilitated the Bureau's formation of what eventually became its Counterintelligence Branch, a component within its overall Intelligence Division explicitly authorized to employ all manner of extralegal techniques in "neutralizing" spies and other such agents of foreign powers.²¹

The Sedition and Alien acts, designed to constrain "subversion" by U.S. citizens and resident aliens, brought about other developments. In fact, an office had already been created within the Bureau in 1917 to address the matter in a systematic fashion. Initially unnamed, it was designated the Anti-Radical Division in 1919, redesignated the General Intelligence Division (GID) in 1920, redesignated again during the 1940s as the Internal Security Section, in 1954 as the Internal Security Division and finally during the 1960s as the Internal Security Branch.²² Agents assigned to the GID were charged first and foremost with monitoring the activities of those professing the radical ideals of anarchism, socialism, communism and syndicalism.²³

Appointed to head up this new effort was a young former law clerk named J[ohn] Edgar Hoover.²⁴ It was an astute choice. As efficient as he was reactionary, Hoover had by the fall of 1919 compiled dossiers on some 150,000 people. By mid-1921, the number had reached 450,000. Of these, extensive files had been created on approximately 60,000 persons considered to be "Key Agitators." The entire filing system was cross-indexed by locality and political affinity.²⁵ As of 1920, about one-third of the Bureau's headquarters support staff had been allotted to the GID, as well as half of all field agents.²⁶ Still unsatisfied with the resources available to him, Hoover enlisted local police Red Squads, private security firms like the Pinkertons, and "patriotic" organizations like the American Protective League (APL) and the American Legion to expand the flow of political intelligence.²⁷ Additionally, he began to develop an extensive network of informants within the radical groups themselves.²⁸

Meanwhile, the GID was involved in much more than information gathering. In September 1917, it coordinated nationwide raids by local police and AFL members on offices of the Industrial Workers of the World (IWW), an anarcho-syndicalist union which stood at the time on the cutting edge of the American labor movement.²⁹ Although more than two hundred IWW leaders were convicted of "flagrant sedition"—mostly,

they'd refused to register for the military draft and tried to convince others to do the same—the real reason they were targeted was revealed in a Justice Department memo describing them as being involved in a “plot against industrial interests.”³⁰ Virtually the entire leadership of the Socialist Party of America (SPA), which had polled nearly a million votes in the 1914 presidential race, were subjected to similar prosecutions at about the same time.³¹

The capstone of the GID's campaign against radicalism came when, having first whipped up a genuine “Red Scare” on the basis of an alleged anarchist bombing campaign carried out over preceding months,³² Hoover coordinated what are known as the “Palmer Raids.”³³ The first of these, a twelve-city sweep carried out in November 1919, was aimed at alien anarchists. More than 4,000 people were arrested, many badly beaten and their often meager possessions destroyed, all of them herded into temporary holding pens lacking adequate sanitation facilities, medical support and in some cases even food and water.³⁴ In December, although most of them had immigrated from other countries, an initial batch of 249 selected activists were summarily packed aboard the *U.S.S. Buford* and deported to the newly-constituted Soviet Union.³⁵

On January 2 and 6, 1920, it was the turn of the Communist and Communist Labor parties, as “dragnet inquiries” were conducted against them in 33 cities.³⁶ Although neither organization had existed for more than four months, and had therefore enjoyed little time in which to assemble a substantial membership, more than 10,000 people were arrested and held under essentially same conditions evident after the November roundup.³⁷ Before the process had run its course, another 700 people had been deported for no other reason than that they held political views deemed objectionable by the head of the GID.³⁸

The Palmer Raids were a blow from which the anarchist movement in the United States has never recovered. For their part, the residues of the incipient communist parties were driven underground for years.³⁹ Coupled to the earlier onslaughts against the IWW and the SPA, the wave of deportations in 1919-20 served to thwart the possibility of a viable leftwing alternative in American politics for an entire generation. While much has been made by the FBI's various apologists over the years about the Bureau's subsequent decade-long withdrawal from repressive operations—the GID itself was officially disbanded in 1924 and not reconstituted until 1939—the fact is that under such circumstances it really needed to do no more than it did during those years.⁴⁰ For J. Edgar Hoover himself, the “Time of the Raids” also paid significant personal dividends. On May 13, 1924, the virtuosity of his service to the status quo resulted in his appointment as director of the entire Bol.⁴¹ It was a job he would hold for the rest of his life.

On the Matter of Race

The depth of his antipathy towards political leftists was by no means Hoover's only ideological qualification for his new position. A middle-class Virginian born and raised, the intensity of his belief in white supremacy dovetailed quite well with the need of U.S. élites to maintain African Americans in a perpetually subordinate economic position.⁴² From this perspective, *any* sort of activity which might disturb the rigid race/class hierarchy of American life constituted a “threat” and was subject to targeting by the Bureau. There are a number of examples which could be used to illustrate this point, beginning with the Bol's criminalization of world heavyweight boxing champion Jack Johnson in 1910,⁴³ but the best is probably that of Marcus Garvey, head of the United Negro Improvement Association (UNIA).

Although the Jamaica-born Garvey might at one time have qualified as a “radical”—Hoover described him as such, and as “the most prominent Negro agitator in the world”—the sorts of programs he advocated during the 1920s were not especially different from those currently espoused by the right wing of the Republican Party.⁴⁴ Under his leadership, UNIA, which to this day remains the largest organization of African Americans ever assembled, devoted itself mainly to the realization of various “bootstrapping” strategies (i.e., undertaking business ventures as a means of attaining its twin goals of black pride and self-sufficiency).⁴⁵ Nonetheless, despite UNIA's explicitly capitalist orientation, or maybe because of it, Hoover launched a GID inquiry into Garvey's activities in August 1919.⁴⁶

When this initial probe revealed no illegalities, Hoover, describing any such outcome as “unfortunate” and railing against Garvey’s “pro-Negroism,” ordered that the investigation not only be continued but intensified.⁴⁷ UNIA was quickly infiltrated by operatives recruited specifically for the purpose, and a number of informants developed within it.⁴⁸ Still, it was another two years before the GID was able to find a pretext—Garvey’s technical violation of the laws governing offerings of corporate stock—upon which to bring charges of “mail fraud.”⁴⁹ Convicted in July 1923 by an all-white jury, the UNIA leader was first incarcerated in the federal maximum-security prison at Atlanta, then deported as an undesirable alien in 1927. By then, the organization he’d founded had disintegrated.⁵⁰

Hoover, in the interim, had vowed to prevent anyone from ever again assuming the standing of what he called a “Negro Moses.”⁵¹ More than forty years later, he was repeating the same refrain, secretly instructing his COINTELPRO operatives to “prevent the rise of a ‘messiah’ who could unify and electrify...a well-concerted movement” of African Americans to improve their socioeconomic and political situations.⁵² In 1968, his concern was expressed with regard to Martin Luther King, Jr., Eliza Muhammed and Stokely Carmichael,⁵³ but along the way an untold number of others—Chandler Owen, for example, and A. Philip Randolph—had been subjected to the attentions of the FBI simply because they were deemed “defiantly assertive [about] the Negro’s fitness for self-governance.”⁵⁴

Bureau agents investigated all black-owned newspapers, recruited paid black informants, and tapped the telephones and bugged the offices of racial advancement groups, ranging from the procommunist National Negro Congress to the anticommunist NAACP. Investigative fallout included a mail cover on Rev. Archibald J. Carey, Jr.’s, Woodlawn African Methodist Episcopal Church in Chicago, where the Congress of Racial Equality had an office; a file check on Olympic track and field champion Jesse Owens (an agent compared the date of Owens’s marriage with the birthday of his first child); and the transmittal of derogatory information on the NAACP and the National Urban League to prospective financial contributors.⁵⁵

In effect, Hoover was committed to “the repression of any black dissident who challenged second-class citizenship,” irrespective of their ideological posture or the mode by which their politics were manifested.⁵⁶ In this he sometimes displayed a surprising if unintended degree of public candor, at one point actually going so far as to insist that investigation of black activists was justified insofar as their collective threats of “retaliatory measures in connection with lynching” represented a challenge to “the established rule of law and order.”⁵⁷ In private, he was often even more forthright, employing crude racial epithets such as “burthead” when referring to Martin Luther King and others.⁵⁸

It is almost impossible to overpersonalize the FBI’s focus and conduct from 1924 to 1972 in terms of Hoover’s own outlooks and attitudes. Absolutely dictatorial in managerial style, he involved himself directly in the hiring of new agents until well into the 1960s, mainly to ensure that they shared his biases. Those inclined to disagree either never made it into the Bureau, were transferred to dead-end positions in remote backwaters, or found themselves abruptly fired.⁵⁹ Hence, as he built his monolith from 441 agents at the outset, to 4,886 in 1944, to nearly 8,000 at the time of his death, Hoover was able to wield it ever more efficiently as an instrument with which to work his will.⁶⁰

The more important point, however, is that Hoover enjoyed such power because he was allowed to by those who exercised powers far greater than his own. He could, in other words, have been removed at any moment during his long and sordid career had the workings of his will not ultimately reflected the desires of America’s élites. Moreover, it is important to recall that, notwithstanding the litany of “excesses, improprieties and outright illegalities” for which he would be posthumously condemned,⁶¹ J. Edgar Hoover was until the very end, among “respectable” whites least, one of the most popular public officials in American history.⁶²

COINTELPRO

The initial COINTELPRO, aimed at the Communist Party, USA, was ordered on August 28, 1956.⁶³ Although this was the first instance in which the Internal Security Branch was instructed to employ the full range of extralegal techniques developed by the Bureau’s counterintelligence specialists against a do-

mestic target in a centrally-coordinated and programmatic way, the FBI had resumed such operations against the CP and to a lesser extent the Socialist Workers Party (SWP) on a more ad hoc basis at least as early as 1941.⁶⁴ Instructively, Hoover began at the same time to include a section on “Negro Organizations” in reports otherwise dedicated to “Communist Organizations” and “Axis Fifth Columnists.”⁶⁵

Both surveillance of and counterintelligence directed against “subversives” had become standard FBI procedure by the end of World War II, and were increasingly regularized and refined during the ensuing spy cases and show trials attending the “Second Red Scare” of 1946-1954.⁶⁶ In this, the Bureau was helped along immensely by passage of the Smith Act, a statute making “sedition” a peacetime as well as a wartime offense, in 1940.⁶⁷ This was followed, in 1950, by the McCarran Internal Security Act, requiring all members of the CP and other designated groups to register with a federal “Subversive Activities Control Board” and authorizing their roundup and mass internment in the event of an insurrection or war with the Soviet Union.⁶⁸ In 1954, there was also the Communist Control Act, a statute outlawing the CP and prohibiting its members from holding certain types of employment.⁶⁹

Viewed against this backdrop, it has become a commonplace that, however misguided, COINTELPRO-CPUSA, as the 1956 initiative was captioned, was in some ways well-intended, undertaken out of a genuine concern that the CP was engaged in spying for the Soviet Union.⁷⁰ Declassified FBI documents, however, reveal quite the opposite. While espionage and sabotage “potentials” are mentioned almost as afterthoughts in the predating memoranda, unabashedly political motives take center stage. The objective of the COINTELPRO was, as Internal Security Branch chief Alan Belmont put it at the time, to block the CP’s “penetration of specific channels of American life where public opinion is molded” and to prevent thereby its attaining “influence over the masses.”⁷¹

Expanded in March 1960, and again in October 1963 to include non-party members considered sympathetic to the CP, the COINTELPRO served as a sort of laboratory in which the Bureau’s communications, logistics and internal procedures were worked out and agents perfected the skills necessary to conducting a quietly comprehensive program of domestic repression.⁷² From the outset, considerable emphasis was placed on intensifying the Bureau’s longstanding campaign to promote factional disputes within the Party.⁷³ To this end, the CP was infiltrated more heavily than ever before—it has been estimated that by 1965 approximately one-third of the CP’s nominal membership consisted of FBI infiltrators and paid informants—while bona fide activists were systematically “bad-jacketed” (that is, set up by infiltrators to make it appear that they themselves were government operatives).⁷⁴ A formal “Mass Media Program” was also created “wherein derogatory information on prominent radicals was leaked to the news media.”⁷⁵

Still more ominously, beginning in 1966, an effort dubbed “Operation Hoodwink” was begun in which undercover agents were used to convince the leadership of New York’s five Mafia families that CP organizing activities on the city’s waterfront constituted a threat to the profits deriving from their union racketeering, smuggling and related enterprises. Although it never materialized, the intended result was the murder of key organizers by the mob’s contract killers.⁷⁶ Thus, under COINTELPRO, not only the methods but the objectives of operations directed against U.S. citizens were rendered indistinguishable from those involving foreign agents. All pretense that those targeted possessed constitutional or even human rights was simply abandoned. As one anonymous but veteran COINTELPRO operative reflected in 1974, “You don’t measure success in this area by apprehensions, but in terms of neutralization.”⁷⁷

Meanwhile, on August 4, 1960, a second COINTELPRO was unleashed to “disrupt the activities of organizations... seeking independence for Puerto Rico.”⁷⁸ On October 12, 1961, a third “disruption program” was launched against the SWP.⁷⁹ This was followed, on September 2, 1964, by “a hard-hitting, closely supervised, coordinated counterintelligence program to expose, disrupt and otherwise neutralize the Ku Klux Klan (KKK) and specified other [white] hate groups.”⁸⁰ On April 23, 1965, Hoover ordered the beginnings of what would become, in May 1968, COINTELPRO-New Left, an operation intended to destroy the effectiveness of predominately-white leftist organizations like Students for a Democratic Society and the Student Mobilization to End the War in Vietnam.⁸¹

Then, on August 25, 1967, twenty-three field offices were instructed to commence another “hard-hitting and imaginative program,” this one “to expose, disrupt, misdirect, discredit, or otherwise neutralize the activities of [civil rights and black liberation organizations], their leadership, spokesmen, membership, and supporters.”⁸² On March 4, 1968, “COINTELPRO-Black Nationalist Hate Groups,” was expanded to include all 41 FBI field offices.⁸³ Specifically targeted were the Southern Christian Leadership Conference (SCLC), the Student Nonviolent Coordinating Committee (SNCC), the Philadelphia-based Revolutionary Action Movement (RAM)⁸⁴ and the Nation of Islam (NoI).⁸⁵ As has been noted, SCLC’s Martin Luther King, Jr.,⁸⁶ SNCC’s Stokely Carmichael,⁸⁷ and NoI head Elija Muhammed were targeted by name.⁸⁸ Scores, perhaps hundreds, of individuals were shortly added to the various lists of those selected for personal “neutralization,”⁸⁹ as were organizations like the Republic of New Africa (RNA) and Los Angeles-centered United Slaves (US).⁹⁰

During the spate of post-Watergate congressional hearings on domestic intelligence operations, the FBI eventually acknowledged having conducted 2,218 separate COINTELPRO actions from mid-1956 through mid-1971.⁹¹ These, the Bureau conceded, were undertaken in conjunction with other significant illegalities: 2,305 warrantless telephone taps, 697 buggings, and the opening of 57, 846 pieces of mail.⁹² This itemization, although an indicator of the magnitude and extent of FBI criminality, was far from incomplete. The counterintelligence campaign against the Puerto Rican independence movement was not mentioned at all, while whole categories of operational technique—assassinations, for example, and obtaining false convictions against key activists—were not divulged with respect to the rest. There is solid evidence that the other sorts of illegality were downplayed as well.⁹³

All of this, supposedly, occurred without the knowledge of anyone outside the FBI. The fact is, however, that high government officials were repeatedly informed, beginning with identical letters written by Hoover on May 8, 1958, to Attorney General William Rogers and Robert Cutler, Special Assistant to President Dwight D. Eisenhower, advising them that the Bureau had initiated a program “designed to promote disruption within the ranks of the Communist Party.” This was followed on November 8 with Hoover’s personal briefing of Eisenhower’s entire Cabinet on the nature of COINTELPRO-CPUSA.⁹⁴ On January 10, 1961, another set of identical letters was dispatched, this time notifying Attorney General-designate Robert F. Kennedy, Deputy Attorney General-designate Byron White, and Secretary of State-designate Dean Rusk of what he called “our counterattack on the CPUSA.”⁹⁵ The FBI director also conducted personal briefings on “special projects” for Attorneys General Nicholas Katzenbach (1965), Ramsey Clark (1967) and John Mitchell (1969), as well as Marvin Johnson, an aide to President Lyndon Johnson (1965).⁹⁶

It is true that Hoover was less than detailed in these and other reports. It is equally true, however, that he was never asked to provide further information. His superiors were told more than enough to know that there was much more to be learned about the FBI’s domestic counterintelligence program. Indeed, they were sufficiently apprised to know that it smacked of political policing in its most illegitimate form. That none of them ever inquired further is indicative only of their mutual desire to retain a veneer of “plausible deniability” against their own potential incrimination if the program were ever to be exposed.⁹⁷ And, since none of them elected to avoid jeopardy by simply ordering a halt to such operations, we can only assume they viewed COINTELPRO as a useful and acceptable expedient to maintaining the status quo.

COINTELPRO-BPP

The late 1960s were a period of unparalleled flux in the twentieth century United States. In the process of losing a major neocolonial war in Southeast Asia and faced with a rising tide of guerrilla insurgencies throughout the Third World,⁹⁸ U.S. élites were beset by a substantial lack of consensus among themselves about how best to restore global order.⁹⁹ Simultaneously, they were confronted with the emergence of a highly dynamic “New Left” opposition, not only on the home front but in western Europe.¹⁰⁰ By May of 1968, they had witnessed the near overthrow of the Gaullist government in France, and a huge student movement was offering something of the same prospect in West Germany. Even within the Soviet Bloc, a massive antiauthoritarian revolt had also challenged prevailing structures in Czechoslovakia, further threatening the balance of Cold War business as usual.¹⁰¹

Within the U.S. itself, the liberal, equalitarian civil rights movement of the early-60s had been transcended in mid-decade by a far more demanding movement for the attainment of “Black Power.”¹⁰² By 1967, this had evolved into an effort to secure the outright liberation of African Americans from what was quite accurately described as “the system of internal colonial oppression.”¹⁰³ These shifts were marked by an increasing willingness on the part of black activists to engage in armed self-defense against the various forms of state repression and to develop a capacity to pursue the liberatory struggle by force, if necessary.¹⁰⁴ Shortly, groups emerging within other communities of color—the Puerto Rican Young Lords Organization (YLO), for example, as well as the Chicano Brown Berets and the American Indian Movement (AIM)—had entered into more-or-less the same trajectory.¹⁰⁵

A fresh generation of white radicals had simultaneously developed their own movement and, for a while, their own agenda. Students for a Democratic Society (SDS), probably the preeminent organization of Euroamerican new leftists in the United States during the sixties, had been founded early in the decade to pursue visions of “participatory democracy” among the poor and disenfranchised.¹⁰⁶ With the 1965 buildup of U.S. troop strength in Vietnam, however, it adopted an increasingly pronounced anti-imperialist outlook.¹⁰⁷ By mid-1968, SDS could claim 80,000 members and was in the process of birthing an armed component of its own.¹⁰⁸ A year later, in combination with a broad array of other activist groups, it was able to bring approximately one million people to the streets of Washington, D.C., to protest the war in South-east Asia.¹⁰⁹ Even combat veterans showed up in force.¹¹⁰

Added to this potentially volatile stew was a burgeoning “counterculture” composed primarily of white youth, including a not insignificant segment drawn from the country’s more privileged circles. Not especially politicized in a conventional sense,¹¹¹ they nonetheless manifested a marked disinclination to participate in the functioning of American society as they encountered it, and were to some extent seriously engaged in attempting to fashion an “alternative lifestyle” predicated in the professed values of peace, love and cooperation.¹¹² All told, from elite and dissident perspectives alike, the appearance was that America was on the verge of “coming apart at the seams.”¹¹³

For a number of reasons, in 1967 it began to appear as if the Black Panther Party, a smallish but rapidly growing organization founded by Huey P. Newton and Bobby Seale in Oakland a year earlier,¹¹⁴ might hold the key to forging a relatively unified movement from the New Left’s many disparate elements. In part, this was because of the centrality the black liberation struggle already occupied in the radical American consciousness.¹¹⁵ In part, it was likely because the Panthers, almost alone among organizations of color, had from the outset advanced a concrete program and were pursuing it with considerable discipline.¹¹⁶ It was also undoubtedly due in no small measure to the obvious courage with which they’d faced off against the armed forces of the state, a matter personified by Party Defense Minister Newton’s dubious conviction in the killing of a white cop, and the skill with which Minister of Information Eldridge Cleaver was able to publicize it.¹¹⁷

In any event, “by 1968-69 the Panthers were considered by many to be the exemplary revolutionary organization in the country and the one most explicitly identified with anti-imperialism and internationalism.”¹¹⁸ As such, the Party had become far and away “the most influential” such group in the U.S.,¹¹⁹ an assessment confirmed by J. Edgar Hoover, when, in September 1969, he publicly declared the Panthers to be “the greatest threat to internal security of the country.”¹²⁰ Meanwhile, on November 25, 1968, he had ordered the initiation of “imaginative and hard-hitting [counter]intelligence measures designed to cripple the BPP” and, on January 30, 1969, a considerable expansion and intensification of the effort to “destroy what the BPP stands for.”¹²¹

Hoover’s agents obliged. Although every dissident group in the United States were targeted by COINTELPRO during the late-60s,¹²² the Black Panther Party was literally sledgehammered. Of the 295 counterintelligence operations the Bureau has admitted conducting against black activists and organizations during the period, a staggering 233, the majority of them in 1969, were aimed at the Panthers.¹²³ And this was by no means all. “Counterintelligence was far more pervasive than the readily available record indi-

cates,” one researcher has observed. “It is impossible to say how many COINTELPRO actions the FBI implemented against the Panthers and other targets simply by counting the incidents listed in the COINTELPRO-Black Hate Group file. The Bureau recorded COINTELPRO-type actions in thousands of other files.”¹²⁴

Several of the operations targeting other African American organizations—SNCC, for example—were explicitly designed to impair the Panthers’ ability to develop coalitions.¹²⁵ The same can be said with respect to approximately half the 290 COINTELPRO actions recorded as having been carried against SDS and other white New Left organizations from May 1968 through May 1971,¹²⁶ and at least some of those conducted against Latino groups like the Young Lords and the Brown Berets served the same purpose.¹²⁷ Then there were the myriad operations meant to neutralize specific individuals,¹²⁸ and another host—the number is of course undetermined—which have never been admitted at all.¹²⁹

What Party founder Huey P. Newton aptly described as the “war against the Panthers” entailed every known variant of counterintelligence activity on the part of the FBI and collaborating police departments, and thus constitutes a sort of textbook model of modern political repression.¹³⁰ It will therefore be useful to examine each of the often overlapping operational vectors of COINTELPRO-BPP in order to better understand the whole.

The FBI’s Media Offensive

From the outset, the FBI took “containment” of the Black Panther Party as a top counterintelligence priority, by denying it potential recruits and the possibility of alliances with/absorption of other groups.¹³¹ More broadly, this meant “creating opposition to the BPP on the part of the majority of ghetto residents,” an astonishing 62 percent of whom professed admiration for what the Panthers were doing by 1969.¹³² In seeking to attain both objectives, COINTELPRO operatives sought to discredit the Party by orchestrating the release of false and derogatory information through the media.

For this purpose, agents had at their disposal an already developed network of some 300 “cooperating journalists,” many of them nationally syndicated and all of them prepared to pump out the Bureau line on virtually any topic, including in some cases a willingness to simply sign their names to “news” stories and opinion pieces written by FBI propaganda specialists.¹³³ They included such then-big names as “labor columnist” Victor Riesel, who has been more accurately described as “a human funnel for the FBI.”¹³⁴ Another was Gordon Hall, the so-called “freelance exposé specialist for radio station WMEX and television station WBZ” in Boston.¹³⁵ Ron Koziol, a mainstay reporter for the *Chicago Tribune* was yet another. The Chicago field office alone listed twenty-five such “friendly area sources,” the New Haven office twenty-eight, and there were many others.¹³⁷

One such mouthpiece, the editor of the Jackson (Miss.) *Daily News* ([James “Jackson Jimmy” Ward, who was described as being] “friendly, discrete, reliable and...a loyal American”), produced a seven part series on the New Left based on FBI file material and studded with the Director’s pronouncements. The St. Louis *Globe-Democrat* was an equally zealous collaborator to the very end (“especially cooperative with the Bureau, [Richard H. Amberg,] its publisher is on the Special Correspondents List”).¹³⁸

On July 7, 1968, station WCKT-TV in Miami actually went so far as to air as its own “special report” on the Panthers program, *Black Nationalists and the New Left*, which had in large part been prepared for it by FBI personnel. “This exposé ended with quotations from the Director, with excellent results,” reported the Special Agent in Charge (SAC) of the Miami field office.¹³⁹ The program was later packaged together with a second, this one on the NOL, and distributed to more than a hundred television stations around the country.¹⁴⁰ “Each and every film segment produced by the station was submitted for our scrutiny to insure that we were satisfied and that nothing was included that was in any way contrary to our interests,” the Miami SAC crowed to headquarters.¹⁴¹

The primary themes pursued through the media in the FBI’s campaign to cast a negative light upon the Party were that it was extraordinarily violent or at least “violence-prone,” that it was devoted mainly to crimi-

nal rather than political activities, and that those associated with it were of a uniformly “low moral caliber.”¹⁴² Vice President Spiro T. Agnew’s denunciation of the Panthers as a “completely irresponsible, anarchistic group of criminals” was quoted frequently in FBI-prepared materials, as was Assistant Attorney General Jerris Leonard’s description of them as “nothing but hoodlums.”¹⁴³ By late 1969, drumbeat repetition of the pat phrase “violence-prone-Black-Panthers” in both the press and electronic media had reached such saturation proportions that many people seem to have believed it was all one word.

A classic example of how this came to be will be found in the *Chicago Tribune*’s Ron Koziol. At the specific request of Chicago SAC Marlin Johnson, who provided much of the (dis)information upon which the stories were based, Koziol “produced a whole series of articles portraying the Panthers as ‘highly violent.’”¹⁴⁴ The stories, replete with factual errors, “were [intended] to support and lend credibility to [other] stepped up COINTELPRO operations” undertaken by Johnson’s agents against the Chicago BPP chapter from January 1969 onward.¹⁴⁵

When these operations culminated in the murders by a special police unit of Illinois Panther leaders Fred Hampton and Mark Clark on December 4, an event sparking an outpouring of local support for the Party, Hoover personally expressed to several of the Bureau’s ranking Chicago media collaborators an “immediate need for concise compilation[s] of all the violent acts that will surely portray the Black Panther Party...as an aggregate of violence-prone individuals who foment and initiate violence.”¹⁴⁶

[In response] the media let loose with a deluge of literally hundreds of articles over the next few weeks, justifying the police shooting and saying basically that the Panthers deserved whatever they got. The message driven home again and again was put out by a *Tribune* columnist—those who want to “rule by force and terror (speaking of the Panthers, of course, not the pigs who murdered them) can expect nothing less than disaster...” “Violence-prone,” “schooled in hate,” a “threat to our democratic society” was the continuous refrain employed to justify the killings.¹⁴⁷

Koziol was again a star performer, cranking out seven such articles in just three weeks.¹⁴⁸ Probably the worst press coverage, however, was provided by *Tribune* reporters Robert Wiedrich and Edward Lee, who produced an exclusive front-page interview with State’s Attorney Edward V. Hanrahan and participating police on December 11.¹⁴⁹ Therein, under a banner headline proclaiming “Hanrahan, Police Tell Panther Story,” they presented an unchallenged regurgitation of virtually every official untruth uttered up to that point in the Hampton/Clark case and added a raft of new ones. Prominently displayed were a pair of photographs of purported bullet holes in the door and doorframe of Hampton’s apartment by which participating the killers claimed to have “proven” that the Panthers fired first, and had thus been shot in “self-defense.”¹⁵⁰ Chicago’s CBS television affiliate WBBM followed up the same evening with a “reenactment” of events told entirely in terms of the police account.¹⁵¹ A day later, presumably inspired by such “analysis,” the FBI-affiliated Fraternal Order of Police released a statement to the press calling for the Party as a whole to be “wiped out.”¹⁵²

The whole charade finally began to unravel when a few independent reporters finally managed to demonstrate that the “bullet holes” in the police photos published by the *Tribune* were actually nail heads standing out in bold relief against the Hampton’s white woodwork.¹⁵³ As it turned out, the Panthers had fired only one shot—and that by Mark Clark during his death spasm—while the police had fired 99, including two rounds pointblank into Fred Hampton’s head after he’d been badly wounded.¹⁵⁴ Charges of attempting to murder the police raiders were subsequently dropped against seven Party members who’d survived the assault, all but one of whom had been shot by their supposed “victims,” but no criminal action was ever taken against the killers or their superiors.

Nor did Koziol, the *Tribune*, WBBM, or any of their mainstream media cohorts ever recant the grotesque defamation to which they’d subjected the Party, much less launch a campaign to portray the police as being “schooled in hate” or a “violence-prone threat to democracy.” On the contrary, six months later the editors of the *New York Times*, while forced to concede that Chicago officials had “engaged in a deliberate publicity campaign to depict the Panthers as the aggressors [the FBI’s involvement was not yet public information],” as well as “doctored evidence...coached police witnesses” and falsely arrested the surviving

victims, still felt it appropriate to “balance” such findings by reciting the usual litany of unsubstantiated allegations about the character of the Party itself.¹⁵⁵

Silencing the Panther

Attending the Bureau’s carefully crafted manipulation of the Panthers’ image in the mass media were its efforts to prevent the Party from speaking for itself. Although it was not until May 5, 1970, that the BPP newspaper, *The Black Panther*, was formally targeted for neutralization, counterintelligence operations had commenced against it as early as July 1968.¹⁵⁶ Early on, while the newspaper’s circulation was still quite limited, the approach seems to have hinged mainly on prompting reporters and public officials to grossly misrepresent the BPP’s positions, then arrange for local police to arrest Panthers attempting to distribute the Party’s published response, impounding as many copies of the paper as possible in the process.¹⁵⁷

A prime example of this occurred in February 1969, when San Francisco Mayor Joseph Alioto, on the basis of a “briefing sheet” provided by the local SAC Charles Bates, made a widely-publicized assertion that “the Black Panthers encourage violence [and that] the ten commandments of the Black Panther Party [include a] section on robbing and raping.”¹⁵⁸ The mayor had been led to confuse the Party’s 10-Point Program, which made no mention of either robbery or rape, with its 8 Points of Attention, which did. Far from encouraging such crimes, however, the 8 Points plainly stated that any Panther found to have engaged in them would be summarily expelled from the Party.¹⁵⁹ Since both the Program and the Points of Attention appeared every week in the *Panther*, Alioto’s remarks were quickly followed by a surge in arrests of Party members trying to distribute it in the Bay Area.

As the paper’s circulation grew to an estimated 139,000 copies per week,¹⁶⁰ the counterintelligence initiatives undertaken against it became more sophisticated, or, in some cases, bizarre. In August 1970, for instance, the SAC of the San Diego field office proposed an operation to contaminate the *Panther* printing facility with Skatol, a chemical powder he believed would duplicate the stench of “the foulest smelling feces imaginable,” in hopes of rendering the building “uninhabitable” and thereby halting the paper’s publication.¹⁶¹ San Diego also proposed using infiltrators within the Minutemen, a rightwing paramilitary group, to convince that organization to “disrupt publication of this newspaper.” In the alternative, it was suggested that COINTELPRO operatives should simply forge threatening letters on Minuteman stationery in hopes of frightening *Panther* staff members into quitting.¹⁶²

The New York field office came up with the idea of convincing the management of United Airlines, through which the paper was usually shipped, to cancel the Party’s bulk rate discounts—standard in the business—increasing fees to “the full legal rate allowable for shipping newspapers.” It was estimated that the maneuver would cost the BPP in excess of \$10,000 per week in New York alone.¹⁶³ In 1970, the Internal Revenue Service was also asked to conduct an entirely arbitrary investigation of the *Panther*’s finances, in hopes that a tax case could be developed which might result in impoundment of its assets.¹⁶⁴

In November 1970, Hoover prevailed upon Victor Riesel to write a column reiterating the standard allegations of Panther “violence” before calling upon the Teamsters and other unions “to refuse to handle shipments of BPP newspapers.” A memo to 39 field offices then instructed each of them to “anonymously mail copies of the [column] to officials of appropriate unions, police organizations and other individuals within [your] territory to encourage such a boycott.”¹⁶⁵ Another headquarters recommendation was to use the Bureau’s “racial informants” to foster antagonism between the Panthers and the NOI in Chicago, mainly in the belief that this would provoke Elija Muhammed “to take positive steps to counteract the sale of BPP newspapers in the Negro community” there.¹⁶⁶

Other Panther efforts to communicate with the public were also targeted. As the matter was expressed in a December 1969 memo from FBI headquarters to the San Francisco field office, counterintelligence actions should be geared to prevent “the BPP [from] setting up speaking engagements at schools and colleges and the showing of films.” The missive then went to assure the receiving agents that “we have been

successful in the past through contacts with established sources in preventing such speeches at college campuses."¹⁶⁷ A January 1970 directive went still further, calling upon nine field offices to develop plans "to counteract *any* favorable support in publicity to the Black Panther Party (emphasis added)."¹⁶⁸

Methods used to achieve these results varied considerably, but centered in large part on the issuance of anonymous threats to the physical safety either of a Panther speaker or the sponsoring institution. As illustration, an appearance by Party Chairman Bobby Seale at the University of Oregon was canceled in May 1969 after a COINTELPRO operative in the San Francisco office, impersonating "a concerned black brother," telephoned Seale's mother to warn that her son might "be assassinated, like Malcolm X" during his speech.¹⁶⁹ Other sorts of disinformation were also employed, as when agents in the San Francisco office provided copies of FBI-produced articles detailing Panther Chief of Staff David Hilliard's "anti-Semitism" to members of a Jewish organization shortly before Hilliard was to address it. The engagement was of course canceled.¹⁷⁰

A different approach was taken with respect to the Party's Deputy Chairman, Fred Hampton, in Chicago. On January 24, 1969, shortly before Hampton was to appear live on a television talk show, Robert Stoetzel, supervisor of the FBI's "Racial Matters Squad" in that city, called a contact among the local police and requested that Hampton be intercepted in the studio and arrested on an outstanding warrant for "mob action" before he could go on the air.¹⁷¹ Afterwards, Hoover personally commended Mitchell for timing the arrest so that it would occur "under circumstances which proved highly embarrassing to the BPP."¹⁷²

The FBI's No Breakfast for Children Program

A major reason for the Party's extraordinary popularity among urban blacks during the late-60s was its "serve the people programs" (redesignated "survival programs" in 1971). There were several of these, ranging from liberation schools to free clinics, but the first and in many ways most important was the Free Breakfast for Children Program, begun in 1968.¹⁷³ J. Edgar Hoover was quite aware that it would be impossible to cast the Party as merely "a group of thugs" so long as it was meeting the daily nutritional requirements of an estimated 50,000 grade schoolers in 45 inner cities across the country.¹⁷⁴ So, rather than using his position to argue that the government itself should have been delivering such a program, he targeted the Panthers' efforts for destruction.¹⁷⁵

When San Francisco SAC Charles Bates objected that this might serve "to convey the impression that...the FBI is working against the aspirations of the Negro people,"¹⁷⁶ Domestic Intelligence chief William C. Sullivan offered a sharp rejoinder in Hoover's name.

Your reasoning is not in line with Bureau objectives... You state that the Bureau ...should not attack programs of community interest such as the BPP "Breakfast for Children." You state that this is because many prominent "humanitarians," both white and black, are interested in the program as well as churches that are actively supporting it. You have obviously missed the point. The BPP is not engaged in the "Breakfast for Children" program for humanitarian reasons, including their efforts to create an image of civility, assume community control of Negroes, and to fill adolescent children with their insidious poison.¹⁷⁷

Bates was then given two weeks to initiate COINTELPRO actions designed to "eradicate the [Panthers'] 'serve the people' programs."¹⁷⁸ In short order, agents were visiting businesses in Oakland, trying to convince them not to contribute either foodstuffs or money to feed hungry children. Panther Captain Robert Bay, who was simultaneously soliciting such support, was arrested on five counts of "robbery" and held for a month in jail before charges were dropped.¹⁷⁹ Sullivan, meanwhile, suggested that efforts be made to misrepresent the breakfast program as a medium through which children were being indoctrinated with "violent...anti-white propaganda" such as the idea that they should "hate police."¹⁸⁰

Conveniently, Bates's agents were able, almost immediately, to come up with what appeared to be conclusive physical evidence supporting Sullivan's thesis. This took the form of a coloring book depicting "policemen as pigs, and filled with pictures...showing black children stabbing, shooting and otherwise assaulting policemen."¹⁸¹ The item had supposedly been discovered by local police after it was distributed

to youngsters being fed each morning in the basement of San Francisco's Sacred Heart Church, and was quickly circulated by the FBI to Safeway, Mayfare Markets, the Jack-in-the-Box Corp., and other retailers, expressly to "impede their contributions to the BPP 'Breakfast Program'."¹⁸²

The coloring book has a rather interesting history. Rendered in the manner of Panther Minister of Culture Emory Douglas, illustrator for *The Black Panther* and an artist displaying a highly characteristic style,¹⁸³ it was created in late 1968 by James Teemer, an aspiring recruit in the Panthers' Sacramento chapter eager to impress the BPP leadership with his graphic talents.¹⁸⁴ Upon review of a 25 copy pilot edition, the Party's Central Committee determined that the book's content was inappropriate for young people. Bobby Seale thereupon instructed that the book not be produced, and that the original proof copies be destroyed.¹⁸⁵

Nonetheless, a print run of 1,000 copies was quietly ordered and paid for by Larry Clayton Powell, a member of the Los Angeles chapter who'd been promoted to work among the Party's Oakland-based national cadre. There is no evidence as to how many of these unauthorized publications were distributed to children before the remainder found their way into the hands of the San Francisco police and, thence, the FBI.¹⁸⁶ The mystery of how all this might have happened was dispelled in June 1969 when Larry Powell and his wife, Jean, also a former LA Panther *cum* national cadre member, appeared before Senator John McClellan's Permanent Subcommittee on Investigations to testify that the Panthers were an "organized criminal enterprise" along the lines of the Mafia.¹⁸⁷ Both of them, along with another national office staffer, Tommy Jones, were thereupon revealed to have infiltrated the Party in 1967, first as informers for local police, later for the FBI as well (at which point Larry Powell, at least, had begun to function as an outright agent provocateur).¹⁸⁸

Decked out in the full Party uniform of black berets, jackets, trousers and boots, with offsetting powder blue shirts, the Powells offered a perfect photo opportunity for the Bureau's host of "friendly media sources,"¹⁸⁹ as they sat before the Senators and solemnly recounted how the Panthers were garnering "\$50,000-100,000 per month" from armed robberies¹⁹⁰ and the "extortion" of businesses in the black community.¹⁹¹ Much of the money, they claimed, was being embezzled by David Hilliard and other Party leaders.¹⁹² Objections by legitimate activists—such as themselves, they implied—were regularly silenced by a "Panther hit squad."¹⁹³

None of this has ever been supported by anything resembling evidence. Indeed, in 1974, after a further *five years* of intensive investigation, the FBI's San Francisco field office was forced to admit that it had "failed to develop information that [the BPP] is or has been extorting funds from legitimate businesses."¹⁹⁴ Nor had it been able to establish that the Panthers raised money via "the old communist technique of political robberies."¹⁹⁵ Moreover, for all the official rhetoric about the Panthers' defensive stance against police brutality equating to their being "cop killers," there were only two police fatalities attributable to Party members by the end of 1969.¹⁹⁶ Actually, the number must be reduced to one when it is considered that Huey Newton's manslaughter conviction in the 1967 killing of Oakland patrolman John Frey was overturned by the California Supreme Court on May 29, 1970.¹⁹⁷

Nonetheless, the Powells' FBI-orchestrated performance provided a veritable bonanza of negative publicity which was then used both in COINTELPRO operations against the breakfast program and in the broader campaign to discredit the Panthers overall. By October 1969, the former were beginning to bear discernible fruit as the Bishop of the San Diego Diocese, deluged for over a month with anonymous calls from agents,¹⁹⁸ as well as their equally-anonymous mailings of "relevant" press clippings,¹⁹⁹ abruptly transferred Frank Curran, a "Panther-friendly" local priest, to "somewhere in the State of New Mexico for permanent assignment." The Party's permission to use the basement of what had been Curran's church to feed children was simultaneously revoked.²⁰⁰ Similar scenarios unfolded over the next few months in New Haven and elsewhere.²⁰¹

Where such tactics failed to have the desired effect, other approaches were taken. One of the more "innovative and hard-hitting" was that taken by Charles Gain and William Chohendet of the San Francisco of-

office's "Panther Squad" (a subpart of its COINTELPRO Section). During the fall of 1969, they effectively obliterated a breakfast program that had been thriving in the city's Haight-Ashbury District by "surreptitiously" convincing parents that the Panthers serving food to their children were mostly "infected with venereal disease."²⁰² In Chicago, Philadelphia, Cleveland, Baltimore and several other cities the method was cruder: riot-equipped tactical units were repeatedly dispatched by cooperating local police to the sites where children were being fed, stormed in, terrified everyone, ruined food and wrecked the premises while claiming to look for nonexistent "contraband" or "fugitives."²⁰³

Preventing Coalitions

Preventing the establishment of viable coalitions between the BPP and other radical organizations was, for obvious reasons, considered a key to containing its growth potential and political effectiveness. The first of the COINTELPRO initiatives undertaken in this connection relates to the announced "merger" of the Student (National) Coordinating Committee with the Panthers in early 1968, and appears to have been more a part of the Bureau's ongoing campaign against SNCC than a new operation focusing the BPP.²⁰⁴ Still, given that several prominent SNCC leaders publicly accepted positions in the Party on February 18—Stokely Carmichael was named Prime Minister, H. Rap Brown became Minister of Justice and James Forman was named Minister for Foreign Affairs—the point is somewhat academic.²⁰⁵

In any event, utilizing the services of infiltrators already in place within both organizations, agents set out to exacerbate ideological disputes and questions of personal hegemony between the two groups for purposes of driving them apart once again.²⁰⁶ Such conflicts were largely brought to a head in mid-July, when, according to a subsequent *New York Times* article, a group of Panthers headed by Eldridge Cleaver "asserted their authority" over James Forman by torturing him.²⁰⁷ The story, which both Forman and SNCC leader Cleveland Sellers have insisted is false,²⁰⁸ appears to have originated with Earl Anthony, an FBI provocateur posing as a hypermilitant captain in the BPP's Los Angeles chapter, who participated in the supposed "torture session."²⁰⁹ With media depictions of the alliance becoming increasingly demeaning, SNCC formally withdrew from its relationship with the Panthers in early August, while Forman, already reduced to a state of "paranoia" by FBI operations targeting him, checked into a hospital for psychiatric treatment.²¹⁰

Carmichael, who was playing a substantial role in building the BPP into a fully national organization, remained with the Panthers and was consequently expelled from SNCC on August 22.²¹¹ Long a priority target for COINTELPRO neutralization, efforts against him were quickly intensified. In July, an effort had been made to bad-jacket him by way of having an infiltrator, probably Peter Cardoza,²¹² plant a forged document making it appear that Carmichael was a CIA informant.

One method of accomplishing [this] would be to have a carbon copy of [an] informant report reportedly written by CARMICHAEL to the CIA carefully deposited in the automobile of a close Black Nationalist friend. The report should be placed so that it will be readily seen... It is hoped that when the report is read it will help promote distrust between CARMICHAEL and the Black Community... It is also suggested that we inform a percentage of reliable criminal and racial informants that "we heard from reliable sources that CARMICHAEL was a CIA agent." It is hoped that these informants would spread the rumor in various large Negro communities across the land.²¹³

On September 4, an agent in the New York office followed up by telephoning Carmichael's mother, claiming to be an anonymous friend whose purpose was to warn her that the rumor had been believed and that a Panther "hit squad" had been dispatched from Oakland to kill her son.²¹⁴ Whether or not this was the cause, Carmichael himself quickly relocated to the African country of Guinea, took the name Kwame Turé, and announced his resignation from the BPP a few months later.²¹⁵ Thereafter, he would be associated exclusively with the All-African People's Revolutionary Party (A-APRP, a pan-Africanist organization founded by Kwame Nkrumah).²¹⁶

By then, the Bureau would be putting the finishing touches on its drive to split SNCC and the BPP, surfacing accounts in the media to the effect that the former had begun to refer to the latter as "pinheads,"

since “the difference between a panther and other large cats is that the panther has the smallest head.”²¹⁷ In response, a number of SNCC personnel severed their relations with the organization, several of them assuming even more prominent roles as Panthers. Kathleen Neal (Cleaver), for example, became the Party’s Communications Secretary, while Don Cox (“D.C.”), was named Panther Field Marshall for the eastern U.S., Carver “Chico” Neblett and Landon Williams were appointed to the same rank in the West, and Bobby Rush became Deputy Minister of Defense in Chicago.²¹⁸

SNCC itself continued to be eroded from within, as two unidentified infiltrators played a role in Forman’s December 1968 expulsion of veteran organizers Willie Ricks and Cleveland Sellers for their refusal to sever ties with either Carmichael or the Panthers.²¹⁹ In June 1969, Forman in turn was forced to resign as H. Rap Brown, desperate to reverse the organization’s decline, attempted to reorganize in a more Panther-like manner.²²⁰ This, too, was forestalled when Brown went underground to avoid prosecution on a battery of pending charges and, on March 9, 1970, two of his closest remaining associates, Ralph Featherstone and William “Ché” Payne, were murdered by a car bomb during an apparent assassination attempt on Brown himself.²²¹ Brown was eventually apprehended and convicted of armed robbery on March 30, 1973.²²² Six months later, the FBI finally closed its file on SNCC, declaring that the organization had “become extinct.”²²³

In the interim, the Bureau repeated its maneuvers to block BPP unions with other organizations, most notably a number of inner city street gangs the Party was seeking to politicize and absorb into itself.²²⁴ While there were variations on the theme in every locality where the Panthers attempted such mergers, the clearest record pertains to Chicago. There, by December 1968, Fred Hampton and Bobby Rush had made considerable progress towards bringing such lesser groups as the Black Disciples, the Mau Maus, and the Conservative Vice Lords into the Party, and were conducting potentially fruitful negotiations with Jeff Fort, head of the 5,000-strong Black P. Stone Nation (formerly the Blackstone Rangers).²²⁵ Given that the BPP as a whole had at that time reached its peak of somewhere between three and five thousand members, consummation of the Hampton/Rush initiative would have served to double the size of the Party almost overnight.²²⁶

To counter this “threat,” the FBI’s infiltrators of the Chicago BPP chapter as well as informants within the larger black community were instructed to begin circulating rumors that the Panthers was making disparaging remarks about Fort and other P. Stone leaders.²²⁷ Counterintelligence specialist Roy Mitchell, a member of Robert Stoetzel’s Racial Matters Squad, then proposed sending an anonymous letter to Fort.

Chicago...recommends that Fort be made aware that [Hampton] and [Rush] together with other BPP members locally, are responsible for circulating these remarks concerning him. It is felt that if Fort were to be aware that the BPP were responsible, it would lend impetus to his refusal to accept any BPP overtures to the rangers and additionally *might result in Fort having active steps to exact some form of retribution toward the leadership of the BPP* (emphasis added).²²⁸

The letter was sent and, by January 10, 1969, Stoetzel was able to report that the P. Stone and the Panthers had “not only not been able to form any alliance, but enmity and distrust have arisen.”²²⁹ He also spelled out exactly what was meant by Mitchell’s earlier use of the phrase “exact some form of retribution” in a January 13 memo in which he explained his view that, for Fort and other P. Stone members, “violent type activity—shooting and the like—is second nature.”²³⁰ Instructively, he also noted in the latter document that proposals to send anonymous letters to the BPP had been discussed, but rejected because, contrary to what was even then being fed to Ron Koziol and other “cooperating journalists,” the “BPP is at present *not* believed [to be] violence-prone (emphasis added).”²³¹

With this said, Stoetzel proposed sending a second Mitchell-composed letter to Fort, this one purporting to be from “a black brother you don’t know,” and warning the P. Stone leader that “there’s supposed to be a hit out on you” (contracted by Fred Hampton). The intent of this second mailing was laid out quite clearly: “It is believed that the [letter] may intensify the degree of animosity between the two groups and may occasion Forte [*sic*] to *take retaliatory action* which would disrupt the BPP or *lead to reprisals against its lead-*

ership (emphasis added).²³² Authorization to send the “hit letter” to Fort was made by J. Edgar Hoover, personally, on January 30.²³³

As was later observed by Arthur Jefferson, Staff Counsel to the Senate Select Committee on Intelligence Activities and the Rights of Americans and author of a Committee special report entitled *The FBI's Covert Action Program to Destroy the Black Panther Party*, there is no evidence that Jeff Fort responded to such provocations by ordering the executions of BPP members.²³⁴ This seems, however, to have been more a matter of restraint on Fort's part than anything else. As Jefferson also concluded, “the Bureau's intent was clear,”²³⁵ and certainly not of the “nonviolent” sort Chicago SAC Marlin Johnson would later claim under oath.²³⁶

As it was, the possibility of a Panther/P. Stone merger or working coalition dissolved into a public announcement by Fort that he would “blow [Hampton's] head off” if he or any other BPP member were to venture into P. Stone territory in the future.²³⁷ Thus freed from the “danger” of politicization and engagement in constructive community activities such as the Panthers' Breakfast for Children and antidrug programs, the Black P. Stone Nation was virtually assured of continuing to evolve along its traditional line of social criminality. Unhindered by significant FBI interference, it had by the mid-1980s become known as the “El Rukn” organization, reputedly the largest and most efficient distributor of illicit drugs in all of Chicago.²³⁸

Neutralization of Panther Supporters

While working to prevent what Stokely Carmichael termed a “Black United Front,” with the BPP at its center, the Bureau's COINTELPRO operatives also set out to destroy organizations composed mostly of whites and established for the express purpose of providing support to the BPP. Although a certain amount of effort was put into creating breaches between the Panthers and the Peace and Freedom Party (PFP), a national electoral organization fielding racially-mixed slates of candidates and featuring Eldridge Cleaver for president in 1968,²³⁹ the main weight seems to have fallen on a Los Angeles-based group calling itself “Friends of the Panthers” (FoP).

The Friends—of which there were several subparts, including “Friends of Huey P. Newton” and “Friends of Eldridge Cleaver”—was organized by Donald Freed, a college professor and award-winning playwright with numerous contacts in the entertainment industry. Its primary purpose was to generate funds and favorable publicity for the BPP, objectives which were plainly antithetical to the Bureau's desires.²⁴⁰ Hence, agents were assigned to neutralize those considered key functionaries within it, beginning with Freed himself, the idea being to make examples of those targeted in a manner which would deter other “liberal and naive individuals” from becoming involved in Panther support work.²⁴¹

It is felt that any prosecution or exposure of Freed or [name deleted] will severely hurt the BPP. Any exposure will not only cost the Panthers money, but additionally, would cause other white supporters of the BPP to withdraw their support. It is felt that the Los Angeles chapter of the BPP [in particular] could not function without the financial support of white sympathizers.²⁴²

The operations against Freed personally including the mailing of bogus memoranda in his name designed to “cause a rift” between him and the Panthers.²⁴³ When that failed, infiltrators were used to spread rumors that he was a police informant.²⁴⁴ When that too failed to have the desired effect, efforts were made to have the LAPD raid his residence in search of “fugitives. . . illegal firearms [and] explosives.”²⁴⁵ Finally, when this fell through as well, Phil Denny, an agent assigned to the COINTELPRO section of the Los Angeles field office, managed to get Freed fired from his faculty position at San Fernando Valley College and then to prevent his obtaining a new position on the faculty of Cal State/Fullerton.²⁴⁶

In a related if somewhat inept action, an attempt was made to discredit Academy Award-winning actress Jane Fonda by surfacing a story through *Los Angeles Times* gossip columnist Amy Archerd that the FoP member had joined Panthers during a public rally in threatening to murder President “Richard Nixon and any other motherfucker who stands in our way.”²⁴⁷ Unlike many of her supposedly more reputable col-

leagues, Archerd declined to write the desired column.²⁴⁸ Agents more than compensated for this setback, however, by quickly “furnish[ing] information to a Los Angeles TV news commentator who agreed to air a series of shows against the BPP, ‘especially in the area of white liberals contributing to the BPP.’”²⁴⁹

First smeared in the media like Fonda, Shirley Sutherland, a Canadian citizen and former wife of actor Donald Sutherland, was charged in 1971 with providing illegal weapons to the Panthers. Although the case was dismissed for cause—among other things, it was demonstrated that Sutherland had been set up by a Los Angeles police provocateur named James Jarrett, and that Sam Bluth, another police operative, had infiltrated her defense team—it ultimately precipitated her deportation as an “undesirable alien.”²⁵⁰ Senate investigators later discovered several comparable cases of the Bureau’s having manipulated the media, the judicial process, or both to dissuade “famous entertainers” from contributing money or making favorable comments about the BPP.²⁵¹

Among the uglier such initiatives was that undertaken in April 1970 by COINTELPRO specialist Richard Wallace Held to “cheapen the image” of the talented but psychologically unstable actress, Jean Seberg, one of the FoP’s more committed members.²⁵² Upon learning that Seberg was pregnant, Held requested and received authorization to provide disinformation to that the father was BPP Education Minister Raymond “Masai” Hewitt rather than Seberg’s husband, novelist Romain Gary.²⁵³ On May 19, gossip columnist Joyce Haber published a thinly- veiled recapitulation of Held’s proposed text in the *Los Angeles Times*.²⁵⁴ It was then picked up by *The Hollywood Reporter* on June 8, and another hundred papers before it was repeated in great detail by *Newsweek* on August 24.²⁵⁵

Traumatized by this tidal wave of publicity falsifying the details of her private existence—the father, it turned out, was Gary, not Hewitt²⁵⁶—Seberg attempted suicide on August 7. On August 23, having received her subscription copy a day before the offending issue of *Newsweek* appeared on the stands, she went into premature labor. Born at the beginning of its third trimester, the baby had little possibility of survival and died two days later.²⁵⁷ Seberg never recovered from the ordeal, repeatedly attempting to take her own life on the anniversary of the infant’s death until, in 1979, she finally succeeded. Romain Gary followed a year later.²⁵⁸

Exacerbating Intergroup Tensions

Not all organizations were cordially inclined towards the BPP, of course. Some, for ideological reasons of their own, were openly hostile to the Panthers from the outset. In such cases, especially those where a high potential for violence was discerned among the groups in question, the deliberate exacerbation of intergroup tensions became a standard COINTELPRO method of isolating and weakening the Party itself. The earlier-mentioned operation to prevent a merger of the P. Stone Nation with the Chicago BPP chapter plainly falls within this mold. A better example, however, is that of the United Slaves (US), a cultural nationalist organization based in southern California, for whom the Panthers’ brand of revolutionary nationalist agenda was anathema (and vice versa).²⁵⁹

Although no specific illustrations were provided, agents in both San Diego and Los Angeles began to report as early as November 1968 that “an aura of gang warfare” attended BPP efforts to build chapters in those cities, long considered by US leader Ron Karenga (Ronald Everett) to be his group’s exclusive political turf.²⁶⁰ Initial efforts to “capitalize” on this situation included the use of provocateurs in both organizations to “raise the level of paranoia” among leaders and members alike; rumors were spread within their ranks that US members intended to assassinate Panther Information Minister Eldridge Cleaver while the Party had its sights set on Karenga himself.²⁶¹ On at least one occasion, Darthard Perry, a one-time Military Intelligence specialist who had infiltrated the BPP’s Los Angeles chapter for the FBI, physically assaulted an US member in order to facilitate “the promoting [of] discord between members of US and the Party in Los Angeles.”²⁶²

Things were apparently not moving fast enough to suit the FBI. According to Perry, known as “Ed Riggs” to the Panthers but codenamed “Othello” by Brendon Cleary, Will Heaton and Michael Quinn, the agents

to whom he reported in the COINTELPRO Section of the Los Angeles field office, the next step was to arrange the outright assassinations of LA Panther leaders Alprentice “Bunchy” Carter and Jon Huggins.²⁶³ The two men were duly shot to death by a team of five ostensible US members during a student meeting in UCLA’s Campbell Hall on January 17, 1969. Perry, who was present, subsequently identified the shooter as Claude Hubert, whom he claimed to know as an FBI operative within Karenga’s organization; Hubert’s two primary “back-ups” were identified as the brothers George and Larry Stiner, whom Perry also named as infiltrators.²⁶⁴ In 1995, M. Wesley Swearingen, an agent assigned to the Panther Squad of the Los Angeles COINTELPRO Section from 1970-73, confirmed much of Perry’s account.

Soon after I had been assigned to the Los Angeles racial squad, I was told by a fellow agent, *Joel Ash*, that another agent on the squad, *Nick Galt*, had arranged for Galt’s informers in the United Slaves to assassinate Alprentice Carter, the Panthers’ Los Angeles [deputy] minister of defense, and John [sic] Huggins, the deputy minister of information. Following Galt’s instructions, informants George Stiner and Larry Stiner shot them to death on the UCLA campus... I later reviewed the Los Angeles files and verified that the Stiner brothers were FBI informants (emphasis original).²⁶⁵

Having thus gotten things moving, the Bureau moved quickly to escalate the situation into a full-fledged “shooting war.” On February 20, 1969, Robert L. Baker, who headed up the COINTELPRO Section of the San Diego field office, proposed to prepare and distribute throughout the local black community a set of cartoons, composed to look like a product of the US organization, which depicted the BPP as being “ineffectual, inadequate, and riddled with graft and corruption.”²⁶⁶

One of the caricatures was “designed to attack” the Los Angeles Panther leader [Elmer “Geronimo” Pratt, who had replaced the slain Carter] as a bully toward women and children in the black community. Another accused the BPP of “actually instigating” a recent Los Angeles police raid on US headquarters. A third cartoon depicted Karenga as an overpowering individual “who has the BPP completely at its mercy.”²⁶⁷

FBI headquarters ordered that the forgeries be distributed by COINTELPRO operatives working out of the San Diego, Los Angeles and San Francisco field offices for the express purpose of intensifying what already appeared to be a lethal level of “feuding” between the two organizations.²⁶⁸ A major problem emerged, however, when the supposedly “violence-prone” Panthers declined to respond in the desired manner. Indeed, by late-March, despite the critical wounding of yet another LA Panther by an unidentified US gunman, agents were reporting “a lessening of tensions” as the Party had set upon a course of attempting to “talk out their differences” with US.²⁶⁹

To break the logjam, the Los Angeles office’s Richard W. Held instructed Julius Carl Butler, one of his operatives within the Los Angeles BPP chapter, to shoot up the home of US member James Doss on the night of March 17.²⁷⁰ Although Geronimo Pratt quickly expelled Butler as “a loose cannon and possible provocateur,” Karenga was apparently convinced by the incident that the Panthers’ intentions were the opposite of what they claimed. The initial response from US nonetheless came not from a legitimate member of the organization but from John Stark, still another FBI infiltrator. Ironically enough, the “Panther” Stark shot and killed turned out to be Al Holt, a Bureau operative only recently insinuated into the San Diego BPP chapter.²⁷¹ It was not until May 23 that Tambuzio (Jerry Horne), a legitimate member of US, finally gunned down a bona fide LA Panther named John Savage.²⁷²

By the time Savage was killed, the San Diego office had already released a second batch of cartoons which it credited having with shattered any possibility that there might be a peaceful resolution to the US/Panther conflict. Noting in a June 13 memo to headquarters that the pattern of violence between the two groups had escalated dramatically over the preceding sixty days, agents observed with evident glee that Karenga’s “Simbas,” an armed security formation, had accelerated their program of weapons training and to stockpile ammunition.²⁷³ In its reply, the headquarters staff concurred that the situation was developing well, but expressed frustration that the operation had still failed to elicit a violent response from the BPP.²⁷⁴

In another attempt to “correct” the situation, Baker requested and on June 17 received authorization from FBI headquarters to send a forged letter from the San Diego BPP chapter to the Party’s national office in

Oakland vociferously protesting this “inaction” and demanding permission to retaliate in kind.²⁷⁵ Although national BPP leaders at first declined to approve any such response, their position may have shifted to some extent when, on August 14, two San Diego Panthers were wounded in an ambush by US gunmen.²⁷⁶ A day later, Sylvester Bell, another genuine Party member, was killed in a drive-by shooting that Wesley Swearingen attributes to “FBI informers” lodged within US.²⁷⁷ On August 30, the United Slaves’ San Diego office was bombed, an apparent Panther retaliation at long last, although according to Darthard Perry that too may have been the work of a Bureau operative.²⁷⁸

Whether or not Swearingen and Perry are accurate in their assessments of who did what during the August events, Baker and his colleagues were shortly crowing that “shootings, beatings and a high degree of unrest continues to prevail in the ghetto area of San Diego,” a matter they claimed was substantially and “directly attributable to this program [COINTELPRO].”²⁷⁹ Given such “success,” argued San Diego SAC Robert Evans, the operation should be renewed.

In view of the recent killing of BPP member Sylvester Bell, a new cartoon is being considered in the hopes that it will assist in the continuance of the rift between BPP and US.²⁸⁰

Nor was this all. On September 3, the same agents, alluding to a recent article in *The Black Panther* critical of US leader Ron Karenga’s political positions, sent a bogus letter to Karenga in hopes of provoking him to undertake “some sort of retaliatory action...against the BPP.”²⁸¹ By October, agents as far away as Newark had gotten into the act, attempting to whip up the same kind of violence between the east coast US organization headed by Amiri Baraka (LeRoi Jones) and regional Panther chapters.²⁸² In that operation, not only was a publicly distributed cartoon issued—the Party was depicted as a pig, its program as “dung”—but a “box score” bearing the caption “Watch out, Karenga’s coming!” and a tally: “US - 6, Panthers - 0.”²⁸³

On January 29, 1970, a final round of cartoons was approved for dissemination in San Diego, San Francisco and Los Angeles,²⁸⁴ and, as late as May of that year agents in the Los Angeles COINTELPRO Section were still plotting ways and means of “maximiz[ing] opportunities to capitalize on the situation.”²⁸⁵ In the end, they seem to have decided that their best course of action would be simply to keep US “appropriately and discreetly advised of the time and location of BPP activities in order that the two organizations might be brought together and thus grant nature the opportunity to take her due course.”²⁸⁶

Infiltration

As the Party was cut off ever more effectively from meaningful and constructive interaction with the broader society, the FBI made increasingly determined efforts to place “informants” within it, instigating an accelerating spiral of internal turmoil and decay. This was of course an old Bureau procedure, dating back to 1919 or earlier,²⁸⁷ and carried out with great intensity against the CP from the 1940s onward. With respect to the Black Liberation Movement, however, especially the Panthers, it entailed an unparalleled and altogether remarkable degree of virulence in operational intent.

In a counterintelligence context, the word “informant” is itself deliberately innocuous and misleading, implying as it does that the task assigned those individuals inserted or “developed” within target organizations consists merely of information-gathering. In actuality, while each of them undoubtedly reported regularly to their handlers on internal Party matters, the jobs of the operatives installed under the rubric of COINTELPRO invariably involved much more. As is demonstrated by the actions already attributed to several such “informants” within the BPP—Larry Powell, Darthard Perry and Julius Butler, as examples—they routinely functioned as outright agents provocateurs.²⁸⁸

In 1968, when the FBI initiated COINTELPRO-BPP, it maintained a stable of approximately 3,300 “racial ghetto-type informants.” By the time the acronym was officially discontinued in 1971, the number had climbed to nearly 7,500.²⁸⁹ From this mass, the Bureau’s counterintelligence specialists had set out to cull those imbued with “above average imagination and initiative...unique knowledge or ability...leadership ability [and] a willingness to expand his current affairs.” Their purpose was “to create an elite informant

squad and send it around the country and the world in pursuit of 'domestic subversive, black militant, or New Left movements.'²⁹⁰ Of these, at least 67, upon whom the FBI lavished \$7.4 million in payouts, were active within the Black Panther Party in 1969.²⁹¹

Nor was this by any means the extent of it. Each local police department that collaborated in the Bureau's counterintelligence campaign against the Panthers fielded its own informants, infiltrators and provocateurs. Some of these, like Larry and Jean Powell, who reported to both the FBI and the Oakland Police Panther Squad, were "shared assets."²⁹² Julius Butler and another provocateur, Louis Tackwood, both of whom were simultaneously on the informant rosters of the Los Angeles field office's COINTELPRO Section and the LAPD's Criminal Conspiracy Section (CCS), also fall into this category.²⁹³ Such operatives have typically been included within the number employed by the FBI. Others, however, like New York police undercover operatives Leslie Eggleston and Wilbert Thomas, were local personnel pure and simple.²⁹⁴

Undercover police officers from the New York City police department's Bureau of Special Services (BOSS) had a history of infiltrating Black political organizations. Ray Wood had successfully infiltrated the Revolutionary Action Movement and the more moderate Congress for Racial Equality. Eugene Roberts was a bodyguard for Malcolm X before joining the Panthers. Wood and Roberts, along with undercover cop Ralph White, provided the bulk of state testimony during the eight-month Panther 21 conspiracy trial [of 1969-70].²⁹⁵

It is impossible to establish with any precision the overall number of police operatives infesting the Party's forty-three chapters, since the records of local departments have generally proven even less accessible than those of the FBI. Extrapolating from the fact that a half-dozen BOSS undercover men are known to have infiltrated the BPP in New York alone,²⁹⁶ however, it may be reasonably assumed that there were at least one hundred. Taken in combination with their federal counterparts, then, a working estimate might be that about ten percent of the BPP's total membership consisted of "law enforcement personnel" by the end of 1969.²⁹⁷

Bobby Seale and other Panther leaders had become acutely aware of this problem by November 1968, and set out to purge suspected infiltrators.²⁹⁸ A significant difficulty with this procedure was that the task of identifying those to be expelled fell mainly upon security units formed within each chapter, a number of which were themselves headed by FBI or police operatives. Examples include the FBI's William O'Neal, who not only ran the Panther security team but served as Fred Hampton's personal bodyguard in Chicago; BOSS detective Ralph White, who, along with a civilian operative called Shaun Dubonnet (William Fletcher), established "spy hunting" units within the New York chapter; and Melvin "Cotton" Smith, who was in charge of security for the LA chapter.²⁹⁹ The result was that a number of legitimate Panthers were bad-jacketed as "snitches and provocateurs," and summarily ejected, while the infiltrators themselves became even more entrenched.

Worse, as repression of the Party intensified on all fronts over the next year, such operatives were perfectly positioned to advocate, and in some cases to implement, ever more draconian means of combating infiltration. O'Neal, for instance, is known to have employed a bullwhip in conducting interrogations of "suspected informers," and built an electric chair with which to intimidate his victims. To all appearances, only the intervention of Fred Hampton, who had been incarcerated while most of the brutality was going on, prevented O'Neal from setting one or more "deterrent examples" with his device.³⁰⁰

Where all this led became obvious in May 1969 when George Sams, a self-styled "Party security expert," showed up in New Haven, Connecticut, to assist the local BPP chapter in "ridding itself of spies." Sams proceeded to interrogate a young recruit named Alex Rackley at great length and under severe torture—the victim was chained to a bed for a week, and repeatedly scalded with boiling water—before killing him and enlisting several chapter members to help dispose of the body.³⁰¹ Then, on August 21, a dozen Panthers, including not only Sams, but Bobby Seale, Ericka Huggins (widow of slain LA Panther leader Jon Huggins), western regional Field Marshal Landon Williams and New Haven chapter head Warren Kimbro, were indicted for conspiring in Rackley's murder.³⁰²

It turned out that Sams, previously institutionalized as a psychotic, had been retained by the FBI as early as 1967, first to infiltrate Stokely Carmichael's faction of SNCC and thence the BPP.³⁰³ Once apprehended, the killer quickly entered a guilty plea—he was *pardoned* after serving four years of his resulting life sentence—and became the state's star witness against Seale, Huggins and Kimbro, a matter which led to the latter's also being sentenced to a life behind bars.³⁰⁴ Seale and Huggins were not convicted,³⁰⁵ although another New Haven Panther leader, Lonnie McLucas, was tried separately, found guilty of complicity in Rackley's death, and sentenced to fifteen years.³⁰⁶ Charges against Williams and the others of the "New Haven 14" were eventually dropped, but not until May 1971, after they'd spent nearly three years in jail.³⁰⁷

Meanwhile, in April 1970, seventeen Baltimore Panthers, along with Arthur Turco, a white lawyer, were accused of murder conspiracy in the death of a suspected police infiltrator named Eugene Anderson. Among those arrested were virtually the entire Baltimore leadership cadre.³⁰⁸ Also charged was Don Cox, the Party's east coast Field Marshall, who evaded arrest by joining exiled Minister of Information Eldridge Cleaver's International Section in Algeria (unlike Cleaver, Cox never returned to the U.S., and now resides in southern France).³⁰⁹

Although there were serious questions as to whether the remains upon which the case was based were even Anderson's, local authorities took the "Baltimore 18" to trial after meeting with Attorney General John Mitchell and his Civil Rights Division head, Jerris Leonard, as well as FBI officials.³¹⁰ The case finally dissolved when it was revealed that the state's key "participant witnesses"—Mahoney Kebe, Donald Vaughn and Arnold Loney—were not only the likely killers, but FBI operatives inserted into the Baltimore BPP chapter. Indeed, Kebe, the supposed "star" of the group, was so obviously lying under oath that the trial judge ordered him removed from the witness stand and his testimony stricken from the record.³¹¹

Charges were then withdrawn, with the District Attorney publicly admitting that there had never been a genuine evidentiary basis for the case and that his own office had indulged in what he called "improper prosecution tactics."³¹² Nevertheless, those accused, like several of those accused in the Rackley case, had already been held for months in jail without bond while their chapter disintegrated. And, as in the Rackley case, the FBI's media manipulators had in the interim availed themselves enthusiastically of yet another Bureau-created opportunity to paint the Panthers as little more than a "gang of vicious thugs."³¹³

There are several other instances, notably those involving the deaths of Fred Bennett and Jimmy Carr in California during the early-70s, in which bona fide Party members may have been killed because they were suspected of being FBI operatives.³¹⁴ Given the otherwise lethal nature of Party factionalism fostered and fueled by COINTELPRO during those years, however, it is difficult to determine whether such suspicions really constituted the motive underlying their murders. If so, the questions remain open as whether the victims were bad-jacketed by the Bureau for purposes of bringing about their physical elimination and, in Bennett's case, whether the killer or killers were not themselves federal operatives.³¹⁵

Whatever the answers, such killings, taken in combination with the waves of expulsions, interrogations and otherwise increasingly pervasive climate of paranoia engendered within the Party because of its infiltration—"The BPP in San Diego [is] so completely disrupted and so much suspicion, fear and distrust has been interjected into the party that the members have taken to running surveillance on one another in an attempt to determine who the police agents are," as Robert Baker put it³¹⁶—in large part account for the oft-remarked exodus of Party members which was occurring by early 1970. Bobby Seale has estimated that thirty to forty percent of all Panthers had quit by the end of that year, and the actual proportion may be even higher.³¹⁷

Raids and Pretext Arrests

During the summer of 1967, the COINTELPRO Section of the FBI's Philadelphia field office undertook what it subsequently proclaimed "an effective counterintelligence technique" against the RAM chapter in "the city of brotherly love." Working with the Intelligence and Civil Disobedience Units of the Philadelphia Police—together, the IU and CDU formed the cornerstones of a very effective local antiradical apparatus

created by Philadelphia's notorious police commissioner, Frank Rizzo³¹⁸—agents arranged for identified RAM activists to be repeatedly arrested on any possible “excuse...until they could no longer make bail.” Although no convictions were obtained, or even expected beyond the level of petty misdemeanors, by August the Philadelphia office could report to headquarters that “most RAM activists...are presently incarcerated” and that the whole process had proven “highly frustrating” to those targeted. It was therefore recommended that other field offices “in cities where close police cooperation exists” adopt the approach³¹⁹

There is no way to adequately assess the extent to which such pretext arrests were employed as a means of slicing into the ranks of bona fide Party members during the FBI's drive to neutralize the BPP. As Party attorney Charles Garry reported in early 1970, between “May 2, 1967 and December 25, 1969 charges were dropped against 87 Panthers arrested for so-called violations of the law” in Los Angeles County alone, and this was before the cases ever went to trial. Another dozen were dismissed for lack of evidence once they arrived in court.³²⁰

[Even] incomplete records tell a story of systematic arrest and harassment... A man or a woman or a group of men and women would be charged with murder, be held in jail for four or five days, or twenty days, and all at once the charges against them would be dropped... Yet these men and women were kept in [jail] for days, weeks, and months even though there was no evidence against them.³²¹

In Baltimore, for example, six Panthers were arrested on February 25, 1969, for “interfering with the arrest” of another. The case actually went to trial before an investigative reporter disclosed that the seventh “Panther” was actually an undercover police operative. At that point, State's Attorney Hillary Kaplan had no alternative but to withdraw the charges. Although he admitted that eight police officers had lied in their sworn statements, and that these comprised the entire body of evidence upon which he'd based his case, Kaplan declined to bring charges against the cops for their obvious conspiracy to pursue a false prosecution.³²²

In Chicago, arrests of Panthers were effected on 111 occasions during the summer of 1969, with only a handful of charges, most of them minor, ever taken to trial. Many of these had to do with a series of raids conducted by Chicago police on the Party's West Madison Street headquarters. During the first of these, conducted on June 9 and later admitted by Chicago SAC Marlin Johnson to have been part of his office's COINTELPRO operations, the raiders claimed to be looking for provocateur George Sams, then a “fugitive” on the Alex Rackley murder charge.³²³ Although Sams was nowhere to be found, the police, personally supervised by Johnson, impounded “posters, literature, money, financial records and voluminous lists of members and contributors, as well as numerous [legal] weapons.”³²⁴ All eleven people at the office were hauled away to jail.

Chicago was by no means the only chapter to experience such treatment at the hands of the FBI and police units supposedly in hot pursuit of the elusive Mr. Sams. Before he was finally “apprehended” in Toronto toward the end of July, combinations of agents and police had “stormed into [Party] headquarters in Washington, Denver, Indianapolis, Salt Lake City, Des Moines, Detroit, San Diego, [Sacramento and Los Angeles,] and in every case they smashed or confiscated office equipment, literature, supplies and money, and arrested whoever was there on charges that were often dropped later.”³²⁵ There were, moreover, fatalities such as Larry Roberson, shot to death during a raid on the Chicago office conducted on July 16.³²⁶

On July 31, the police were back yet again at the Chicago office, this time on the basis of a tip, probably provided by O'Neal, that illegal weapons were being stored therein. When no such weapons were found, the police went quite literally berserk: “typewriters were smashed, the office set on fire, newspapers and food for the breakfast for children program and supplies for the health clinic destroyed, and the arrestees beaten.”³²⁷ On October 3, the whole process was repeated yet again.³²⁸ In the aftermath of each raid, agent Roy Mitchell of the Racial Matters Squad saw to it that they were “widely sensationalized by the news media.”³²⁹

The Los Angeles chapter, too, was wracked by repeated raids, beginning well before the July occurrence in which Pope was gunned down. On the evening of January 17, 1969, a few hours after Jon Huggins and Bunchy Carter were murdered, a large force of heavily-armed police swooped down on the home of Huggins' widow, Ericka, "detaining" several of the Panthers who had gathered to console her. Although the official pretext was that such measures were necessary to "avert further violence"—an utterly implausible contention, given the nature of the ongoing COINTELPRO operation which had claimed the two men's lives—it did nothing to explain why one of the raiders placed the muzzle of a gun to the head of John and Ericka Huggins' six-month-old baby, Mai, and laughingly proclaimed, "you're next."³³⁰

Another raid occurred at the Los Angeles chapter headquarters on May 1, during which police "seized weapons, arrested eleven people and subsequently released all of them without bringing charges."³³¹ Then, at 5:30 a.m. on December 8, the LAPD's newly formed SWAT units launched simultaneous assaults on three of the four BPP facilities in south-central LA. In view of the execution-style murders of Fred Hampton and Mark Clark during a similar raid in Chicago only four days previously, those inside the Party's Central Avenue office opted to defend themselves by shooting it out with the police for nearly five hours, refusing to surrender until their arrests could be effected in broad daylight and before hundreds of spectators.³³² Charged with a variety of serious offenses and held against extremely high bail, LA chapter leader Geronimo ji Jaga Pratt and a dozen other Panthers involved in the stand-off, known collectively as the "LA 13," were sweepingly exonerated on December 24, 1971.³³³

A similar situation prevailed in Philadelphia, where a special anti-Panther police squad headed by Lt. George French, together with FBI personnel ostensibly searching for another fugitive (not Sams), hit the local BPP headquarters on September 23, 1969. Although no one was there, they "smashed in a back door [and] looted the office of its daily activities log book, personnel files, photographs, and signed petitions gathered by the party in its campaign for community control of the police. In addition, office equipment was destroyed or removed."³³⁴ Another such foray was conducted on March 12, 1970, with the result that seven people were arrested on charges—later dropped—of burglary and violation of the Uniform Firearms Act.³³⁵

The final confrontation came at 6:00 A.M. Monday, August 31, 1970, when three separate teams of about forty-five heavily armed police stake-out men, each team accompanied by eight to ten detectives...simultaneously raided Black Panther Party offices on Wallace Street in West Philadelphia, Columbia Avenue in North Philadelphia, and Queen Lane in Germantown. As in all of the major Philadelphia raids, Rizzo mobilized a corps of newsmen and photographers to record and photograph the action.³³⁶

The August 31 raids were rationalized in the press as having to do with the deaths of three cops a few days earlier, although no evidence linked the Party to these killings, and no related charges were ever filed.³³⁷ As was reported in the *Philadelphia Bulletin* the same evening, the fourteen Panthers arrested in the raids had been "ordered against [a] wall and the men were ordered to strip naked"; a photo of six Panthers with bare buttocks appeared on the front page of the *New York Daily News*, and was then placed in Associated Press distribution, nationwide.³³⁸ As if this degradation were not enough, Commissioner Rizzo, who was on the scene, was widely quoted as taunting the handcuffed Panthers with having been "too yellow" to have shot it out with his SWAT-equipped police, and later about having caught "the big, bad Panthers with their pants down."³³⁹

Analyst Frank Donner, among others, has concluded that the whole affair was designed much more to provoke the sort of confrontation in which Panthers might be killed than to apprehend people genuinely suspected of being "cop-killers."³⁴⁰ Failing that, the idea was to publicly humiliate the Party and wreck its local infrastructure immediately prior to a much-publicized national conference, a "Revolutionary People's Constitutional Convention," to be held in Philadelphia the following week.³⁴¹ Not only the well-orchestrated barrage of negative publicity but the magnitude of damage inflicted on local BPP offices lend credence to Donner's thesis.

The raiders...cleaned out all three search sites—furniture, bedding, clothing, file cabinets, party records, and even, in some cases, refrigerators and stoves. In a rampage of destruction, they demolished [walls

and] even ripped out pipes in some of the bathrooms. They also made off with typewriters, tape recorders, cameras, and a duplicating machine, as well as a sum of money—estimated by the police at \$1,067, and by the Panthers at between \$1,500 and \$1,700.³⁴²

Elsewhere, there were still more raids, beginning in 1968: in Denver on September 12-13, when a police attempt to force entry resulted in a sensational firefight and siege; in Denver again on December 7, resulting in \$9,000 in damages when the raiders ripped out walls while looking for a fictitious weapons cache;³⁴³ in Indianapolis on December 18, when “federal agents and local police stormed Panther offices...firing teargas and ransacking the premises in their search for a nonexistent submachine gun;³⁴⁴ in Des Moines on December 27, when a “combined force of local police and FBI stormed Panther headquarters to serve...arson warrants”;³⁴⁵ at the San Francisco office on April 28, 1969, during which police “arrested sixteen people, booked four for illegal use of sound equipment and released twelve.”³⁴⁶

The pace did not slacken in 1970. In New Bedford, an August raid left twenty Panthers jailed against \$2 million bond before charges of “conspiring to riot” were quietly dropped for lack of evidence.³⁴⁷ And the beat went on: in Toledo, the Party headquarters was riddled by police gunfire twice on the evening of September 18, 1970;³⁴⁸ in New Orleans, there were three police assaults on the local office between September and November, two of them involving gunfire;³⁴⁹ in Detroit, police harassment of a Panther for selling papers outside the local office led to a firefight which left one cop dead and three Panthers wounded on October 24, 1970.³⁵⁰

As all this was going on, other avenues were also being taken in reaching the same end. Many arrests were petty, as when the inimitable Robert Baker requested that the San Diego Police Intelligence Unit run warrant checks on local Panthers for routine traffic violations,³⁵¹ but they are indicative of the extent to which Party members were being arrested on virtually “any excuse” by mid-1969. It should be noted, moreover, that violation of “Motor Vehicle Code laws” was also the pretext used by San Diego police in mounting a raid on November 20 which resulted in the arrest and release of six people on weapons charges.³⁵²

Probably the most ridiculous of all pretext arrests was that of Panther Chief of Staff David Hilliard, who indicted for “threatening the life of the President of the United States” after asserting that the Panthers would “kill Richard Nixon [and] any other motherfucker who stands in the way of our freedom” during a speech before an estimated 250,000 people on November 15, 1969.³⁵³ The charge was shortly dropped, when it became clear that the FBI would be forced to disclose its electronic surveillance of the Party’s Oakland headquarters if the case went to trial.³⁵⁴ But, by then the BPP had been forced into posting an entirely exorbitant bond, including a nonrefundable \$30,000 premium, to get Hilliard out of jail.³⁵⁵

Other efforts to bring about arrests carried even more serious implications. In Chicago, William O’Neal, responding to instructions from his handlers to “impel” such behavior, was working hard to interest other members of the chapter in a variety of criminal activities.³⁵⁶ At one point, he tried to entice a pair of bona fide Panthers, Robert Bruce and Nathaniel Junior, into “bombing city hall” with a mortar he planned to acquire.³⁵⁷ At another, he “attempted to get Bruce to participate in robberies and offered to train him in the art of burglary.”³⁵⁸ At another, he unsuccessfully attempted to convince a Panther named Jewel Cook, recently released from prison on parole, to carry a gun.³⁵⁹ At still another, fully aware that it was tapped, O’Neil openly conducted a drug transaction over the Party’s office telephone.³⁶⁰

Wilbert Thomas, the detective who infiltrated the New York Panthers’ Brooklyn branch for BOSS, went much further, concocting a scheme to rob a hotel and then ambush police as they arrived on the scene. The gambit culminated in the arrest of Brooklyn Party leader Alfred Cain and two other legitimate Panthers as they rode in a car driven by Thomas on August 21, 1969, supposedly en route to perpetrate the crime. The state’s case collapsed during the ensuing trial of the “Panther 3” when it was demonstrated that the only tangible acts associated with the supposed “cop-killer conspiracy” had been committed by Thomas himself, and electronic surveillance tapes revealed that none of the accused had been especially interested in his plan.³⁶¹

Nor was being falsely arrested and prosecuted necessarily the worst of the fates awaiting those against whom such tactics were used. This was abundantly illustrated in the early morning hours of May 15, 1970, when Seattle police ambushed and killed Larry Ward, a young, unemployed Vietnam veteran, during what they thought was a “Black Panther bombing attempt.”³⁶² The bomb proved to have been made by Alfred Burnett, an FBI plant in the BPP’s local chapter, who had been trying to convince a Panther named Jimmy Davis to use it. When Davis refused, Burnett paid Ward, apparently desperate for cash but never a member of the Party, to do so. Burnett then tipped off the police before driving Ward to the location at which a veritable firing squad was waiting.³⁶³

It was this climate which caused Seattle Mayor Wesley Uhlman to finally cast the whole strategy of pretext raids and arrests in official disrepute by disclosing to the media that he’d been approached by federal agents with a proposition to arrange exactly such an assault on the local Party headquarters. Noting that the agents had offered no evidence at all that the Panthers were storing illegal weapons in their office—or anywhere else, for that matter—Uhlman announced that “we don’t want these kind of Gestapo tactics used in Seattle.”³⁶⁴

The mayor’s public pronouncements finally forced J. Edgar Hoover to lift at least one corner of the veil of subterfuge and disinformation with which the Bureau had shrouded its collaborative raids and arrests. Going before the House Subcommittee on Appropriations in March 1970 to argue for the FBI’s annual budget increase, The Director defended his policy, asserting that in the course of the hundred-odd collaborative raids conducted to that point, “authorities uncovered a hundred and twenty-five machine guns, sawed-off shotguns, rifles and hand grenades, together with thousands of rounds of ammunition, together with forty-seven Molotov cocktails plus homemade bombs, gunpowder, and an accumulation of bayonets, swords, and machetes.”³⁶⁵

Even this paltry list, suggesting a seizure rate of fewer than five items per raid, was grossly misleading. By lumping the category of machine guns in with rifles and shotguns, Hoover made it seem as if agents were finding automatic weapons on a regular basis (actually, they’d come up with one M-14 rifle at that point, and an M-14 is not a “machine gun”). Nor did he mention that the great bulk of the firearms at issue were illegal only in the narrowest technical sense—local permit issues, for example—or that there was nothing in the least unlawful about possessing “ammunition...bayonets, swords, and machetes.” Still less did he remark upon the proportion of actual contraband, especially incendiaries and explosives, attributable to the scores of FBI and police provocateurs operating within the Party rather than to the BPP itself.

Malicious Prosecutions

As has undoubtedly been apparent in the sections above, the cobbling together of fraudulent prosecutions was an integral aspect of the FBI’s COINTELPRO against the Panthers. Even as he was being dragged into the Rackley case, Bobby Seale was slapped with an indictment for “conspiring” with seven white activists, only one of whom he’d so much as met, to incite riots during the 1968 Democratic Convention in Chicago.³⁶⁶ Although Seale’s being in Chicago at all had been dictated by a last minute need to replace Eldridge Cleaver in delivering a speech, and despite the facts that he’d stayed only 24 hours, that a federal commission had found that it was the police rather than the demonstrators who’d “rioted,” and that the Panthers had not participated either way, Seale was taken to trial along with his “co-conspirators.”³⁶⁷

In court, the charade became even more grotesque. The judge, Julius Hoffman, declined to grant a continuance when Charles Garry, Seale’s attorney, was forced to undergo emergency surgery, and followed up by refusing to allow Seale the exercise of his constitutional right to defend himself pro se. Hoffman then handed down contempt citations, eventually totaling four years in penalties, each time the defendant attempted to do so anyway. The whole spectacle culminated with the judge ordering Seale bound to his chair and gagged as a means of “maintaining courtroom order.”³⁶⁸ The trial of the “Chicago 8” then became that of the “Chicago 7” when Hoffman finally severed Seale’s case from the others and scheduled him for a retrial which never occurred.³⁶⁹

More absurd still were the charges brought against the “Panther 21” in New York, a bill of particulars which included conspiring to use aerosol spray cans to blow up department stores, subway and police stations, and the Bronx Botanical Gardens. The moment the indictment was handed down on the morning of April 2, 1969, BOSS detectives launched a citywide sweep, gathering up or otherwise accounting for sixteen of the accused and what they claimed was “substantial evidence” of the plan.³⁷⁰ Simultaneously, there was a veritable blizzard of police- and FBI-generated publicity.

Most newspaper stories concentrated on the [alleged] coordinated acts of terror and the Black Panther Party. Banner headlines on the *Daily News* of April 3 read “Smash Plot to Bomb Stores,” and the story was titled “Indict 21 Panthers in Store Bomb Plot.” Bold print above the front-page *New York Times* story read “Bomb Plot Is Laid to 21 Panthers; Black Extremists Accused of Planning Explosions at Macy’s and Elsewhere.” On the afternoon of April 3, the *New York Post* reported the arrest of another one of the defendants—“Nab One More in Panther Bomb Plot.” On April 4, the lead editorial in the *Daily News* congratulated the authorities for “superior police work” which, the *News* said, “went into Wednesday’s cracking of an alleged Black Panther plot to dynamite five midtown Manhattan department stores during the Easter buying rush, plus, for good measure we suppose, the Morrisania Police Station and the Penn Central tracks above 148th Street.”³⁷¹

With the defendants thus convicted in the press, Judge Charles Marks set bail for each of them at the uniform and impossibly high level of \$100,000, a ruling plainly intended to ensure that virtually the entire leadership cadre of the New York Panthers would remain behind bars for the duration.³⁷² The maneuver worked quite well: it was not until November 1970 that the bail amounts on two of the defendants, Michael Tabor (Cetewayo) and Richard Moore (Dhoruba), were finally lowered to \$50,000 and they were released.³⁷³ The other eleven Panthers who, along with Moore and Tabor, were ultimately tried, remained in lockup until the proceedings ended on May 13, 1971. And, of course, during the entire 26 months of their collective incarceration, the FBI was able to use their situation in combination with those of the New Haven 14, Baltimore 18 and LA 18 as fodder in its anti-Panther propaganda campaign.

At trial, however, things proceeded along a rather different axis. First, it turned out that the vaunted “material evidence” supporting the conspiracy charges consisted of “a red can containing enough gunpowder to fill a talcum box,” five .38 caliber handguns, two M-1 rifles, three shotguns, an African spear and bow and arrows which had been mounted as a wall display in one of the defendant’s apartment, a “sword cane,” a pair of handcuffs, an old alarm clock, some aerosol cans, one small bottle each of hydrochloric and nitric acid, a book entitled *Explosives and Propellants*, available by mail order to anyone who wished to buy it, and a Party publication entitled *Urban Guerrilla Warfare*.³⁷⁴

There were no “pipe bombs,” as Assistant District Attorney Joseph A. Phillips had claimed during bail hearings, and as had been subsequently reported, widely and with all due sensationalism, in the media.³⁷⁵ Rather, there was a small selection of brass pipes which, police said, might be “suitable for conversion” into such devices.³⁷⁶ There was mention of dynamite, but it was filled with oatmeal and clay rather than explosive, and linked rather more to FBI infiltrator Roland Hayes than to the Party itself.³⁷⁷ There were also intimations of eyewitness accounts in which Panthers ambushed police and the like, but these were provided in 1968 by BOSS infiltrator Shaun Dubonnet, who it turned out was a thoroughly delusional escapee from a mental institution.³⁷⁸

Even Ralph White and Eugene Roberts, the most professional and highly placed of the several BOSS infiltrators, could provide no credible testimony that the “Easter Plot” had ever existed. White, whose recollections of events consistently and often sharply contradicted his own field reports, ended up professing to know nothing about it.³⁷⁹ Roberts, who was intended to be the real star of the show, did little better, conceding that the only aspect of the “plot” which had ever materialized was reconnaissance of the alleged targets, and that he himself had performed it.³⁸⁰ When he tried to report his findings at a meeting of the chapter security group, coordinators “forgot” to put him on the agenda; on March 4, just a week before the bombings were to occur, only four people attending a meeting he’d called to discuss the plan; a day later, he was the only person who’d shown up.³⁸¹

In a lengthy cross-examination, he made the following admissions: [the Panthers] had never had any dynamite to his knowledge and never gave Roberts orders to do anything but community work; Roberts himself was never given orders to bomb anything; there was never any agreement that he knew of to place explosives at any particular department store; no one had ever agreed to place any explosives at the railroad sites; he did not recall anyone being assigned to bomb anything.³⁸²

Although it was at that point the longest criminal trial in New York history, generating more than 13,000 pages of testimony and attended by scores of exhibits—at one point prosecutors even showed a film entitled *The Battle of Algiers* to demonstrate how the Panthers were “influenced by African terrorism”³⁸³—it took the jury just ninety minutes to reach “not guilty” verdicts in all 156 of the charges against the thirteen defendants who ultimately stood trial.³⁸⁴

The government’s resounding defeat in the Panther 21 case, coming as it did almost simultaneously with the failure to convict Seale and Huggins in New Haven, and followed by another round of acquittals in the LA Panther case a few months later, signaled the end of attempts to eradicate the Party leadership through the contrivance of mass conspiracy prosecutions.³⁸⁵ From then on, the approach would involve a much more surgical selection of targets and the advancement of less obviously political sets of charges. While the propaganda value of individual prosecutions was considerably less than that attending multidefendant show trials, it proved to be a far more effective method of obtaining wrongful convictions.

Among the first examples of the new strategy at work were the cases of Dhoruba Bin Wahad (Richard Moore) and Geronimo ji Jaga (Pratt), key leaders of the New York and Los Angeles BPP chapters respectively. One of the Panther 21 defendants who had gone underground when his bond was posted in November 1970, and acquitted in absentia, Bin Wahad was arrested shortly after the verdict in the process of accosting neighborhood drug dealers in a Bronx after-hour club. He was then charged with having attempted to murder a pair of police officers on May 19, 1971. After two mistrials, he was finally convicted in 1973 and sentenced to life imprisonment.³⁸⁶

The conviction was finally overturned, and Bin Wahad released on bond pending possible retrial in March 1990, after it was proven that the FBI and BOSS had collaborated to suborn perjury from the state’s major witness,³⁸⁷ and had jointly suppressed ballistics test results indicating that the strongest piece of physical evidence, a gun found in Bin Wahad’s possession at the time of his arrest, was *not* the weapon used in shooting the police.³⁸⁸ Although the government ultimately declined to retry the case,³⁸⁹ Bin Wahad had already spent seventeen years behind bars—more than twenty, when preconviction jail time is included—eight of it in solitary confinement³⁹⁰—for crimes there’d never been the least evidence he’d actually committed.

For Pratt, the situation was even worse. Having failed to neutralize him by other means, agents Richard W. Held, Richard Bloesser and Brendan Cleary of the Los Angeles COINTELPRO Section apparently caucused with CCS detectives Daniel P. Mahoney and Ray Callahan, sifting through a pile of the LAPD’s unsolved case files to find a murder with which they might plausibly charge him.³⁹¹ Eventually, they settled upon the December 1968 “Tennis Court Murder” of a white school teacher named Caroline Olson,³⁹² illegally extradited their quarry from Texas,³⁹³ and went to trial.

In court, the crucial evidence presented against Pratt was the testimony of infiltrator Julius C. Butler, who claimed the defendant had “confessed” the crime to him. Butler also solved a major problem with the state’s physical evidence—as in the Bin Wahad case, ballistics tests indicated that a gun attributed to Pratt had not been used to commit the murder—by testifying that he’d witnessed the defendant changing barrels on the weapon. Finally, Butler asserted in response to direct questions on the matter posed by Pratt’s defense counsel, Johnnie Cochrane, that he was not and had never been an undercover operative for either the FBI or the police.³⁹⁴

Pratt’s main line of defense was that he could not possibly have killed Mrs. Olson because at the time of her death in Santa Monica he was more than 350 miles away, in Oakland, attending a meeting of the BPP

Central Committee. This could be verified, he contended, through the FBI's records of its electronic surveillance of Party facilities in both Oakland and Los Angeles. In rebuttal, prosecutors called to the stand a Bureau official who denied under oath that any such surveillance had been conducted.³⁹⁵ Pratt was then convicted and sentenced to a term of life in prison, the first eight years of which were spent in solitary confinement.³⁹⁶

Although the average time served in California for persons convicted of first degree murder is 14.5 years, Pratt was repeatedly denied parole, not for reasons related to his supposed crime, but because, as Assistant Los Angeles DA Diane Visani put it during a 1987 hearing, he was "still a revolutionary man."³⁹⁷ It was not until June 10, 1997, that California Superior Court Judge Everett W. Dickey finally reversed Pratt's 1972 conviction on the grounds of Butler's by then undeniable perjury and the FBI's suppression of its wiretap evidence.³⁹⁸ Although Los Angeles District Attorney Gil Garcetti initially announced he would retry the case, all charges were withdrawn in 1998. Meanwhile, the former Panther had served fully 27 years in prison for a murder authorities knew all along he'd had absolutely nothing to do with.

Worse still were the situations Ed Rice and David Poindexter, leaders of the Panthers' National Committee to Combat Fascism chapter in Omaha. In April 1971, they were convicted of ordering the August 17, 1970, bombing which resulted in the death of police officer Larry Minard. The main witness against them was the bomber, a teenager named Duane Peak, who mentioned neither of the accused in his confession—indeed, he named six other men as accomplices, none of whom were prosecuted—changing his story only after he was offered an immunity deal in exchange for testimony against the two "key agitators."³⁹⁹ In 1974, Federal District Judge Warren Urbom found sufficient irregularity with the case to order a retrial, a ruling upheld by the Eighth Circuit Court, but in 1976 the Supreme Court reversed the reversal itself on a post hoc jurisdictional technicality.⁴⁰⁰

While the bipartisan Nebraska Parole Board has voted unanimously and repeatedly since 1993 to commute the men's sentences to time served—and Amnesty International, the NAACP, the Congressional Black Caucus and other entirely reputable groups have strongly endorsed the idea—the state's Republican-controlled Board of Pardons has adamantly refused to so much as entertain the possibility (one member has been quoted in the press as stating that there are "no circumstances" under which he'd consider a commutation).⁴⁰¹ Thus, Rice and Poindexter (Mondo we Langa) remain in prison after 28 years, with no immediate prospect for release.

The reasons underlying their circumstance are not difficult to discern. A 1970 memo from the local FBI office, which had a fine collaborative relationship with local police, then and now, explicitly targets the two men for COINTELPRO neutralization.⁴⁰² In an interview conducted twenty years after the fact, Jack Swanson, the Omaha detective who headed up the local police effort against Rice and Poindexter, opined that he believed he'd "done the right thing at the time," since "the Black Panther Party...completely disappeared from Omaha [after] we got the two main players."⁴⁰³ Former Governor Frank Morrison has been even more candid, acknowledging that the pair "were convicted for their rhetoric, not for any crime they committed."⁴⁰⁴

Even a cursory examination of Panther cases reveals a similar pattern in a number of instances. LA Panther Romaine "Chip" Fitzgerald, for example, was convicted in 1969 in "the senseless murder of a Von's security guard shot seven times in a Los Angeles shopping center on September 29" despite the fact several witnesses confirmed that he'd been halfway across the city, "wounded [by police] and scarcely able to move" at the time the shooting occurred.⁴⁰⁵ Originally sentenced to death, Fitzgerald's sentence was commuted to life imprisonment when California's capital punishment statute was declared unconstitutional in 1971. He remains in maximum-security lockup after thirty years.

Then there is Baltimore Panther leader Marshall "Eddie" Conway, convicted in 1971 of the 1970 slaying of a Baltimore patrolman, largely on the strength of testimony provided by a jailhouse informant who, in exchange for preferential treatment and a reduced sentence on his own charges, claimed the accused had "confessed his crime" while they were cellmates.⁴⁰⁶ Conveniently for the state, this sensational "evidence"

emerged at more-or-less the moment its contrived charges against Conway and other defendants in the above-mentioned *Turco* case had to be abandoned.⁴⁰⁷ In any event, Conway too remains behind bars after approximately three decades, the possibility of parole at best a forlorn hope.

Obviously, as in the New Haven 14, LA 13, Panther 21 and Chicago conspiracy cases, Party members were often successful in defending themselves against malicious prosecutions. Nonetheless, the fact that by the end of 1969 at least thirty Panthers were in custody and facing the death penalty, another forty facing life imprisonment, fifty-five facing sentences of thirty years or more, and still another 155 forced underground or into exile as a means of avoiding prosecution on bogus charges of comparable magnitude, had a plainly devastating effect on the morale, cohesion and overall effectiveness of the BPP.⁴⁰⁸

Veteran defense attorney Charles Garry observed in January 1970, "in over thirty years of practicing law, [he had] never experienced the type of persecution faced by the Black Panther Party."⁴⁰⁹ Even in financial terms, the impact is obvious. By then, the Party's central office alone had been forced to expend more than \$200,000 in nonrefundable bail premiums by that point in an effort to keep its personnel on the street.⁴¹⁰ To that must be added the extraordinary cost of underwriting the legal defense of Panthers in trial after endless trial, an amount that surely ran into the millions. The poignancy attending Garry's rhetorical question of "how many breakfasts for hungry children such sums might buy," posed at the time, remains as relevant now as it was at the time.⁴¹¹

Combined with the permanent loss of leaders like Pratt, Bin Wahad, Rice, Poindexter and Conway to the government's extralegal utilization of the judicial system for purposes of political repression,⁴¹² such factors left the Party in an utterly deformed state as it entered the new decade. Nor would it be allowed anything resembling a respite in which to step back and regroup itself in coming months. If anything, the onslaught against the BPP in some ways intensified during 1970 and 1971. Thereafter, the repression seems to abated to a considerable extent, but at that point there was precious little of the Party left to repress.

Assassinations

As the nature of the FBI's role in the so-called "Panther/US Conflict" abundantly reveals, assassination was also a mode through which elimination of genuine Party activists was achieved. In some cases, such as that of Jon Huggins and Bunchy Carter, the approach was quite selective. In others, Sylvester Bell and John Savage seem appropriate enough examples, a more random kind of targeting is apparent. Whether random or selective, the Bureau's technique was invariably to retain a veneer of "plausible deniability" about its own involvement in such murders by using contract personnel like the Claude Hubert and the Stiner brothers, Party infiltrators like George Sams, or sometimes police surrogates to perform the actual killings.

Carter and Huggins aside, the classic example of a selective assassination occurring as a COINTELPRO measure was that of Illinois Panther leader Fred Hampton. Although the special fourteen-man unit which assaulted Hampton's apartment in the predawn hours of December 4, 1969, was composed entirely of police,⁴¹³ it was later proven in court that the raid had been arranged by FBI counterintelligence specialists Robert Piper and Roy Mitchell.⁴¹⁴ Mitchell, in fact, provided the raiders with a floorplan of the apartment drawn by infiltrator William O'Neal.⁴¹⁵ Additionally, and despite a report from O'Neal specifically stating that no illegal weapons were kept there, he passed along information to police that the opposite is true.⁴¹⁶

While a "search for illegal weapons" thus served as a pretext for the raid, it is impossible to avoid the conclusion that participating police were as aware of their real mission as Mitchell and Piper. The map prepared by O'Neal clearly indicated the location of Hampton's bed and during the action itself two of the raiders, Joseph Gorman and James "Gloves" Davis, blind-fired 42 rounds, from a Thompson submachine gun and an M-1 carbine respectively, through a wall and into the bed where their FBI-provided information led them to expect their target would be sleeping.⁴¹⁷ Incredibly, Hampton was hit only once during the volley and, though badly wounded, was still alive.⁴¹⁸ The situation was quickly corrected by another raider, Edward Carmody, who fired two rounds at close range into the victim's head.⁴¹⁹

One reason Gorman and Davis had been confident Hampton would be in his bed when they fired, was that they were aware O'Neal had slipped their target a dose of secobarbital earlier in the evening.⁴²⁰ The victim was thus comatose even before the raid began.⁴²¹ For their part, Piper and Mitchell, who, along with Chicago SAC Marlin Johnson, had notified FBI headquarters on December 3 that the upcoming raid should be viewed as a COINTELPRO initiative against the BPP,⁴²² proclaimed it "successful" in a teletype sent to headquarters at 9:26 a.m. on December 4.⁴²³ On the 11th, Piper followed up with a request, approved by headquarters on December 17, that O'Neal be paid a \$300 bonus because of the "tremendous value" of his services to the raiders.⁴²⁴

In the immediate aftermath of the attack, which left Peoria Defense Captain Mark Clark as well as Hampton dead,⁴²⁵ and four of seven other apartment occupants badly wounded,⁴²⁶ the surviving Panthers were charged with attempting to murder their attackers.⁴²⁷ Although it was shortly demonstrated that none of the accused had fired a weapon at police,⁴²⁸ charges were not dropped against them until May 8, 1970, after Assistant US Attorney General Jerris Leonard had brokered a quid pro quo in which neither the police raiders nor their superiors in the Chicago State's Attorney's Office would be criminally prosecuted.⁴²⁹

Meanwhile, as has been discussed, SAC Johnson was a major player in orchestrating the disinformation campaign designed to cover up what had actually occurred during the raid. More formally, he arranged for the convening of a federal grand jury investigation of the matter, with regard to which he himself coordinated the extensive suppression of evidence,⁴³⁰ before going on the stand in February 1970 to testify that the FBI's role had been "extremely peripheral."⁴³¹ Thereafter, Johnson availed himself of an early retirement, returning periodically to commit additional perjuries in response to subpoenas issued pursuant to a civil suit filed by the surviving Panthers and families of Hampton and Clark in 1973.⁴³²

Johnson was quickly replaced as SAC by Richard G. Held, father of the Los Angeles office's Richard W. and widely considered to have been the "dean of domestic counterintelligence operations."⁴³³ Held the elder presided over the cover-up for several years, at one point straightfacedly denying under oath that the Chicago office had compiled *any* investigative paperwork on the Black Panther Party in Illinois (117,000 pages were eventually released),⁴³⁴ and ended up promoted to the rank of FBI Associate Director for his trouble.⁴³⁵ Under such conditions, it was not until November 1982 that Federal District Judge John F. Grady finally ruled the Bureau and its police collaborators had in fact violated the civil rights of Fred Hampton, Mark Clark and the others, ordering payment of some \$1.85 million in damages.⁴³⁶

It does not appear that the Hampton assassination was the only such "surgical elimination" envisioned as part of COINTELPRO-BPP in Chicago. There is every indication that the raiders expected that Bobby Rush, the Party's second in command in Illinois, would also be in Hampton's apartment at the fatal moment.⁴³⁷ When O'Neal's information proved erroneous in that respect, a predawn raid of Rush's apartment was arranged for the morning of December 5. Forewarned by Hampton's fate, however, the target had taken refuge at another location.⁴³⁸ A day later, he presented himself for arrest in the highly public—and therefore relatively safe—setting of Jesse Jackson's Operation Breadbasket.⁴³⁹ Tellingly, no charges were filed against him.

Similarly, the predawn raids conducted in Los Angeles on December 8 were designed, at least in part, to "neutralize" Geronimo Pratt in the same manner as Fred Hampton. It has been established that, prior to the assault on the Party's Los Angeles facilities, infiltrator Cotton Smith provided detailed floor plans on which Pratt's bed was clearly marked.⁴⁴⁰ As in Chicago, this information was passed along to the police raiders, who fired bursts of automatic weapons fire through a wall and riddled the area where the Panther leader was supposed to have been sleeping.⁴⁴¹ Infiltrator Louis Tackwood has also confirmed that Pratt was the "main target" of the attack.⁴⁴² Hence, it is clear that only the Panthers' spirited armed defense of the office, in combination with the fact that Pratt was not in his bed when the attack began, averted another selective assassination.⁴⁴³

Random assassinations are harder to tie down. One of them, surely, would be the killing of 17-year-old Bobby Hutton, who, unarmed, blinded by teargas and with his back turned, was shot to death by Oakland police on the night of April 6, 1968. On balance, it seems likely that the real target of the gunmen was Eldridge Cleaver, with whom Hutton had been riding before the police swooped down. Failing that, the frustrated cops appear to have used the nearest available Panther served as a stand-in.⁴⁴⁴ In the aftermath, Cleaver himself was arbitrarily confronted with charges which served as a pretext for revoking his parole, a matter which drove him to flee the country.⁴⁴⁵

Another likely candidate is Frank Diggs, known as “Captain Franko,” an LA Panther whose bullet-riddled body was found in a vacant lot in the San Pedro area of south Compton on December 30, 1968.⁴⁴⁶ While Diggs may have been yet another casualty of the FBI-sponsored “war” between the Panthers and US—in which case, he may well have been killed by Claude Hubert, the Stiners, or any of several other federal provocateurs known to have been active in Karenga’s organization at the time—it is equally likely that he was simply picked up by police and executed. Either way, the least likely of all scenarios, that Diggs was murdered by the BPP itself, was the only one ever explored by LAPD homicide detectives in this still unsolved case.⁴⁴⁷

Several other Panthers were murdered under comparably mysterious circumstances, beginning with Arthur Morris, older half-brother of LA chapter leader Bunchy Carter, whose body turned up in March 1968.⁴⁴⁸ There followed Nathaniel Clark, a member of the of the LA chapter shot to death in his sleep by “party or parties unknown” on September 12, 1969,⁴⁴⁹ and Sterling Jones, a Chicago Panther similarly dispatched by a pointblank shot to the face when he answered a knock on the door of his family’s apartment on Christmas night, 1969.⁴⁵⁰

Then there are cases like that of 17-year-old Welton Armstead, who was shot to death by a Seattle patrolman claiming to be in pursuit of car thief on October 5, 1968. The shooter was subsequently exonerated by an internal review board—surprise, surprise—after he contended variously that Armstead had been armed with a rifle, and that the young Panther had made a grab for the patrolman’s own service revolver. As analyst Michael Newton has pointed out, however, there are a few “nagging questions” imbedded in this obviously convoluted explanation: “If young Armstead had truly been armed with a rifle, why had he grabbed for the officer’s gun in the first place? And if he was *not* armed, why had the officer approached him with gun drawn, ready to fire?”⁴⁵¹

And so it went in case after case: on August 25, 1968, LA Panthers Steve Bartholomew, Robert Lawrence and Tommy Lewis, were gunned down by police who roused them as they stood next to their car in a service station lot;⁴⁵² on October 10, 1969, LA Panther Walter Touré Pope, was shot and killed by police while preparing to order food at a Jack-in-the-Box restaurant (“Thought he was trying to rob the place,” police said.);⁴⁵³ on July 27, 1970, Babatunde X Omarwali, founder of the Southern Illinois chapter of NCCF, was killed by Chicago police;⁴⁵⁴ on July 28, Carl Hampton, founder of People’s Party II, a local BPP offshoot, was shot to death by Houston police during an assault smelling suspiciously like that launched against the Central Avenue office in LA in December 1969.⁴⁵⁵

Overall, it seems hardly an exaggeration to observe that the police were very nearly as busy coming up with pretexts upon which to kill Panthers as they were finding excuses to arrest them. By early 1970, the mounting fatalities had produced a decisive “chilling effect” in terms of the Party’s ability to sustain its existing membership base, much less its ability to gain new recruits.⁴⁵⁶ As Dhoruba Bin Wahad would recall nearly a quarter-century later, “The Party was at the peak of its popularity in 1969. We’d achieved a genuine mass base of support for our program. But people were scared. Nobody wanted to go to prison for a million years or become just another pop-up target for the death squads. And so, just at the moment when it had become possible for us to accomplish what we’d set out to do, a lot of people began to distance themselves from us. They saw it as a matter of self-preservation.”⁴⁵⁷

Exacerbating Intraparty Tensions

As the scale and intensity of repression against the Panthers mounted, the question of how best to respond became ever more acute. Simultaneously, the Party's ability to formulate anything resembling a unified position in this regard was greatly constrained by the fact that its leadership had been scattered to the winds, the energy, attention and dwindling resources of its experienced cadres increasingly riveted upon the tactical demands of assembling legal defense efforts in behalf of the scores of "key activists" targeted for prosecution. Under such conditions, even the rapid growth of the BPP from mid-1968 to mid-1969 became something of a liability as the influx of new members quickly outstripped the Party's capacity to provide proper screening, training and political orientation.⁴⁵⁸

Out of this confused welter, an environment ideal for the functioning of opportunists and provocateurs of every variety, two rather different lines of strategic thinking, both of them finding a firm footing in the Panthers' original theoretical posture, had begun to crystallize by 1970. The first of these, generally associated with the national office in Oakland and such outposts as Fred Hampton's Chicago chapter, called for a deemphasis of the military dimension of Panther activity, with increasing weight placed upon the Party's service programs, community organizing, coalition building and electoral politics.⁴⁵⁹

The second axis, associated mainly with Eldridge Cleaver's International Section in Algeria, as well as the Los Angeles and New York chapters, pointed out that these were precisely the kinds of activities which had been targeted for eradication by "the military forces of the state," and that they were by definition vulnerable to such repression. Correspondingly, the "Cleaverites" called for a deemphasis of aboveground organizing in favor of creating a genuine "Afro-American Liberation Army" of urban guerrillas capable of meeting the state on its own terms.⁴⁶⁰

Things were never quite so clear-cut as a "military versus nonmilitary dichotomy," of course. The latter tendency, which consolidated itself under the leadership of Party founder Huey P. Newton after his release from prison in August 1970, always retained a military dimension, both literally and symbolically.⁴⁶¹ And the operations of what would shortly become the Black Liberation Army (BLA) would always be devoted in substantial part to sustaining community service programs such as a heroin treatment component of the Lincoln Detox Center in the Bronx.⁴⁶² Nonetheless, ideological disagreements between the emerging Party factions were quite real.

As early as September 1969, the FBI's infiltrators had made it aware of the growing differences of opinion within the BPP, and several field offices were instructed to devise plans to exacerbate them to the point of outright disputes.⁴⁶³ By January 1970, this resulted in the first of a series of bogus letters sent to the exiled Cleaver, many of them written over the forged signature of International Section liaison Connie Matthews, informing him that David Hilliard and other "BPP leaders in California were seeking to undercut his influence."⁴⁶⁴ Cleaver, as was noted by the Bureau, responded by expelling three Panthers he believed had been sent to Algeria by the "Hilliard clique" to disrupt the functioning of his group.⁴⁶⁵

Encouraged by the apparent success of this letter, FBI headquarters instructed its Paris Legal Attaché to mail a follow-up letter, again written to appear as if Matthews were the author, to Black Panther Chief-of-Staff David Hilliard, in Oakland, California. The letter alleged that Cleaver "has tripped out. Perhaps he has been working too hard," and suggested that Hilliard "take some immediate action before this becomes more serious."⁴⁶⁶

By May, those aligned with Cleaver and Hilliard alike had become aware that the "Matthews" letters were forgeries, and efforts were made to reconstitute a viable working relationship.⁴⁶⁷ Prospects for success in this regard were, however, severely impaired by a combination of Cleaver's distance from day-to-day events and the fact that Hilliard himself had been thrust by circumstance into a position of responsibility well beyond his capabilities.⁴⁶⁸

David Hilliard had implemented a harshly authoritarian policy that engendered intense resentment. Purges of rebellious Panthers were disrupting entire chapters, and the rank and file across the country were furious at the heavy-handed treatment meted out from Oakland. Transfers of Panthers from chapter to chapter and

cultivation of loyalty to the central staff in Oakland kept decision making tightly centralized. Faced with mushrooming trials and arrests, Hilliard had attempted to keep order at the expense of continuing revolutionary activity.⁴⁶⁹

All sides appear to have counted upon Huey Newton, soon to be released from prison, to put the Party back in order and on track. These hopes, too, were in vain. Three years behind bars, several months of which were spent in one of Alameda County's notorious "soul breaker" cells,⁴⁷⁰ had left the high-strung Panther founder seriously out-of-touch with the myriad new personalities who had joined the BPP during his absence, and what in retrospect appears to have been a dangerously degenerative state of psychological imbalance.⁴⁷¹ When he did appear, it was to (re)assert his authority over the Party with such megalomaniacal zeal as to make Hilliard's régime seem both benevolent and enlightened by comparison.⁴⁷²

Whatever possibility may have existed that the "Supreme Commander," as Newton was now titled,⁴⁷³ might regain his equilibrium was quickly preempted by a blizzard of phony missives pumped out by counterintelligence specialists around the country. The Philadelphia field office, for example, produced and distributed a "directive," attributed to the local BPP chapter, stressing "the leadership and strength of David Hilliard and Eldridge Cleaver while intimating Huey Newton is useful only as a drawing card."⁴⁷⁴ A copy of the document, along with a note purporting to be from a Philadelphia Panther "incensed" what was said therein, was then mailed to Newton.⁴⁷⁵

By mid-December 1970, playing upon the "counterintelligence opportunity [offered by the] distance and personal contact between Newton and Cleaver," the Los Angeles field office was sending bogus letters to Algiers "designed to provoke Cleaver to openly question Newton's leadership."⁴⁷⁶ San Francisco, meanwhile, was sending similar letters to Newton, complaining about the "incompetence" of leaders in the Party's Philadelphia chapter,⁴⁷⁷ while the San Francisco and Boston field offices shortly posted missives of their own to Algiers.⁴⁷⁸

Within a month, Newton responded to the torrent of rumors by expelling the incarcerated but Cleaver-aligned Los Angeles Panther leader Geronimo Pratt and several of his closest colleagues, whom Newton claimed were plotting to kill him.⁴⁷⁹ At about the same time, the body of Pratt's wife, Sandra Lane (Nsondi ji Jaga), was found, riddled with bullets and stuffed into a sleeping bag, alongside an LA freeway.⁴⁸⁰ While the killers were never identified, it was widely suspected that she'd been killed on Newton's orders as a means of "sending a message" to Pratt, Cleaver and anyone else inclined to challenge his authority.⁴⁸¹ For its part, the FBI observed that:

Newton has recently exhibited paranoid-like reactions to anyone who questions his orders, actions, policies, or otherwise displeases him. His...hysterical reaction...has very likely been aggravated by our present counter-intelligence activity... *It appears Newton may be on the brink of mental collapse and we must [therefore] intensify our counter-intelligence* (emphasis added).⁴⁸²

In New York, the Panther 21 defendants reacted to expulsion of the Los Angeles Panthers—the implications of Sandra Lane's murder do not appear to have yet sunk in—with an open letter in the *Village Voice* in which they denounced the Oakland leadership as not only authoritarian but hopelessly reformist, proclaimed the Weatherman faction of SDS to comprise the new "revolutionary vanguard" of struggle in the United States, and otherwise aligned themselves quite explicitly with Pratt and Cleaver.⁴⁸³ Newton replied by expelling them as "enemies of the people."⁴⁸⁴

The FBI, of course, was exultant, calling for intensification of efforts to "further aggravate the dissension within the BPP leadership," in view of "the present chaotic situation within the BPP [and] apparent distrust by Newton of anyone who questions his wishes."⁴⁸⁵

On February 2, 1971, FBI headquarters directed each of twenty-nine field offices to submit within eight days a proposal to disrupt local Black Panther Party chapters and the Party's national headquarters in Oakland... For three solid weeks, a barrage of anonymous letters flowed from FBI field offices in response to the urging from FBI headquarters. The messages had become more and more vicious. On February 19, 1971, a false letter, allegedly from a Black Panther Party member in the Bay Area, was mailed to Don Cox, Cleaver's com-

panion in Algiers. The letter intimated that the recent disappearance and presumed death of Black Panther leader Fred Bennett was the result of Party factionalism.⁴⁸⁶

On February 10, an anonymous letter was sent by the San Francisco office to Newton's brother, Melvin, "warning" him that "Eldridge Cleaver and the New York BPP chapter were planning to have [Huey Newton] killed."⁴⁸⁷ Two weeks later, a teletype purporting to be from BPP Central Committee member Elbert "Big Man" Howard to Cleaver, complaining that Newton was skimming Party funds to pay the rent on an extravagant Oakland penthouse.⁴⁸⁸ Cleaver was also warned not to allow his wife, Kathleen, herself a former member of the Party's Central Committee, to go to Oakland for purposes of attempting to straighten things out because of a distinct "possibility of violence" against her.⁴⁸⁹

In what was perhaps a last effort at restoring some semblance of Party unity, Newton arranged for he and Cleaver to appear together on a San Francisco television program on February 26 (Cleaver, via satellite feed from Algiers). Cleaver seized the opportunity to demand the reinstatement of the Pratt group and the Panther 21, as well as the expulsion of Hilliard and others of the national office staff.⁴⁹⁰ Newton retaliated during an FBI-monitored post-program telephone call, expelling Cleaver and the entire International Section. Cleaver replied that, to the contrary, it was the International Section that was expelling Newton's entire following, and that it would henceforth function as "the *real* Black Panther Party."⁴⁹¹

The entire New York chapter thereupon declared its alignment with Cleaver, and issued a public demand for a "people's tribunal" to assess Newton's reputed abuse of Party funds.⁴⁹² On March 8, in what was/is generally believed to have been another of Newton's attempts to send a message to such Party dissidents, New York Panther Robert "Spider" Webb was shot to death in broad daylight on 125th Street, in Harlem.⁴⁹³ Then, on March 18, Bill Seidler, a 62-year-old white Panther supporter in Philadelphia who had been providing invaluable service to the International Section in its efforts to maintain open communication links with its U.S., met a similar fate.⁴⁹⁴

At this point, the Bureau declared that "the differences between Newton and Cleaver now appear to be irreconcilable," but nonetheless undertook to inflame the passions of participants even further.⁴⁹⁵ On March 25, for example, a message was sent—in Newton's name and over David Hilliard's forged signature—to all Panther "embassies" and support groups abroad. The bogus communiqué not only announced the International Section's expulsion, but also asserted that "Eldridge Leroy Cleaver is a murderer and a punk without genitals. D.C. Cox is no better." It closed by announcing, in a transparent reference to the slain Webb, that "Leroy's running dogs in New York have been righteously dealt with. Anyone giving any aid or comfort to Cleaver and his jackanapes will be similarly dealt with no matter where they might be located."⁴⁹⁶

As was unquestionably intended by the agents who penned it, the New York Panthers accepted the document as genuine. Their response, rather predictable under the circumstances, was to settle the score for Robert Webb while answering "Newton's" threat with a message of their own. On the night of April 17, 1971, the New York distribution office for *The Black Panther* was put to the torch. When the smoke cleared, firefighters discovered the charred body of Newton loyalist Sam Napier, who had been executed by six gunshots fired at close range.⁴⁹⁷

While the murders of Fred Bennett, Sandra Lane and Robert Webb had elicited little more than yawns on the part of police "investigators" and their FBI counterparts, the Napier killing sparked a frenzy of law enforcement activity and the arrests of Cleaver-aligned Panthers in several states.⁴⁹⁸ This disparity in effect "confirmed the rampant suspicion among New York Panthers that Newton's clique was collaborating with the police in some fashion."⁴⁹⁹

The Panthers in Algiers [and] the New York Panthers [made] a desperate effort to salvage the crumbling Party. Lengthy long-distance phone conversations between New York, Algiers and San Francisco took place in hopes of pulling together a new Central Committee. The New York chapter began publishing its own newspaper, *Right On*, to counteract *The Black Panther*—now totally under Newton's control. Although the New York Panthers were able to rally a few dedicated people to their side, the attempt to reorganize the en-

tire Party failed. Panthers who aligned themselves with the more radical New York faction were being arrested across the country and faced threats on their lives from Newton's supporters, while those connected with the Newton faction seemed immune from police attention no matter what they did.⁵⁰⁰

By the time the New York Panthers finally threw in the towel, there was very little left of the BPP. Regardless of who'd actually pulled the triggers, the mounting toll of Panthers apparently killed by Panthers, the Webb and Napier murders in particular, precipitated the exodus of up to forty percent of all remaining Party members during the last half of 1971.⁵⁰¹ Expulsions claimed well over a thousand others.⁵⁰² Having facilitated the eviction of the International Section from its station in Algeria in 1972,⁵⁰³ Newton effectively abolished the Party as a national organization as well, ordering the closure of local chapters and "recalling" the thousand or so remaining cadres to Oakland.⁵⁰⁴ A year later, total membership had shrunk to less than 500, and, by 1974, to only about 200.⁵⁰⁵

The Strange Deaths of George and Jonathan Jackson

The primary means by which the Newton faction sustained the public image of a military posture was its association with George Jackson. Having received an indeterminate sentence of one-year-to-life for his role in a \$71 gas station stickup in 1961, at age nineteen, Jackson had become politicized in prison. In January 1970, he and two other inmates, Fleeta Drumgo and John Cluchette, were accused of killing John V. Mills, a guard in Folsom Prison. Under California Penal Code 4500, Jackson, already a lifer, faced a mandatory death sentence as a result. This, in combination with the political nature of the alleged offense—Mills was killed in retaliation for the murders of three black prisoners in Folsom's O-Wing courtyard a few days earlier—made the "Soledad Brothers," as Jackson and his codefendants were called, a cause célèbre of the state's burgeoning prisoners' rights movement.⁵⁰⁶

Jackson's fame exploded internationally over the next few months with publication of his beautifully-crafted *Soledad Brother*, introduced by renowned French intellectual Jean Genet, a matter which afforded him the status of a revolutionary icon.⁵⁰⁷ Thereafter, his pronouncements on the need to forge a "People's Army" of urban "focos" headed by politicized former prisoners gained considerable currency in revolutionary circles.⁵⁰⁸ This, in turn, brought a substantial influx of financial resources into the Soledad Brothers Defense Committee (SBDC), an entity formed to coordinate not only the defendants' representation at trial but political organizing and publicity attending the case.⁵⁰⁹

Although Jackson's thinking was demonstrably closer to Eldridge Cleaver's than to Huey Newton's, Newton astutely drafted Jackson as a Panther Field Marshal in August 1970. Jackson not only accepted the position, but publicly denounced Cleaver as a "renegade"—thereby in some ways sealing the fate of the Cleaver faction—and turned control of his own Defense Committee over to Newton.⁵¹⁰ There are clear indications that Jackson believed his association with the BPP would result in the actual formation of his People's Army. Certainly, he designated Fred Bennett and Jimmy Carr, both of whom had been part of Jackson's coterie in prison before their release, to head up the effort.⁵¹¹ Subordinating the Army to Newton, however, ensured that it would remain a largely symbolic effort, a matter which may well have figured into Bennett's murder—allegedly by Carr, who had both engineered the original link between Jackson and Newton, and served as the latter's bodyguard—a few months later.⁵¹²

There is also strong circumstantial evidence that, at least during the initial phases of his alliance with Newton, Jackson expected to be a free man, albeit a fugitive, and therefore able to assume direct command of his troops in the field. By this calculus, which was based mainly on an elaborate guerrilla action and hostage exchange Jackson believed would be carried out by Panther military units on August 7, 1970,⁵¹³ Cleaver's faction was deemed extraneous, Newton's above-ground political apparatus of central importance.

The original plan was for three groups to operate independently of one another. The first was to take over Judge [Harold J.] Haley's courtroom, in which [San Quentin inmate and Jackson collaborator James McClain was scheduled for a hearing and] to have called a number of black activists for his defense. The second was to have taken over another wing of the Marin County Civic Center and to take hostages. And the third was to

hijack a plane at San Francisco airport for the eventual transportation of everybody involved to Cuba. These operations were to take place simultaneously, after which demands were to be made over a local radio station. The Soledad Brothers and a number of other prisoners were to be released, and safe passage was to be guaranteed the [guerrillas] from the civic center to the airport.⁵¹⁴

The plan was plausible enough, but, in the event, went disastrously awry. In part, this was undoubtedly because infiltrator Cotton Smith was from the outset a key member of the group selected to carry out the mission, keeping the FBI and CCS abreast of the planning as it evolved.⁵¹⁵ He does not, however, appear to have communicated very well with his handlers concerning the fact that the guerrillas had become concerned that the police were on to them at some point in mid-July, or that the plan had as a consequence been put on hold.⁵¹⁶ Nor do the agents to whom Smith reported seem to have been apprised of the fact that Huey Newton had canceled the entire operation once and for all when he was released from prison on August 5.⁵¹⁷

Less, did anyone inform Jackson's younger brother, Jonathan, whom, apparently unbeknownst to the other Panthers, Smith had recruited to smuggle in a load of weapons to be used by the guerrillas called by McClain as witnesses.⁵¹⁸ Hence, when the seventeen-year-old showed up with his armaments at the appointed time and place, he found himself alone. No doubt bewildered by this unexpected turn of events, he nonetheless drew a gun, armed McClain and two other prisoners in the courtroom, Ruchell Magee and William Christmas, and set out to make the plan work anyway. It was then that the nature of the response concocted by the FBI and its CCS collaborators became apparent.

[Their idea] was to get [the guerrilla units, composed of "twenty-some people"] caught there and butchered. And then they'd have Huey for conspiracy...all of them for conspiracy, right along the line, because some of the top members of the Black Panther Party had been caught there. So you got conspiracies against Huey, David and June Hilliard, the top of the Panther party, you see what I'm saying?⁵¹⁹

The upshot was that, when young Jackson and his group attempted to leave the civic center in a commandeered van—the occupants included Judge Haley, a local prosecutor named Gary Thomas and three jurors, all held as hostages—they found their way blocked, not only by local police but by virtually the entire sharpshooter corps of tower guards from San Quentin.⁵²⁰ Also on the scene, according to infiltrator Louis Tackwood, were CCS detectives Callahan and Mahoney, who had traveled nearly 400 miles north of their ostensible jurisdiction to participate in the slaughter.

They too knew nothing of the last minute change of plan. As far as they were concerned, "the shit was going to hit the fan." They were there to force a confrontation between the police and the [guerrillas] any way they could. That way the Panthers would be destroyed, their soldiers killed, their organization discredited, their supporters embroiled in a massive conspiracy prosecution. So, when the small group of kidnapers and hostages walked out into the Marin Civic Center car park around eleven o'clock in the morning of August 7, 1970, with Jonathan Jackson bringing up the rear, the [CCS men] first reacted with surprise: the group was smaller than it should have been.⁵²¹

Recovering quickly, Callahan and Mahoney opted to salvage what they could, firing the first shots and triggering thereby a hail of gunfire from the veritable firing squad they'd assembled.⁵²² Within nineteen seconds, Jonathan Jackson, James McClain, William Christmas and Judge Haley were dead, Assistant DA Thomas permanently paralyzed, Ruchell Magee and one of the jurors critically wounded.⁵²³ As the smoke cleared, press reportage on "Black Panther terrorism" was predictably sensational, of course, but the FBI/CCS plan for exterminating the incipient BLA had plainly failed.

The intended indictments of the Panther hierarchy were, by the same token, impossible. The best that could be managed in this regard was to bring charges against SBDC organizer Angela Y. Davis, who had purchased two of the weapons carried by Jonathan Jackson into the Civic Center, and for whom he'd served as a bodyguard.⁵²⁴ Although Davis was at the time a relatively peripheral figure in BPP politics, considerable propaganda mileage was derived from her case after President Richard M. Nixon proclaimed her a "dangerous terrorist."⁵²⁵ Such rhetoric would continue until Davis was finally acquitted in June 1972.⁵²⁶

There is evidence that George Jackson undertook to arrange a less intricate but not altogether dissimilar escape attempt in early October 1970, using the trial of Tommy Lee Walker, another of the prisoners with whom he associated, as the vehicle. Although it is certain that the FBI and CCS were aware of the plan, the nature and extent of their counterintelligence activities in this connection remain unclear, largely because the judge unexpectedly refused to allow Walker to subpoena Jackson as a witness. Whatever scheme agents and police may have concocted was thus derailed right along with Jackson's own.⁵²⁷

The whole sorry saga culminated in another orgy of violence on August 21, 1971, during which three prison guards and two trustees were killed, and another three guards badly wounded, before Jackson himself was summarily executed while attempting to escape from San Quentin.⁵²⁸ There is some indication he had been set up to fail by Newton's wing of the BPP,⁵²⁹ which appears to have provided him with what he believed were plastic explosives and nitroglycerin with which he might blast a hole in the prison's outer wall, but which turned out to be merely putty and vials of sulfuric acid.⁵³⁰ More certainly, Louis Tackwood had been instructed by his CCS handlers to deliver a malfunctioning .25 caliber automatic to Jackson during an earlier visit.⁵³¹ This may or may not have been the weapon used during the breakout attempt.

According to prison officials, who had to change their version of the story several times over the next weeks to resolve its contradictions, the weapon in question was a 9mm Astra M-600, almost nine inches long and weighing two and a half pounds, which Jackson concealed under an Afro wig he had worn to an interview with [attorney Stephen] Bingham [who the state claimed had smuggled it into the prison inside a tape recorder]... After the visit, the prisoner supposedly rose and walked...about 50 yards, balancing the long and bulky weapon on his head... The scenario seems implausible in the extreme.⁵³²

The prison administration later "changed its mind [again], saying it was instead a .38 caliber Llama Corto that had been used."⁵³³ So glaring and suspicious were the legion of inconsistencies attending the official version of who had done what to whom, and why, that when the six prisoners accused of being Jackson's coconspirators finally came to trial they were mostly acquitted. On August 13, 1976, "after deliberating 124 days, the San Quentin Six jury brought guilty verdicts on only six of the original 46 charges. Johnny Spain, Hugo Pinell, and David Johnson were convicted: Johnson on one count of felony assault on a guard, Pinell on two counts of felony assault on a guard, and Spain on two counts of murder and conspiracy to commit murder."⁵³⁴ As to the rest, the jury had been convinced by the evidence that "the events of August 21, 1971, were in part the result of a coordinated plan of various law enforcement agencies...especially the Criminal Conspiracy Section of the Los Angeles Police Department, the state attorney general's office, the California Department of Corrections [and] the FBI's COINTELPRO operation."⁵³⁵

Meanwhile, Fleeta Drumgo and John Cluchette, the surviving Soledad Brothers, were acquitted in October 1971 of culpability in the death of John Mills.⁵³⁶ In 1986, Stephen Bingham, who had spent fifteen years as a fugitive in Canada and Europe, returned to the United States. He then stood trial and was fully exonerated, a matter which finally laid to rest the last of the state's more preposterous allegations as to what had transpired during the "San Quentin Massacre."⁵³⁷ Three years later, even "ringleader" Johnny Spain's convictions were reversed by the U.S. Ninth Circuit Court, a circumstance which led to the former Panther's parole in 1990.⁵³⁸ As of this writing, the only member of Jackson's group who remains in prison is Hugo Pinell, who was already serving a potential life sentence.⁵³⁹

Aftershocks

In many ways, the death of George Jackson coincided with the moment at which the BPP entered the trajectory of its final decline. By 1974, when Bobby Seale finally left the Party,⁵⁴⁰ such old hands as Bobby Rush,⁵⁴¹ June Hilliard,⁵⁴² and Masai Hewitt were gone as well,⁵⁴³ expelled along with David Hilliard, who was in any event doing time in prison.⁵⁴⁴ Newton, who had consolidated his power by purging everyone but the most absolute sycophants, was himself preparing to go into an extended Cuban exile as a means of avoiding prosecution for the murder of a prostitute and the pistol-whipping of a tailor.⁵⁴⁵

In the interim, he had assembled a rather schizophrenic organization in which a core of the most talented and committed Panther women—Ericka Huggins, Audrea Jones, JoNina Abron, Regina Davis and Donna

Howell among them—continued to deliver constructive community service programs such as the Party's award-winning Oakland Community School.⁵⁴⁶ Simultaneously, the Panthers' male contingent was diverted into all but exclusively criminal activities of the sort once falsely attributed to it by Larry and Judy Powell (albeit, the "Squad" appears to have excelled more at extorting local pimps and drug dealers than legitimate business people).⁵⁴⁷

Newton left what remained of the BPP in the hands of Elaine Brown, a former LA Panther who, even by her own account, had brokered sexual favors into increasingly important positions within the Party hierarchy. If anything, Brown consummated the Party's corruption, ensconcing her personal coterie in Newton-style penthouse apartments, cruising about West Oakland in a red Mercedes, and expending as much \$10,000 in a single afternoon on lavish attire.⁵⁴⁸ In 1977, she was displaced by Newton's return and shortly fled the Party altogether.⁵⁴⁹ By 1982, even the Community School was closed after Ericka Huggins finally threw in the towel and Newton himself was indicted for embezzling state funds allocated to its support.⁵⁵⁰ At that point, the BPP had fewer than fifty remaining members.⁵⁵¹

Perhaps the most remarkable aspect of the Panthers' sordid decline during the 1970s is the fact that, from almost the moment Newton opted to divorce the BPP from revolutionary politics, channeling its energies into blatantly criminal activities, the FBI/police repression, which had marked the Party's prior history ended. Whereas Panthers had been routinely prosecuted on charges supported by no evidence at all, both federal and local law enforcement personnel suddenly began to turn a blind eye to offenses for which evidence was overwhelming.⁵⁵² Even more peculiar, state and federal agencies, including even the Justice Department's Law Enforcement Assistance Administration, proved eager to funnel large amounts of money into BPP social service programs.⁵⁵³

Not so, those who sought to retain the Party's original vision of radical social transformation. Trapped between the Newton faction's steadily evolving combination of criminality and reformism on the one hand, and the virulence of COINTELPRO-style repression on the other, they were left with little alternative but to pursue an increasingly clandestine and militaristic mode of struggle at the expense of any sort of systematic aboveground organizing.⁵⁵⁴

One early manifestation of this tendency was the emergence of a bona fide foco calling itself the Symbionese Liberation Army (SLA) from the never-quite-jelled matrix of George Jackson's People's Army in 1973.⁵⁵⁵ Headed at least nominally by a Vacaville Prison escapee named Cinque M'tume (Donald DeFreeze), the SLA was probably the first truly "internationalist" guerrilla formation in the U.S., at least insofar as it included not only Afro-Americans but whites, Latinos and Asian Americans.⁵⁵⁶ Best known for its kidnapping of newspaper heiress Patricia Hearst—who then joined the foco⁵⁵⁷—the SLA also carried out at least one assassination and a series of well-executed bank robberies before being surrounded in a safe house and partly exterminated by LAPD SWAT units on May 17, 1974.⁵⁵⁸

A far more sustained effort was made by the BLA, despite the neutralization of Geronimo Pratt and withdrawal of Eldridge Cleaver.⁵⁵⁹ Although the organization mounted a briefly successful "Deal with the Dealer" program to combat drug distribution in New York,⁵⁶⁰ its cornerstone agenda devolved upon mounting a counteroffensive against the police.

In 1971, the BLA response to police repression and violence was bold and intense. On May 19, 1971 (the 46th birthday of Malcolm X), the BLA claimed responsibility for the shooting of two New York police guarding the home of Frank Hogan, the New York District Attorney in charge of prosecuting the New York Panther 21. Two days later, two New York police officers were killed in an ambush by BLA members. BLA activity was not confined to New York. In August of 1971, BLA soldiers carried out several actions in San Francisco, including...attack[s] on two San Francisco police stations and one police car which resulted in the death of one police officer and the wounding of several others. These actions and others were in retaliation for the shooting death of incarcerated Black revolutionary and BPP Field Marshal George Jackson on August 21...and the FBI and Mississippi police raid on the headquarters of the Provisional Government of the Republic of New Afrika on August 18... On November 3, 1971, police also suspected the BLA of shooting a po-

lice officer in Atlanta, Georgia. On December 21 of the same year, police accused BLA combatants of participation of a grenade attack on a police car in Atlanta, resulting in injuries to two police officers.⁵⁶¹

By late 1973, the deaths of twenty police officers and the wounding of perhaps a hundred others were attributed to the BLA.⁵⁶² Self-evidently, the nature of the FBI's counterintelligence operations, taken together with a marked escalation of already endemic police violence against the black community as a whole (nearly a thousand African American fatalities, 1971-73),⁵⁶³ had finally provoked exactly the sort of lethal response to state violence of which the Panthers had been falsely accused in the first place. Moreover, there were clear signs that the BLA's programmatic counterviolence was attracting recruits who'd never been part of the BPP or any other political organization.⁵⁶⁴

The FBI reacted on May 28, 1971, by launching NEWKILL,⁵⁶⁵ a "comprehensive counterterrorist operation" which eventually evolved into a continuing federal/state police amalgam dubbed the "Joint Terrorist Task Force" (JTTF).⁵⁶⁶ Aside from the earlier-discussed apprehension of Dhoruba Bin Wahad and Jamal Joseph, the first "success" scored in this effort came on August 28, 1971, when police arrested BLA guerrillas Anthony Bottom (Jalil Abdul Muntaquin) and Albert Nuh Washington, in San Francisco.⁵⁶⁷ Bottom was in possession of a .45 caliber pistol NYPD detective George Simmons would later contend under oath had been used in the May 21 killings of New York patrolmen Waverly Jones and Joseph Piagentini, as well as a .38 Special taken from Jones' body.⁵⁶⁸

When five eyewitnesses failed to positively identify either man as an assailant in the Jones/Piagentini shootings,⁵⁶⁹ BOSS suddenly "discovered" the fingerprint of a third BLA soldier, Herman Bell, linking him to the killings.⁵⁷⁰ On September 2, 1973, Bell was captured in Louisiana.⁵⁷¹ Even more conveniently, one of his associates, Rubin Scott, already convicted of a New Orleans bank robbery and facing a charge of killing a police officer in San Francisco, claimed to have witnessed Bell dispose of a .38 Special taken from the body of officer Piagentini. Scott then led police and FBI investigators to the weapon, buried on a remote Mississippi farm.⁵⁷² On this basis, the "New York 3" were convicted on May 12, 1975, and sentenced to life imprisonment.⁵⁷³

Only later would it be revealed that Detective Simmons had perjured himself; the FBI crime lab had been *unable* to match the Bottom/Washington .45 to ballistics materials recovered at the Jones/Piagentini shooting scene.⁵⁷⁴ The fingerprint supposedly linking Bell to the killings also proved bogus; the FBI had submitted the same item in an *earlier* San Francisco case.⁵⁷⁵ As it turned out, it was Scott rather than Bell who had buried Piagentini's weapon; he'd been coerced by BOSS detectives and New Orleans police—tortured with cattle prods and needles inserted into his genitals—into providing false testimony.⁵⁷⁶ Moreover, three other key state witnesses, one of whom had a demonstrable dislike for Bottom, had been detained by BOSS for more than a year.⁵⁷⁷ The whole scenario was quite reminiscent of the Bin Wahad case.

Meanwhile, on February 14, 1972, BLA guerrilla Ronald Carter, wanted in the January 27 killings NYPD patrolmen Gregory Foster and Rocco Laurie, was killed in a firefight with St. Louis police. Carter's presumed accomplice, Twyman Meyers, escaped and remained at large until November 14, 1973, when he was ambushed by a joint force of nearly four dozen FBI agents and BOSS detectives in the Bronx. According to several witnesses, Meyers was wounded and had exhausted his ammunition before being riddled with bullets by his pursuers.⁵⁷⁸ Following Meyers' summary execution, New York Police Commissioner Donald Cawley triumphantly announced that NEWKILL had "broken the back" of the BLA.⁵⁷⁹

Cawley's overweening confidence was instilled in part by a fluke. On May 2, 1973, New Jersey state troopers had made what they'd thought was a routine stop of a car carrying three individuals guilty of "driving while black" along the Jersey Turnpike. In the ensuing firefight, BLA guerrilla Zayd Malik Shakur (James Costan) and trooper Werner Foerster were killed. Assata Shakur (Joanne Chesimard)—referred to by press and police as "the soul of the BLA"—was shot twice in the back at close range while standing with her hands raised.⁵⁸⁰ Former Panther 21 defendant Sundiata Acoli (Clark Squire), escaped, but was cap-

tured a few days later in nearby New Brunswick. He and Assata Shakur were subsequently convicted not only of killing Foerster but Zayd Shakur as well, and sentenced to serve life plus thirty years in prison.⁵⁸¹

Indeed, by 1974, BLA attrition was severe enough—Commissioner Cawley and his FBI cohorts claimed a nationwide toll of seven dead and the imprisonment of eighteen “key figures of the movement,” while the BLA’s own numbers were even higher—that the organization had paused to regroup and reconsider its strategy.⁵⁸² There followed a period of relative hiatus in the armed struggle as links were strengthened with aboveground groups like the RNA, new members recruited and trained, and resources gathered to support renewed operations.⁵⁸³ Even this, however, was not without risks, as when BLA/RNA soldiers Safiya Bukhari and Masai Ehehosi were captured during a bank robbery in Norfolk, Virginia.⁵⁸⁴

On November 2, 1979, a new “multinational” BLA unit—it was composed of whites as well as blacks—came roaring back with what stunned authorities described as a “well planned and executed” action to free Assata Shakur from New Jersey’s Clinton Correctional Institution for women.⁵⁸⁵ Shakur remained free, and eventually surfaced in Cuba (where she remains), much to the delight of a broad swath of the African American community and its allies.⁵⁸⁶

The FBI, which had long since consigned the BLA to the historical dustbin, was caught completely unprepared. The Bureau quickly resuscitated NEWKILL in the form of the JTTF, a development officially announced in May 1980, but had failed even to identify the participants in what was by then calling itself the Revolutionary Armed Taskforce (RATF) when it was saved by a miscue on the part of the guerrillas themselves.⁵⁸⁷ This came on October 20, 1981, when an action went awry.

Three white revolutionaries—Judy Clark, David Gilbert and Kathy Boudin—and one Black man with radical associations, Solomon Brown, were arrested in the aftermath of an attempted holdup of a Brinks armored truck and a subsequent shootout at a police road block in [West Nyack], New York. Several Black men escaped the scene of the shootout. The holdup and shootout resulted in the death of one Brinks guard and two police officers. The JTTF immediately followed a trail of physical evidence that led them to members of the Black underground.⁵⁸⁸

The first casualties were Mtayari Sundiata and former Panther 21 defendant Sekou Odinga, who had been underground since 1969, ambushed by police as they drove through the Queens on October 23. Sundiata was killed, Odinga captured and tortured so brutally that he spent the next three months in the hospital being treated for a ruptured pancreas.⁵⁸⁹ By the end of November, former Panther 21 defendant Jamal Joseph had been added to the haul, along with Chui Ferguson, also a onetime New York Panther.⁵⁹⁰ Former New Jersey Panther Basheer Hameed and RNA official Bilal Sunni-Ali were also nabbed during the same period,⁵⁹¹ while BLA guerrillas Anthony LaBorde and Kuwasi Balagoon, another one-time Panther 21 defendant, were arrested on January 7 and 20, 1982, respectively.⁵⁹² On February 4, Tyrone Rison, a participant in the West Nyack operation, was captured in Georgia.⁵⁹³

White RATF soldiers Susan Rosenberg and Marilyn Buck were not apprehended until November 29, 1984, and May 11, 1985, respectively;⁵⁹⁴ Mutulu Shakur, the unit’s nominal head, a year after that. In the interim, the JTTF utilized the sensationalism attending the “Brinks murders” as a pretext to repress several organizations which were, at most, only peripherally involved. Salient in this respect were the Madame Binh Graphics Collective in New York, which had received funding from RATF expropriations, and the May 19th Communist Organization, which agents claimed had provided logistical support to the guerrillas.⁵⁹⁵ RNA leaders Nehanda Abiodun and Fulani Sunni-Ali were also accused of participating in RATF activities (Sunni-Ali, falsely, of having been on the scene when the cops were killed).⁵⁹⁶

During the ensuing trials, Sekou Odinga, whom prosecutors described as “the topmost terrorist criminal in the country” even while conceding he’d had no part in the Nyack operation, was convicted along with May 19th activist Silvia Baraldini, of racketeering and racketeering conspiracy charges devolving from a broader series of RATF bank expropriations through which they had funded political activities.⁵⁹⁷ Both were sentenced to forty years imprisonment.⁵⁹⁸ Odinga was then prosecuted, as Assata Shakur and Sundiata Acoli had been in respect to Zayd Shakur, on the preposterous theory that his resistance to arrest, rather than

police gunfire, somehow accounted for the death of Mtayari Sundiata. Convicted on September 3, 1983, he was sentenced to a further life term in prison.⁵⁹⁹

Balagoon, Clark and Gilbert, who, like Odinga, adopted the freedom fighter defense of refusing to acknowledge U.S. jurisdiction as legitimate, and therefore to participate in their trial, were all convicted on three counts of murder and sentenced to triple-life terms.⁶⁰⁰ Kathy Boudin accepted a plea bargain and was sentenced to twenty years.⁶⁰¹ Ferguson and Joseph, acquitted of the main charges against them, were nonetheless convicted of having been “accessories after the fact” and sentenced to twelve-and-a-half years.⁶⁰² Rison turned state’s evidence and escaped with only twelve years.⁶⁰³ Brown, despite becoming an informant as well, was not so lucky; he was sentenced to a 75-year term.⁶⁰⁴ Of the original group of defendants, only Bilal Sunni-Ali and a woman named Iliana Robinson, associated with Jamal Joseph, were acquitted.⁶⁰⁵

In 1987, Mutulu Shakur and Marilyn Buck were, like Odinga and Baraldini, prosecuted under provision of the Racketeer Influenced and Corrupt Organizations Act (RICO), a transparent misapplication of a statute intended for use in Mafia cases rather than against political targets. Despite the inappropriateness of the charges, however, Shakur and Buck were convicted and sentenced to fifty years a piece.⁶⁰⁶ Relatedly, BLA guerrillas Anthony LaBorde (Abdul Majid) and Bashir Hameed (James Dixon York), who were proven not to have been involved in the Brinks robbery attempt, were instead prosecuted for the killing of NYPD patrolman John Scarangella and the wounding of his partner on the night of April 16, 1971.⁶⁰⁷ Convicted in their third trial—the first two ended in hung juries—they were sentenced to life imprisonment.⁶⁰⁸

So far as is known, West Nyack was the last such operation carried out by the BLA, although the JTTF attempted to cast a vacuous 1984 conspiracy case brought against a Harlem study group as being the “Son of Brinks,”⁶⁰⁹ and pointed out linkages to the RATF among several of the all white defendants prosecuted in the so-called “Resistance Conspiracy Case” of the late-80s.⁶¹⁰ On another front, journalist/radio commentator Mumia Abu Jamal (Wesley Cook), former Information Minister of the Philadelphia BPP chapter, was convicted and sentenced to death on July 3, 1982, of killing patrolman Daniel Faulkner a year earlier.⁶¹¹ To all appearances Jamal, who remains on Pennsylvania’s death row after seventeen years, was framed,⁶¹² not because police genuinely believed he’d murdered one of their number, or even necessarily because of his background as a Panther, but because of his success in exposing the illegalities attending the ongoing campaign to destroy MOVE, a local black anarchist organization.⁶¹³

In any event, by 1981, the locus of BLA activity had already shifted to resistance “inside the walls,” as when John “Andalia” Clark was killed during a 1976 revolt in the New Jersey State Prison. In 1977, four BLA soldiers, including Russell “Maroon” Shoats and Wayne “Musa” Henderson, managed to escape from the state prison at Huntington, Pennsylvania, but were shortly run to the ground and Henderson killed; in 1979, BLA soldiers Arthur “Cetewayo” Johnson and Robert “Saeed” Joyner briefly took control of an entire cell block at the Pennsylvania State Prison at Pittsburg; in 1980, Maroon Shoats escaped again, along with another BLA soldier, Cliff “Lumumba” Futch, but was recaptured three days later; in 1981, BLA soldier Joseph Bowen held guards at gunpoint for six days at the Pennsylvania State Prison at Gaterford.⁶¹⁴ And so it went.

Authorities responded in several ways, not least with the FBI-orchestrated Operation PRISAC, initiated in 1973 to neutralize the activities of the politicized sectors of prison populations.⁶¹⁵ Concomitantly, sharply curtailing prisoners’ reading privileges, to prevent political education from occurring within penal facilities. Beginning in 1972, books were all but universally replaced with the “electronic lobotomy” of television on a cell-by-cell basis.⁶¹⁶ As has been mentioned, BPP/BLA organizers like Dhoruba Bin Wahad and Geronimo ji Jaga were simultaneously segregated from the general inmate population, consigned to brutally long stints in solitary confinement. Theirs are hardly the most extravagant examples: BLA soldier Ruchell Magee, for instance, has spent almost thirty years incarcerated under such conditions.⁶¹⁷ In Louisiana, the “Angola 2,” BPP members Albert Woodfox and Herman Wallace, have endured virtually identical abuse.⁶¹⁸

By the early-80s, following the example set by West Germany at its notorious Stammheim Prison, the U.S. had begun to proliferate entire institutions devoted to the “isolation model of judicial counterinsurgency.”⁶¹⁹ Although there were precursors such as Alcatraz, the first real sign of this was the “indefinite lock-down” of the federal “super-maximum” facility at Marion, Illinois, to which Sekou Odinga was sent, in 1982.⁶²⁰ In 1988, an experimental below-ground isolation unit, in which Silvia Baraldini and Susan Rosenberg were lodged, was opened in the federal women’s facility at Lexington, Kentucky.⁶²¹ During the 1990s, such trends have been consolidated to the point that entirely new high tech “campuses” were opened by the federal government at Florence, Colorado—Mutulu Shakur, among others, was sent there—by the State of California at Pelican Bay, and by the State of New York at Shawanga.⁶²²

The U.S. Bureau of Prisons (BoP) has stated straightforwardly that a major objective of such prisons is to force the “ideological conversion” of those confined within them.⁶²³ In the alternative, the goal is to reduce prisoners to “psychological jelly.”⁶²⁴ Amnesty International, the American Civil Liberties Union and a range of religious organizations have condemned so-called “control unit prisons” as embodying a “grotesque and systematic violation of fundamental human rights.”⁶²⁵ The government has responded, however, by increasing the degree to which the penal system as a whole relies upon the isolation model; over the past decade the idea has been extended to include even local jail facilities.⁶²⁶

The War at Home Continues

In retrospect, it seems both fair and accurate to observe that the Black Panther Party never had a chance. Both the relative inexperience of its leadership, and the obvious youthfulness of the great majority of its members, served to prevent the Party from offering anything resembling a mature response to the situation it confronted. The scale and intensity of the repression to which it was subjected, moreover, especially when taken in combination with the sheer speed with which the onslaught materialized and the manner in which it was not only sustained but intensified from 1968-1971, make it quite doubtful that even the most seasoned group of activists would have done better. Certainly, the repression which destroyed the far larger, older and mostly white IWW a half-century earlier was no more concentrated or vicious than that suffered by the BPP.⁶²⁷

“Given the level of sophistication, unlimited man-power and resources available” to the FBI and its local police collaborators it should come as no surprise that the Panthers were destroyed. Instead, as imprisoned BLA soldier Herman Bell has observed, we should find it “remarkable...that the Party lasted as long as it did.”⁶²⁸ And, as Dhoruba Bin Wahad has pointed out, “What’s most amazing is how much was accomplished in so short a time. The growth of the Party, its programs and resiliency, the support it was able to command from the community, all that was put together in just two years, really. Had it not been for COINTELPRO, one can readily imagine what might have been achieved.”⁶²⁹

Both Bell and Bin Wahad believe there are important lessons to be learned from the experience of the BPP. One of the most important of these must be that, despite the highly publicized conclusions of the Church Committee and other official bodies during the mid-1970s that COINTELPRO was an inherently criminal enterprise,⁶³⁰ and despite a raft of more localized findings over the years that the criminality at issue extended even to murder,⁶³¹ not one cop or agent has spent so much as a minute of time in prison as a result. The fact is that although two of the only four FBI men ever charged with COINTELPRO-related offenses were duly convicted in 1980, President Ronald Reagan pardoned them before setting foot inside a cell.⁶³²

With all due sanctimony, Reagan intoned that the pardons were necessary and appropriate because the early-80s were “a time to put all this behind us” and begin a “long overdue process of national healing and reconciliation.”⁶³³ Such remarkably forgiving views towards official perpetrators of COINTELPRO-era offenses did not, of course, extend to their victims. Former Panthers like Bin Wahad and Geronimo ji Jaga (Pratt), continued to languish in prison without so much as a sidelong glance from the President, no matter *how* blatantly fraudulent the charges which landed them there.

Nor does the fact that the convictions of Bin Wahad and Ji Jaga were eventually overturned prove the old saw that “in the end, whatever its deficiencies, the system works.”⁶³⁴ To quote Ji Jaga, “If the system worked the way they’d have you believe, I’d never have gone to prison in the first place, much less spent 27 years there. Dhoruba wouldn’t have gone to prison for nineteen years. Rice and Poindexter would not still be sitting in prison out in Nebraska, and Mumia wouldn’t be on death row. If the system worked the way they say it does, the agents and the cops and the prosecutors who perjured themselves and fabricated evidence when they framed us would themselves be in prison, right alongside those who murdered Fred Hampton, Mark Clark and Bunchy Carter. And those things didn’t happen, did they?”⁶³⁵

To the contrary, many of those involved in making COINTELPRO a “success” tangibly benefited by their activities. A prime example is that of Richard Wallace Held, arguably the agent most responsible for fabricating the case against Ji Jaga himself.⁶³⁶ So valuable to the FBI were his peculiar skills that, in 1975, he was detached from his slot in Los Angeles and sent to South Dakota, where he assisted in assembling an equally fraudulent case against American Indian Movement leader Leonard Peltier.⁶³⁷ Then, in 1981, while still a relatively junior agent, he was promoted to the position of SAC, San Juan. In this role, he presided over a plethora of legally-dubious operations against the Puerto Rican independence movement, including a series of island-wide raids conducted on August 30, 1985.⁶³⁸ For this coup, he was rewarded again, this time by being promoted to the more prestigious position of SAC, San Francisco. There, his major achievement appears to have been the attempted neutralization by car bombing of Earth First! activist Judi Bari and Darryl Cherney on May 24, 1990.⁶³⁹

Still more to the point is the fact that the Reagan administration’s response to the idea that FBI officials might be held to some extent accountable for their more egregious violation of civil and human rights, was simply to legalize much of what had been deemed criminal about COINTELPRO only a few years earlier.⁶⁴⁰ This was undertaken through a series of congressional hearings designed to demonstrate the need for the Bureau to “combat terrorism,” including the “flexibility” to neutralize “organizations and individuals that cannot be shown to be controlled by a foreign power, and have not yet committed a terrorist act but which nonetheless may represent a substantial threat...to the security of our country.”⁶⁴¹

Although legislation affording specific statutory authorization for the Bureau to engage in COINTELPRO-style activities has accrued piecemeal during the years since 1985, and is still in some respects being formulated,⁶⁴² Reagan cut to the chase on December 4, 1981, by signing Executive Order 12333, for the first time openly authorizing the CIA to conduct domestic counterintelligence operations.⁶⁴³ On May 7, 1983, Attorney General William French Smith confirmed the obvious by announcing a new set of FBI guidelines allowing agents to resume full-scale “investigative activity” vis-à-vis any individual or organization they wished to designate, on whatever basis, as “advocat[ing] criminal activity or indicat[ing] an apparent intent to engage in crime.”⁶⁴⁴

One clear indication of what this meant will be found in the so-called “CISPES terrorism investigation” of the late 1980s, during which the FBI used the pretext that the Committee in Support of the People of El Salvador maintained relationships with several Latin American guerrilla organizations to surveil, infiltrate and disrupt not only the Committee itself, but hundreds of other dissident groups in the U.S.⁶⁴⁵ Finding out the true extent of this sustained and altogether COINTELPRO-like operation has proven impossible, given Reagan’s Executive Order 12356 of April 9, 1983, greatly expanding the authority of U.S. intelligence agencies to withhold on grounds of “National Security” documents they would otherwise have been legally required to divulge under the Freedom of Information Act.⁶⁴⁶

At the local level, the proportionate deployment of police, both in terms of personnel and as measured by budget the budget allocations necessary to acquire more sophisticated weaponry, computerization, etc., has swelled by approximately 500 percent since 1970.⁶⁴⁷ Simultaneously, there has been a distinct militarization of law enforcement, a matter evidenced most readily in the proliferation of SWAT units across the country. First created by the LAPD for purposes of assaulting Panther offices in 1969, by 1990 “every police department worth its salary had a SWAT team, a special weapons and tactics squad. Every one.”⁶⁴⁸

Since 1980, the entire apparatus has been increasingly tied together in a manner exceeding even the JTTF configuration.⁶⁴⁹ In large part, this was accomplished by the Federal Emergency Management Agency (FEMA), headed during the early Reagan years by California-based counterinsurgency specialist Louis O. Giuffrida.⁶⁵⁰ This corresponded with consolidation of the FBI database, inaugurated by J. Edgar Hoover during World War I and expanded steadily thereafter, in a form including files on virtually every American citizen.⁶⁵¹ During Giuffrida's tenure, FEMA ran a series of exercises—dubbed “Proud Saber/Rex 82,” “Rex 84/Nighttrain,” and so on—by which the procedures through which rapid deployments of federal, state and local police could be integrated with those of the national guard, military and selected civilian organizations in times of civil unrest.⁶⁵² All told, such “scenarios” resemble nothing so much as a refined and expanded version of the Bol/police/APL amalgam evident from 1917 through 1920.⁶⁵³

Although there have been several major exceptions—the Philadelphia police bombing of MOVE headquarters in 1985,⁶⁵³ for example, as well as the CISPES investigation and operations against several right-wing organizations⁶⁵⁴—the still evolving U.S. police/intelligence/military complex does not appear to have been devoted extensively to the business of direct political repression. Rather, its purpose to date seems primarily to have been to intensify the condition of pacification to which oppressed communities, especially communities of color, had been reduced by COINTELPRO by the early-70s.

Most prominently, this has taken the form of a so-called “War on Drugs,” declared by the Reagan Administration during the mid-80s and continued by both Republican and Democratic successors through the present date.⁶⁵⁵ Leaving aside the facts that U.S. intelligence agencies have been heavily involved in the importation of heroin and cocaine since at least as early as the late 1960s⁶⁵⁶—and that if the government were really averse to narcotics distribution in the inner cities, the FBI would have assisted rather than destroyed the BPP's antidrug programs and attempts to politicize street gangs like the P. Stone Nation⁶⁵⁷—the “war” has been used as a pretext by which to criminalize virtually the entire male population of young African Americans and Latinos.⁶⁵⁸

The United States had by 1990 imprisoned a greater proportion of its population than any country on the planet.⁶⁵⁹ One in three men of color between the ages of eighteen and twenty-five is, has been or will shortly be incarcerated, a rate making an American black four times as likely to do prison time as was his South African counterpart during the height of apartheid.⁶⁶⁰ Physically, the U.S. penal system has expanded by more than 300 percent since 1969 to absorb this vast influx of “fresh meat,” an expense which, like spiraling police appropriations, has been underwritten with tax dollars once allocated to education and social services.⁶⁶¹ Even at that, the construction of private prisons has become one of the fastest growing sectors of the U.S. economy,⁶⁶² while the approximately two million prisoners have themselves been increasingly integrated into the system as a ready source of veritable slave labor fueling transnational corporate profits.⁶⁶³ In states like Alabama and Arizona, the '90s have even witnessed the reappearance of 1930s-style chain gangs.⁶⁶⁴

While the “crime of black imprisonment” has reached epidemic proportions,⁶⁶⁵ the situation of the Afro-American community has, according to every statistical indicator, steadily deteriorated. By the early-80s, the repression of the black liberation movement could already be correlated to a decline in living standards to a level below that evident in 1959, a trend which has since been continued without interruption.⁶⁶⁶ In many ways, such circumstances can be tied not only to resurgent racism but to the increasing marginalization of the American workforce as a whole, a matter associated more with the station of genuine world dominance presently enjoyed by the U.S. and consequent policies of economic globalization pursued by its corporate élites than by domestic policies per se.⁶⁶⁷

A Legacy of Lessons

In sum, the conditions of poor and racially oppressed people in the United States today are objectively worse than those which gave rise to the Black Panther Party and affiliated groups a third of a century ago. It requires no great leap of intellect or understanding to appreciate that it was the destruction of the BPP and its allies which allowed this degenerative process of socioeconomic decay to set in, or that the best

and perhaps only antidote resides in a reconstitution of something very Panther-like in its essence. By this, I mean an organization or movement which is truly multinational/multiracial in both orientation and composition, committed to the attainment of practical self-determination on the part of the subjugated, and willing to defend its achievements by *every* necessary means.

For much too long, the history of the Party has been the preserve of poseurs and opportunists, deployed mainly as a “moral lesson” on why the ideals of liberation are inherently “unrealistic,” the consequences of serious struggle towards such goals much too severe to be undertaken by “reasonable” people.⁶⁶⁸ The latter, such purveyors of “political pragmatism” habitually insist, are devoted exclusively to modes of activism centering in a “nonviolent” and an at best incrementally “progressive” vision rather than one of revolutionary transformation, their strategies devoted exclusively to situational “renegotiations of the social contract” through such state-sanctioned tactical expedients as voting, lobbying and litigation, boycotts and more symbolic protest.⁶⁶⁹

Nowhere in such “alternative” prescriptions is there a place for development of the popular capacity to physically confront, much less defeat, the increasingly vast repressive apparatus with which the status quo has elected to defend itself against precisely the sorts of meaningful socioeconomic and political change progressivism purports to pursue. Indeed, anyone suggesting that such concepts as armed self-defense are both useful and appropriate tools within the present context is automatically, and usually vituperatively, consigned ipso facto to the realm of “counterproductivity.”⁶⁷⁰

It is high time such postulations were interrogated, challenged, and discarded. The legacy of the Panthers must be mined not for its supposed negative lessons but for the positive values, ideals, and analyses which propelled the BPP so rapidly to a position of prominence, and which lent its members their astonishing valor and tenacity. To excavate the understandings embodied in the Party’s programmatic successes, no matter how abbreviated the interval in which these were evident, is to reclaim the potentials which attended them.⁶⁷¹ Such a project is worthy if for no other reason than that nobody, of *any* oppositional orientation, has been able to equal the Party’s record and appeal in the post-Panther context.

Only in this way, moreover, can we arrive at a proper apprehension of the Party’s theoretical/organizational defects, to appreciate and correct them in their own terms, and thus avoid replication of the epic contradictions which beset the BPP in its original form. For instance, such investigations should offer insights as to how groups might best retain internal discipline without being afflicted with the sort of despotism and stratification exemplified by Huey Newton’s “personality cult.”⁶⁷² Other questions demanding clarification concern the proportionate blend of lumpen and nonlumpen members best suited to organizational functioning under particular circumstances,⁶⁷³ the most appropriate balance to be drawn between overt service/survival programs and often covert armed components, the manner and extent to which these should be rendered interactive, and the relative degree of emphasis/pace of development most productively accorded to each under given conditions or phases of struggle.⁶⁷⁴

In many ways the most important lesson to be gleaned from the Panther experience has to do with the nature of the enemy with which all domestic oppositionists, regardless of the ideological and other distinctions that divide us, are mutually faced. No élite willing to assemble an apparatus of repression comparable to that evident in the U.S., or to wield it with the savagery evident in the Panther example, displays the least likelihood of being susceptible to the powers of logic, moral suasion or other such nonviolent manifestations of popular will.⁶⁷⁵ On the contrary, to the extent that these approaches might at some point demonstrate a capacity to compel fundamental alterations in the bedrock of social order, they will be suppressed with essentially the same systematic and sustained resort to lethal force that was once visited upon the BPP.⁶⁷⁶

Those committed to achieving fundamental change rather than cosmetic tweakings of the existing system are thus left with no viable alternative but to include the realities of state violence as an integral part of our political calculus.⁶⁷⁷ We are in a war, whether we wish to be or not, the only question before us being how to go about winning it. Here too, the legacy bequeathed by the Black Panther Party provides invaluable

lessons. By studying the techniques with which the counterinsurgency war against the Party was waged, we can, collectively, begin to devise the ways and means by which to counter them, offsetting and eventually neutralizing their effectiveness.⁶⁷⁸

The current prospects for liberatory struggle in the United States are exceedingly harsh, even more than was the case a generation ago. Far harsher, however, is the prospect that the presently ascendant system of elite predation might be allowed to perpetuate itself indefinitely into the future, exploiting and oppressing the preponderance of the population in the midst of every moment along the way. We owe it to ourselves to abolish the predators, here and now, or as rapidly as possible, enduring whatever shortrun sacrifice is required to get the job done, reaping the longer term rewards of our success. We owe it to those who sacrificed before us to fulfill the destiny they embraced. Most of all, we owe it to our coming generations to free them from that against which we must struggle. Thankfully, the fallen warriors of the Black Panther Party have left us many tools with which we may at last complete their task.

Notes

1. This is the absolute minimum number killed, including both fatalities resulting from direct actions by assorted police agencies—20 in 1969 alone—and those resulting from inter- and intraorganizational disputes fomented as a part of COINTELPRO. For contemporaneous assessments, see “Evidence and Intimidation of Fascist Crimes by U.S.A.,” *The Black Panther*, Feb. 21, 1970; *Fallen Comrades of the Black Panther Party* and included as an attachment to U.S. House of Representatives, Committee on Internal Security, *The Black Panther Party, Part 1: National Organization Data* (Washington, D.C.: 91st Cong., 2d Sess., 1970). It became rather fashionable among white liberals at the time to minimize the death toll by various definitional slights of hand. Most conspicuously, this was the case with Edward Jay Epstein’s “The Panthers and the Police: A Pattern of Genocide?” published by the *New Yorker* on Feb. 13, 1971, in which virtually every police cover story for why specific Panthers were killed was accepted at face value. Thereby, the roster of Panthers murdered for political reasons between October 1967 and the end of December 1969 was supposedly reduced to ten. By the late 1980s, this revision had evolved to the point that at least one prominent liberal analyst, citing Epstein’s “careful study,” would describe the number of Panther fatalities during the period as being “as many as ten (emphasis added)”; Kenneth O’Reilly, “*Racial Matters: The FBI’s Secret Files on Black America, 1960-1972* (New York: Free Press, 1989) p. 297. Needless to say, such manipulations of the record will be accorded all the respect they are really due in the present essay; see esp. the section entitled “Assassinations.”

2. At a minimum, 85 Party-members were imprisoned between mid-1967 and mid-1972 after felony convictions obtained in trials marked by significant prosecutorial misconduct (i.e., fabrication of physical evidence, subornation of perjury, withholding of clearly exculpatory evidence, and the like). Sentences imposed as a result of such convictions also tended to be substantially longer than the norm, and imprisoned Panthers have been noticeably less likely to receive parole than other prisoners found guilty of the same offenses. See generally, Akinyele Omowale Umoja, “Set Our Warriors Free: The Legacy of the Black Panther Party and Political Prisoners, in Charles E. Jones, ed., *The Black Panther Party Reconsidered* (Baltimore: Black Classics Press, 1998) pp. 417-42. Also see the section entitled “Malicious Prosecutions” in this essay.

3. Several recent documentary films have included interviews in which former Panthers discuss post-traumatic stress syndrome and other lingering psychological maladies with which they’ve been afflicted since being forced to live under the virtual “war zone conditions” of COINTELPRO. See, e.g., Safiya Bukhari-Alston, “We Too Are Veterans: Post-Traumatic Stress Disorders and the Black Panther Party,” *The Black Panther*, Feb. 1991. Also see Lee Lew Lee’s superb film, *All Power To The People* (Electronic News Group, 1996), as well as French director Jens Meurer’s *Public Enemy* (Paris: Egoli, 1999).

4. For early and reasonably accurate studies of the implications, see Citizens Research and Investigation Committee and Louis Tackwood, *The Glass House Tapes: The Story of an Agent Provocateur and the New Police-Intelligence Complex* (New York: Avon Books, 1973); Jo Durden-Smith, *Who Killed George Jackson? Fantasies, Paranoia and the Revolution* (New York: Alfred A. Knopf, 1976).

5. See generally, William Kunstler, “Writers of the Purple Rage,” *The Nation*, No. 227, Dec. 30, 1978.

6. An excellent analysis will be found in Ollie A. Johnson’s “Explaining the Demise of the Black Panther Party: The Role of Internal Factors,” in Jones, *Black Panther Party Reconsidered*, pp. 391-414.

7. See generally, Ward Churchill and Jim Vander Wall, *The COINTELPRO Papers: Documents from the FBI’s Secret Wars Against Dissent in the United States* (Boston: South End Press, 1990).

8. COINTELPRO was officially discontinued on April 28, 1971; U.S. Senate, Select Committee to Study Government Operations with Respect to Intelligence Activities, *Hearings on Intelligence Activities, Vol. 6: The Federal Bureau of Investigation* (Washington, D.C.: 94th Cong., 1st Sess., 1995) pp. 30, 605.

9. By far the broadest and most detailed survey of such targeting before 1950 will be found in Robert Justin Goldstein's *Political Repression in Modern America, 1870 to the Present* (Cambridge/New York: Two Continents/Schenkman, 1978).

10. For further elaboration, see Michael Parenti, *Democracy for the Few* (New York: St. Martin's Press, 1980). Also see Isaac Balbus, *The Dialectic of Legal Repression* (New York: Russell Sage Foundation, 1973).

11. According to Ralph Nader, in a recorded lecture aired on radio station KGNU, Boulder, Aug. 25, 1995, "The richest one percent of Americans now possesses as much wealth as the 100 million poorest put together... One man, Bill Gates, is worth more than the poorest 25 million combined."

12. As Michael Parenti has observed, "Over the past two decades one of the fastest growing markets has been in guns, clubs, helmets, bulletproof vests and other items of domestic warfare sold to law enforcers, and the fastest growing area of public employment has been police and prison guards"; *Dirty Truths: Reflections on Politics, Media, Ideology, Conspiracy, Ethnic Life and Class Power* (San Francisco: City Lights, 1996) pp. 36-7. On police, see Diane Gordon, *The Justice Juggernaut: Fighting Street Crime, Controlling Citizens* (New Brunswick, NJ: Rutgers University Press, 1990). On prisons, see Elihu Rosenblatt, ed., *Criminal Injustice: Confronting the Prison Crisis* (Boston: South End Press, 1996).

13. Consider, for example, the "Bail Reform Act of 1984," which has been used to deny pretrial bond to the accused in approximately thirty percent of all non-capital federal cases since its passage; see my introduction in Ward Churchill and J.J. Vander Wall, eds., *Cages of Steel: The Politics of Imprisonment in the United States* (Washington, D.C.: Maisonneuve Press, 1992) p. 9. Or, consider such statutes as the "Violent Crime Act of 1991" and the "Violent Crime Control and Law Enforcement Act of 1994, which combined to relax the rules on introducing illegally obtained evidence at trial, gut the right of habeas corpus relief for those thus convicted and substantial expand application of the death penalty in federal cases; William M. Kunstler and Phillip Smith, *CovertAction Quarterly*, Summer 1995.

14. This should come as no surprise, documentation of the fact having been readily available for at least a quarter-century. See, e.g., Lynn Cooper, et al., *The Iron Fist and the Velvet Glove: An Analysis of U.S. Police* (Berkeley, CA: Center for Research on Criminal Justice, 1975); David Wise, *The American Police State: The Government Against the People* (New York: Random House, 1976).

15. This is the premise advanced by Michel-Rolph Trouillot in his *Silencing History: Power and the Production of History* (Boston: Beacon Press, 1995).

16. On creation of the Bureau's "gang-busters" mythology, see Richard Gid Powers, *G-Men: Hoover's FBI in Popular Culture* (Carbondale: Southern Illinois University Press, 1983).

17. From 1871 to 1892, all Justice Department investigations were contracted to the Pinkertons. When the government finally got around to establishing its own investigative bureau, the entire cadre was composed of former Pinkerton operatives. For background, see Max Lowenthal, *The Federal Bureau of Investigation* (New York: William Sloan Associates, 1950) pp. 6-10.

18. The Bureau's official mandate was spelled out by Attorney General George Wickersham in his 1910 report to Congress; quoted in Sanford J. Ungar, *FBI: An Uncensored Look Behind the Walls* (Boston: Little, Brown, 1975) p. 40. In both 1906 and 1907, however, Congress had voted not to permit Wickersham's predecessor, Charles J. Bonaparte, to form such a unit. The express reason for this denial was to prevent creation of a "secret police" within the United States; Fred J. Cook, *The FBI Nobody Knows* (New York: Macmillan, 1964) p. 61. On July 26, 1908, while Congress was adjourned and claiming to have used his own "discretionary funds" for the purpose, Bonaparte established the Bol anyway; Curt Gentry, *J. Edgar Hoover: The Man and the Secrets* (New York: W.W. Norton, 1991) p. 113.

19. Jules Witcover, *Sabotage at Black Tom: Imperial Germany's Secret War in America, 1914-1917* (Chapel Hill, NC: Algonquin Books, 1989).

20. Sedition Act of 1917; Espionage Act of 1918 (40 Stat. 553); 1918 Alien Act (40 Stat. 1012). For background, see Thomas I. Emerson, *The System of Free Expression* (New York: Random House, 1970) pp. 101-10; Cook, *FBI Nobody Knows*, p. 77.

21. See generally, Ungar, *FBI*, pp. 96-118.

22. Gentry, *Hoover*, pp. 79, 212-3; Athan Theoharis, *Spying on Americans: Political Surveillance from Hoover to the Huston Plan* (Philadelphia: Temple University Head, 1978) p. 55; Ungar, *FBI*, back flyleaf.

23. For context, see William Preston, Jr., *Aliens and Dissenters: Federal Suppression of Radicals, 1903-1933* (New York: Harper & Row, 1963) pp. 63-87.

24. Hoover, then 24-years-old, was hired as a "special assistant" to Attorney General A. Mitchell Palmer on July 26, 1917. The nature of his activities from that point until he was appointed GID chief on August 1, 1919, is a bit mysterious. Publicly, he claimed he'd been assigned to the wartime Justice Department's Enemy Alien Office, a "non-political" job. During the mid-1930s, however, Hoover instructed two of his top aides, Harold "Pop" Nathan and Char-

les Appel, to prepare a record for internal FBI use only. In this presumably accurate recounting, entitled *A Digested History of the Federal Bureau of Investigation*, it is stated that Hoover was “in charge of counter-radical activities as a special assistant to the attorney general” from the outset; quoted in Homer Cummings and Carl McFarland, *Federal Justice: Chapters in the History of Justice and the Federal Executive* (New York: Macmillan, 1937) p. 429.

25. Gentry, *Hoover*, p. 79.

26. *Ibid.* There is no indication that the FBI’s proportional allocation of resources to political operations was ever less than this during Hoover’s directorship. On the contrary, there is significant evidence that it actually increased over time. Analysis of documents removed by an anonymous group from the local FBI office in Media, Pennsylvania, on March 8, 1971, revealed that 40 percent of the investigative paperwork in that representative facility pertained to the political activities of citizens; 54 percent, if, as they should be, inquiries about draft resisters are added in. On the other hand, 25 percent of the agents’ time and attention was captured by bank robberies—most notably those believed to be politically inspired—while another 14 percent was spent looking into interstate car thefts. Only 1 percent of the office’s resources were devoted to fighting organized crime; “From the Citizens Commission to Investigate the FBI,” *Win*, Vol. VIII, Nos. 4-5, Mar. 1-15, 1972.

27. The quarter-million member APL was founded in 1916 by Chicago advertising executive A.M. Briggs and financed by a range of corporations. In 1917, it was endorsed by Attorney General Thomas W. Gregory and BoI Director A. Bruce Bielaski. Thereafter, each APL member was provided with a police-style badge bearing the inscription, “American Protective League, Auxiliary to the U.S. Department of Justice”; Ungar, *FBI*, p. 42. On the Red Squads during this era, see Frank Donner, *Protectors of Privilege: Red Squads and Police Repression in Urban America* (Berkeley: University of California Press, 1990) pp. 7-43.

28. American Civil Liberties Union, *The Nation-Wide Spy System Centering in the Department of Justice* (New York: ACLU, 1924).

29. Raids on IWW offices were conducted simultaneously in 24 cities on September 5, 1917; Melvin Dubkosky, *We Shall Be All: A History of the IWW* (Chicago: Quadrangle, 1969) pp. 398-422. A year later, on September 3, 1918, “thirty agents, two thousand APL operatives, an equal number of military personnel, and several hundred policemen fanned out over New York City, Brooklyn, Jersey City and Newark.” They were part of what were called the “Slacker Raids,” a Bureau-coordinated sweep of a dozen cities to try and force compliance with the Selective Service Act. Only one in every two hundred of the 90,000-odd draft-age men caught up in the mass arrests turned out to be a resister; Gentry, *J. Edgar Hoover*, pp. 71-2.

30. Quoted in William R. Corson, *The Armies of Ignorance: The Rise of the American Intelligence Empire* (New York: HarperColophon, 1980) p. 363.

31. On the SPA trials, see Robert K. Murray, *Red Scare: A Study in National Hysteria, 1919-1920* (New York: McGraw-Hill, 1964) pp. 18-26. Background on the Party will be found in David Shannon, *The Socialist Party of America* (Chicago: Quadrangle, 1967). More broadly, see Stephen M. Kohn, *American Political Prisoners: Prosecutions Under the Espionage and Sedition Acts* (Westport, CT: Praeger, 1994).

32. There may or may not have been a real bombing campaign. It has been argued by no less than Assistant Secretary Louis Post that the series of 29 “anarchist atrocities” which occurred in cities across the country during the spring and early summer of 1919 were actually an elaborate hoax perpetrated by the GID to foster an “anti-Red hysteria” among the populace.; Louis F. Post, *The Deportation Delirium of Nineteen-Twenty: A Personal Narrative of an Official Experience* (New York: De Capo Press, 1970 reprint of the 1927 original) p. 47. The final blast, which occurred at the residence of Attorney General A. Mitchell Palmer on June 2, was almost surely a fraud; Cook, *FBI Nobody Knows*, pp. 89-90.

33. Although Hoover later claimed to have played “only a minor role” in the raids, it is clear that he was “in complete charge of the planning”; Richard Gid Powers, *Secrecy and Power: The Life of J. Edgar Hoover* (New York: Macmillan, 1987) p. 66. On the other hand, he often took credit for putting together the legal briefs upon which the raids were predicated; see, e.g., Don Whitehead’s authorized puff-piece “history” of the Bureau, *The FBI Story: A Report to the People* (New York: Random House, 1966) pp. 41, 43. In actuality, the briefs were likely written by one of Hoover’s underlings, George F. Ruch; Gentry, *Hoover*, p. 81.

34. The worst situation was “in Hartford, Connecticut, where ninety-seven aliens were held, practically in solitary confinement, for five months” before being for the most part cleared and released; Gid Powers, *Secrecy and Power*, p. 78.

35. Among those aboard the *Buford* on December 21, 1919, were noted anarchists Emma Goldman and Alexander Berkman. Although they had not been caught up in the raids, they were subsequently roped in through Hoover’s personal intervention; Gid Powers, *Secrecy and Power*, pp. 86-8.

36. Preston, *Aliens and Dissenters*, pp. 220-1.

37. Gentry, *Hoover*, pp. 93-4.

38. Hoover used what he was by then calling his “Key Agitators Index” to compile a list of 3,000 individuals he believed should be deported after the January raids, specifically because of their effectiveness in advocating what

he called “dangerous views”; Murray, *Red Scare*, p. 218. The Labor Department, which handled the actual deportations, put the total number for both the November 1919 and January 1920 raids at “less than 1,000”; Post, *Deportation Delirium*, p. 167.

39. “Four months after the American Communist movement was organized, it was driven underground”; Theodore Draper, *The Roots of American Communism* (New York: Viking Press, 1957) p. 197.

40. Even nominal critics have been wont to blandly repeat the myth that from 1924 through 1939 “Hoover and the G-men concentrated [exclusively] on crime busting” rather than antiradicalism; William Turner, *Hoover's F.B.I.: The Man and the Myth* (New York: Thunder's Mouth Press, 1993 reprint of 1970 original) p. 181. In actuality, Hoover was busily perfecting the Bureau's political surveillance capacity throughout the entire period, even obtaining a reserve commission in the Army Intelligence Division so as to enhance the flow of information on “subversives” through military channels; Gid Powers, *Secrecy and Power*, p. 131. The relatively low level of overt repression evident during the period is accounted for, more than anything, by an absence of radical targets. “When the rabble was quiet, the violence abated”; Robert Wiebe, *The Search for Order* (New York: Hill & Wang, 1967) p. 290.

41. Hoover's promotion occurred in the context of purge of Bol officials precipitated by their having deployed agents in behalf of Republicans in an effort to destroy liberal Democrats like Montana Senator Burton K. Wheeler (doing such things to radicals was one thing, doing it to members of the power structure quite another). Although it was well-understood by all concerned that Hoover had been a key player in these activities, he was allowed to deny his involvement without serious challenge, even as his superiors and several underlings were sacked. The operating assumption of Congress was apparently that, its point about power relations having been amply made, Hoover could be relied upon to remain subservient. In not only retaining but promoting him, then, the government was able to avail itself of his undeniable organizational talents for its own purposes; Cook, *FBI Nobody Knows*, pp. 127-37. For background, see Francis Russell, *The Shadow of Blooming Grove: Warren G. Harding and His Times* (New York: McGraw-Hill, 1968).

42. On Hoover's background, see Gid Powers, *Secrecy and Power*, pp. 5-35. On the structural need for Afroamerican subordination, see, e.g., Manning Marable, *How Capitalism Underdeveloped Black America: Problems in Race, Political Economy and Society* (Boston: South End Press, 1983).

43. Johnson's only offenses appear to have been that he won both the boxing crown and the heart of a white woman. The Bol solved this blatant double-affront to America's white supremacist status quo by charging him with violating the so-called “White Slave Act” when he took his fiancée from Chicago to a Wisconsin resort for a weekend of “cohabitation.” The Act, which was meant to combat organized prostitution, made it a crime for men to transport women to whom they were not married cross state lines for “sexual purposes.” Although the Bureau's failure to apply the law against organized crime is legendary, its enforcement against Johnson was sufficient to strip the erstwhile champion of his title and drive him into exile; Cook, *FBI Nobody Knows*, p. 57; Ungar, *FBI*, p. 41.

44. See Robert A. Hill, “The Foremost Radical of his Race: Marcus Garvey and the Red Scare, 1918-1920,” *Prologue*, No. 16, Winter 1984.

45. For background, see E. David Cronon, *Black Moses: The Story of Marcus Garvey and the United Negro Improvement Association* (Madison: University of Wisconsin Press, [2nd ed.] 1969); Tony Martin, *Race First: The Ideological and Organizational Struggles of Marcus Garvey and the United Negro Improvement Association* (Dover: Majority Press, 1976); Robert A. Hill and Barbara Blair, eds., *Marcus Garvey: Life and Lessons* (Berkeley: University of California Press, 1987).

46. Hoover may well have opened an investigation on Garvey even earlier, while he was still chasing alien “subversives” for the attorney general; Emory J. Tolbert, “Federal Surveillance of Marcus Garvey and the UNIA,” *Journal of Ethnic Studies*, Vol. 14, No. 4, Winter 1987, p. 27; Hill, “Foremost Radical,” p. 216.

47. Hoover's Oct. 11, 1919 memorandum summarizing the results of the first investigation, and recommending that it be continued, is reproduced in *COINTELPRO Papers*, p. 12. For his “pro-Negroism” remark, see U.S. Department of Justice, *Investigation Activities of the Department of Justice* (Washington, D.C.: S. Doc. 153, 66th Cong., 1st Sess., 1919) p. 163.

48. There were at least three infiltrators, codenamed “WW,” “C-C,” and “Confidential Agent 800.” The latter has been identified as James Wormley Jones, a former army captain who was able to parlay his military background into a position heading the African Legion, UNIA's security arm. In this capacity, he had ready access to Garvey at all times; Tolbert, “Federal Surveillance,” pp. 27-31. A copy of a report from Wormley to Hoover's assistant, George Ruch, appears in *COINTELPRO Papers*, p. 13.

49. Garvey sold stock through the mail in an effort to capitalize UNIA's failing Black Star Steamship Line. When it became apparent that the company would go under despite an infusion of cash, Garvey diverted funds to shore up other UNIA enterprises. This, technically, amounted to “fraud.” The treatment accorded Garvey, although not even Hoover accused him of personally profiting from the transactions, can be usefully contrasted to that accorded later in the decade to Joseph P. Kennedy, Sr. A perpetrator of vastly more serious stock manipulations than the Garvey, and *entirely* for personal gain, Kennedy was not only never charged, he was eventually named U.S. Ambassador to

Great Britain; Richard Whalen, *The Founding Father: The Story of Joseph P. Kennedy* (New York: New American Library, 1964).

50. Ted Vincent, *Black Power and the Garvey Movement* (Oakland, CA: Nizga, 1987) p. 203. More broadly, see Martin, *Race First*, Chap. 9.

51. Hoover, quoted in *Investigation Activities*, p. 166. Also see Judith Stein, *The World of Marcus Garvey* (Baton Rouge: Louisiana State University Press, 1986) pp. 186-208. Hill, "Foremost Radical," p. 229.

52. The first quoted is taken from an Airtel dated 3/4/68 and addressed from Hoover to all Field Offices; reproduced in *COINTELPRO Papers*, pp. 108-11 (quote at p. 110). The second will be found in *Investigative Activities* at p. 162.

53. The document also states that "Malcolm X might have been such a 'messiah'," had he not been murdered. Elija Muhammed is ultimately dismissed as being too old to fill the bill, King's nonviolence as too ineffectual. Carmichael is therefore selected as the most likely candidate, and slated for top-priority neutralization; 3/4/68 Airtel, pp. 3-4.

54. The quotes will be found in *Investigative Activities* at pp. 162-3, 187. On Randolph's experience, see Arna Botemps, "The Most Dangerous Negro in America," *Negro Digest*, Summer 1961; William H. Harris, *Keeping the Faith: A. Philip Randolph, Milton P. Webster, and the Brotherhood of Sleeping Car Porters* (Urbana: University of Illinois Press, 1977).

55. O'Reilly, "Racial Matters", p. 19.

56. *Ibid.*, p. 14.

57. The statement, which appears in *Investigative Activities* at p. 163, was made in 1919, a year in which 76 documented lynchings of African Americans occurred. All told, there are 3,724 such atrocities recorded in the United States between 1889 and 1930; Arthur F. Raper, *The Tragedy of Lynching* (Chapel Hill: University of North Carolina Press, 1933) p. 1. Thereafter, the rate of such violence fell off to some extent, but is nonetheless a continuing phenomenon (as several recent and highly-publicized racial murders will attest). It was not until the late 1960s that the first whites were convicted of lynching blacks, and then in spite of rather than because of Hoover's best efforts. See generally, Herbert Shapiro, *White Violence and Black Response: Reconstruction to Montgomery* (Amherst: University of Massachusetts Press, 1988) esp. pp. 395-470.

58. Quoted in David Garrow, *The FBI and Martin Luther King, Jr.: From "Solo" to Memphis* (New York: Penguin, 1981) p. 160.

59. Hoover's behavior in these respects became the stuff of legend. For a satirical but nonetheless factual treatment by a former agent, see Joseph L. Schott, *No Left Turns: The FBI in Peace and War* (New York: Praeger, 1975). More seriously, see Turner, *Hoover's F.B.I.*; Norman Ollestad, *Inside the F.B.I.* (New York: Lancer, 1968); William C. Sullivan with Bill Brown, *The Bureau: My Thirty Years in Hoover's FBI* (New York: W.W. Norton, 1975).

60. Gid Powers, *Secrecy and Power*, pp. 150, 255. Ungar, *FBI*, p. 325

61. Aside from presiding over a range of institutional illegalities, it has been conclusively demonstrated that Hoover was personally corrupt, engaging in income tax evasion, embezzlement, misappropriation of government resources and the like for decades; Gentry, *J. Edgar Hoover*, pp. 725-46. More extensively, see Anthony Summers, *Official and Confidential: The Secret Life of J. Edgar Hoover* (New York: G.P. Putnam's Sons, 1993).

62. Perhaps the best indicator of this is the fact that, despite the now clear record of his personal and institutional criminality, Hoover's name continues to adorn the massive FBI headquarters building in Washington, D.C. For background on the Director's still immense public popularity at the time of his death, see Gid Powers, *G-Men*, pp. 284-5.

63. Theoharis, *Spying*, p. 136. The Communist Party, USA, was the result of a merger of the original Communist and Communist Labor parties effected shortly after they'd been driven underground by the Bol in 1920; Draper, *Roots of American Communism*, pp. 246-66.

64. According to former FBI Associate Director Cartha D. "Deke" DeLoach, in his 1975 testimony before a congressional investigating committee, "We were engaged in COINTELPRO tactics, to divide, conquer, weaken, in diverse ways, an organization. We were engaged in that when I entered the Bureau in 1941"; U.S. Senate, Select Committee to Study Government Operations with Respect to Intelligence Activities, *Final Report: Intelligence Activities and the Rights of Americans, Book II* (Washington, D.C.: 94th Cong., 2d Sess., 1975) p. 66. In his memoirs, COINTELPRO architect William C. Sullivan makes a similar observation; Sullivan with Brown, *The Bureau*, p. 128.

65. O'Reilly, "Racial Matters", p. 18.

66. Space limitations preclude my going into the details of what Fred J. Cook once called "the nightmare decade." For background, see David Cauter, *The Great Fear: The Anti-Communist Purge Under Truman and Eisenhower* (New York: Simon and Schuster, 1978).

67. 18 U.S.C.A. § 2385. Under provision of this Act, eighteen members of the SWP were convicted of "advocating the overthrow of the United States government" in 1941 (*Dunne v. U.S.*, 138 F.2d 137 (8th Cir. 1943, cert. denied, 320 U.S. 790 (1944)). Eleven top CP leaders were similarly convicted in 1949 (*U.S. v. Dennis, et al.*, 183 F.2d 201

(2nd Cir. 1950). See generally, Thomas L. Pahl, "The G-String Conspiracy: Political Reprisal or Armed Rebellion? The Minnesota Trotskyite Trial," *Labor History*, No. 8, Winter 1967; Michael Belknap, *Cold War Political Justice: The Smith Act, the Communist Party, and American Civil Liberties* (Westport, CT: Greenwood Press, 1977).

68. 66 Stat. 163. It was understood that many subversives might refuse to register. Chapter II of the Internal Security Act, which authorized mass internment, therefore afforded the FBI a statutory basis for continuously investigating the CP and other leftwing organizations in order to compile and maintain what was called the "Security Index"—previously known as the "Custodial Detention Index"—of individuals assigned top priority for round-up. By 1954, there were 26,174 on the list. Many thousands of others were registered in a so-called "Reserve Index" of second-priority targets. In 1972, after Chapter II was repealed, the Security and Reserve Indices were amalgamated as an "Administrative Index." For background, see William Tanner and Robert Griffith, "Legislative Politics and 'McCarthyism': The Internal Security Act of 1950," in Robert Griffith and Athan Theoharis, eds., *The Specter: Original Essays on the Cold War and the Origins of McCarthyism* (New York: New Viewpoints, 1974) pp. 174-89.

69. 68 Stat. 1146.

70. In fact, the menace of "Soviet espionage" had been used for political effect since 1946, as a means of discrediting not only the CP (as in the Rosenberg case) but liberal Democrats (as in the Hiss case). While such show trials were being contrived, however, there were *real* Soviet spies at work in the U.S. and the FBI's record in detecting them was laughable. See, e.g., Joseph Albright and Marcia Kunstel, *Bombshell: The Secret Story of America's Unknown Atomic Spy Conspiracy* (New York: Random House, 1997).

71. Quoted in Theoharis, *Spying on Americans*, p. 136.

72. *Ibid.* I say COINTELPRO-CPUSA served as a "laboratory" because the Party was known by the Bureau to be essentially moribund before the program was initiated. At the peak of the 1,388 separate actions taken against it under the rubric of COINTELPRO, the CP numbered only 2,800 members, the average age of whom was 49, and half of whom were considered completely inactive by the FBI. When one factors in the proportionate number of FBI plants known to have been infiltrated into the CP by the mid-60s, the Party was left with almost no actual cadres at all. Viewed in this light, Domestic Intelligence chief William C. Sullivan's belated revelation that Hoover had been publicly and consistently "inflating the threat posed by the Communist Party" for political reasons can be seen not so much as a candid exposé as it was a deliberate understatement of the situation; the text of Sullivan's letter, dated Oct. 6, 1971, appears as Appendix C in Sullivan with Brown, *The Bureau* (CP material at p. 266).

73. "Although the precise results of FBI efforts cannot be determined, between 1957 and 1959, what was left of the CP was virtually destroyed by factional infighting"; Goldstein, *Political Repression*, p. 407.

74. The high priority placed on infiltration is spelled out in a letter from Hoover to Attorney General Robert F. Kennedy dated Jan. 1, 1961; text in *Hearings on Intelligence Activities*, pp. 821-6. A classic example of the effects of bad-jacketing is that of William Albertson, a legitimate CP member who was expelled from the Party as a result. Isolated and totally demoralized by his experience, the victim shortly committed suicide; Frank J. Donner, "Let Him Wear a Wolf's Head: What the FBI Did to William Albertson," *Civil Liberties Review*, No. 3, Apr./May 1978.

75. *Hearings on Intelligence Activities*, pp. 88-9, 170-2, 186-8, 486-94, 535-8, 766-84. Also see Robert Friedman, "FBI: Manipulating the Media," *Rights*, No. 23, May/June 1977. It should be noted that the Mass Media Program was administered by the FBI's Crime Records Division, overseen by Assoc. Dir. DeLoach, a component which was supposedly entirely separate from Assistant Director William C. Sullivan's Domestic Intelligence Division, which held formal responsibility for carrying out COINTELPRO operations. This is an indicator of the extent to which the illegalities inherent to COINTELPRO were pervasive and institutionalized, rather than attributable to some specific—and arguably "anomalous"—element within the Bureau.

76. The memo proposing Operation Hoodwink, written by Ass. Dir. Sullivan and dated Oct. 4, 1966, is reproduced in *COINTELPRO Papers*, at p. 42. The memo approving it, written by Assoc. Dir. DeLoach on Oct. 5, appears on the following page. An operational document, including the text of a bogus letter designed to provoke retaliation by the mob against CP organizers, is reproduced on pp. 44-5.

77. Quoted in Ungar, *FBI*, p. 120.

78. Memo, Hoover to San Juan and New York field offices, Aug. 4, 1960; reproduced in *COINTELPRO Papers*, p. 68. The best source on this seldom-mentioned COINTELPRO is Carmen Gautier, María Teresa Blanco and María del Pilar Arguellas, "Persecution of the Puerto Rican Independence Movements and Their Leaders by the Counterintelligence Program (COINTELPRO) of the Federal Bureau of Investigation (FBI), 1960-1971," an unpublished 1979 study provided by the authors (copy on file). Also see "COINTELPRO en Puerto Rico," *Pensamiento Crítico*, Summer 1979; Manuel Suarez, *Requiem on Cerro Maravilla: Police Murders in Puerto Rico and the U.S. Government Coverup* (Maplewood, NJ: Waterfront Press, 1987).

79. Hoover's memo initiating the operation is reproduced in Cathy Perkus, *COINTELPRO: The FBI's Secret War on Political Freedom* (New York: Monad Press, 1975) p. 19. In 1986, the SWP won a suit—*Socialist Workers Party v. Attorney General* (642 F. Supp. 1357 (S.D.N.Y. 1986))—and received an award of \$246,000 in damages for some of the abuses suffered during the COINTELPRO era. The FBI was also judicially enjoined from repeating such opera-

tions against the by then moribund Party. For further details, see Margaret Jayko, ed., *FBI on Trial: The victory in the Socialist Workers Party suit against government spying* (New York: Pathfinder, 1988).

80. The COINTELPRO against the KKK, which was expanded in 1967 and again in 1968, was one of the strangest. On the one hand, it is clear that the FBI employed the usual tactics of infiltration and neutralization of key leaders against the Klan. William Sullivan, for one, recounted with pride how his operatives were able to actually take control of all three KKK factions in Mississippi by the end of 1964. The purpose, he claimed, was to quell the groups' violence. Yet, a bit earlier, he'd mentioned the fact that Klan bombings and other such violence against civil rights organizers had been ongoing in 1968. Moreover, he went on to acknowledge that FBI infiltrators like Gary Thomas Rowe, who operated in Alabama, were involved in some of the worst of Klan atrocities of the decade. The appearance is thus that while the Bureau was genuinely committed to destroying the Klan's autonomy, this was done mainly in order that it could be used more efficiently as an asset in the simultaneous counterintelligence operations against the civil rights movement; Sullivan with Brown, *The Bureau*, pp. 126-33; Theoharis, *Spying on Americans*, pp. 141-5. Also see Gary Thomas Rowe, *My Undercover Years with the Ku Klux Klan* (New York: Bantam, 1976).

81. U.S. Senate, Select Committee to Study Government Operations with Respect to Intelligence Operations, *Supplementary Detailed Staff Reports on Intelligence Operations and the Rights of Americans, Book III* (Washington, D.C.: 94th Cong., 2d. Sess., 1976; hereinafter referred to as *Staff Reports*) pp. 23-7, 475-83. An interesting approach to this subject matter is taken by former SDS leader Tom Hayden who intersperses narrative with verbatim excerpts from pertinent FBI documents in his reminiscence of the period; *Reunion: A Memoir* (New York: Macmillan, 1988). Also see Brian Glick, *War at Home: Covert Action Against U.S. Activists and What We Can Do About It* (Boston: South End Press, 1989).

82. As with other COINTELPROs, this one was lodged under William C. Sullivan's Domestic Intelligence Division (Division Five). More specifically, it was administered by Sullivan's head of Racial Intelligence, George C. Moore. Moore placed Theron D. Rushing in charge of coordinating the counterintelligence initiative itself; *Hearings on Intelligence Activities*, pp. 383-85; *Staff Reports*, pp. 20-1.

83. *Hearings on Intelligence Activities*, pp. 386-92.

84. Actually, counterintelligence operations against all of these groups had been underway for some time. For a sample of the actions undertaken against RAM, see the text of a lengthy memorandum prepared by the Special Agent in Charge (SAC) of the Philadelphia field office on Aug. 30, 1967, reporting on what his operatives had *already* done to the target group; Ward Churchill and Jim Vander Wall, *Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement* (Boston: South End Press, 1988) pp. 45-7.

85. Counterintelligence operations against the Nol were certainly ongoing, and are known to have involved infiltration and exacerbation of the internal dispute which led to the split of Malcolm X from the group in March 1964. Malcolm's new organization, the Organization of Afro-American Unity, was also infiltrated—one NYPD operative, Eugene Roberts, who would later become a charter member of the New York Black Panther chapter, actually served as Malcolm's bodyguard—while various actions were undertaken both to intensify the antagonism between the Nol and OAAU, and to prevent the OAAU from entering an alliance with the mostly white SWP. A Jan. 22, 1969 memo in which Hoover appears to credit the Bureau with the assassination of Malcolm X appears in *COINTELPRO Papers*, p. 102. Overall, see Clayborne Carson, *Malcolm X: The FBI File* (New York: Carroll and Graf, 1991). On the SWP connection, see George Breitman, *The Last Year of Malcolm X: The Evolution of a Revolutionary* (New York: Pathfinder, 1967). On the assassination itself, see, e.g., Peter Goldman, *The Death and Life of Malcolm X* (Urbana: University of Illinois Press, [2nd ed.] 1979); George Breitman, Herman Porter and Baxter Smith, *The Assassination of Malcolm X* (New York: Pathfinder, [2nd ed.] 1991).

86. Efforts to "remove King from the national picture" had been ongoing for at least four years, as is evidenced in a Dec. 1, 1964, memo written by William Sullivan. This document, as well as a bogus letter sent by Sullivan to King shortly thereafter, along with a specially prepared audiotape obtained by bugging King's motel rooms, in an effort to convince the civil rights leader to commit suicide are reproduced in *COINTELPRO Papers*, pp. 98, 99. In his memoirs, Sullivan acknowledges the incident, but blames it on Hoover and claims it had a less than lethal intent; Sullivan with Brown, *The Bureau*, pp. 142-4. For the most comprehensive overview of the operations against King, see Garrow, *FBI and Martin Luther King*.

87. By 1968, the Bureau's targeting of Carmichael had reached the point that it had managed to insinuate an infiltrator, "Peter Cardoza," into the position of serving as his personal bodyguard; Sullivan with Brown, *The Bureau*, p. 133.

88. Elija Muhammed had been targeted since at least as early as 1942, when "sedition" charges were prepared against him and 80 other black leaders guilty of expressing "pan-colored" sentiments towards the Japanese; O'Reilly, *"Racial Matters"*, p. 366.

89. As an example, see the excerpted May 15, 1968 document targeting activist/comedian Dick Gregory for neutralization by the Chicago mob, à la Operation Hoodwink, reproduced in *COINTELPRO Papers*, p. 104.

90. On the COINTELPRO against the RNA, see Imari Abubakari Obadele, *Free the Land! The True Story of the RNA in Mississippi* (Washington, D.C.: House of Songhay, 1984). On United Slaves, see Maulana Karenga, *Roots of the US/Panther Conflict* (San Diego: Kawaida, 1976).

91. *Hearings on Intelligence Activities*, p. 601.

92. *Intelligence Activities and the Rights of Americans*, pp. 301, 632.

93. The FBI admitted, for example, that it engaged in a total of 238 “surreptitious entries”—i.e., burglaries—against fourteen targets between 1942 and 1966 for purposes of gathering political intelligence. In truth, restricting the timeframe to just the years 1952 through 1957, there had been more than 500 such “black bag jobs” conducted in Chicago alone; M. Wesley Swearingen, *FBI Secrets: An Agent’s Exposé* (Boston: South End Press, 1995) p. 165.

94. *Intelligence Activities and the Rights of Americans*, p. 281-2; *Hearings on Intelligence Activities*, pp. 819-20; *Staff Reports*, pp. 62-4.

95. *Hearings on Intelligence Activities*, pp. 821-6.

96. Theoharis, *Spying on Americans*, p. 142.

97. Former Attorneys General Katzenbach and Clark, for example, testified before the Senate Select Committee on December 3, 1975, that they’d either never seen or not understood Hoover’s memoranda briefing them on “COINTELPRO-White Hate Groups”; *Hearings on Intelligence Activities*, pp. 202, 206-7, 213-8, 221, 224, 231-5, 240-7, 513-27.

98. This situation, harkened by the Algerian and Cuban revolutions of the late 1950s, had evolved in a broader sense from the whole wave of successful decolonization struggles sweeping Africa and Asia in the aftermath of World War II. See generally, Franz Anspringer, *The Dissolution of the Colonial Empires* (London: Routledge, 1989); John Gerassi, ed., *The Coming of the New International: A Revolutionary Anthology* (New York: World, 1971).

99. On the disintegration of elite consensus which had arisen by 1968, see Paul Joseph, *Cracks in the Empire: State Politics in the Vietnam War* (Boston: South End Press, 1981).

100. See generally, Carl Oglesby, ed., *The New Left Reader* (New York: Grove Press, 1969).

101. On France, see Alain Touraine, *The May Movement: Revolt and Reform* (New York: Random House, 1971). On West Germany, see F.C. Hunnius, *Student Revolts: The New Left in Germany* (New York: War Resisters League, 1968). On Czechoslovakia, see Vladamir Kusin, *Intellectual Origins of the Prague Spring* (Cambridge, UK: Cambridge University Press, 1971). Overall, see George Katsiaficas, *The Imagination of the New Left: A Global Analysis of 1968* (Boston: South End Press, 1987).

102. Stokely Carmichael and Charles V. Hamilton, *Black Power: The Politics of Liberation in America* (New York: Vintage, 1967); Thomas Wagstaff, *Black Power: The Radical Response to White America* (Mission Hills: Glencoe Press, 1969). Also see Stokely Carmichael’s 1966 essay “What We Want,” originally published in the *New York Review of Books*; included in Judith Clavir Albert and Stewart Edward Albert, *The Sixties Papers: Documents of a Rebellious Decade* (New York: Praeger, 1984) pp. 137-44.

103. The writings of Frantz Fanon, a Martiniquan psychotherapist active in the Algerian revolution, were extremely influential among black activists at the time (and should be still). Seeking a means by which to apply Fanon’s anticolonialist theories to their own situation, several seized upon the notion of “internal” or “domestic” colonialism. The idea has a somewhat tortuous history. Preliminarily developed by Antonio Gramsci in his 1920 essay, “The Southern Question” (*The Modern Prince and Other Writings* (New York: International, 1957, pp. 28-51)), it was adapted by the CPUSA during the 1930s to describe the situation of rural blacks in the Deep South; see generally, Harry Haywood, *Black Bolshevik: The Autobiography of an Afro-American Communist* (Chicago: Liberator Press, 1978). African American out-migration from the South caused the CP to abandon its “Black Belt Theory” during the late 1950s, but the internal colonial concept itself was revived in the mid-60s by Cherokee anthropologist Robert K. Thomas to describe the situation of American Indians; “Colonialism: Classic and Internal,” *New University Thought*, Vol. 4, No. 4, Winter 1966-67. Newton in particular struggled to rework the concept for application to inner city blacks; see, e.g., “Speech Delivered at Boston College, November 18, 1970,” *To Die for the People: The Writings of Huey P. Newton* (New York: Random House, 1972) pp. 20-38. Mario Barrera, Carlos Muñoz and Charles Ornelas, among others, did the same with respect to urbanized Chicanos (“The Barrio as an Internal Colony,” *Urban Affairs Annual Reviews*, Vol. 6, 1972), while Rodolfo Acuña applied it to both urban and rural settings (*Occupied America: The Chicano’s Struggle Toward Liberation* (San Francisco: Canfield Press, 1972)). James Boggs, however, should probably be credited with the clearest and most comprehensive articulation of the idea in relation to peoples of color in the U.S.; *Racism and Class Struggle: Further Pages from a Black Worker’s Notebook* (New York: Monthly Review Press, 1971).

104. Probably the earliest exemplar of this tendency was Robert A. Williams, a Monroe County, South Carolina, NAACP organizer who, beginning in 1959, quelled Klan violence in his area by organizing his constituents into “rifle clubs.” Predictably, he was quickly targeted by the FBI because of this “sedition” and driven into an extended exile; Van Gosse, *Where the Boys Are: Cuba, Cold War America and the Making of a New Left* (London: Verso, 1993) pp. 153-4. Nonetheless, Williams’ example, and his book *Negroes with Guns* (New York: Mariani and Mansell, 1962), were

undoubtedly influential in the establishment of the Louisiana-based Deacons for Self-Defense and Justice, an armed component of the civil rights movement, in July 1964; Angela D. LeBlanc-Ernest, "The Most Qualified Person to Handle the Job': Black Panther Party Women, 1966-1982," in Jones, *Black Panthers Reconsidered*, pp. 306-7. The more so, SNCC's Lowndes County Freedom Organization—sometimes referred to as the "Original Black Panthers"—established in Alabama in March 1966; Clayborne Carson, *In Struggle: SNCC and the Black Awakening of the 1960s* (Cambridge, MA: Harvard University Press, 1981) pp. 162-6.

105. On the YLO, see Barbara Joye, "Young Lords," *The Bird*, Jan. 12, 1970; included in Marshall Goodman, ed., *The Movement Toward a New America: The Beginnings of a Long Revolution* (Philadelphia/New York: Pilgrim Press/Alfred A. Knopf, 1970) pp. 238-41. On the Brown Berets and related organizations, see Carlos Muñoz, Jr., *Youth, Identity, Power: The Chicano Movement* (New York: Verso, 1989). On AIM, see Paul Chaat Smith and Robert Allen Warrior, *Like a Hurricane: The American Indian Movement from Alcatraz to Wounded Knee* (New York: New Press, 1996).

106. Kirkpatrick Sale, *SDS* (New York: Random House, 1973) esp. pp. 1-173; James Miller, *"Democracy is in the Streets": From Port Huron to the Siege of Chicago* (New York: Simon & Schuster, 1987).

107. Although SDS organized the first significant antiwar protest in April 1965, it thereafter for the most part withdrew from such activities. It was nonetheless interlocked to a certain extent with organizations like the Student Mobilization to End the War in Vietnam and its successor, the New Mobilization; Sale, *SDS*, pp. 182-91. On the growth in antiimperialist sentiment, see, e.g., Andrew Kopkind, "The Real SDS Stands Up," *Hard Times*, June 30, 1969; included in Harold Jacobs, *Weatherman* (San Francisco: Ramparts Press, 1970) pp. 15-28; Andrew Kopkind, *The Thirty Years War: Dispatches and Diversions of a Radical Journalist, 1965-1994* (London: Verso, 1995) pp. 161-8.

108. On the armed component, see Ron Jacobs, *The Way the Wind Blew: A History of the Weather Underground* (New York: Verso, 1997).

109. Nancy Zaroulis and Gerald Sullivan, *Who Spoke Up? American Protest Against the War in Vietnam, 1963-1975* (Garden City, NY: Doubleday, 1984) pp. 263-73. More broadly, see Tom Wells, *The War Within: America's Battle Over Vietnam* (Berkeley: University of California Press, 1994).

110. For background, see John Kerry and Vietnam Veterans Against the War, *New Soldier* (New York: Collier Books, 1971).

111. On efforts to politicize this disenfranchised mass, see Abbie Hoffman, *Revolution for the Hell of It* (New York: Dial, 1968); *Woodstock Nation: A Talk Rock Album* (New York: Vintage, 1969); *Soon to be a Major Motion Picture* (New York: Peregrine, 1980) esp. pp. 78-180.

112. For a good overview, see Theodore Roszak, *The Making of a Counterculture: Reflections on the Technological Society and Its Youthful Opposition* (New York: Doubleday, 1969). Also see J. Milton Yinger, *Countercultures: The Promise and Peril of a World Turned Upside Down* (New York: Free Press, 1982).

113. William L. O'Neill, *Coming Apart: An Informal History of America in the 1960s* (Chicago: Quadrangle, 1971).

114. On the founding of the Black Panther Party for Self-Defense, as it was originally called, see Huey P. Newton, *Revolutionary Suicide* (New York: Harcourt, Brace, Jovanovich, 1972; reprinted by Readers and Writers in 1995) pp. 110-3. On the Party's early development, see Gene Marine, *The Black Panthers* (New York: New American Library, 1969); Bobby Seale, *Seize the Time: The Story of the Black Panther Party and Huey P. Newton* (New York: Random House, 1970; reprinted by Black Classic Press in 1991).

115. A very good study of the ideological context will be found in Nikhil Pal Singh's "The Black Panthers and the 'Undeveloped Country' of the Left," in Jones, *Black Panthers Reconsidered*, pp. 57-108. For a contemporaneous sample of how other organizations of color viewed the Panthers, see Kathy Mulherin, "Chicanos turn to Brown Power: Five years behind the blacks, but we'll catch up very fast," *National Catholic Reporter*, June 4, 1969.

116. Black Panther Party, "What We Want, What We Believe" and "Rules of the Black Panther Party," included in Jones, *Black Panthers Reconsidered*, pp. 473-8. Also see "The Panther Program," in Seale, *Seize the Time*, pp. 59-68. The Party's 10 Point Program was shortly emulated by groups ranging from the YLO to the Brown Berets to the Young Patriots, a Chicago organization of poor whites; see, e.g., "Young Lords Party 13 Point Program and Platform," in Philip S. Foner, ed., *The Black Panthers Speak* (Philadelphia: J.B. Lippencott, 1970) pp. 235-7; see also the program of the Black Berets, an Albuquerque-based Chicano organization, in F. Chris Garcia, ed., *La Causa Política: A Chicano Politics Reader* (South Bend, IN: Notre Dame University Press, 1974) pp. 405-8.

117. Cleaver, the acclaimed author of *Soul on Ice* (New York: Ramparts/McGraw-Hill, 1968), had been released from prison in December 1966 to work as a contributing editor for *Ramparts*, the country's most broadly circulated left-oriented magazine. He joined the Party shortly thereafter, having witnessed Newton win an armed confrontation with San Francisco police; see "The Courage to Kill: Meeting the Panthers," in Eldridge Cleaver, *Post-Prison Writings and Speeches* (New York: Ramparts/Random House, 1969) pp. 23-39. Named Minister of Information, he developed the Party's newspaper, *The Black Panther*, in addition to writing regular articles about the Panthers in *Ramparts*. When Newton was charged with the murder of Oakland Police Officer John Frey during a late night altercation on No-

vember 10, 1967—Newton himself was badly wounded, and Bobby Seale was serving a jail term following a much-publicized armed foray into the California state capitol building in May—Cleaver’s importance as a Panther spokesperson increased even more. He was instrumental in coordinating the “Free Huey!” campaign which propelled the Party to genuine national prominence in coming months. See Edward M. Keating, *Free Huey! The true story of the trial of Huey P. Newton for murder* (Berkeley, CA: Ramparts Press, 1971); Seale, *Seize the Time*, pp. 153-71, 211-22.

118. Singh, “Undeveloped Country,” p. 64. Also see Cornel West, “The Paradoxes of the Afro-American Rebellion,” in Sonya Sahres, et al., eds., *The Sixties Without Apologies* (Minneapolis: University of Minnesota Press, 1984) p. 53. Such assessments by no means constitute a post hoc romanticization. As Alphonso Pinkney put it at p. 98 of his contemporaneous *Red, Black and Green: Black Nationalism in the United States* (New York: Cambridge University Press, 1970): “It is difficult to see how one could fail to acknowledge [the BPP’s] preeminence as the leading revolutionary Black nationalist group in the United States.”

119. Manning Marable, *Race, Rebellion and Reform: The Second Reconstruction in Black America* (Jackson: University Press of Mississippi, 1991) p. 110.

120. The statement was made during a luncheon address delivered to the New York Press Club, reported in the *New York Times* on Sept. 8, 1969; see *Intelligence Activities and the Rights of Americans*, p. 187.

121. This is the sequence officially recorded in *Staff Reports*, pp. 528-31. At pp. 124-5 of *COINTELPRO Papers*, however, Jim Vander Wall and I reproduce a memorandum from COINTELPRO overseer G.C. Moore to William C. Sullivan dated 9/27/68 dated proposing that “the counterintelligence program against...the Black Panther Party...*be accelerated* and that each office submit concrete suggestions as to future action to be taken against the BPP (emphasis added).” On p. 127, we reproduce a memo from Moore to Sullivan dated October 10, 1968, outlining the implementation of one of these “concrete suggestions.” Hence, it is an absolute certainty that COINTELPRO-BPP began at some point well before the Nov. 25, 1968, “incept date” admitted by the FBI during congressional hearings. In fact, at p. 225 of his generally excellent book, *The Age of Surveillance: The Aims and Methods of America’s Political Intelligence System* (New York: Vintage, 1981), researcher Frank J. Donner purports to have traced anti-Panther operations in Philadelphia back to “the early summer of 1967.”

122. It didn’t really matter how small or marginal the group happened to be. For example, in late 1967 agents “placed the fifteen or twenty members of Charles 37X Kenyatta’s Harlem Mau Mau on the COINTELPRO target list”; O’Reilly, “*Racial Matters*”, pp. 281-2.

123. *Staff Reports*, p. 188.

124. O’Reilly, “*Racial Matters*”, p. 291.

125. Carson, *In Struggle*, p. 284.

126. Goldstein, *Political Repression*, pp. 451-2; *Staff Reports*, pp. 214-5.

127. See generally, Muñoz, *Youth, Identity, Power*. Also see Donner, *Age of Surveillance*, pp. 347-8.

128. There was, for instance, a program aimed at the lawyers representing the Panthers and other radical clients. While most of this appears to have devolved upon illegal modes of intelligence gathering—warrantless wiretaps, bugging and burglaries of homes and offices—there are clear instances in which outright counterintelligence techniques were employed. One of these involved Arthur Turco, a Baltimore attorney jailed for 10 months in 1970 on bogus charges of having entered into a “murder conspiracy” with his clients in the local BPP chapter; Donner, *Age of Surveillance*, pp. 230-1, 370-2.

129. According to retired FBI agent Arthur Murtagh, many of the worst COINTELPRO actions were never recorded in writing; *Hearings on Intelligence Activities*, p. 1044. In cases where files were established in such matters, they were routinely withheld from congressional investigators and in some instances destroyed; Donner, *Age of Surveillance*, pp. 170, 175. Also see Jonathan Loch, *A Season of Inquiry: The Senate Intelligence Investigation* (Lexington: University of Kentucky Press, 1985) pp. 221, 227.

130. Huey P. Newton, *War Against the Panthers: A Study of Repression in America* (New York: Harlem River Press, 1996; originally published as a Ph.D. dissertation, History of Consciousness Program, University of California at Santa Cruz, 1980).

131. *Staff Reports*, p. 187.

132. The poll was conducted by Market Dynamics, Inc., in late 1969, and broadcast as part of ABC-TV’s program, “The Panthers,” on April 13, 1970. On March 30 of the same year, *Time* magazine published the results of a Lou Harris poll revealing that some two million African Americans considered themselves to be the “revolutionaries,” and that fully 31 percent of the black population had become convinced that “only a readiness to use violence would ever gain [them their] rights.” Also see “Panther Supporters: Many Black Americans Voice Strong Backing for Defiant Militants,” *Wall Street Journal*, Jan. 13, 1970.

133. *Staff Reports*, pp. 35-6, 218-20; Chip Berlet, “COINTELPRO: What the (Deleted) Was It?” *Public Eye*, Apr. 1978.

134. “How the FBI used the media against the Panthers,” *Revolutionary Worker*, Sept. 19, 1980.

135. WBZ general manager Lamont Thompson was a former FBI agent, his personnel described by the Boston field office as being “extremely cooperative, discrete and reliable...not only in regard to counterintelligence activities, but to all other phases of the Bureau’s investigative interests”; Donner, *Surveillance*, pp. 239-40.

136. “FBI used the media,” p. 20. There is evidence that COINTELPRO personnel in Los Angeles subsequently had the coloring book altered—offensive captions, some of them antisemitic, were added, and several illustrations “revised” to increase the violence of their content—and then printed in a second bogus edition of several thousand copies. The extent of distribution is again unknown; Donner, *Surveillance*, p. 225.

137. Donner, *Surveillance*, p. 238. Also see Kathleen Cleaver, “How TV Wrecked the Black Panthers,” *Channels*, Nov./Dec. 1982.

138. Donner, *Surveillance*, p. 238. Concerning the *Daily News* series, which focused in part on the BPP, see Robert Friedman, “FBI Manipulates the Media,” *RIGHTS*, May-June 1977. It should be noted that, although he’d left the paper to take a position writing speeches for Richard Nixon by the time the *Globe-Democrat’s* “coverage” of the Panthers got rolling, one of the heaviest hitters in the Bureau’s earlier usage of the paper for COINTELPRO purposes was a cub reporter named Patrick J. Buchanan.

139. Interviewees were selected by the FBI on the basis that they “not have the ability to stand up to a professional newsman.” The result, as the Miami SAC bragged, was that they displayed an “inability to articulate” and thus conveyed what he called “a simpering and stupid appearance”; quoted in Donner, *Surveillance*, p. 239. An 8/5/68 memo from Hoover to the SAC, Albany, and 41 other Field Offices describing this “highly successful counterintelligence operation” is reproduced in *COINTELPRO Papers*, pp. 118-9.

140. The *Nol* special, titled *Fear of the Secret Dark*, was first aired on Oct. 9, 1969. Such things sometimes backfired. For example, an FBI-facilitated NBC documentary on the *Nol* aired in 1959—it was titled *The Hate That Hate Produced*, and was hosted by Mike Wallace—served more than anything to propel Malcolm X into the national limelight; “FBI used media,” p. 19; Carson, *Malcolm X File*, p. 162.

141. Quoted in Donner, *Surveillance*, p. 239. In still another collaboration, WCKT asked the FBI to prepare a list of questions, 44 in all, asked of CP presidential candidate Gus Hall during a 1968 “special.” The express purpose of the queries was to “place [the] communist spokesman on the defensive.”

142. “Hughie [sic] Newton” and, by extension, the BPP were also on the Nixon Administration’s “Enemies List,” incorporated into the 1970 Huston plan for “screwing” political opponents by a variety of extralegal means, including placement of disinformation in the media; *Staff Reports*, pp. 923-8.

143. Both statements are quoted in an ACLU news release dated Dec. 29, 1969; included in Foner, *Black Panthers Speak*, pp. 263-5. For an excellent selection of FBI-facilitated or -produced anti-Panther materials, see Norman Hill, ed., *The Black Panther Menace: America’s Neo-Nazis* (New York: Popular Library, 1971).

144. “FBI used media,” p. 20. Also see Chip Berlet, “Journalists and G-Men,” *Chicago Reader*, Jan. 12, 1978.

145. “FBI used media,” p. 20. For a brief overview of the COINTELPRO escalation in Chicago, see Churchill and Vander Wall, *Agents of Repression*, pp. 64-9.

146. Quoted in “FBI used media,” p. 20.

147. *Ibid.*

148. *Ibid.* For the most comprehensive selection of false statements advanced in this media blitz, all of them attributed directly to police sources, see Roy Wilkins and Ramsey Clark, *Search and Destroy: A Report of the Commission of Inquiry into the Black Panthers and the Police* (New York: Metropolitan Applied Research Center, 1973).

149. Weidrich and Lee were dispatched by *Tribune* editor Clayton Kirkpatrick, who had agreed in advance to the “ground rule” of presenting the police version unopposed; Plaintiff’s Brief, *Iberia Hampton, et al. v. Edward Hanrahan, et al.* (Nos. 70C-1384, Cons (N. Dist., Ill., 1975)) p. 56; available from the People’s Law Office, Chicago (copy on file). Kirkpatrick, like Koziol, was on the FBI’s short list of cooperative journalists.

150. *Ibid.*, pp. 56-8.

151. Wilkins and Clark, *Search and Destroy*, p. 47.

152. Quoted in “ACLU,” Foner, *Black Panthers Speak*, p. 264.

153. *Hampton*, pp. 58-9. This would be immediately obvious to *anyone* viewing the door and doorframe. Tellingly, none of the “investigative journalists” who repeated the falsified police version(s) of events bothered to drive a few blocks—Hampton’s apartment was hardly in a “remote” location—to view the scene for themselves. For the best survey of what was available for their on-site inspection, had any of the journalists desired to make one, see the Panther-produced documentary film, *The Murder of Fred Hampton* (1970).

154. “The one shot fired by the Panthers was a 16-gauge slug that had been reloaded into a 12-gauge shell”; “Report on the Investigation of the Premises at 2337 West Monroe Street, Chicago, Illinois, and the Examination of Evidence Removed Therefrom,” by independent forensic examiner Herbert Leon MacDonell, included as Appendix I in Wilkins and Clark, *Search and Destroy*, at p. 267. “The police had been the first to fire”; Alfred Allan Lewis with Herbert Leon MacDonell, “The Black Panther Shoot-out/In,” in *The Evidence Never Lies: The Casebook of a Modern Sherlock Holmes* (New York: Laurel, 1984) p. 95. “The final placement of these [two fatal head] wounds...indicated

that Fred Hampton was shot in full view of the killer while in a defenseless position, and not in a blind shoot-out"; report of Dr. David Spain, independent pathologist, quoted in Wilkins and Clark, *Search and Destroy*, p. 149.

155. "The Panthers and the Law," *New York Times*, May 18, 1970. One assumes the *Times* editors actually wrote their own opinion piece, but one can never be certain. After all, leaving aside the squalid record of the *Tribune* and other Chicago papers, a Nov. 12, 1969, memorandum from the SAC, San Diego, to Hoover mentions agents having prepared an anti-Panther editorial for publication by the Copely News Service; quoted in *Staff Reports*, p. 219. There are many other such examples.

156. The result, Hoover said, would be to "help cripple the BPP"; *Staff Reports*, p. 214. For what is probably the best history of the Party's newspaper and related activities, see JoNina M. Abron, "Raising the Consciousness of the People: The Black Panther Intercommunal News Service, 1967-80," in Ken Wachsburger, ed., *Voices From the Underground: Insider Histories of the Vietnam Era Underground Press* (Tempe, AZ: Mica Press, 1993).

157. As a rule, rank-and-file Party members were required to sell a quota of newspapers every week at 25¢ per copy. This went both to "putting the word out" and to fund-raising. By all accounts, harassment arrests of street sellers were endemic, the impoundment of whatever number of papers they had in their possession standard; see, e.g., David Hilliard, *This Side of Glory: The Autobiography of David Hilliard and the Story of the Black Panther Party* (Boston: Little, Brown, 1993) p. 154. Also see Laurence Leamer, *The Paper Revolutionaries: The Rise of the Underground Press* (New York: Simon & Schuster, 1972).

158. Quoted in Foner, *Black Panthers Speak*, p. xxviii. Provision of such briefing sheets was—and no doubt still is—a standard "public relations courtesy" performed by SACs for public officials and those defined by the Bureau as "local civic leaders"; see generally, Ungar, *FBI*, pp. 200-1.

159. The 8-Points of Attention and even more pointed Rules of the Black Panther Party are included as appendices in Jones, *Black Panthers Reconsidered*, at pp. 476-8.

160. This is the FBI's estimate of peak circulation; memo, FBIHQ to Chicago and seven other field offices, May 15, 1970. JoNina M. Abron, the paper's last editor, places peak circulation at 125,000; "'Serving the People': The Survival Programs of the Black Panther Party," in Jones, *Black Panthers Reconsidered*, p. 182.

161. Memo, SAC San Diego to Dir., FBI, Aug. 18, 1970; quoted in *Staff Reports*, pp. 214-15. The idea was not approved, mainly because Hoover felt it carried too great a risk of disclosure. On the other hand, an earlier proposal to put pressure on the printer, Howard Quinn, by convincing his other clients to threaten cancellation unless he dropped *The Black Panther*, was approved. It failed when several other alternative papers banded together and informed Quinn that they'd cancel *their* orders unless he continued doing business with the Party as usual; Seale, *Seize the Time*, pp. 180-1.

162. Memo, SAC San Diego to Dir., FBI, Aug. 18, 1970; quoted in *Staff Reports*, p. 215. The latter proposal was definitely implemented in several variations; see, e.g., the "Minutemen" death-threat post card reproduced in *COINTELPRO Papers*, p. 227.

163. Memo from SAC New York to FBIHQ and San Francisco Field Office, Oct. 11, 1969; quoted in *Staff Reports*, p. 214. United declined to raise its rate because the Party had the option of simply switching to another carrier. There is evidence, however, that at least three airlines—United, American and TWA—began to delay shipments by as much as two weeks, and occasionally "lose" them altogether; Seale, *Seize the Time*, p. 180.

164. Memo, SAC San Francisco to FBIHQ, May 22, 1970; quoted in *Staff Reports*, p. 214.

165. Memo, FBIHQ to SACs, 39 cities, Nov. 11, 1970; quoted in *Staff Reports*, p. 216.

166. Memo, G.C. Moore to W.C. Sullivan, June 26, 1970; quoted in *Staff Reports*, pp. 216-7. The idea was dropped when the Chicago field office pointed out that disclosure of FBI involvement in encouraging such a conflict might serve to bring the NOI and BPP closer together.

167. Memo, FBIHQ to San Francisco Field Office, Dec. 4, 1969; quoted in *Staff Reports*, p. 218.

168. Memo, FBIHQ to San Francisco and eight other field offices, Jan. 23, 1970; quoted in *Staff Reports*, p. 218.

169. Memo, SAC, San Francisco, to FBIHQ, May 26, 1969; quoted in *Staff Reports*, pp. 217-8.

170. Memo, SAC, San Francisco, to FBIHQ, Mar. 18, 1970; quoted in *Staff Reports*, p. 218. The "antisemitism" ploy was used frequently, in part because the Bureau appears to have believed that Jews were disproportionately represented among the white New Leftists supporting the Panthers, as well as the Party's more liberal financial backers. For example, on Sept. 10, 1969, the New York SAC proposed to Hoover that an anonymous—and wholly bogus—letter be prepared and sent to Rabbi Meir Kahane, head of the militant Jewish Defense League (JDL), to convince him that the Panthers were antisemites. On May 21, 1970, New York notified Hoover that similar letters had been sent to Leonard Bernstein and other contributors, that a bogus extortion letter had been prepared in the Party's name to selected Jewish store owners, and that "news stories" on Panther antisemitism had been planted in the press through "an established newspaper contact." Overall, the operation seemed successful, the SAC concluded, since JDL was by that point picketing the BPP's Bronx and Harlem offices, and it was anticipated that Panther revenues would drop off sharply. Both documents are reproduced in *COINTELPRO Papers*, pp. 136-7, 162-3.

171. Memo, SAC, Chicago, to FBIHQ, Feb. 10, 1969; quoted in *Staff Reports*, p. 217. The warrant had gone unserved for several months and the charge was ultimately dismissed.

172. Memo, FBIHQ to Chicago Field Office, Feb. 20, 1969; quoted in *Staff Reports*, pp. 217-8. Hoover was subsequently known to hold up the example of Chicago's timing in the matter as a model to be emulated by other field offices.

173. As even the *Wall Street Journal* noted at the time, "blacks support the Panthers because they admire[the] less-publicized activities of the Party such as its free-breakfast programs for ghetto youngsters, its free medical program and its war on narcotics use among black youth"; quoted in Foner, *Black Panthers Speak*, p. xiii. For a more complete list of the BPP survival programs, see Table I in Charles E. Jones and Judson L. Jeffries, "'Don't Believe the Type': Debunking Panther Mythology," in Jones, *Black Panthers Reconsidered*, p. 30. Also see Abron, "'Serving the People'"; Louis Heath, ed., *Off the Pigs! The History and Literature of the Black Panther Party* (Metuchen, NJ: Scarecrow Press, 1976); "Survival Programs of the Black Panther Party," *The Black Panther*, Feb. 1991.

174. It is a common misconception that the program served only African American youngsters. There were, however, "no restrictions, not even on race. Any child who appears in time for breakfast gets fed"; Reginald Major, *A Panther Is A Black Cat: A study in-depth of the Black Panther Party—its origins, its goals, its struggle for survival* (New York: William Morrow, 1971) p. 86.

175. Memo, FBIHQ to SAC San Francisco and 39 field offices, May 10, 1969.

176. Memo, SAC San Francisco to Hoover, May 14, 1969.

177. Memo, FBIHQ to SAC San Francisco, May 27, 1969.

178. *Ibid.*

179. Major, *Black Cat*, pp. 86-7. For a broader survey of the tactics employed, see Charles E. Jones, "The Political Repression of the Black Panther Party, 1966-1971: The Case of the Oakland Bay Area," *Journal of Black Studies*, No. 18, 1988.

180. Memo, FBIHQ to SAC San Francisco, July 30, 1969; quoted in *Staff Reports*, p. 210. Sullivan's automatic correlation of police and "whites" is quite revealing, in that it reflects a statistical reality underlying Panther attitudes. In 1966, of the more than 600 cops in Oakland, 19—a paltry three percent—were black. Upwards of a quarter of the city's population was composed of mostly poor African Americans, and more than 75 percent of those arrested. Hence, the Party's analysis that the police constituted an "occupying army," the purpose of which was to enforce the order of black oppression; Warren Hinckle, "Metropol: The Story of Oakland," *Ramparts*, Feb. 1966.

181. Major, *Black Cat*, p. 87.

182. Memo, SAC San Francisco to FBIHQ, Nov. 30, 1970; quoted in *Staff Reports*, p. 210.

183. See Erika Doss, "'Revolutionary Art as a Tool of Liberation': Emory Douglas and Protest Aesthetics at *The Black Panther*," *New Political Science*, Vol. 21, No. 2, June 1999.

184. Major, *Black Cat*, p. 87.

185. *Ibid.*; attributed to Bobby Seale. Seale's account was confirmed by former Party Communications Secretary and Central Committee member Kathleen Cleaver during testimony before the Senate Select Committee on Intelligence Activities on April 8, 1976; quoted in *Staff Reports*, p. 210. It should be noted that Cleaver was on the opposite side of the subsequent bitter split in the BPP, and thus had no motive to enter false statements in Seale's behalf.

186. Seale, *Seize the Time*, pp. 383-90.

187. McClellan's subcommittee, chaired during the early-50s by Senator Joseph McCarthy, was a mainstay in the FBI's effort to create an appearance of factual credibility vis-à-vis charges that various organizations were criminal and/or subversive. The subcommittee relied almost exclusively on the testimony of the Bureau's paid informants and undercover operatives in arriving at its conclusions; see generally, U.S. Senate, Committee on Government Operations, Permanent Subcommittee on Investigations, *Hearings on Riots, Civil and Criminal Disorders*, Pts. 1-25 (Washington, D.C.: 90th Cong., 1st Sess. - 91st Cong., 2d Sess., 1967-70). Also see Committee on Internal Security, *The Black Panther Party, Part 1*.

188. The Powells' local contact was Sergeant Ray Gaul of the Oakland Police Intelligence Unit ("Red Squad"). Jean Powell's code name was "owl." See generally, Hugh Pearson, *Shadow of the Panther: Huey Newton and the Price of Black Power in America* (Reading, MA: Addison-Wesley, 1994) p. 89. Readers should be warned that Pearson's is an extraordinarily biased and inaccurate account. His method seems to have been essentially to take whatever was said by any FBI informant at face value while discounting virtually everything accruing from Panther sources as "myth." Moreover, he is flagrantly inaccurate on purely factual matters ranging from the spelling of Frantz Fanon's name, to what police alleged in the aftermath of the Hampton/Clark assassinations, to the African country in which Stokely Carmichael established residency.

189. A photo of the Powells, thus attired and in the process of testifying before the subcommittee on June 18, 1969, will be found at p. 105 of U.S. News and World Reports, *Communism and the New Left* (New York: Macmillan, 1970). The book is self-evidently a product of the FBI's Mass Media Program (see note 75).

190. The only example of an armed robbery provided by the Powells was one which Larry himself seems to have arranged. The failed attempt by six Panthers on Dec. 28, 1968, to stick up the Aloha nightclub in East Oakland resulted in the immediate expulsion of Powell and Panther Captain Wendell Wade from the Party; "Panthers Denounce 'Agents and Fools,'" *Oakland Tribune*, Jan. 3, 1969. Pearson claims Powell was "ordered" to accompany Wade and the others—by whom is never stated—although his five codefendants all recalled the robbery as being Powell's idea; *Shadow of the Panther*, p. 186. Instructively, Powell himself received a suspended sentence while Wade and the others went to prison; "Fearful Ex-Panther Sentenced," *San Francisco Chronicle*, May 3, 1969. Earlier weapons charges against Powell in LA had also been mysteriously dropped—as Pearson puts it, "the party somehow took care of the gun charges against Larry in Los Angeles"—despite his having been caught red-handed; *Shadow of the Panther*, pp. 183-5. More likely, the FBI had "taken care" of the problem; Seale, *Seize the Time*, pp. 378-83.

191. This was grossly misleading on two levels. First, the businesses at issue were indeed situated "in the black community," but they were for the most part neither black owned nor operated. Rather, they were overwhelmingly white-owned and prone to overcharging poor black residents for their merchandise. The Powells' insinuation that the Panthers were "preying on blacks" was thus deliberately deceptive, designed to transform tangible victimizers into apparent victims in the public perception. Secondly, the Panthers' alleged "extortion" of contributions to the breakfast program from Safeway and other businesses derived, by the Powells' own testimony, from such entirely legal tactics as picketing, boycotts and the like. The only genuinely extortion-like activity linked to the Party in Oakland was the firebombing of a convenience store on May 10, 1969—that is eleven months *after* the Powells testified—when its owner refused to donate six dozen eggs; "Black Panther Says He Made Bomb," *San Francisco Chronicle*, June 25, 1970. Arguably, the action resulted more from the frustration attending both the Powells' misrepresentations and COINTELPRO's consequent effects on the breakfast program than from any BPP policy, stated or unstated.

192. There was probably some truth to this claim, although it did nothing to substantiate the Powells' contention that the source of the funds embezzled was itself illegal. Nor did it accomplish anything in terms of substantiating their claim that the cashflow of the BPP national office—as opposed to the aggregate value of groceries and other in-kind contributions—exceeded \$1 million per year by early 1969.

193. Although the Panthers clearly employed corporal punishment as a disciplinary measure, this is a far cry from murder. The Powells cited former Panther Ron Black, murdered in Oakland on April 5, 1969, as an example of someone killed by "the Party's hit squad." They also pointed to the attempted murder a few days later of Ardell Butler, another ex-Panther, as a second example. These allegations had been aired by Tommy Jones, and thoroughly rebutted by both Bobby Seale and David Hilliard some two months before the Powells testified; "Press Statement," *The Black Panther*, Apr. 20, 1969. When the Powells repeated the rumor before the subcommittee in June—they purported to no firsthand knowledge at all—Seale responded even more forcefully; "Angry Denial of Ex-Panthers' Story," *San Francisco Chronicle*, June 19, 1969. Although McClellan's subcommittee accorded Jones' and the Powells' tale a certain "truth" value—as did publications like *U.S. News and World Report* at the time, and authors like Hugh Pearson today—the fact is that had there ever been evidence to support their claims, it would surely have resulted in murder charges being brought.

194. AIRTEL, SAC, San Francisco, to FBIHQ, Feb. 4, 1974. In an echo of J. Edgar Hoover's campaign against Marcus Garvey, the SAC therefore recommended continuing, intensifying and expanding the investigation; quoted in Newton, *War Against the Panthers*, p. 46.

195. *Communism and the New Left*, p. 105.

196. During his 1970 testimony before the House Subcommittee on Appropriations concerning the Bureau's annual budget, J. Edgar Hoover claimed that five policemen had been killed by Panthers by the end of 1969; quoted in Peter Zimroth, *Perversions of Justice: The Prosecution and Acquittal of the Panther 21* (New York, Viking, 1974) pp. 41, 43. One of these, however, was John Frey (see note 197). Another was Santa Ana patrolman Nelson Sasscer, who was shot to death on June 4, 1969, after accosting two men walking home from a Party meeting for reasons which were never clarified. The shooter, who was convicted only of second degree murder because the jury concluded that the bellicosity of Sasscer's own conduct was a contributing factor in his death, turned out never to have been a Panther at all; Michael Newton, *Bitter Grain: Huey Newton and the Black Panther Party* (Los Angeles: Holloway House, 1991) p. 98. Two others were Chicago policemen named Frank Rappaport and John Gilhooly, shot to death on the night of Nov. 13, 1969. Supposedly, they were killed by a Panther named Spurgeon "Jake" Winters, who was himself killed by other officers. Aside from serious questions as to whether it was actually Winters who killed the two cops, he had by most accounts, including that of FBI infiltrator William O'Neal, been expelled from the Party several months previously; *Hampton*, p. 22. In the aftermath of the police murders of Fred Hampton and Mark Clark in December, the Chicago BPP chapter apparently "reclaimed" Winters and named its newly-founded free clinic after him in January 1970; Abron, "'Serving the People,'" pp. 184-5. In any event, we are left with a California Highway Patrolman killed in an exchange of gunfire with three LA Panthers on Sept. 7, 1969. Even in this case, there is ample

evidence that the victim and his partner provoked the incident by making a harassment stop of the Panthers and then drawing their guns; Newton, *Bitter Grain*, pp. 98-9.

197. Although the reversal occurred on May 29, Newton was not actually released from custody until Aug. 5, 1970, primarily because of negotiations on the amount of bail to be posted pending retrial. There were in fact two retrials, both ending in hung juries. The charge against Newton was finally dismissed altogether on Dec. 15, 1971; Newton, *Revolutionary Suicide*, pp. 265, 276-8, 320; also see note 117.

198. Agents sometimes impersonated "concerned parishioners" in their telephone calls; memorandum, SAC, San Diego, to FBIHQ, Aug. 29, 1969; quoted in *Staff Reports*, pp. 210-1.

199. Whether a copy of the famous coloring book was among the items sent is unknown. However, the severity and abruptness of the Bishop's reaction suggests that it was; *Staff Reports*, p. 210.

200. Memo, SAC, San Diego, to FBIHQ, Oct. 6, 1969; quoted in *Staff Reports*, p. 211.

201. Memo, SAC, New Haven, to FBIHQ, Nov. 12, 1969; quoted in *Staff Reports*, p. 211.

202. Lowell Bergman and David Weir, "Revolution on Ice: How the Black Panthers Lost the FBI's War of Dirty Tricks," *Rolling Stone*, Sept. 9, 1976, p. 47.

203. *Hampton*, pp. 11-2, 17; Steve D. McCutchen, "Selections from a Panther Diary," in Jones, *Black Panthers Reconsidered*, p. 126. Jimmy Slater, a member of the Cleveland BPP chapter from 1968-72, recalls that the free clinic there was "blown up" in 1969. He attributes the attack to COINTELPRO; Charles E. Jones, "'Talkin' the Talk and Walkin' the Walk': An Interview with Panther Jimmy Slater," in Jones, *Black Panthers Reconsidered*, p. 148.

204. "SNCC, Panthers Announce Merger," *National Guardian*, Feb. 24, 1968. Although it had been discussed since mid-1967, the formal change of SNCC's name from Student Nonviolent Coordinating Committee to Student National Coordinating Committee would not occur for another year-and-a-half; "'Nonviolent' Deleted from Name of SNCC," *Washington Post*, July 23, 1969.

205. The occasion was "Huey Newton's Birthday Party," a mass indoor rally attended by some 5,000 people in the Oakland Auditorium. Part of the BPP's Free Huey! campaign, the event was addressed by all three SNCC leaders; Seale, *Seize the Time*, p. 221.

206. At least two members of SNCC's steering committee were working for the FBI during this period; Carson, *In Struggle*, p. 293 (citing a memo from SAC, Atlanta, to Dir., FBI, Mar. 10, 1969). At least one, Earl Anthony, was involved on the Panther side. More fundamentally, however, there appears to have been a serious miscalculation on the parts of Forman and Carmichael in particular, since both men seem to have believed the leadership of the BPP was "up for grabs"; James Forman, *The Making of Black Revolutionaries* (New York: Macmillan, 1972) pp. 329-30. The situation was complicated by the fact that they were engaged in a serious struggle for ascendancy in SNCC—Rap Brown was yet another contestant—which was itself experiencing a steep decline in influence; "Negro Leadership Rift Brews," *Washington Post*, Jan. 13, 1968. In combination, these factors translated into a series of maneuvers by Carmichael and Forman to determine which would ultimately assume control of the Panthers and thus preside over a revitalization of a "broadbased national movement" among blacks. Forman, perceiving Carmichael to hold a distinct advantage, had decided both to opt out of the contest by April of 1968, and to take what was left of SNCC with him, arranging for his opponent's expulsion in the process; "Carmichael is Expelled by SNCC in Dispute," *Washington Post*, Aug. 22, 1968. Carmichael, meanwhile, was providing considerable service to the BPP in terms of helping to build it into a truly national organization. This seems to have led him to believe, erroneously, that he was in charge. Whether he would have resigned or been expelled once Eldridge Cleaver and others disabused him of that notion is unclear, since FBI intervention ultimately preempted both options.

207. C. Gerald Fraser, "SNCC in Decline After 8 Years in Lead: Pace-Setters in Civil Rights Displaced by Black Panthers," *New York Times*, Oct. 7, 1968. The article is referenced as evidence of "a successful counterintelligence initiative" in a memo from Hoover to the SAC Washington, D.C., Oct. 24, 1968.

208. According to both Forman and Sellers, who participated in the July 22 meeting during which the alleged torture occurred, SNCC, which was already inclined to back out of its relationship with the BPP, had been sandbagging its commitments. Cleaver delivered an ultimatum in which he promised to return and "kick [Forman's] ass" unless these were immediately fulfilled. Impolite perhaps, a definitely unsettling to someone in what turned out to be Forman's psychological condition, but a far cry from what appeared in the press; Forman, *Black Revolutionaries*, pp. 537-8; Cleveland Sellers with Robert Terrell, *The River of No Return: The Autobiography of a Black Militant and the Life and Death of SNCC* (New York: William Morrow, 1973) p. 203.

209. Anthony, author of the at the time well-respected *Picking Up the Gun: A Report on the Black Panthers* (New York: Dial Press, 1970), reported to Robert O'Connor and Ron Kizenski, agents in the Racial Matters Squad (later subdivided to include a "Black Panther Desk") of the Los Angeles field office's COINTELPRO Section, from more-or-less the moment he joined the chapter in late 1967. He himself recounts this in his autobiographical *Spitting in the Wind: The True Story Behind the Violent Legacy of the Black Panther Party* (Malibu, CA: Roundtable, 1990) p. 38. At pp. 48-9, he gives his version of the Cleaver/Forman incident, which conforms almost perfectly with that appearing in the 1968 *New York Times* article (see note 205).

210. The FBI, which had among other things been phoning Forman up in the middle of the night with anonymous "Panther death threats," credits itself for inducing his "paranoid" state; memo, SAC, New York, to Dir., FBI, Aug. 7, 1968. Instructively, the document is filed among those pertaining to COINTELPRO-BPP rather than those pertaining to SNCC in the FBI reading room in Washington, D.C. Credit is also taken for the split between SNCC and the BPP; memo, SAC, New York, to Dir., FBI, Sept. 9, 1968.

211. See "Carmichael Expelled"; also see "S.N.C.C. Breaks Ties With Carmichael," *Washington Post*, Aug. 23, 1968. Among other things, Bob Brown and Bobby Rush, members of Carmichael's faction of SNCC, were instrumental in founding the powerful Chicago BPP chapter during the spring of 1968; Carson, *In Struggle*, p. 283. Carmichael himself, who had put out a call for the creation of "many Black Panther Parties across the country" while he was still involved with his Alabama prototype in 1965, facilitated the merger of two such entities, in Baltimore and Los Angeles, with the Oakland-based national organization; Forman, *Black Revolutionaries*, pp. 524-7; Anthony, *Picking Up the Gun*, pp. 103-4.

212. On Cardoza, see note 87.

213. An excerpt from this document, dated July 10, 1968, is reproduced in *COINTELPRO Papers*, p. 128.

214. Memo, SAC, New York, to FBIHQ, Sept. 5, 1968. Earl Anthony repeats the allegation that Carmichael had been targeted for assassination, adding in Forman and Rap Brown for good measure; *Spitting in the Wind*, p. 48. There is no evidence at all to support the contention.

215. Considerable antagonism had developed between Carmichael and the Panther leadership over the question of whether the BPP should enter into alliances with white radicals. Carmichael said not, the Panthers argued vociferously to the contrary, and were in fact already allied with the mainly white Peace and Freedom Party in California and SDS nationwide; see, e.g. Todd Gitlin, *The Sixties: Years of Hope, Days of Rage* (New York: Bantam, 1987) p. 349. Carmichael had already married exiled South African singer Miriam Makeba, who owned a home in Guinea. Moreover, he clearly desired to become more closely associated with the pan-Africanist politics espoused by the country's president, Sekou Touré, and former Ghanaian president Kwame Nkrumah, whom Touré had granted asylum; Carson, *In Struggle*, pp. 276, 306; Pearson, *Shadow of the Panther*, p. 337. Carmichael's move to Guinea would thus have undoubtedly have occurred without prompting from the Bureau. That the FBI's fable was doubted by Carmichael is suggested by the fact that he did not resign his BPP position for nearly a year, doing so only after the irreconcilable nature of its ideological differences with him became clear during a June 1969 meeting with Eldridge Cleaver in Algeria; "Carmichael Quits Panthers," *Los Angeles Times*, July 4, 1969; "Carmichael Condemns Panthers, Resigns Post," *Washington Post*, July 4, 1969; "Carmichael Tells of Meeting With Cleaver in Algiers," *New York Times*, July 25, 1969; Daniel H. Watts, "The Carmichael/Cleaver Debate," *Liberator*, Sept. 1969. Predictably, while the Bureau's COINTELPRO operatives had played upon the implication of the Panthers being "soft on whitey" to facilitate Carmichael's breach with them, agents immediately reversed field after he was out of the way, portraying the BPP as a virulently "anti-white" organization. The latter myth remains in effect at present; see, e.g., Jones and Jeffries, "'Don't Believe the Hype,'" pp. 37-9.

216. Other SNCC figures who followed Carmichael into the A-APRP included Cleveland Sellers, Bill Hall, Willie Ricks (originator of the "Black Power" slogan), and Bob Brown (who resigned his position as head of the Chicago BPP chapter to do so, and was replaced by Fred Hampton); Carson, *In Struggle*, p. 306.

217. Memo, G.C. Moore to W.C. Sullivan, Oct. 10, 1968; quoted verbatim in Churchill and Vander Wall, *Agents of Repression*, p. 44.

218. Angela D. LeBlanc-Ernest, "'The Most Qualified Person for the Job': Black Panther Party Women, 1966-1982" and Chris Booker, "Lumpenization: A Critical Error of the Black Panther Party," in Jones, *Black Panthers Reconsidered*, pp. 308, 351; Hampton, p. 6.

219. Memo, SAC, Atlanta, to Dir., FBI, Mar. 10, 1969; Sellers with Terrell, *River of No Return*, p. 250.

220. Memo, SAC, Atlanta, to Dir., FBI, Aug. 1, 1969; Forman, *Black Revolutionaries*, p. 550. There was further fallout from this occurrence. After leaving SNCC, Forman became an officer in the League of Revolutionary Black Workers, a Detroit organization seeking to radicalize the United Auto Workers Union. In this capacity, he was positioned to derail potential coalitions between the Panthers and the League; James A. Geschwender, *Class, Race and Worker Insurgency: The League of Revolutionary Black Workers* (New York: Cambridge University Press, 1977) esp. p. 142.

221. For reasons never clarified, the FBI initially identified Brown as being one of the two dead men; "Mystery and Distrust over Bombings Grow," *National Observer*, Mar. 23, 1970; "Charlotte Featherstone Reveals Doubts, Fears," *Chicago Defender*, May 14, 1970.

222. "H. Rap Brown and 3 Convicted of Robbery and Assault," *New York Times*, Mar. 30, 1973; "Brown Is Given 5-to-15 Year Term," *New York Times*, May 10, 1973.

223. Memo, SAC, New York, to FBIHQ, Dec. 11, 1973.

224. Based in part upon his interpretation of and effort to adapt Fanon to the U.S. context, Huey Newton had from the outset taken recruitment of the criminalized black inner city underclass as a high priority for the Party; see,

e.g., the chapter entitled "The Brothers on the Block," in *Revolutionary Suicide*, pp. 75-8. Eldridge Cleaver then subjected the idea to a considerable honing and development, most explicitly in his essay, "On Lumpen Ideology," *Black Scholar*, No. 3, 1972.

225. Memo, SAC, Chicago, to Director, FBI, 12/16/68; quoted in *Staff Reports*, p. 195. Also see *Hampton*, p. 19. For background on the P. Stone Nation, see R.T. Sale, *The Blackstone Rangers: A Reporter's Account of Time Spent with Blackstone Rangers on Chicago's South Side* (New York: Random House, 1971).

226. Winston A. Grady-Willis, "The Black Panther Party: State Repression and Political Prisoners," and Johnson, "Demise of the Party," pp. 372, 391.

227. Memo, Chicago Field Office to FBIHQ, Dec. 12, 1968; noted in *Staff Reports*, p. 195.

228. Memo, Chicago Field Office to FBIHQ, Dec. 16, 1968; quoted in *Staff Reports*, pp. 195-6.

229. Memo, Chicago Field Office to FBIHQ, Jan. 10, 1969; quoted in *Staff Reports*, p. 197.

230. Memo, SAC, Chicago, to FBIHQ, Jan. 13, 1969; quoted in *Staff Reports*, p. 197.

231. *Ibid.*

232. *Ibid.* This segment of the document is reproduced in *COINTELPRO Papers* at p. 138. It should be noted that the Stoetzal had earlier requested and received specific information on Jeff Fort's propensity for violence from the Chicago Police Gang Intelligence Unit. Moreover, he was informed that the GIU had "linked the [P. Stone] and rival gangs to approximately 290 killings from 1965-69"; *ibid.*, p. 195. memo, Chicago Field Office to FBIHQ, Dec. 12, 1969; noted in *Staff Reports*, p. 195.

233. Memo, Hoover to SAC, Chicago, Jan. 30, 1969; noted in *Staff Reports*, p. 198.

234. *Staff Reports*, pp. 187-223; quote at p. 198.

235. *Ibid.*

236. As SAC, Johnson had approved each phase of the operation. In 1976, he was subpoenaed by the plaintiffs in the *Hampton* case (see note 149) to testify as to its underlying intent. On the stand, he perjured himself by claiming to believe that a "hit" meant "something nonviolent in nature," a contention so transparent as to force even the notoriously FBI-friendly Chicago press to respond with a mixture of guffaws and disgust; see, e.g., Bob Greene, "Laundered Box Score? No hits, no guns, no terror," *Chicago Sun-Times*, Feb. 12, 1976.

237. Memo, SAC, Chicago, to FBIHQ, Jan. 28, 1969; quoted in *Staff Reports*, p. 198.

238. Patricia King, "A Snitch's Tale: The Killer Gang: An Informant Tells About Life in El Rukn," *Newsweek*, Nov. 6, 1989.

239. Cleaver's vice presidential running mate was Berkeley antiwar activist *cum* Yippie! "anti-leader" Jerry Rubin. Huey P. Newton, then awaiting trial in the John Frey killing, was the PFP's candidate as U.S. congressional representative from northern California, while Bobby Seale and Kathleen Cleaver were offered as candidates for the California State assembly; Marine, *Black Panthers*, pp. 106-22. The "violent subversion" embodied in its act of nominating Panthers to hold elected office was no doubt what caused the FBI to target the PFP for neutralization; memo, G.C. Moore to W.C. Sullivan, Dec. 12, 1968; quoted in *Staff Reports*, p. 208. A Nov. 28, 1968 memo from the SAC, Los Angeles, to Hoover, outlining a plan by which to "disrupt" the PFP's relations with the BPP is included in *COINTELPRO Papers* at p. 132.

240. *Staff Reports*, p. 208.

241. Memo, FBIHQ to SAC, San Francisco, Mar. 5, 1970; quoted in *Staff Reports*, p. 209.

242. Memo, SAC, Los Angeles, to FBIHQ, Sept. 24, 1969; quoted in *Staff Reports*, p. 208.

243. Memo, SAC, Los Angeles, to FBIHQ, July 25, 1969; quoted in *Staff Reports*, p. 208.

244. A flyer to this effect was actually printed up and distributed at a Panther rally in Oakland; memo, SAC, San Francisco, to FBIHQ, July 28, 1969; quoted in *Staff Reports*, p. 208. A copy of the flyer is reproduced in Swearingen, *FBI Secrets*, p. 117.

245. *Staff Reports*, p. 208. For details on the raid, see Donner, *Protectors of Privilege*, pp. 262-3.

246. Swearingen, *FBI Secrets*, p. 116. Freed was later hired as a professor in the Theater Department at UCLA, and as a lecturer on government intelligence operations at USC.

247. Memo, Director, FBI, to SAC, Los Angeles, June 25, 1970; quoted in *Staff Reports*, p. 209. The document is reproduced in Swearingen, *FBI Secrets*, pp. 128-9.

248. Swearingen, *FBI Secrets*, p. 127.

249. Memo, SAC, Los Angeles, to Director, FBI, Sept. 10, 1970. On Oct. 23, 1970, the Los Angeles field office informed Hoover that yet another television commentator had agreed to read, apparently as his own, an FBI-prepared anti-Panther editorial "within the next few days." Both memos are quoted in *Staff Reports* at p. 219. For her part, Fonda filed a \$1 million lawsuit against the FBI in 1973, alleging defamation of character and invasion of privacy. In 1979, she accepted an out of court settlement in which the Bureau essentially apologized and promised never again to do to others what it had done to her; Myrna Oliver, "Victory in Privacy Suit Claimed by Jane Fonda," *Los Angeles Times*, May 8, 1979.

250. Memo, SAC, San Diego, to FBIHQ, Feb. 3, 1970; noted in *Staff Reports*, p. 209; Donner, *Protectors of Privilege*, pp. 263-4; Eric Cummins, *The Rise and Fall of California's Radical Prison Movement* (Stanford, CA: Stanford University Press, 1994) p. 254.

251. *Staff Reports*, pp. 208-9.

252. David Richards, *Played Out: The Jean Seberg Story* (New York: Playboy, 1981) p. 238; Gid Powers, *Secrecy and Power*, p. 587. Relevant documents are reproduced in Swearingen, *FBI Secrets*, pp. 122-5.

253. Memo, SAC, Los Angeles, to Director, FBI, June 3, 1970; noted in *Staff Reports*, p. 209. Attitudes of Held and the other agents involved in the operation have been aptly summed up by M. Wesley Swearingen, who worked at the time in the Los Angeles COINTELPRO Section. "I wonder how [Seberg] would like to gobble my dick while I shove my .38 up that black bastard's [Hewitt's] ass?" he recalls one of them as asking his compatriots; quoted in Richards, *Played Out*, p. 237. Aside from Hewitt, agents also pursued the possibility of linking Seberg's pregnancy to BPP member Hakim Abdullah Jamal (Allen Donaldson), apparently because he was a cousin of Malcolm X; O'Reilly, "*Racial Matters*", p. 330.

254. Joyce Haber, "Miss A Rates as Expectant Mother," *Los Angeles Times*, May 19, 1970.

255. O'Reilly, "*Racial Matters*", p. 330; "Newsweek Blamed for Death," *Washington Post*, Aug. 28, 1970.

256. The FBI reaped the unanticipated dividend of neutralizing Masai Hewitt, widely considered to have been among the more sophisticated theorists in the BPP, as a spin-off of the COINTELPRO against Seberg. Perhaps as embarrassed by the news stories as she, he abruptly quit the Party and took low-profile employment as a construction laborer. "What a way to be remembered," he reportedly commented. "The black man who went to bed with a white woman"; quoted in O'Reilly, "*Racial Matters*", p. 331.

257. Gary filed a successful suit against *Newsweek* in Seberg's behalf. It was closely monitored by FBI officials like George Moore, who thereupon added "opportunist" to "sex pervert" and other degrading characterizations of Seberg appearing in their internal memoranda; see, e.g., a memorandum from G.C. Moore to C.D. Brennan, Aug. 31, 1970 (Seberg file). On December 29, they added also her to the Security Index; O'Reilly, "*Racial Matters*", p. 330. At no point was the least regret expressed that a two-day-old baby might have perished as a result of the Bureau's activities.

258. Richards, *Played Out*, pp. 374, 378. As Richard Gid Powers has noted, Seberg's case was certainly tragic, but commends attention mainly because the victim was a celebrity. In terms of the Bureau's actions and intent, however, "the COINTELPRO attack on her was no different from hundreds of other documented attacks on obscure radicals and their friends, stories that were never told because they were not glamorous, not famous, and, in many of the worst cases, not white"; *Secrecy and Power*, p. 460. As an example, consider the two teenaged members of the San Diego BPP chapter discussed in *Staff Reports*, p. 213. Also see the selection of 1969 documents targeting St. Louis activist Charles Koen reproduced in *COINTELPRO Papers* at pp. 113-6.

259. Both sides agree that this is so. For the Panther perspective, see the chapter entitled "Huey Breaks with the Cultural Nationalists" in Seale, *Seize the Time*, pp. 19-23. The outlook found among the United Slaves is self-described in Maulana Ron Karenga, *Roots of the US-Panther Conflict: The Perverse and Deadly Games Police Play* (San Diego: Kawaida, 1976). For fuller articulations of the ideological tendencies at issue, see, e.g., Harold Cruse's 1962 essay "Revolutionary Nationalism and the Afro-American," included in his *Rebellion or Revolution?* (New York: William Morrow, 1968); Ron Karenga, "Black Cultural Nationalism," in Addison Gayle, ed., *The Black Aesthetic* (Garden City, NY: Anchor Books, 1971).

260. *Staff Reports*, pp. 188-9. The Nov. 25, 1968 memo from Hoover to the SAC, Baltimore, and 14 other Field Offices, in which the key phrase appears is reproduced in *COINTELPRO Papers* at p. 130.

261. Memo, G.C. Moore to W.C. Sullivan, Nov. 5, 1968; quoted in *Staff Reports*, pp. 189-90. In the same document, it is mentioned that the intimidation value of such threats was being used to convince at least two members of US to place themselves under Bureau "protection" by becoming informants. Although the names are deleted, it is believed that the pair were the brothers George and Larry Stiner.

262. Quoted in Newton, *War Against the Panthers* (book version) p. 79. A Nov. 29, 1968 memo from the SAC, Los Angeles, to Hoover, outlining a plan to employ such tactics in sparking "an 'US' and BPP vendetta," is reproduced in *COINTELPRO Papers* at p. 132.

263. Newton, *War Against the Panthers* (book version) p. 79. Also see Ernest Volman, "Othello," *Penthouse*, Apr. 1979.

264. In 1975, Perry provided two affidavits on these matters to attorneys Charles R. Gary and Fred J. Heisted, in connection with *Black Panther Party v. Levi*, Civ. No. 76-2205 (U.S. Dist., D.C., 1976). The second and longer of these is included as an attachment to the Plaintiffs' Brief in that case; Newton, *War Against the Panthers* (book version) pp. 101-2. Donald Hawkins, an apparently bona fide US member, also participated and was subsequently convicted of murder conspiracy. Harold Jones, a possible second shooter and probable fourth infiltrator, dropped out of sight immediately after the murders and was never charged. There is also substantial evidence that US head Ron Karenga was himself an agent provocateur; Newton, *Bitter Grain*, pp. 96-7.

265. Swearingen, *FBI Secrets*, pp. 82-3. Perry's version, seems somewhat more accurate and complete, in that it accounts for the third gunman, Claude Hubert. The Stiner brothers were tried and convicted of participating in the killings of Carter and Huggins in 1970. Sentenced to life imprisonment, they were unaccountably placed in the *minimum* security wing of San Quentin, from whence they escaped in 1974 and were never recaptured (Perry and Swearingen concur that their escape appears to have been arranged by the FBI and that they were then taken into its Witness Protection Program); Newton, *War Against the Panthers* (book version) pp. 78-81; Donner, *Surveillance*, p. 222. Although his name had surfaced repeatedly in connection with the murders, Claude Hubert seems never even to have been questioned on the matter. Perry contends this was because he was immediately whisked away to New York, provided a new identity by the Bureau, and eventually relocated to a foreign country. In 1978, LA Police Lieutenant Dan Cooke admitted his investigators had been aware for two years that Hubert was residing in Guyana, but that no effort had been made to extradite him; "Assassin of B.P.P. Members Reported in Guyana," *The Black Panther*, Dec. 29, 1978.

266. Memo, SAC San Diego to FBIHQ, Feb. 20, 1969; quoted in *Staff Reports*, p. 190.

267. *Staff Reports*, p. 193; quoting a memo from SAC San Diego to FBIHQ, Jan. 23, 1969. Sample cartoons are reproduced in *COINTELPRO Papers* at p. 131; Churchill and Vander Wall, *Agents of Repression*, pp. 43, 80.

268. Memo, FBIHQ to SACs, San Diego, Los Angeles and San Francisco, Jan. 29, 1969; quoted in *Staff Reports*, pp. 193-4.

269. Memo, SAC, San Diego, to FBIHQ, Apr. 10, 1969; quoted in *Staff Reports*, p. 191.

270. Butler, known as "Julio," reported both to Held and to Detectives Ray Callahan and Daniel P. Mahoney of the LAPD's Criminal Conspiracy Section (CCS); Swearingen, *FBI Secrets*, p. 84.

271. *Ibid.*, p. 83. Stark no doubt confused Holt with being a real Panther.

272. *Ibid.*, p. 84. The killing is referenced in a self-congratulatory memo sent by the SAC, San Diego, to FBIHQ on June 5, 1969. In the same document, San Diego also credits its COINTELPRO initiatives for having escalated the general pattern of hostility between US and the BPP "from mere harassment [to the] beating of various individuals"; quoted in *Staff Reports*, p. 192.

273. Memo, SAC, San Diego, to FBIHQ, June 13, 1969; quoted in *Staff Reports*, p. 192.

274. Memo, FBIHQ to San Diego Field Office, June 17, 1969; noted in *Staff Reports*, p. 192.

275. Memo, SAC, San Diego, to FBIHQ, June 6, 1969; noted in *Staff Reports*, p. 192.

276. Memo, SAC, San Diego, to FBIHQ, Aug. 20, 1969; noted in *Staff Reports*, p. 192.

277. Swearingen, *FBI Secrets*, p. 84. It is worth noting that the author attributes the shootings on Aug. 14 to genuine US members, and does not further identify Bell's killers, "informers" or not.

278. Although Perry does not mention this bombing specifically, he does allude to "a number" of such acts having been perpetrated by FBI operatives in southern California between 1968 and 1975. In his own case, it was the 1974 torching of the Watts Writers Workshop, which his handlers considered "a hotbed of radicalism"; Volman, "Othello," pp. 159-61.

279. Memo, SAC, San Diego, to FBIHQ, Sept. 18, 1969; quoted in *Staff Reports*, pp. 192-3.

280. *Ibid.*

281. Memo, SAC, San Diego, to FBIHQ, Sept. 3, 1969; quoted in *Staff Reports*, p. 193.

282. Memo, SAC, Newark, to Hoover, Oct. 2, 1969; excerpt reproduced in *COINTELPRO Papers* at p. 134.

283. The cartoon is reproduced in *COINTELPRO Papers* at p. 134. For Baraka's view of the operation, see his *The Autobiography of LeRoi Jones* (New York: Freundlich Books, 1984) pp. 250-84.

284. Memo, FBIHQ to SAC, San Diego, Jan. 29, 1970; quoted in *Staff Reports*, pp. 193-4.

285. Memo, SAC, Los Angeles, to FBIHQ, May 26, 1970; quoted in *Staff Reports*, p. 194.

286. *Ibid.* The violence between the two organizations thereupon subsided.

287. One could make a strong case that the prototype for the FBI's style of utilizing "informants" in the political sphere was the Pinkertons' insertion of the provocateur James "McKenna" (McParlan) into the Molly Maguires in 1874; Kevin Kenny, *Making Sense of the Molly Maguires* (New York: Oxford University Press, 1998) pp. 199-200, 231-3.

288. For analysis of the distinctions to be drawn, see Gary T. Marx, "Some Thoughts on a Neglected Category of Social Movement Participant: The Agent Provocateur and Informant," *American Journal of Sociology*, No. 80, Sept. 1974.

289. *Staff Reports*, pp. 228, 252-5, 518; *Hearings on Intelligence Activities*, p. 17.

290. The plan was dubbed "BLACPRO"; O'Reilly, "Racial Matters", p. 334; quoting memo, Hoover to SAC, Baltimore, and fourteen other field offices, July 16, 1970.

291. On the number of infiltrators, see *Hampton*, p. 12. On expenditures, see Volkman, "Othello," p. 158. Although he does not indicate the source of his information, Hugh Pearson places the number of infiltrators at 64; *Shadow of the Panther*, p. 181. It should also be noted that the actual number may well have been very much higher than the officially recounted total of 67. In 1975 court proceedings in Chicago, agent Roy Mitchell acknowledged

having a “stable...of eight to ten informants” in the local BPP chapter as of 1969, and that another was reporting to agent Herman Scott; *Hampton*, p. 12, citing trial transcript (tr.) at 6330-2, 6377. Extrapolating this sample to national proportions would yield a total of several hundred FBI informants within the Party by that year.

292. On the Powells’ police contacts, see note 188.

293. On Butler’s police contacts, see note 270. Tackwood also reported to Callahan and Mahoney in CCS, as well as Richard W. Held and Richard H. Bloesser in the COINTELPRO Section; see Citizens Research and Investigation Committee and Louis E. Tackwood, *The Glass House Tapes: The Story of an Agent Provocateur and the New Police-Intelligence Complex* (New York: Avon, 1973). On CCS, see Donner, *Protectors of Privilege*, pp. 245-89.

294. On Thomas, see Goldstein, *Political Repression*, p. 527. On Eggleston, see Murray Kempton, *The Briar Patch: The People of the State of New York v. Lumumba Shakur, et al.* (New York: E.P. Dutton, 1973) p. 55.

295. Grady-Willis, “State Repression,” p. 368. On BOSS, see Donner, *Protectors of Privilege*, 155-96.

296. *Ibid.*, p. 182.

297. The estimate is arrived at by assuming an average of three police operatives per chapter—a total of 129—and adding the 67 federal operatives, to arrive at a total of 195. This is balanced against a Party membership which had declined to approximately 2,000 by mid-1970.

298. Seale, quoted in Foner, *Black Panthers Speak*, p. xxvi.

299. On O’Neal, see Robert McClory, “Agent Provocateur,” *Chicago*, Feb. 1979. On White, see Donner, *Protectors of Privilege*, p. 183; On Smith, see Lee Richardson, “Ex-FBI Agent Exposes Use of Informants to Destroy the BPP,” *Freedom*, Vol. 18, No. 5, Jan. 1985. On Dubonnet, see Newton, *Bitter Grain*, p. 175.

300. *Hampton*, pp. 9, 13. It should be noted that in May 1969 Fred Hampton was convicted of having stolen \$70 worth of ice cream from a good humor truck and handing it out to children in Maywood, Illinois. He was initially denied appeal bond and sent immediately to begin serving a 2-5 year sentence in Menard State Prison. Bond was subsequently granted by the Illinois Supreme Court and he was released in August, pending outcome of his appeal. It was during Hampton’s absence that the bulk of O’Neal’s atrocities were committed. Ironically, the appeal was unsuccessful, and Hampton would almost certainly have been returned to prison in January 1970, had the FBI not arranged his murder a month earlier.

301. The best reconstruction of what actually occurred will be found in Don Freed, *Agony in New Haven: The Trial of Bobby Seale, Ericka Huggins, and the Black Panther Party* (New York: Simon and Schuster, 1973).

302. In addition to the named individuals, those charged were Lonnie McLucas, Frances Carter, George Edwards, Margaret Huggins, Loretta Luckes, Rose Smith and Rory Hithe.

303. Sams may actually have been working for the Bureau and/or police even longer, given that the New Haven prosecutor’s predication of charges was based, so he said, upon evidence provided by “a trusted *ten year* informant.” Be that as it may, Sams, who had been institutionalized twice, was clinically disordered by, among other things, the fragments of two bullets lodged in his brain. He entered the Party along with Carmichael during the Panther/SNCC merger. Carmichael then vouched for the infiltrator’s bona fides when, shortly before the Rackley murder, questions were raised as to whether Sams might not himself be “an agent of some sort”; Major, *Black Cat*, p. 101.

304. Pardoned in 1974, Sams was immediately placed in the FBI’s Witness Protection Program under a new identity. Three years later, he was reimprisoned for another violent offense; “Parole Court Jails Pardoned Killer,” *Hartford Courant*, Apr. 30, 1977. Kimbro entered a guilty plea, not to Rackley’s murder, but to having helped dispose of the body. McLucas was convicted of complicity for not having intervened to prevent the torture-slaying; Freed, *Agony in New Haven*, p. 331.

305. Seale, it seems, had been informed during a brief visit to New Haven Rackley was a suspected police infiltrator—in reality, he was no such thing—and asked what should be done with him. Seale reputedly responded, “Get rid of him.” No evidence was ever presented that he had any idea of Rackley’s being tortured or murdered; “Ex-Chief Says New Haven Police Had No Evidence Against Seale,” *New York Times*, Apr. 4, 1972. Had Seale been tried alone, he would have been acquitted, given that his instruction could as easily have been construed as an order to expel Rackley as anything else. The jury hung on the question of whether Seale’s codefendant, Ericka Huggins, who was at the time a member of the New Haven chapter, might have known about and to that extent have been complicit in the torture-slaying (on this, the jury’s vote was 10-2 for acquittal); Freed, *Agony in New Haven*, pp. 317-20. In the aftermath, all charges against the pair were quickly dismissed; “Charges Dropped in the Seale Case,” *New York Times*, May 25, 1971.

306. Freed, *Agony in New Haven.*, pp. 27-8.

307. Pearson, *Shadow of the Panther*, p. 194.

308. Donner, *Surveillance*, pp. 230-1. Whether Anderson was in fact working for the police has never been firmly established.

309. The list was of targets was rapidly expanded to encompass 22 defendants, including such “notables” as Cox; Kathleen Neal Cleaver, “Back to Africa: The Evolution of the International Section of the Black Panther Party (1969-1972),” in Jones, *Black Panthers Reconsidered*, pp. 228-9.

310. A skeleton, discovered in a local park, was originally identified as that of a white man, aged 30. Cause of death was listed as “drug overdose.” After being handled by the FBI lab in Washington, however, the bone mysteriously became those of Anderson, a black man, aged 20, killed by a shotgun blast. Either way, direct involvement of the U.S. Attorney General in such a case is atypical, to say the least; Donner, *Surveillance*, p. 230. Also see note 128, above.

311. “Police Admit Paying Witnesses in Panther Slaying Case,” *Washington Post*, June 18, 1971; “Key State Witness’s Testimony Stricken in Turco Trial,” *Baltimore Sun*, June 23, 1971; “The Turco Case: Kebe Withdrawn, Testimony Stricken From Record,” *Baltimore Afro-American*, June 26, 1971.

312. “State’s Attorney Blasts Panther Indictments,” *Baltimore Afro-American*, May 25, 1971.

313. Still, today, Bureau operatives like Earl Anthony play off the Rackley and Anderson cases, never mentioning that it was people employed by the FBI rather than actual Panthers who committed the murders, to paint ever more preposterous portraits of Party violence. At pp. 34-5 of his *Spitting in the Wind*, for example, Anthony asserts—on the basis no discernible evidence, nor even an illustrative example—that “over three-hundred [individuals] were suspected of being police informants and killed by the Panthers themselves.” Such blatant absurdities notwithstanding, “responsible” journalists like Hugh Pearson have recently elected to treat Anthony as a credible source.

314. Fred Bennett was apparently executed at a “Panther training center” in the Santa Cruz Mountains at some point in early January, 1971; “Shattered Body of Panther Found,” *San Francisco Chronicle*, Apr. 21, 1971. Jimmie Carr was shot to death in front of his San Jose home on the morning of April 6, 1972. Lloyd Mims and Richard Rodriguez, members of the LA Panthers and Brown Berets, respectively, were tried and convicted of the murder, but their motives remained ambiguous; Durden-Smith, *George Jackson*, pp. 122-5; Betsy Carr, “Afterward,” in *Bad: The Autobiography of Jimmy Carr* (New York: Herman Graf, 1975) pp. 207-35.

315. More than a year after Bennett’s murder, Thomas Mosher, a white man infiltrated by the FBI into the Bay Area Radical Union, testified before the House Internal Security Committee that the victim had been executed by Jimmy Carr on suspicion of being a “police agent.” According to Mosher, Carr and another Panther, Jimmy Johnson, had then burned the body and crushed the bones. Mosher claimed that he had notified the FBI and that agents had investigated the site, confirming that the remains were indeed Bennett’s, but that no further action had been taken by the Bureau. The reason may have been, as was widely believed at the time, that it was Jimmie Carr rather than Fred Bennett who was the agent. On the other hand, Carr may have had nothing to do with the murder one way or another. Another story, supported by circumstantial evidence, is that Bennett was killed by friends of Bobby Seale, then in jail awaiting trial in the Rackley case, because Bennett was having an affair with Seale’s then-wife, Artie. On the other hand again, FBI provocateur Louis Tackwood, later claimed, and passed a polygraph exam in the process, that *both* Carr and Bennett were federal plants, but that they were killed for factional reasons during Huey Newton’s post-prison (re)assertion of control over all aspects of the BPP; Durden-Smith, *George Jackson*, pp. 103-25.

316. Memo, SAC, San Diego, to FBIHQ, Feb. 19, 1969; quoted in *Staff Reports*, p. 221.

317. Quoted in Johnson, “Demise of the Party,” p. 402.

318. On Rizzo and the Philadelphia Police, see Donner, *Protectors of Privilege*, pp. 197-244; on the operation against RAM in particular, pp. 209-10. Also see *Staff Reports*, p. 220.

319. Memo, SAC, Philadelphia, to Director, FBI, Aug. 30, 1967 (see note 84). The document mentions that one RAM member, found to be in possession of a “switch-blade knife”—a pen-knife, actually, with a blade of less than 3”—suffered a parole revocation and was returned to prison. Another activist, informed that he was being arrested for the fifth time in a month, and that his wife and sister were being arrested as well, became so frustrated that he “lay down on the floor of his residence, beat the floor with his fists, and cried.” In a Mar. 4, 1968 memo addressed to the SAC, Albany, and 41 other field offices, Hoover recommended that Philadelphia’s technique be adopted for general usage against “Black Nationalist” targets.

320. Charles R. Garry, “The Persecution of the Black Panther Party: The Old Rules Do Not Apply,” in Foner, *Black Panthers Speak*, p. 257.

321. *Ibid.*, pp. 257-8.

322. Donner, *Protectors of Privilege*, p. 301.

323. FBI infiltrator William O’Neal, who knew full-well that his fellow provocateur was not in Chicago, had provided a floorplan of the office to facilitate the raid. Johnson, who also knew that Sams would not be found, requested and led it; *Hampton*, pp. 10-1, citing tr. at 4954-67, 6921-32.

324. *Hampton*, p. 11.

325. “As George Sams traveled around the country, spending large amounts of money, certain things began to happen to the Panthers. Each city he visited was thereafter subjected to predawn raids by combinations of city, state and federal police. But Sams was never caught; he always managed to leave before the raids were made”; Freed, *Agony in New Haven*, pp. 24-5.

326. *Hampton*, p. 18.

327. Ibid.
328. In this incident, a group of Vice Lords street gang, infuriated that FBI infiltrator O'Neal had accused one of their leaders of being a "police agent," had fired into the Panther office. Police then assaulted the Panthers; *ibid.*, pp. 8, 18.
329. *Ibid.*, p. 18.
330. Freed, *Agony in New Haven*, pp. 65, 279.
331. Zimroth, *Perversions of Justice*, p. 84. No charges were brought against those arrested because the weapons were entirely legal.
332. The raiders came equipped with an armored personnel carrier, helicopters, dynamite and an array of automatic weapons; Durden-Smith, *George Jackson*, pp. 134-5; "What Really Happened in Los Angeles," *The Black Panther*, Dec. 20, 1969. Photographs of damage done to both the interior and exterior of the BPP's main office in Los Angeles during the assault appear in *Agents of Repression*, p. 83.
333. The pretext for these raids was suspicion that the Panthers were in possession of six M-60 machine guns and thirty M-14 rifles stolen from the Marine Corps armory at Camp Pendleton, Calif., because George Young, a Marine working in the armory, was also reputedly a Panther. The problem with this tidy scenario was that, as CCS Detective Ray Callahan later admitted, the police were aware that Young was in jail when the theft occurred. Moreover, no such weapons were found by the raiders; Durden-Smith, *George Jackson*, p. 134. As to charges that the Panthers had attempted to murder police during the assault itself, the jury quite reasonably determined that, under the circumstances, any sane person might have done the same; "63 Verdicts End Panther Trial," *Los Angeles Tribune*, Dec. 24, 1971.
334. Donner, *Protectors of Privilege*, p. 214.
335. *Ibid.* Also see "N. Philadelphia Fortress Raided: 7 Arrested, Arms Seized," *Philadelphia Inquirer*, Mar. 12, 1970.
336. Donner, *Protectors of Privilege*, pp. 214-5. Earlier in the day, the same combination of police and FBI had raided an apartment belonging to the sister of Philadelphia chapter leader Reggie Schell, allegedly looking for a robbery suspect. No such individual was found, but the raiders impounded an M-14 rifle they claimed was stolen from a Marine Corps armory at Camp Pendleton, California. Although he was not in possession of the weapon, and it was not his apartment, Schell was arrested and brought up on weapons charges, later dropped.
337. Such charges as were pressed against the fourteen Panthers arrested in the Wallace Street raid accrued from their resistance to the raid itself, and were dismissed on Sept. 4; Donner, *Protectors of Privilege*, pp. 215-6; "Panther Conference Opens with Court Victories," *New York Times*, Sept. 6, 1970.
338. See "Bernard McCormick, 'The War of the Cops,'" *New York Times Magazine*, Oct. 8, 1970.
339. *Ibid.* Also see Lenora E. Berson, "'The Toughest Cop in America' Campaigns for Mayor," *New York Times Magazine*, May 16, 1971.
340. Donner, *Protectors of Privilege*, p. 215.
341. See, e.g., Huey P. Newton, "To the Revolutionary People's Constitutional Convention: September 5, 1970," in *To Die for the People*, pp. 156-62.
342. Donner, *Protectors of Privilege*, p. 216. The raiders' search warrant specified only "hand grenades" or other explosives related to the killing of officer Frank Von Colln on August 29, and weapons involved in the shootings of two Pennsylvania highway patrolmen a day later. No explosives of any sort were found. A number of rifles and handguns were confiscated, most of which were entirely legal and none of which were related to the murders. These weapons, along with some of the other items seized—for which there had never been a pretense of a warrant—were returned by direction of Common Pleas Judge Edward J. Baily; "Rizzo Orders Return of Panthers' Property," *Philadelphia Bulletin*, Sept. 2, 1970.
343. Zimroth, *Perversions of Justice*, p. 84.
344. There had also been two smaller raids of the Indianapolis office in June, sixteen Panthers arrested, and charges subsequently dropped; Newton, *Bitter Grain*, p. 127.
345. On April 26, 1969, the Des Moines headquarters was destroyed by a dynamite blast. State police, who seem to have been waiting nearby, immediately arrested several local leaders for blowing up their own office, but charges were shortly dropped; *ibid.*, pp. 126-7.
346. Zimroth, *Perversions of Justice*, p. 84.
347. Newton, *Bitter Grain*, p. 156.
348. The fusillade fired by fifty police officers during the second raid wounded two Panthers, ostensibly in response to Panther gunfire. None of the Panthers was arrested for their supposed assault, however, and even Police Chief Anthony Bosch later expressed doubts as to whether his men's cover story was accurate. The pretext for the raid was to arrest a Panther named John McClellan for killing a police officer, William Miscannon. McClellan was subsequently tried and acquitted; *ibid.*, pp. 139-40.

349. Twelve Panthers were charged with conspiring and attempting to murder police after a raid on Sept. 15. In Aug. 1971, a jury spent less than thirty minutes acquitting them. Two Party offices in New Orleans were then mysteriously burned to the ground by “party or parties unknown”; Newton, *Bitter Grain*, pp. 130-2.

350. Fifteen Panthers were charged with murder as a result of this exchange. Of these, twelve were acquitted outright, and three convicted only of assault. No cops, of course, were even charged; *ibid.*, pp. 138-9.

351. Memo, SAC, San Diego, to FBIHQ, Feb. 27, 1969; quoted in *Staff Reports*, pp. 220-1.

352. Memo, SAC, San Diego, to FBIHQ, Dec. 3, 1969; quoted in *Staff Reports*, p. 221.

353. The speech, its context and Hilliard’s arrest are covered very well in David Hilliard and Lewis Cole, *This Side of Glory: The Autobiography of David Hilliard and the Story of the Black Panther Party* (Boston: Little, Brown, 1993) pp. 364-6.

354. Goldstein, *Repression*, p. 468.

355. Garry, “Persecution,” p. 259.

356. Later, in court, Chicago SAC Marlin Johnson testified that he understood the word “impel” as meaning “to restrain”; *Hampton*, p. 9, citing tr. at 4277-83. Johnson, of course, was the agent who also testified that he understood “a hit” to be “something nonviolent” rather than a contract murder (see note 236).

357. *Hampton*, p. 9, citing tr. at 29186-90, 28324-6, 21896-907. Where O’Neil might have gotten a mortar, had Bruce and Junior taken him up on his idea, is of course an open question. A clue is offered, however, by the fact that the FBI later provided its operative with explosives and an illegal shotgun in order to enhance his “credibility”; *ibid.*, p. 13, citing tr. at 28369-71.

358. Bruce later testified, and O’Neil corroborated, that the Panther had declined because “robberies were against Party policy”; *ibid.*, p. 9.

359. As a parolee, Cook would have been returned to prison immediately, had he been apprehended in possession of even an otherwise legal firearm. O’Neil, however, was regularly bringing illegally acquired weapons to the Panther office, and training his “security people” in their usage at “a farm in Michigan”; *ibid.*, p. 13.

360. A warrantless tap of the Party’s phone was installed in early 1969. Although the matter is somewhat ambiguous, it appears that tapes of O’Neal’s calls were shared with the Chicago Police Department’s Gang Intelligence Unit (GIU), absent information that O’Neil was an infiltrator, during meetings conducted by Robert Stoetzal and his successor as head of the Racial Matters Squad, Robert Piper, on an average of “three to five times a week” during this period; *Hampton*, pp. 10, 14; Special Agent Deposition, Feb. 26, 1975; quoted in *Staff Reports*, p. 223. The calls would thus seem to have been part of the FBI’s multilayered effort to portray the BPP as a criminal organization.

361. By far the most comprehensive treatment of the Panther 3 case is Paul Chevigny’s booklength analysis, *Cops and Rebels: A Study of Provocation* (New York: Curtis Books, 1972). Also see “Ex-Panthers Acquitted of Conspiracy to Murder,” *New York Times*, Sept. 27, 1970; “Police, FBI Infiltrators Stir Trouble for Panthers,” *Civil Liberties*, Dec. 1970; and Chevigny’s “Red Squads: The Verdict is Entrapment,” *Village Voice*, Feb. 11, 1971.

362. Larry Ward had been twice wounded and thrice decorated for valor during his service in Vietnam, not that such details mattered in the least to the pro-war “patriots” of the FBI. In 1972, although COINTELPRO was officially over, the Bureau used many of the tactics it had employed against the BPP in a campaign to destroy the aptly named Vietnam Veterans Against the War, and to imprison its leaders. On the “Gainesville Eight” case, see Goldstein, *Political Repression*, p. 491; Fred J. Cook, “Justice in Gainesville,” *The Nation*, Oct. 1, 1973.

363. In this case, the police may have been used almost as badly as the victim himself. John Williams, head to the Seattle Police Intelligence Unit, subsequently proclaimed Larry Ward to have been “a relatively decent kid.” “Somebody set this whole thing up,” he concluded, and “it wasn’t the police department”; quoted in Jon R. Waltz, “Staked Out for Slaughter,” *The Nation*, July 5, 1971. Also see Ardie Ivie, “The Killing of Larry Ward—Act II,” *Seattle Magazine*, July 1970; Richard T. Cooper, “Killing Nags Consciences in Seattle,” *Los Angeles Times*, May 2, 1971; Donner, *Surveillance*, p. 231.

364. Newton, *Bitter Grain*, pp. 125.

365. Quoted in Zimroth, *Perversions of Justice*, p. 43.

366. The charge stemmed from a rider attached to the 1968 Civil Rights Act (Title 18 U.S.C. § 2101) making it a crime to “combine, conspire, confederate or agree to travel in interstate commerce with the intent to incite, organize, promote, encourage, participate in and carry on a riot.” Known variously as the “Rap Brown Law,” in reference to the fiery SNCC leader, the rider formed the basis of an indictment of Seale, Tom Hayden, Rennie Davis, Abbie Hoffman, Jerry Rubin, David Dellinger, Lee Weiner and John Froines by a federal grand jury on March 20, 1969; Jason Epstein, *The Great Conspiracy Trial* (New York: Random House, 1970) pp. 50-2.

367. On the nature of Seale’s “participation” in the Chicago confrontations, see John Schultz, *Motion Will Be Denied: A New Report on the Chicago Conspiracy Trial* (New York: Morrow, 1972) p. 40. For the official “police riot” finding, see Daniel Walker, et al., *Rights in Conflict: The Violent Confrontation Between Demonstrators and Police During the Democratic Convention* (New York: Bantam, 1968).

368. Seale was cited sixteen times for asserting his right to defend himself in court. Any contempt sentence of more than six months incarceration being subject to review by a higher court, Hoffman tried to finesse the situation on Nov. 5, 1969, by sentencing Seale to three months per citation, the terms to run consecutively, making a total of four years imprisonment. Hoffman's ruling, together with commentary by legal scholars and a statement by Seale himself, was published as *The "Trial" of Bobby Seale* (New York: Priam Books, 1970). Despite the judge's maneuvering, the aggregate of sentences was voided by Judge Edward Gignoux in Nov. 1973; Tom Hayden, *Reunion: A Memoir* (New York: Collier, 1988) pp. 458-9.

369. After deadlocking for a few days, the jury delivered guilty verdicts against five of Seale's codefendants on Feb. 18, 1970 (Froines and Weiner were acquitted). Initially jailed, they were released on Feb. 28, after the Seventh Circuit Court ordered bond set pending the outcome of appeals. Seale's retrial was deferred on the same basis; Epstein, *Conspiracy Trial*, pp. 423, 430. On Nov. 1, 1972, the U.S. Seventh Circuit Court reversed the convictions because of government misconduct. The Justice Department then announced that all charges were being dropped; Hayden, *Reunion*, p. 452.

370. Those arrested on the morning of April 2 were Lumumba Shakur (Anthony Coston), Afeni Shakur, Ali Bey Hassan (John Casson), Cetewayo (Michael Tabor), Richard Dhoruba Moore, Jamal (Eddie Joseph), Abayama Katara (Alex McKeiver), Baba Odinga (Walter Johnson), Joan Bird and Robert Collier. Clark Squire, Lonnie Epps and Curtis Powell turned themselves in the same afternoon. Kuwasi Balagoon (Donald Weems) and Richard Harris were already in jail in Newark on robbery charges, later dropped, and shortly extradited. On April 3, police arrested Lee Berry at the Manhattan V.A. hospital, where he was being treated for epilepsy, and whisked him off to jail. Lee Roper and Kwando Kinshasa (William King) left New York for Columbus, Ohio, where they were arrested by the FBI in November. Sekou Odinga (Nathaniel Burns), Mshina (Thomas Berry) and Larry Mack evaded arrest altogether by joining Eldridge Cleaver's International Section in Algeria; Kempton, *Briar Patch*, pp. 10-2.

371. Zimroth, *Perversions of Justice*, p. 26. The FBI's paw prints were all over stories such as that appearing in the *Daily News* on April 4 that the "Federal Bureau of Investigation is quietly probing the possibility that Panthers represent a 'national conspiracy against the white power structure'," as well as those appearing in the *New York Post* on April 4 and the *New York Times* on April 5 to the effect that Cuba was providing "financial and directional" aid to the Party; Zimroth, *Perversions of Justice*, pp. 27-8.

372. The implications of this are perhaps best illustrated by the experience of Lee Berry, whisked out of the Manhattan Veterans Hospital where he was listed as being 70 percent disabled by epilepsy on April 3, 1969, and lodged in the Tombs. Denied proper medication therein, and unable to make bail, his condition deteriorated steadily. Finally, suffering severe abdominal cramps, he was transferred to the prison ward at Bellevue Hospital in November. There, misdiagnosed as being afflicted with appendicitis, he was subjected to needless surgery. As a result he developed blood clotting in the groin, and was subjected to a second surgery. Despite the fact that his condition had worsened to include a perforated lung, and that the clotting problem was not resolved, he was sent back to jail, this time on Riker's Island, in March 1970. In April, his case was finally severed from those of his codefendants, and his bail reduced sufficiently to allow his release for purposes of receiving private medical care. All charges against him were eventually withdrawn, there never having been evidence to support them in the first place; *ibid.*, pp. 34-5.

373. Quite understandably, all things considered, the two defendants released immediately went underground, Dhoruba staying in New York, Cetewayo shortly surfacing in Algiers; *ibid.*, pp. 30-1.

374. Kempton, *Briar Patch*, pp. 10-1.

375. Phillips had displayed an assembled bomb during the bail hearings, asserting, falsely, that it had been seized by police at the apartment of Robert Collier. He then went into graphic detail about the carnage wrought by such devices; Zimroth, *Perversions of Justice*, pp. 31-2. All of this, of course, appeared in the press.

376. Kempton, *Briar Patch*, p. 9.

377. There was also a probable BOSS civilian infiltrator, Juan Martinez, involved with the dummy dynamite, 25 sticks of which were stored for a while by Lumumba Shakur; *ibid.*, pp. 72-5.

378. Indeed, Brooklyn District Attorney Aaron Koota held a warrant for Dubonnet, issued for precisely this reason, when he offered the BOSS operative as a "credible witness" against Panther Captain Joudon Ford and others in November 1968; *ibid.*, p. 63.

379. On White's fold-up on the stand, see "Black Panther Defense Finishes Cross-Examining of Infiltrator," *New York Times*, Dec. 23, 1970. Six months after the verdicts, White gave a television interview in which he essentially apologized for having testified at all; Donner, *Protectors of Privilege*, pp. 186-7.

380. On the one occasion on which Roberts had taken along an "accomplice," Walter Johnson, the BOSS detective admitted they'd ended up spending the afternoon trying on leather jackets and shopping for toys for Roberts' child; *ibid.*, p. 189.

381. *Ibid.*, p. 190. Even on April 1, the day before the arrests, when Roberts had accompanied three of the plot's alleged "ringleaders" to Baltimore, where they could more easily make the legal purchase of a rifle, he admitted there'd been no discussion of the bombings, which were then supposedly a mere five days away.

382. *Ibid.*, p. 190. Also see “Panther Defense Presses Witness,” *New York Times*, Feb. 12, 1971; “Agent Is Queried at Panther Trial,” *New York Times*, Mar. 2, 1971. Still another BOSS infiltrator, Carlos Ashbrook, fared even worse; “Another Fake Panther on the Grill,” *New York Post*, Mar. 25, 1971.

383. Newton, *Bitter Grain*, pp. 189-90.

384. Donner, *Protectors of Privilege*, p. 191. For a juror's-eye view of the trial, see Edwin Kennebeck, *Juror Number Four: The Trial of 13 Black Panthers as Seen from the Jury Box* (New York: W.W. Norton, 1973). Also see Stephen Chaberski, “Inside the New York Panther Trial,” *Civil Liberties Review*, Vol. 1, No. 1, Fall 1973.

385. As SDS leader Tom Hayden, one of Seale's codefendants in the Chicago trial, would later observe, “It was remarkable that during those several years of political trials on conspiracy charges, the federal government failed to win against any of the...conspiracy defendants. Such defendants as the Harrisburg Seven, the Camden Seventeen, and the Gainesville Eight, always managed to win, either before juries or appeals courts”; Hayden, *Reunion*, p. 452. For a brief survey of such prosecutions, and there were a number of others, see Goldstein, *Repression*, pp. 487-93.

386. For background, see Dan Debo, “The Struggle Continues: An Interview with Dhoruba al-Mujahid bin Wahad,” in Ward Churchill and J.J. Vander Wall, eds., *Cages of Steel: The Politics of Imprisonment in the United States* (Washington, D.C.: Maisonneuve Press, 1992) pp. 227-39, esp. pp. 227-30. Also see Dhoruba bin Wahad, “War Within,” in Jim Fletcher, Tanaquil Jones and Sylvère Lotringer, eds., *Still Black, Still Strong: Survivors of the U.S. War Against Black Revolutionaries* (New York: Semiotext(e), 1993) pp. 9-56.

387. The witness, Pauline Joseph, had initially come forward to offer testimony that bin Wahad was *not* the “shooter.” She was then held incommunicado by BOSS and the Bureau for a period of two years before taking the stand, testifying to the exact opposite during the second trial; Timothy Clifford, “Convicted Activist Claims Evidence was Concealed,” *New York Newsday*, Apr. 19, 1988; “Ex-Panther Says Evidence Was Concealed,” *New York Times*, Apr. 7, 1981.

388. Even then, the state attempted to keep bin Wahad in prison. In a five-page opinion handed down on March 17, 1989, New York Supreme Court Justice Peter McQuillan concurred that the evidence presented by the government at trial had been “tainted,” and that the defendant might “very possibly” have been acquitted had this not been so. Then, completely ignoring the fact that the information had not been presented because it was being actively suppressed by the police and FBI, McQuillan “reasoned” that any such new evidence should have been presented years earlier, during bin Wahad's direct appeal process. The appellant's timing being wrong, the good Justice concluded, the state was not required to release him, even if he was falsely convicted. It took another year for the appeals team to demonstrate conclusively that such a result contradicted McQuillan's own rulings in other, nonpolitical, cases; William Kunstler, “The Continuing Ordeal of Dhoruba Al-Mujahid Bin Wahad,” *City Sun*, Mar. 28, 1990; Francis J. Boyle, “COINTELPRO: The 19-Year Ordeal of Dhoruba Bin-Wahad,” *Covert Action/Information Bulletin*, No. 36, 1990.

389. In an obvious effort to constrain Bin-Wahad's speaking and other activities, and to tie up funds in continuing his bail, the New York DA's office maintained the pretense that it might retry the case until 1995; Grady-Willis, “State Repression,” p.382.

390. *Ibid.*, p. 380.

391. This is according to infiltrator Louis Tackwood, in an unpublished interview. Tackwood's version is at least partially corroborated by his colleague Cotton Smith, who recounts that his FBI handler, George Aiken, handed him “a list of possible murders which could be pinned on Pratt,” offering a \$5,000 bonus for testimony that would facilitate conviction in any one of them; Richardson, “Ex-FBI Infiltrator.”

392. Caroline Olsen's husband, Kenneth, who with her when she was murdered, originally identified another man, Ronald Perkins, as her murderer. Subsequently, he came up with two more “positive” identifications of the shooter. After a stint with CCS detectives, his story changed yet again, this time to implicate Pratt, who looked nothing like any of those he'd previously fingered. This information was deliberately withheld from the jury; Swearingen, *FBI Secrets*, p. 85. For background on this proceeding, and on the Pratt case more generally, see Brian Glick, *G's Life and Times, 1967-1972* (San Francisco: Geronimo Pratt Defense Committee, 1979); Reginald W. Major and Marcia D. Davis, “Prisoner of War,” *Emerge*, June 1994.

393. Pratt, along with Will Stanford, Will “Crutch” Holiday and George Lloyd, was arrested in Dallas on Dec. 8, 1970, by CCS detectives Callahan and Mahoney, ostensibly on a fugitive warrant for non-appearance in California on charges of possessing a pipe bomb. He was not informed that the real purpose of the extrajurisdictional bust was to return him to California to face murder charges, and was thus denied an opportunity to contest extradition; Tackwood, et al., *Glass House Tapes*, pp. 213-4, 237.

394. Swearingen, *FBI Secrets*, pp. 84-7. It should be noted that the former agent attempted to bring out the details of Pratt's frame-up from 1978 onward, but was constrained by a series of gag rules imposed by the FBI and upheld by the courts; *ibid.*, pp. 158-60, 67-8. Also see Johnnie L. Cochrane with Tim Rutten, *Journey to Justice* (New York: One World, 1996) p. 137.

395. Swearingen, *FBI Secrets*, pp. 86-7. According to Cochrane, not only did “the FBI [have] wiretap records that showed Pratt making phone calls from Oakland just three hours before the shootings hundreds of miles south in Santa Monica,” but agents were physically surveilling him at the time; Cochrane with Rutten, *Journey*, pp. 133, 138. After it was conclusively during the 1975 Church Committee hearings that taps and bugs had indeed been in place, Pratt’s appeals attorney, Stuart Hanlon, took the matter up in court. When ordered at long last to produce its surveillance logs, the FBI responded that it had “lost” such records for the period which might have confirmed Pratt’s alibi. For further details, see Amnesty International, *Proposal for a commission of inquiry into the effect of domestic intelligence activities on criminal trials in the United States of America* (New York: Amnesty International, 1980).

396. Grady-Willis, “State Repression,” p. 378.

397. “I think we still have a revolutionary man here. He does have a network out there. If he chooses to set up a revolutionary organization upon his release from prison, it would be easy for him to do so (emphasis original);” transcript, *60 Minutes* broadcast, Nov. 25, 1987. Such contentions obviously resonated in a predictable way with the biases of Parole Board Chair Ray Brown, former head of the Oakland Police Panther Squad. Despite his obvious conflict of interest, Brown refused to recuse himself in Panther cases.

398. Edward J. Boyer, “Pratt Strides to Freedom,” *Los Angeles Times*, June 11, 1997.

399. For background on the case, see Cory Zurowsky, “2867 Ohio Street,” *Buffalo Chip*, Vol. II, No. 2, June 1997 (originally published in *Cityview*, a Des Moines weekly). Also see “Rice-Poindexter Case: History Countdown to Justice Fact Sheet,” *The Black Panther*, Fall 1991.

400. *Rice v. Wolff*, 388 F. Supp. 185 (U.S. Dist. for Neb., 1974); *Rice v. Wolff*, 513 F.2d 1280 (1974); *Stone v. Powell*, 428 U.S. 465 (1976).

401. On the Parole Board and organizational endorsements, see Don Walton, “NAACP seeks hearing for 2 jailed in killing,” *Lincoln Journal Star*, Mar. 20, 1997. On the Board of Pardons posture and pronouncements, see Leslie Boellstorff, “Rice Looses Hearing: Inmate’s Lawyers Allege Impropriety,” *Omaha World Herald*, Dec. 13, 1997; Francis Mendenhall, “Maybe No ‘Criminal,’” *Omaha World Herald*, June 19, 1997. It should be noted that the Nebraska Board of Pardons commuted even the sentence of the notorious Caril Fugate, complicit in the eleven murders committed by serial killer Charlie Starkweather in 1957, after nineteen years; Nan Graf, *Miscarriage of Justice: The Mondo We Langa/Ed Poindexter Case*, *Nebraska Report*, July/Aug. 1997.

402. Memo, ASAC, Omaha, to FBIHQ, Mar. 17, 1970; cited in Graf, “Miscarriage.”

403. Quoted in Zurowsky, “Ohio Street.”

404. Quoted in Leon Scatterfield, “Anti-government rant (circa 1970): Rice-Poindexter Revisited,” *Lincoln Journal Star*, June 30, 1997.

405. Fitzgerald was one of the three Panthers involved in the Gardena County shootout which left a California Highway Patrolman dead on Sept. 7, 1969(see note 196), and severely wounded the next day while evading police pursuit. Unable to convict him in the death of the CHiP, enraged police and prosecutors appear to have compensated by fabricating a case in the Von’s murder; Newton, *Bitter Grain*, p. 99.

406. Omowale Umoja, “Warriors,” p. 426; Paul Shoates, “Update on Political Prisoners: Marshall Eddie Conway,” *The Black Panther*, Fall 1991.

407. See notes 128, 311, 312.

408. Donner, *Protectors of Privilege*, p. 180.

409. Garry, “Persecution,” p. 259.

410. *Ibid.*

411. *Ibid.*

412. Isaac D. Balbus offers especially clear and insightful study of the overall process in his *Dialectics of Legal Repression*. More broadly, see Otto Kirchheimer, *Political Justice: The Use of Legal Procedure for Political Ends* (Princeton, NJ: Princeton University Press, 1969).

413. The team was a handpicked group assembled specifically for the purpose of assaulting Hampton’s apartment from personnel available in the Chicago State’s Attorney Edward V. Hanrahan’s Special Prosecutions Unit (SPU). Headed by Sergeant Daniel Groth, a man with considerable training and experience in special operations, it otherwise consisted of officers Raymond Broderick, Edward Carmody, John Ciszewski, William Corbett, James Davis, Joseph Gorman, Lynwood Harris, Fred Howard, Robert Hughs, George Jones, Philip Joseph, William Kelly and John Marusich. Aside from weapons proficiency, the raiders appear to have been selected on the basis of their reputations for “toughness.” Davis, for example, was nicknamed “Gloves” because of his fondness for donning a pair of black kid gloves before dispensing curbside “justice.” At the time he was assigned to the SPU, he had a record of 67 official excessive force and brutality complaints; *Hampton*, pp. 14-7, 59, citing tr. at pp. 24943, 24831-4, 26055, 23993-4, 29653.

414. Mitchell was informed at some point in mid-November that the Chicago Police Gang Intelligence Unit had planned on its own initiative to raid Hampton’s apartment at 2337 West Monroe on Nov. 24 or 25, in search of “sawed-off shotguns” and/or a stolen police riot gun. Piper then prevailed upon SAC Marlin Johnson to phone GIU head Tho-

mas Lyons to warn that the Bureau had information the Panthers were expecting just such a raid. As predicted, Lyons quickly canceled his plan. Piper and Mitchell then approached the Chicago State's Attorney's Office about using its Special Police Unit (SPU) to conduct what proved to be a very different sort of operation; *Hampton*, pp. 24-7, citing tr. at pp. 9422-3, 5026, 5032. Also see Wilkins and Clark, *Search and Destroy*, p. 32.

415. O'Neal prepared the floorplan at Mitchell's specific request on Nov. 19, 1969. Mitchell then provided a copy of the floorplan during a meeting with Assist. State's Attorney Richard Jalovec and SPU Sergeant Daniel Groth on Dec. 1 or 2; *Hampton*, pp. 22, 26-7, citing tr. at 22841-2, 6910-50. The floorplan itself is reproduced in *Agents of Repression*, p. 70.

416. On Nov. 21, O'Neal provided Mitchell a complete inventory of the weapons stored in Hampton's apartment, all of which were legal, and observed that they had been "gathering dust" for some months. On Nov. 24, O'Neal may have followed up by reporting that the Panthers were moving even the legal weapons out of the apartment. Nonetheless, on Dec. 1 or 2, Mitchell informed Assist. State's Attorney Jalovec that a "sawed-off shotgun and stolen police shotgun were in the apartment." By the time Jalovec and Groth drafted their search warrant on Dec. 3, this disinformation, attributed to an anonymous "informant," had mysteriously mutated to include "three sawed-off shotguns" but no stolen police weapons at all; *Hampton*, pp. 23, 25, 26, 31, citing tr. at pp. 22440, 6824, 22429-32, 22422-6, 22433-6, 9430, 25304, 7034.

417. This is according to the subsequent testimonies of both Gorman and Davis, quoted in *Hampton* at pp. 42-3. Gorman said he "stitched" the wall, firing through it and into Hampton's bedroom from left to right; *ibid.*, citing tr. at p. 18802.

418. In the autopsy report on Fred Hampton, it is indicated that a .30 caliber slug fired from Davis's carbine was recovered from his left chest. The wound was critical but not fatal; *Hampton*, p. 44.

419. As surviving Panthers Harold Bell and Deborah Johnson (Akua Njeri) subsequently testified, Carmody and another raider entered Hampton's bedroom after Gorman and Davis had finished firing. The unidentified cop was heard informing Carmody, "That's Fred Hampton." Carmody asked, "Is he dead?" The first cop replied, "He's barely alive [but] he'll make it." Two shots then rang out, and Carmody stated, "Well, he's good and dead now"; Akua Njeri, *My Life With the Black Panther Party* (Oakland, CA: Burning Spear, 1991) p. 38. A survey of after action reports prepared by the raiders indicates that Carmody, reputedly an active member of the KKK, was the sole raider to have used his handgun—which was the type of weapon used to fire the final two shots into Hampton's head—during the assault. In his report, Carmody indicated that the individual at whom he'd fired the weapon was "critically wounded" at the time, and that the range was ten feet or less; *Hampton*, pp. 43-4, citing tr. at pp. 16876-78, 16994, 16457. Also see Wilkins and Clark, *Search and Destroy*, pp. 140-2. Also see note 154.

420. Even infiltrator William O'Neal confirmed that Fred Hampton never used drugs. Yet independent pathologist Eleanor Berman, using both an ultraviolet spectrophotometer and thin layer chromatography, found 4.5% mg. secobarbital in Hampton's blood. The tests were repeated and yielded the same results. In testimony, O'Neal acknowledged that he had prepared a late dinner for the apartment's occupants, personally serving Hampton a glass of Kool-Aid, before leaving the scene on the night of Dec. 3; *Hampton*, pp. 41-2, 35-6, citing tr. at pp. 21212-21398, 15642-4. Also see Wilkins and Clark, *Search and Destroy*, pp. 158-77. At the time the Wilkins/Clark study was prepared, O'Neal's identity as a provocateur had yet to be revealed. Nonetheless, at pp. 176-7, they observe that an "infiltrator might have been instrumental in administering a drug to Hampton on the evening of December 3, or early on the morning of December 4."

421. Three of the surviving Panthers—Deborah Johnson, Louis Truelock and Harold Bell—testified that despite the firing of nearly 100 rounds from shotguns, a submachine gun and other large-bore weapons in the closed space of his apartment, Hampton, normally a light sleeper, failed to awaken during the raid. Both men also shouted at and shook Hampton in an attempt to awaken him, but were unsuccessful; *Hampton*, pp. 41-2, citing tr. at pp. 14118-9, 29763. Also see Wilkins and Clark, *Search and Destroy*, pp. 140-3.

422. Memo, SAC, Chicago, to FBIHQ, Dec. 3, 1969; quoted in *Hampton*, p. 34. Tellingly, there is no mention of in this document of the "illegal weapons" supposedly stored in Hampton's apartment.

423. Teletype, SAC, Chicago, to Director, FBI, Dec. 4, 1969 (marked "Most Urgent"); quoted in *Hampton*, p. 52. At trial, Piper again described the raid as a "success"; tr. at p. 9529.

424. Memo, SAC, Chicago, to Director, FBI, Dec. 11, 1969. Here again, Piper described the fact that "the chairman of the Illinois BPP, Fred Hampton, was killed [along with] a BPP leader from Peoria" as being indicative of the raid's "success." Domestic Intelligence head William Sullivan approved the request on the basis on a memo dated Dec. 17, and O'Neal received the money on Dec. 23, just in time for Christmas. The documents are quoted in *Hampton* at pp. 65, 68.

425. Mark Clark, who was assigned security duty, was sitting in an easy chair near the front entry to the apartment with a 16-gauge shotgun across his lap. Having apparently dozed off, he was startled when Gloves Davis kicked in the door. Clark stood up and was killed immediately when Davis fired two rounds from an M-1 carbine into his chest from approximately five feet away. Clark's weapon discharged as he fell to the floor. This was the only shot

fired by a Panther during the entire “exchange of gunfire”; *Hampton*, p. 37, citing tr. at pp. 15648-51, 33842-55, 33970. Also see note 154.

426. The surviving Panthers were 22-year-old Ronald “Doc” Satchell, the Chicago chapter’s Minister of Health; Verlinda Brewer, a 17-year-old volunteer from Ann Arbor who had arrived only that day to help Satchell open the Party’s planned community health clinic; Brenda Harris, an 18-year-old student at the University of Illinois who’d stayed over because she couldn’t find a ride home; Blair Anderson, a former member of the P. Stone who’d crossed over to the BPP; Deborah Johnson, Hampton’s 19-year-old fiancée, in her final month of pregnancy with their child; 23-year-old Harold Bell, head of the Rockford chapter, who, along with the 22-year-old Clark, was there to participate in statewide Party meetings; and 40-year-old Louis Truelock, who’d met the 21-year-old Hampton in prison, and was trying to turn his life in a constructive direction. Of this obviously vicious crew, Satchell was shot four times in the abdomen; Anderson was shot twice, one round nearly severing his penis; Brewer was shot twice, one slug shattering her knee; Harris was shot twice, in the hand and leg. The nature of Satchell’s and Harris’s wounds indicate they were lying prone, in bed, when shot; those which struck Brewer were fired from behind; those striking Anderson were fired from the side; *Hampton*, pp. 35, 45-6, citing tr. at pp. 17783, 29203-5.

427. Bail was initially set at \$100,000 apiece, but lowered on Dec. 22, after the accused demanded a preliminary hearing; *Hampton*, p. 54.

428. See note 154.

429. “AAG Jerris Leonard, Civil Rights Division, Department of Justice, at Chicago, advised SAC Marlin Johnson in strictest confidence that no indictments of police officers are planned [over the murders]... The above is based upon an agreement whereby Hanrahan is to dismiss the local indictment [against the Panthers]”; memo, SAC, Chicago, to Director, FBI, Apr. 8, 1970; quoted in *Hampton*, p. 79. Actually, Johnson had participated in the negotiations between Hanrahan and Leonard during early April in which the deal was worked out. Another meeting was held in mid-April to firm up the understanding, and charges against the Panther survivors were finally dropped on May 8; *ibid.*, pp. 78-9, 80-1, citing tr. at pp. 27980, 5339, 27780-6, 27789, 28036.

430. All requests for evidence from the grand jury were passed through Johnson. Among the items withheld were the identity of William O’Neal, O’Neal’s floorplan, and information concerning the Mitchell’s and Piper’s provision of an illegal weapons pretext to the raiders; *Hampton*, pp. 67, 69.

431. There is clear indication that Assistant Attorney General Jerris Leonard, who ran the grand jury, was both aware of the FBI’s coverup and actively colluded in it. Indeed, prior to testifying, Johnson was assured by Leonard that he would incur “no risk of exposure” by taking the stand; *Hampton*, p. 69.

432. For samples of Johnson’s postretirement perjuries, see notes 236, 356.

433. Ward Churchill, “COINTELPRO as a Family Business: The Strange Case of the FBI’s Two Richard Helds,” *Z Magazine*, Mar. 1989.

434. Interview with Flint Taylor, People’s Law Office, Chicago, May 1987 (notes on file).

435. Held, who atypically retained a position in the internal security hierarchy at FBI headquarters while serving as SAC, Chicago, was briefly posted to the Pine Ridge Reservation in South Dakota during the 1973 Siege of Wounded Knee to prepare a prospectus for counterintelligence operations against the American Indian Movement. From June through September 1975, he was on Pine Ridge again, overseeing the draconian RESMURS investigation which resulted in the deaths of several Indians and the imprisonment of AIM activist Leonard Peltier. In 1976, his retirement was deferred so that he could assume the position of FBI Associate Director; Churchill, “Family Business.” Also see Churchill and Vander Wall, *Agents of Repression*; Peter Matthiessen, *In the Spirit of Crazy Horse* (New York: Viking, [2nd ed.] 1991).

436. S.K. Levin, “Black Panthers Get Bittersweet Revenge,” *Colorado Daily*, Nov. 10, 1982.

437. Rush had in fact been at Hampton’s apartment on the night of Dec. 3, and planned to sleep over. This was reported to Mitchell by O’Neal at some point late in the evening or very early on the morning of the 4th. Rush left abruptly, however, after having a dispute with his wife on the telephone; *Hampton*, p. 35, citing tr. at pp. 29203-5.

438. Interestingly, O’Neal assisted Rush in hiding and did not notify Mitchell, Piper or the police as to his whereabouts. It appears that the infiltrator was genuinely upset that Hampton had been killed rather than arrested the night before; *Hampton*, p. 55, citing tr. at pp. 29687, 24599-600.

439. *Ibid.*

440. Durden-Smith, *George Jackson*, p. 136.

441. As the attempted assassination was described in the Dec. 20, 1969 issue of *The Black Panther*, “‘G’ was at 55th St. when the fascists laid siege to the house. The bullet holes all over his bed clearly show that these dogs intended to murder him, like the Chicago pigs murdered Fred Hampton and Mark Clark.”

442. Durden-Smith, *George Jackson*, pp. 134-5. This is to some extent borne out in a memo from W.C. Sullivan to G.C. Moore, on Dec. 17, 1969, taking specific notice of the fact that Pratt had been arrested for his part in the “shooting battle with the Los Angeles Police Department on 12-8-69.”

443. As it was, six of the eleven Central Avenue defenders were wounded; arrested at that location were Robert Bryan, Wayne Pharr, Lloyd Mimms, Craig Williams, Tommye Williams, Renee Moore, Roland Freeman, Jackie Johnson, Isiah Houston, Albert Armour, and the infiltrator Cotton Smith (who, ironically, had been trapped inside when the assault began prematurely, and thus ended up leading the defense). Arrested in the raids on the other two Panther facilities were Geronimo Pratt and his wife Sandra, Will Stafford, Paul Redd, George Young and Evon Carter; memo, SAC, Los Angeles, to Director, FBI, Dec. 8, 1969. Also see Brown, *Power*, p. 205; Durden-Smith, *George Jackson*, pp. 134-5.

444. Probably the best overall account of the Hutton killing will be found in Marine, *Black Panthers*. There are other versions of what happened—e.g., Major, *Black Cat*, pp. 185-94—but all agree on the essential fact that Hutton was shot a dozen times in the back at very close range by Oakland police officers Robert Coffman and Robert Fredericks. The only account, including those of the police, suggesting that Hutton was armed is that offered by David Hilliard, who did not observe the killing. Moreover, Hilliard states that Hutton's weapon was "an M-14," none of which were recovered by the police; Hilliard and Cole, *Glory*, p. 193.

445. Notwithstanding his political opinions, Cleaver was by all accounts a model parolee, so much so that when authorities sought to return him to prison in the wake of the April 6 altercation, California Superior Court Judge Edwin Sherwin conducted a "show cause" hearing and ordered him released. When an appellate court reversed Sherwin's evidenced-based ruling on the basis that the California Adult Authority was not required to show cause for revoking parole, Cleaver went into political exile. For a good summary of these proceedings, see Robert Scheer, "Introduction," in Cleaver, *Post-Prison Writings*, pp. xix-xxi.

446. Fletcher, Jones and Lotringer, *Black/Proud*, p. 228.

447. It is a matter of record that before settling on the Tennis Court murder case, both the FBI and CCS actively considered using infiltrator Julius C. Butler as a "witness" in developing a case against Geronimo Pratt in the Diggs slaying (Pratt supposedly confessed this killing to him, too); Glick, *G's Life and Times*, pp. 97-8.

448. The 28-year-old Morris's case is almost identical to Diggs's, other than that it seems to have triggered no police "investigation" at all; "Fallen Comrades," *The Black Panther*, Spring 1991.

449. *Ibid.* Clark was a former UCLA student recruited into the Party, along with Geronimo Pratt, by Bunch Carter; *ibid.*

450. Jones was 17 at the time of his death; *ibid.*

451. Newton, *Bitter Grain*, p. 125.

452. Two policeman stopped, for reasons never really explained, to "check out" four Panthers whose major offense seems to have been to have stopped to fill their car with gas. Less explicable yet, is why one of the cops proceeded to shoot 21-year-old Steve Bartholomew, a Panther Captain, twice in the back of the head. His partner more-or-less simultaneously shot 22-year-old Robert Lawrence in the same manner. In the *melée* that followed, a third Panther, 18-year-old Thomas Lewis, was mortally wounded, as was a police officer named Limas. The other cop, named Roberge, was wounded in both thighs. The last Panther, Bartholomew's brother Anthony, fled on foot. He later gave himself up, stood trial for assault with intent to kill, and was acquitted when it was demonstrated that the police had—gratuitously, in the opinion of several witnesses—initiated the shooting; Newton, *Bitter Grain*, pp. 93-4.

453. Another Panther, Bruce Richards, was with Pope at the time. He was wounded and charged with the attempted murder of his police attackers. This charge was later reduced when it became apparent that the police had fired first, and that there was really no evidence that anyone had been trying to rob anything; Glick, *G's Life and Times*, pp. 75-6; Fletcher, Jones and Lotringer, *Black/Proud*, pp. 232-3.

454. Omarwali's mutilated body was found on lying near the railroad tracks in a deserted area of the city. Police claimed he had been killed by the premature explosion of a bomb with which he planned to sabotage a train. When no evidence of a detonation was produced, the Party contended he'd been beaten to death by police, his body dumped on the tracks to be run over by a train; "Fallen Comrades," *The Black Panther*, Summer 1991.

455. *Ibid.*; also see Sale, *SDS*, p. 641.

456. The phrase "chilling effect on radicalism" was used in several public statements during the early 1970s by Attorney General John Mitchell, although its origin seems to lie in a draft speech prepared for Vice President Spiro T. Agnew by speechwriter Patrick Buchanan.

457. Interview with Dhoruba Bin Wahad, Boulder, Colorado, Mar. 1993 (tape on file).

458. In an attempt to cope, a three-month probationary period was announced for all new members in January 1969; Heath, *Off the Pigs!*, p. 92. Eventually, recruitment was suspended altogether, and Newton "sent a message from jail that people who were not doing any work should be expelled from the Party"; Seale, *Seize the Time*, p. 369.

459. See, e.g., Huey P. Newton, *To Die for the People*, pp. 44-75; Hilliard and Cole, *Glory*, esp. pp. 326-7, 363-4; Elaine Brown, *A Taste of Power: A Black Woman's Story* (New York: Pantheon, 1992) pp. 248, 276-7.

460. For a good overview of the thinking prevailing within this tendency as of 1970, see Lee Lockwood, *Conversation with Eldridge Cleaver: Algiers* (New York: Delta, 1970). For use of the term "Afro-American Liberation Army,"

see the collection of materials written by Geronimo Pratt and assembled under the title, *Peace, Humanity, Freedom* (New York: Revolutionary People's Communication Network, 1971).

461. By all accounts, Newton always maintained the "Squad," a handpicked unit devoted to both internal enforcement and the external projection of Party muscle, as a core element of his operation; see, e.g., Hilliard, *Glory*, p. 363; LeBlanc-Ernest, "Qualified Person," p. 323; Akinyele Omowale Umoja, "Repression Breeds Resistance: The Black Liberation Army and the Radical Legacy of the Black Panther Party," *New Political Science*, Vol. 21, No. 2, June 1999, p. 143. More symbolically, he carefully cultivated a close association with George Jackson's mostly fictional "People's Army"; Durden-Smith, *George Jackson*, pp. 243, 259.

462. Although the book is badly skewed overall, probably the best recounting of the Lincoln Detox effort and the BLA's support of it will be found in John Castelluci, *The Big Dance: The untold story of Kathy Boudin and the terrorist family that committed the Brink's robbery murders* (New York: Dodd-Meade, 1986) pp. 53-5, 71-6.

463. Memo, FBIHQ to SAC, Newark, and two other field offices, Sept. 18, 1969; cited in *Staff Reports*, pp. 200-1.

464. The text of this letter is quoted verbatim in *COINTELPRO Papers*, p. 151.

465. Memo, FBIHQ to Legat, Paris, and SAC, San Francisco, Apr. 10, 1970; cited in *Staff Report*, p. 201.

466. *Ibid.* Ironically, the Bureau may have misjudged the reason underlying these expulsions. Kathleen Neal Cleaver, who was there, recounts that they were based on "repeated infractions of discipline"; Neal Cleaver, "Back to Africa," p. 228.

467. An FBI-monitored telephone conference was conducted between Cleaver, Matthews, Elbert "Big Man" Howard, and Roosevelt "June" Hilliard for this purpose on May 7, 1970; memo, SAC, San Francisco, to FBIHQ, May 8, 1970; quoted in *Staff Reports*, p. 201. As a result, the top levels of FBI leadership elected to intensify the Bureau's efforts to foment a split; memo, G.C. Moore to W.C. Sullivan, May 14, 1970; reproduced in *COINTELPRO Papers*, p. 149.

468. Hilliard was literally the only senior member of the Party hierarchy available to take charge by mid-1969, everyone else being either in prison (e.g., Newton), in jail pending trial (e.g., Seale) or exiled (e.g., the Cleavers). A plan was afoot to draft Fred Hampton into a position of national leadership, perhaps as a replacement for Hilliard, when he was assassinated; *Hampton*, p. 21.

469. Neal Cleaver, "Back to Africa," p. 236.

470. A "soul breaker" was an isolation "cell, four feet by six, made of solid steel, with no window, no ventilation, and no opening in the steel door...so hot [a prisoner] would strip naked." There was no light, no sound, no furniture. Except for meetings with his attorneys and brief family visits, Newton spent every hour of the day in one of these units for weeks on end. The effects on his client were such that Charles Garry filed a suit in Newton's behalf, with the result that such cells were shortly declared a form of cruel and unusual punishment and banned in California; Keating, *Free Huey!*, p. 63; Brown, *Power*, pp. 243, 258.

471. Newton appears to have suffered a profound sense of inadequacy deriving from the knowledge that he could not possibly measure up to the iconic stature he'd been assigned during his incarceration. Moreover, he evidenced an abiding horror of going back to prison, an attitude which, no matter how understandable, was thoroughly at odds with the expectations attending his resumption of a position heading a revolutionary organization like the Panthers. Yet, he seems to have been equally terrified, perhaps more so, at the prospect of the rapid slide into personal irrelevance and obscurity awaiting him should he refuse the job. Within this triangular set of contradictions lay the seeds of the virulently pathological behavior which Newton would soon begin to display. Probably the best accounts will be found in the later chapters of Hilliard (*Glory*) and Brown (*Power*), although each has been sanitized to a certain extent with respect to the authors' roles in certain of the events depicted, and, especially with Brown's book, to distort the political record. Pearson's supposedly more objective *Shadow of the Panther*, on the other hand, is so self-evidently devoted to perpetuating the sorts of demonstrable falsehoods spewed by Earl Anthony, David Horowitz and others of their ilk as to be worse than useless.

472. Among other things, Newton decreed that all funds raised by any chapter be channeled through the national office for "redistribution." Predictably, most of these monies failed to find their way back to the grassroots, with the result that community service programs and even legal defense efforts began to suffer in many areas; Johnson, "Demise," pp. 401-2, 406.

473. See, e.g., "Let Us Hold High the Banner of Intercommunalism and the Invincible Thoughts of Huey P. Newton, Minister of Defense and Supreme Commander of the Black Panther Party," *The Black Panther*, Jan. 23, 1971. According to Elaine Brown the title was David Hilliard's idea rather than Newton's, and that Newton ultimately rejected it; *Power*, p. 257. Hilliard has confirmed her recollection, and recounted that when "Supreme Commander" was deemed "too militaristic," he and Bobby Rush redesignated Newton's position as "Supreme Servant of the People"; *Glory*, p. 318. Newton apparently rejected this label, too, and was therefore referred to simply as "The Servant."

474. Memo, SAC, Philadelphia, to FBIHQ, Aug. 13, 1970; quoted in *Staff Reports*, p. 202.

475. Approval of the plan was conveyed in a memo from G.C. Moore to the SAC, Philadelphia, on Aug. 19, 1970; cited in *Staff Reports*, p. 202.

476. Memo, SAC, Los Angeles, to FBIHQ, Dec. 3, 1970; quoted in *Staff Reports*, p. 203.

477. Memo, FBIHQ to SAC, San Francisco, Dec. 16, 1970; cited in *Staff Reports*, p. 203.

478. Memo, FBIHQ to SAC, San Francisco, Jan. 6, 1970; quoted in *Staff Reports*, pp. 203-4.

479. CCS infiltrator Louis Tackwood has recounted that Newton reached his erroneous conclusion about Pratt's intentions on the basis of disinformation provided by fellow operative Cotton Smith, regarded at the National Office as "an Oakland man, a party loyalist"; quoted in Durden-Smith, *George Jackson*, p. 155. In any event, the letter expelling Pratt and the others as "enemies of the people" and "possible CIA agents" was published under the title "On the Purge of Geronimo from the Black Panther Party," in the Jan. 23, 1971, edition of *The Black Panther*. It was written by Elaine Brown, who neglects to mention the fact in her autobiography. David Hilliard recalls that he himself was instructed to write the letter, but refused, whereupon Brown wrote it; Hilliard, *Glory*, p. 320. It should be noted that the expulsion order was crafted in such a way as to threaten that any BPP member providing assistance to Pratt, then in jail awaiting trial on the Tennis Court murder charges, would be summarily purged as well. Pratt was thus denied witnesses who might have corroborated his claim that he was in Oakland on the night Carolyn Olsen was killed in Santa Monica. Nearly two decades later, when the two met in prison, a guilt-stricken Newton would publicly assert his own measure of responsibility for Pratt's then ongoing imprisonment; Torri Minton, "Prison Protest by Ex-Panther Newton," *San Francisco Chronicle*, Aug. 24, 1988; John Roemer, "The Framing of Geronimo Pratt," *San Francisco Weekly*, Feb. 12, 1992.

480. Lane's body was discovered on January 13; memo, SAC, Los Angeles, to FBIHQ, Jan. 14, 1971. Also see "Panther Factions Blamed in Killing," *San Francisco Sunday Examiner and Chronicle*, Nov. 14, 1971.

481. The killers may indeed have been members of Newton's "Squad." On the other hand, even if they were, they may well have numbered among the numerous FBI and police operatives functioning in such capacities during the period. The one certainty is that the LAPD did not bother investigating the homicide; Glick, *G's Life and Times*, pp. 63-4.

482. Memo, FBIHQ to Boston and three other field offices, Jan. 28, 1971; quoted in Newton, *War Against the Panthers*, p. 99.

483. "An Open Letter to the Weather Underground from the Panther 21," *East Village Other*, Jan. 19, 1971; contextualization provided in E. Tani and Kae Sera, *False Nationalism/False Internationalism* (Chicago: Seeds Beneath the Snow, 1985) p. 209. Suffice it here to note that, aside from their profound disagreement with the political direction in which Newton was steering the Party, the Panther 21 defendants were collectively disgruntled with what they perceived as a relative paucity of support they were receiving from Oakland in comparison to that lavished on Bobby Seale and the other New Haven 14 defendants; "A Call to Dissolve the Central Committee," *Right On!* Apr. 3, 1971.

484. Central Committee of the Black Panther Party, "Enemies of the People," *The Black Panther*, Feb. 13, 1971. Defendants Michael Tabor and Dhoruba Moore were denounced with particular vituperativeness, along with Tabor's wife, Connie Matthews, a "defector" who had served as Newton's personal secretary. Also see Rod Such, "Newton Expels Panthers," *The Guardian*, Vol. 20, No. 21, Feb. 1971.

485. Memo, FBIHQ to SAC, Boston, and three other field offices, Jan. 28, 1971; quoted in *Staff Reports*, p. 205.

486. Newton, *War Against the Panthers* (book version), p. 68; citing memo, FBIHQ to twenty-nine field office, Feb. 2, 1971; memo, FBIHQ to SAC, San Francisco, Feb. 19, 1970. On Bennett, see notes 314, 315. It should be noted, however, that Fred Bennett was closely associated with Geronimo Pratt, a matter which makes it entirely possible that his murder occurred for factional reasons rather than as a result of suspicions that he was a police infiltrator. In any event, as Pratt observed in 1972, "the killing of Fred Bennett...was a heavy loss"; quoted in Durden-Smith, *George Jackson*, p. 144.

487. Memo, FBIHQ to SAC, San Francisco, Feb. 10, 1971; cited in *Staff Reports*, p. 205.

488. The apartment was *not* underwritten with Party funds. Rather, as was well-known to the FBI, it had been rented for Newton by Hollywood producer Bert Schneider. Nonetheless, the Bureau managed to publicize the opulence of Newton's new domicile through its favorite Bay Area mouthpiece, the *San Francisco Chronicle's* Ed Montgomery, even before the Panther leader moved in; Brown, *Power*, p. 264. In a Feb. 25, 1971 report to FBIHQ on its recent COINTELPRO "successes," the San Francisco field office took credit not only for planting the Montgomery article, but for sending copies to "all BPP offices across the United States and to three BPP contacts in Europe"; quoted in Newton, *War Against the Panthers* (book version) p. 62.

489. Memo, FBIHQ to SAC, San Francisco, Feb. 19, 1971; cited in *Staff Reports*, p. 205.

490. Neal Cleaver, "Back to Africa," p. 238. For further contemporaneous background, see Earl Caldwell, "The Panthers: Dead or Regrouping?" *New York Times*, Mar. 1, 1971.

491. Huey P. Newton, "On the Defection of Eldridge Cleaver from the Black Panther Party, and the Defection of the Black Panther Party from the Black Community," *The Black Panther*, Apr. 17, 1971. Also see Johnson, "Demise," p. 402; Newton, *Revolutionary Suicide*, pp. 301-3; Hilliard and Cole, *Glory*, pp. 323-4.

492. Neal Cleaver, "Back to Africa," p. 238.

493. As with Sandra Lane, Webb was almost certainly killed on Newton's instructions. And, as with Lane, his killers could as easily have been Bureau operatives as not. For a contemporaneous account of the murder, see "Death Here Tied to Panther Feud," *New York Times*, Mar. 10, 1971; "New York Slaying Tied to Panther Split," *San Francisco Chronicle*, Mar. 10, 1971. Also see Grady-Willis, "State Repression," p. 376; Johnson, "Demise," p. 402; Hilliard, *Glory*, p. 325. Interestingly, Elaine Brown who reputedly lobbied for Newton to "set an example," makes no reference to Webb in her autobiography.

494. Donald Cox, "The Split in the Party," *New Political Science*, Vol. 21, No. 2, June 1999, pp. 173-4.

495. Memo, FBIHQ to San Francisco and Chicago Field Offices, Mar. 25, 1971; quoted in *Staff Reports*, p. 207. This document has been cited as terminating COINTELPRO activity vis-à-vis the split, since it states that "no further counterintelligence activity in this regard will be undertaken" for purposes of dividing the Newton and Cleaver factions. Yet, only three paragraphs later, it solicits "recommendations concerning counterintelligence activity designed to cause Newton to expell [sic] Hilliard, [Big Man] Howard and [Bobby] Rush" from his own shrinking circle. Self-evidently, such operations could only be intended to produce a further fracturing of the BPP.

496. Approved on Mar. 25, the letter had been prepared and submitted for approval in a memo from the SAC, San Francisco, to FBIHQ, on Mar. 16, 1971; quoted in *Staff Reports*, p. 207.

497. "Whatever Happened to the United Black Panthers?" *U.S. News and World Report*, May 3, 1971. In her autobiography, Elaine Brown attempts a complete revision of the record, dating the inception of the BPP's "frightening, internecine battle" from Napier's death, and claiming that "our troops, Huey's party" merely "responded" to the attack; Brown, *Power*, p. 266. She utters not a word about Webb's murder, much less those of Bennett, Lane and others, all of which were attributed to the Newton faction, and all of which predated the Napier killing. Nor does she indicate the nature of the response she and Newton ordered their "troops" to make in the aftermath.

498. Arrests were made as far away as Michigan, but the only charges filed were against seven New York Panthers and a white supporter. "The case dragged on for months through a series of mistrials, finally ending when four members of the spin-off Black Liberation Army pled guilty to manslaughter"; Newton, *Bitter Grain*, p. 207. Among the four were Dhoruba Moore and Jamal Joseph; Zimroth, *Perversions of Justice*, p. 31; Hilliard and Cole, *Glory*, p. 326.

499. Neal Cleaver, "Back to Africa," p. 239.

500. Ibid. The San Francisco and Berkeley BPP chapters had by then been abolished and the bulk of their members expelled. Those considered loyal to Newton were reassigned to the Oakland chapter; Durden-Smith, *Who Killed George Jackson?*, p. 48.

501. Heike Kleffner, "The Black Panthers: Interviews with Geronimo ji Jaga Pratt and Mumia Abu Jamal," *Race & Class*, Vol. 35, No. 1, 1993. Also see note 317.

502. Newton, *Bitter Grain*, p. 199.

503. The standing of Cleaver's International Section in Algeria was contingent upon its being an official component of the Black Panther Party. The split in the Party and Newton's highly-publicized expulsion of "Cleaverites" nullified that status, even though Cleaver had reciprocated by expelling Newton and his followers. Within months, a planned Cleaver-led delegation to the People's Republic of China was replaced by a delegation headed by Newton. In August 1972, the International Section had shrunk to seven members and was placed under house arrest in Algiers; by January 1973, only Eldridge and Kathleen Cleaver remained. Shortly thereafter, they relocated to France, where Eldridge petitioned for status as a political refugee; Neal Cleaver, "Back to Africa," pp. 244, 248, 250.

504. Bobby Seale estimates there were 1,250 active Party members at this juncture. Local chapter nuclei were retained only in Chicago and Winston-Salem, North Carolina; Johnson, "Demise," pp. 404-5, 410n4, 413n58.

505. Ibid., p. 405, 410n4.

506. The three black inmates, W.L. Nolen, Cleveland Edwards and Alvin "Jug" Miller, were gunned down by a tower guard, Opie G. Miller, on January 13, 1970. The killings were so blatantly unwarranted that even Aryan Brotherhood leader Billy "Buzard" Harris, who had witnessed them, later testified that they amounted to "cold blooded murder" and that the guard had "had no right to shoot them coons that way." When Miller was nonetheless exonerated of any wrongdoing by the prison's Board of Inquiry two weeks later, Jackson appears to have avenged Nolen, his political mentor, by killing the first available guard. Drumgo and Cluchette kept watch. The best analysis of not only the Soledad Brothers case, but of the environment in the prison at the time will be found in Min S. Yee, *The Melancholy History of Soledad Prison: In Which a Utopian Scheme Turns Bedlam* (New York: Harpers Magazine Press, 1970). For a contemporaneous view of Jackson's political role in prison, see, e.g., Tad Szulc, "George Jackson Radicalizes the Brothers in Soledad and San Quentin," *New York Times Magazine*, Aug. 1, 1971. For background on the prisoners' rights movement during this period, see Ronald Berkman, *Opening the Gates: The Rise of the Prisoners' Movement* (Lexington, MA: Lexington Books, 1978); Cummins, *Radical Prison Movement*, esp. pp. 128-50.

507. George Jackson, *Soledad Brother: The Prison Letters of George Jackson* (New York: Coward, McCann, 1971). Copyrighted 1971, the book was actually released in the fall of 1970. There is considerable evidence that Jackson's editor, Gregory Armstrong, substantially rewrote much of the material before publication and that Jackson

was less than pleased with the result; Durden Smith, *George Jackson*, p. 271. Also see Gregory Armstrong, “*The Dragon Has Come*” (New York: Harper & Row, 1974).

508. Much of this material was posthumously published under the title *Blood In My Eye* (New York: Random House, 1972). Like Cleaver in particular, Jackson was heavily influenced by the theories of guerrilla warfare advanced by Che Guevara, at least as they were formulated by Regis Debray in his *Revolution in the Revolution? Armed Struggle in Latin America* (New York: Grove Press, 1967), and Robert Taber’s *War of the Flea: A Study of Guerrilla Warfare Theory and Practice* (New York: Lyle Stuart, 1965).

509. Royalties from *Soledad Brother*, which, given the book’s bestseller status, were substantial, flowed into SBDC coffers, as did a rather vast flow of contributions. According to Cummins, the operation had reached “gargantuan proportions” by mid-1970; *Radical Prison Movement*, p. 178. Also see Armstrong, *Dragon*, pp. 168-9; Yee, *Melancholy History*, p. 169.

510. Jackson publicly condemned Cleaver in *The Black Panther* at the time of the split and later described him as a “compulsive disrupter or *agent provocateur*”; Jackson, *Blood In My Eye*, p. 190. On control of the SBDC being turned over to Newton, see Yee, *Melancholy History*, 169-71; Durden-Smith, *George Jackson*, pp. 113-4; Cummins, *Radical Prison Movement*, p. 178.

511. This is according to a memo from Jackson smuggled out of San Quentin in late 1970, quoted in Durden-Smith, *George Jackson*, p. 103.

512. Carr was among Jackson’s inner circle in both Soledad and San Quentin, before being transferred to the California State Prison at San Luis Obispo. There, “The Jackal,” as Carr was called, encountered Huey P. Newton and became his bodyguard until he was paroled on July 30, 1970. When Newton was released six days later, Carr resumed this role on the outside, while simultaneously working in the SBDC. In the interim, he facilitated the link-up between Jackson and Newton. On Carr’s time with Jackson in prison, see *Bad*, pp. 76-7, 99-111, 129-54, 191. On his connection with Newton in San Luis Obispo, subsequent service to the Panther leader, both as a bodyguard and as his “main link [to] Jackson, see Durden-Smith, *George Jackson*, pp. 99, 112. On the probability that Carr killed Fred Bennett, see note 315.

513. There are reasonably clear indicators that Jackson was not only aware of the plan to free him, but participated in putting it together. This by no means to say, however, that he had approved what actually transpired on Aug. 7; Cummins, *Radical Prison Movement*, pp. 183-4.

514. Durden-Smith, *George Jackson*, p. 143.

515. According to Louis Tackwood, Smith was “the main person in the plot...the liaison man between [the guerrillas]... So the police had a very wide picture of what was going on”; quoted in Durden-Smith, *George Jackson*, p. 137.

516. As Geronimo Pratt explained it in the 1972 BLA pamphlet *Humanity, Freedom, Peace*, “things got exposed beforehand too quick... Information was let out that wasn’t necessary [and] the so-called central committee moved to annihilate the whole program.” The key members of the BPP Central Committee in July 1971 were David Hilliard, Emory Douglas, Masai Hewitt and June Hilliard.

517. Newton’s major concern appears to have devolved upon disinformation Smith himself had planted among Central Committee members, to the effect that Pratt’s Cleaver-aligned guerrilla units were planning to parlay the credibility gleaned from a successful operation—a matter calculated to bring Jackson into their own orbit—into an eventual coup d’etat against the Panther hierarchy (see note 479). All things considered, it was far better from Newton’s point-of-view that the operation be aborted, the guerrillas scattered, and Jackson left in prison where his symbolic value could be more easily controlled; Durden-Smith, *George Jackson*, pp. 143-4. Durden-Smith contends the order “to wash everybody who was a Pratt man right out of the party” was given on August 5, 1970; *ibid.*, pp. 143-4, 155. This seems improbable, however, since photos of the spontaneous celebration conducted outside the Alameda County Jail just moments after Newton’s release on the same date show him flanked by both Pratt and David Hilliard; Churchill and Vander Wall, *Agents of Repression*, p. 86. More likely, Hilliard is correct in dating the actual expulsion order at some point in early January 1971; Hilliard and Cole, *Glory*, p. 320. In the interim, it is probable that Pratt is correct in believing that Newton solved his problem by tipping off police as to the guerrillas’ whereabouts, thereby facilitating their arrest; Pratt, *Humanity, Freedom, Peace*, pp. 12-3.

518. There is considerable indication that Jackson was unaware his younger brother had been drafted into the escape plan. Luis Talamantez, a Jackson collaborator and later a San Quentin 6 defendant, recounted nearly two decades later that, in the aftermath of the action, “George was stunned... [He] didn’t even know what was going on”; quoted in Cummins, *Radical Prison Movement*, p. 184.

519. Louis Tackwood, quoted in Durden-Smith, *George Jackson*, p. 137.

520. The prison administration later claimed that the sharpshooters’ presence in the immediate area at precisely the right moment was merely “coincidental,” having to do with their transit from a routine target practice rather than foreknowledge of the action which would occur; Cummins, *Radical Prison Movement*, pp. 182-3.

521. Durden-Smith, *George Jackson*, p. 156.

522. Unlike the San Quentin sharpshooters, who operated under a “no hostage” policy, local police had been ordered by their superiors not to fire unless fired upon, allowing time for a negotiated release of the hostages and possible surrender of Jonathan Jackson’s group. Callahan and/or Mahoney therefore fired first to get things rolling; Tackwood, paraphrased in Durden-Smith, *George Jackson*, p. 156.

523. Overall, see Yee, *Melancholy History*, pp. 157-74. Also see “Ruchell Cinque Magee: Sole Survivor of the Courthouse Rebellion,” *The Black Panther*, Feb. 1991.

524. Although she had been involved to some extent with the LA Panthers and subsequently with the SBDC, Davis was a member of the CP and primarily an intellectual. To the extent that she possessed public visibility at all was primarily due to an academic freedom case resulting from California Governor Ronald Reagan’s ordering her fired from her faculty position at UCLA because of “communist leanings”; National Committee to Free Angela Davis, “Angela Davis: A Political Biography,” in Angela Y. Davis, Ruchell Magee, the Soledad Brothers, and Other Political Prisoners, *If They Come in the Morning: Voices of Resistance* (New York: Third Press, 1971) pp. 173-5.

525. Quoted in Bettina Aptheker, *The Morning Breaks: The Trial of Angela Davis* (Ithaca, NY: Cornell University Press, [2nd ed.] 1999) p. xi. Davis went underground immediately following the Marin County disaster. She was apprehended by the FBI in New York on the night of October 13, 1970. It was at that point that Nixon made his famous statement.

526. Davis was held for without bond for twenty months, ten of them in solitary confinement, before her acquittal. For the best analyses of the trial and its context, see Aptheker, *Morning Breaks*; Charles Ashman, *The People v. Angela Davis* (New York: Pinnacle Books, 1972).

527. Walker, a cousin of Jimmy Carr’s, had known George Jackson since 1961. At the time his sentence expired in August 1970, Walker faced fresh charges of assaulting a San Quentin guard, and was held in lieu of \$10,000 bond. Jackson arranged for the SBDC to post bail in exchange for Walker’s agreement to call him as a witness. A People’s Army unit was then to execute more-or-less the same plan as had been originally scheduled for August 7. According to Louis Tackwood, he himself was assigned to keep track of the operation as it unfolded and reported regularly to the detectives at CCS; Durden-Smith, *George Jackson*, pp. 114-5.

528. The official autopsy report indicated that Jackson was killed by a single high velocity round fired by a tower guard while the prisoner was running across an open courtyard. Initially, it was claimed the bullet struck him in the top of the head and exited in the small of the back. The direction of the bullet was later reversed in order to account for certain discrepancies in the nature of the wounds, a matter which required the state’s pathologists to contend that Jackson had been hit while “running in a crouched position.” In actuality, Jackson was hit by two bullets, the first of which shattered his ankle. The second, fatal, round seems to have been fired at much closer range while Jackson was on all fours. Hence, to all appearances, George Jackson was summarily executed after he was incapacitated; Armstrong, *Dragon*, pp. 226-7. Also see Eric Mann, *Comrade George: An Investigation into the Official Story of His Assassination, His Work for the People, and Their Response to His Death* (Cambridge, MA: Hovey St. Press, 1972).

529. Hilliard and Cole, *Glory*, pp. 378-82.

530. Jackson was carrying a vial of diluted sulfuric acid when he was gunned down. According to prisoner Johnny Spain, a member of Jackson’s group who had accompanied him into the courtyard where he was killed, and who was also carrying a vial of acid, both men believed the substance inside to be nitroglycerin. A search of Spain’s and Jackson’s cells turned up two more vials, as well as a block of putty which Spain believed to be plastic explosive; Durden-Smith, *George Jackson*, pp. 26-7, 167-8. It is quite probable that the dummy explosives were slipped to Jackson by Vanita Anderson, a member of the SBDC who served as Huey Newton’s main courier. Since it turns out that Anderson was almost certainly a police operative, it is possible, although by no means certain, that Newton provided real explosives and that Anderson’s handlers pulled a switch; Paul Libertore, *The Road to Hell: The True Story of George Jackson, Stephen Bingham, and the San Quentin Massacre* (New York: Atlantic Monthly Press, 1996) pp. 243-7.

531. The weapon’s firing pin was rendered inoperative before it was turned over to Jackson, a maneuver accomplished by CCS in collaboration with San Quentin guards; Louis E. Tackwood, “My Assignment Was to Kill George Jackson,” *The Black Panther*, Apr. 21, 1980.

532. Cummins, *Radical Prison Movement*, p. 210. The Astra seems to have been substituted at last moment and without much thought, mainly because it could be linked to BPP Field Marshall Landon Williams, who was carrying it when he was arrested in Denver on June 5, 1969. How, exactly, it made its way from the Denver police impound room into San Quentin a couple of years later is one of the many aspects of this case which has never been adequately explained, but which clearly suggests FBI involvement; Tackwood, et al., *Glass House Tapes*, p. 121. Moreover, on August 28, 1971, the *San Francisco Chronicle* carried a story concerning its attempts to duplicate Jackson’s alleged feat of carrying the huge weapon—atop his head, but hidden under an Afro wig—from the visiting room where he’d met with Stephen Bingham back to his cell block. This turned out to be no more possible than the official story of Bingham’s having brought the Astra into San Quentin in a hollowed out tape recorder, the interior dimensions of which were too small for such purposes.

533. Several guards and prisoners later testified that Jackson was in possession of a .38 revolver such as a Llama Corto. Louis Tackwood has also stated that this was the weapon used, and that it was in fact a guard's personal weapon, carried into San Quentin for purposes of killing Jackson. In the event, however, Jackson, physically very powerful and a karate expert as well, simply took the gun away from the guard, Urbano Rubiaco, Jr., and used it in a desperate effort to break out; Durden-Smith, *George Jackson*, pp. 168-71.

534. The other three members of the San Quentin Six were Fleeta Drumgo, Luis Talamantez and Willie Tate; Cummins, *Radical Prison Movement*, pp. 259, 262.

535. *Ibid.*, pp. 262-3, referencing Karen Wald, "The San Quentin Six Case: Perspective and Analysis," *Crime and Social Justice*, Fall/Winter 1976.

536. Cummins, *Radical Prison Movement*, pp. 220-1.

537. Pearson, among others, continues to regurgitate the official story of how "Jackson's lawyer" facilitated the massacre as if it were established fact, neglecting to mention his acquittal on all charges; *Shadow of the Panther*, p. 254. In actuality, Bingham was Jimmy Carr's attorney. For other problems, see note 532. On Bingham's trial and exoneration, see Libertore, *Road to Hell*.

538. "Shackled Ex-Panther Wins Appeal," *San Diego Union*, Aug. 23, 1989.

539. "Profile Hugo A. 'Dahariki' Pinell: Black Political Prisoner," *The Black Panther*, Feb. 1991.

540. According to Elaine Brown, Seale's departure on July 31, 1974, was precipitated by Newton's declaration that the BPP cofounder had become "an enemy of the people." Seale was, in this version, bullwhipped and expelled, along with his brother John; *Taste of Power*, pp. 350-4. Hugh Pearson, takes the myth to new and utterly unsubstantiated heights by claiming that "Newton dramatically beat Seale with a bullwhip and sodomized him so violently that his anus had to be repaired by a surgeon who was a party supporter"; *Shadow of the Panther*, p. 264; citing David Horowitz, "Black Murder, Inc.," *Heterodoxy*, Mar. 1993. The real story will be found in Bobby Seale, *A Lonely Rage* (New York: Times Books, 1978) pp. 228-38.

541. Rush was expelled in early 1972 for voicing opposition to the rising criminality of the Party. "If I wanted to do that," he later recounted, "I could have joined the Stones, or the Disciples, or some other kind of thing. Gangsterism was everyday activity in Chicago. It wasn't something I was impressed with"; quoted in Hilliard and Cole, *Glory*, pp. 371-2.

542. On the March 1972 expulsion of June Hilliard, along with David Hilliard's wife Pat, see *ibid.*, pp. 373-4.

543. Minister of Education Masai Hewitt was removed from the BPP Central Committee late-1971, when he challenged Newton's reduction of that body to a "group of men with titles but no power." The "Supreme Servant" thereupon assigned Hewitt "to sell Panther papers on the street from that point forward [and it] was only a matter of weeks before Masai packed his things and left the party"; Brown, *Taste of Power*, p. 320.

544. Newton's denunciation of David Hilliard as a "counterrevolutionary" while the latter was incarcerated in San Quentin placed Hilliard in considerable jeopardy among the prison's highly politicized inmates; Hilliard and Cole, *Glory*, pp. 374-5, 378.

545. A drug-addled Newton was accused of having murdered a 17-year-old prostitute, Kathleen Smith, on the night of August 5, 1973 (shot in the head, she lingered three months in a coma before expiring); Ed Dougherty, "Witnesses Tell of Slaying—and Newton Laughing," *San Francisco Chronicle*, Oct. 26, 1977. A few days later, still coked up, he is alleged to have severely pistol-whipped a tailor, Preston Callins, who had come to Newton's apartment to measure the Panther leader for a batch of new suits; Kate Coleman with Paul Avery, "The Party's Over," *New Times*, July 10, 1978. His resulting 31-month exile in Cuba ended in 1977, when Callins agreed to accept a \$6,000 settlement in lieu of prosecution. As to the murder charge, the appearance is that Newton had hatched a scheme to murder the state's key witness, a prostitute named Crystal Gray, who had been with Smith the night she was shot. The plan went badly awry, however, when it was attempted by three members of the Squad on the night of Oct. 23, 1977. One Panther, Louis T. Johnson, was shot and killed by Gray's landlady, Mary Matthews, on site. The other pair, Nelson Malloy and Flores Forbes, escaped. A month later, however, Malloy turned up alongside a lonely stretch of road in the Nevada desert, shot and left for dead (he survived, paralyzed from the neck down); Jerry Roberts, "Fugitive Panther Found Shot," *San Francisco Chronicle*, Nov. 23, 1977. Forbes was presumed to have met the same fate, but turned up three years later very much alive. Convicted of murder conspiracy, he was released from prison in 1985; Pearson, *Shadow of the Panther*, p. 279. Meanwhile, Newton's trial on the Smith murder charge ended in a hung jury—11 to 1 for acquittal—after Crystal Gray admitted being stoned on marijuana the night of the shooting and another witness recanted her testimony altogether; Dougherty, "Witness."

546. On the California legislature's award to the school, bestowed in 1977 for its "having set the standard for the highest level of elementary education in the state"; see Abron, "Serving the People," p. 186.

547. Although Earl Anthony contends that by the early eighties, Newton was "organizing the Party to deal cocaine in Oakland"—*Spitting in the Wind*, p. 189—the fact is that by that point there was no Party left to organize for this or any other purpose. All other accounts concur that rather than dealing drugs, Newton had by 1973 assigned the Squad to exact a regular tribute, not only from those who *were* dealing in Oakland, but from the virtual entirety of the

city's underworld. Such interpretations include even David Horowitz's assortment of emphatically anti-Newton diatribes, Kate Coleman's and Paul Avery's Horowitz-based article, "The Party's Over" (*New Times*, July 10, 1978), and former White Panther Ken Kelly's "Huey, I'll Never Forget...", published in the *East Bay Express* to coincide with the Panther founder's funeral on Aug. 24, 1989.

548. Brown quickly appointed Larry Henson, a former Detroit Panther, to head up her own enforcement apparatus. "In those early weeks," she recounts, "I did everything possible to demonstrate to Larry that his loyalty was treasured. I introduced him to the expensive suits at the Tailored Man shop in San Francisco. I turned over Huey's Lincoln town car to him. I rented a beautiful apartment for him in the stylish Lake area [of Oakland]. I guaranteed him unlimited access to the party coffers for his personal use. Eventually, I sealed our bargain, as it seemed, with a kiss"; Brown, *Taste of Power*, p. 358. On the \$10,000 shopping spree, which devolved upon the purchase of a pair of fox jackets, as well as "leather boots, silk blouses and other trinkets," see *ibid.*, pp. 441-2. On Brown's taste in automobiles, see Coleman with Avery, "Party's Over." One upshot of Brown's massive misappropriations may have been the murder of Betty Van Patter, a white BPP accountant who had become suspicious of the Party's financial irregularities. Hugh Pearson is sufficiently convinced to assert unequivocally that "Elaine Brown ordered the murder of Betty Van Patter"; *Shadow of the Panther*, p. 290. There is much about the Van Patter case to suggest this is true. On the other hand, Pearson's only source on the matter is the far from credible David Horowitz (who also served, anonymously, as a major source for the Coleman/Avery article).

549. According to Landon Williams, Brown's departure was precipitated by Newton's "almost beating her to death"; quoted in Pearson, *Shadow of the Panther*, p. 281. For Brown's own version, which makes no mention of a beating, see *Taste of Power*, pp. 445-50. Also see "Elaine Brown Resigns as Panther Chief," *San Francisco Chronicle*, Nov. 23, 1977.

550. A plea bargain was finally arranged in June 1989. Newton pleaded nolo contendere to embezzling \$14,350 in EOC funds in exchange for probation and the dropping of a raft of similar charges; Pearson, *Shadow of the Panther*, pp. 297-9, 311-2; citing, among other things, Rick Mailisipa, "Audit of Funds to Black Panthers," *Oakland Tribune*, Nov. 22, 1977; "Oakland Audit Assails Panther Accounting," *San Francisco Chronicle*, Mar. 15, 1978; "Oakland to Cut Panther Grant on Juveniles," *San Francisco Chronicle*, Mar. 30, 1978; *People of the State of California v. Huey P. Newton*, Superior Court of the State of California, County of Alameda, June 23, 1987. Also see

551. Johnson, "Demise," p. 391.

552. On the "revised" relationship between Newton, the Oakland PD and the California courts, see Pearson, *Shadow of the Panther*, pp. 300-2. As to the FBI, which rented an apartment adjoining Newton's in order to keep the Panther leader under continuous surveillance from 1971 onwards, there is clear evidence of agents' awareness both of Newton's heavy cocaine consumption and of his organization's involvement in extorting the drug trade and other sectors of organized crime in Oakland; memo, FBI Supervisor Gary L. Penrith to SAC, San Francisco, Dec. 5, 1973; AIRTEL, SAC, San Francisco, to Director, FBI, Feb. 4, 1974; teletype, SAC, San Francisco, to Director, FBI, Feb. 16, 1974; quoted in Newton, *War Against the Panthers*, pp. 62-3, 46, 48. No action was taken by the FBI in any of these connections.

553. On OEC finding, see note 550. On ADA and LEAA funding, see Brown, *Taste of Power*, pp. 395-7. Also see "Panthers' Public-Paid Jobs," *San Francisco Chronicle*, Nov. 4, 1977. All of this suggests, as many came to believe, that Newton had arrived at an "understanding" with authorities allowing for his 1970 release from prison, and that he effectively functioned as an agent thereafter. This is suggested in a memo from FBIHQ to SAC, New York, Aug. 8, 1970; quoted in Newton, *War Against the Panthers*, pp. 57-8.

554. See, e.g., Russell Shoats, "Black Fighting Formations: Strengths, Weaknesses and Potentialities," *New Political Science*, Vol. 21, No. 2, June 1999, p. 166. The phenomenon was by no means unique to the Panthers. SDS, for example, split on the question of supporting the BPP in July 1969, with a minority calling itself the "Revolutionary Youth Movement" (RYM) expelling the more sizable "Progressive Labor" faction for refusing to do so; Kopkind, "The Real SDS Stands Up." RYM itself then split on the question of whether to commence armed struggle. "RYM I," composed of those favoring the move, quickly became known as the "Weatherman" faction. Those opposed were dubbed "RYM II." In northern California, RYM II served for a while as the centerpiece of what was referred to as the Radical Union (RU). In late 1970, however, the RU itself split, with a breakaway faction calling itself Venceremos adopting a participatory posture vis-à-vis Jackson's People's Army; Durden-Smith, *George Jackson*, pp. 110, 159-61. Several Venceremos members—e.g. Joseph Remiro and Russell Little—eventually joined the Symbionese Liberation Army; Les Payne and Tim Findley, with Carolyn Craven, *The Life and Death of the SLA* (New York: Ballantine, 1976) pp. 65, 88-9.

555. On the connection between the SLA and the People's Army, see Cummins, *Radical Prison Movements*, pp. 239-44; Durden-Smith, *George Jackson*, p. 110.

556. Cinque, of course, was black. Nancy Ling Perry, who should probably be understood as the foco's second in command, was of Chinese descent. Joseph Remiro was Chicano. Among the SLA's other core personnel were William and Emily Harris, Patricia Soltisyk, Russ Little, Camilla Hall, Willie Wolfe and Angela Atwood, all white. The SLA's

second tier fighters and support apparatus reflected much the same multiethnic composition; Payne and Findley, *SLA*.

557. Having kidnapped Hearst, the foco issued a “ransom demand” requiring her extravagantly wealthy parents to provide \$70 worth of groceries to each family in Oakland whose annual income fell below the official poverty line. When it turned out that this would come to \$133 million, a compromise offer of \$2 million was accepted. Payne and Findley, *SLA*, pp. 215-24.

558. The first assassination, of Oakland Superintendent of Schools Marcus Foster (who had recently called for placement of police within the city’s educational facilities), was carried out by Remiro and Little on Nov. 6, 1973. On Nov. 27, the SLA claimed credit for the fatal shooting of patrolman Jerry Sanders at Oakland’s Deuel Vocational Center; Cummins, *Radical Prison Movement*, p. 242. All six SLA members—Cinque, Ling Perry, Soltisyyk, Wolfe, Hall and Atwood—in the house were killed. A total of 410 LA police and 127 FBI agents participated in the firefight. The police acknowledged having fired 5,391 rounds, as compared to an estimated 688 fired by the SLA. Nonetheless, only Ling Perry was killed by police gunfire. Four others died of burns and/or smoke inhalation after tear gas canisters set fire to the building. Cinque appears to have killed himself rather than surrender or be burned alive; Payne and Findley, *SLA*, pp. 284-91.

559. After leaving Algiers, Cleaver took up residence in France on January 1, 1973. After protracted negotiations, he returned to the U.S. and surrendered to the FBI on November 18, 1975. In August 1976, the State of California abandoned its claim that Cleaver had violated his parole in 1968, and he was released on bond. Other charges were later dropped. He did not resume political activity. See generally, Eldridge Cleaver, *Soul on Fire* (Waco, TX: Word Books, 1978).

560. Assata Shakur, *Assata: An Autobiography* (Chicago: Lawrence Hill, 1987) pp. 162-72. Kes Kesu Men Maa Hill, *Notes of a Surviving Black Panther: A Call for Historical Clarity, Emphasis and Application* (New York: Pan-African National Press, 1992) p. 71; Bill Weinberg, “Dhoruba Bin Wahad: Former Panther Free at Last,” *High Times*, Sept. 1995.

561. Omowale Umoja, “Repression,” p. 144. On the Hogan attack, of which Dhoruba Bin Wahad was falsely convicted, see “By Any Means Necessary: Writings of the Black Liberation Army,” *Breakthrough*, Vol. 2, No. 2, 1978, p. 50 (also see notes 386-8). On the other actions, see Jalil Muntaquin, *On the Black Liberation Army* (Montréal: Anarchist Black Cross, 1997) pp. 5-6. On the RNA, see note 90.

562. Evelyn Williams, *Inadmissible Evidence: The Story of the African-American Trial Lawyer Who Defended the Black Liberation Army* (New York: Lawrence Hill, 1993) p. 74.

563. *Ibid.* The magnitude of police violence in the U.S. has never really diminished. See, e.g. Karen Saari, et al., *Stolen Lives: Killed by Law Enforcement* (New York: October 22nd Coalition to Stop Police Brutality, 1999). The book provides synopses of over 2,000 police killings over the past five years. The itemization is incomplete (e.g. data for North and South Dakota are omitted). Predictably, the great majority of victims have been people of color.

564. According to a memo from J. Edgar Hoover to the SAC, Newark, dated Aug. 13, 1971, “in many instances those involved in [BLA actions] are individuals who cannot be identified as members of an extremist group. They are frequently supporters, community workers, or people [merely] associate[d] with members of the group”; quoted in O’Reilly, “*Racial Matters*”, p. 321. This influx of activists previously unknown to the Bureau caught agents essentially flatfooted, and made the BLA a much more elusive quarry than might otherwise have been the case.

565. Memo, FBI Director to SAC, New York, May 28, 1971; quoted in Dhoruba Moore, “Strategies of Repression Against the Black Movement,” *Black Scholar*, Vol. 12, No. 2, 1981, p. 15.

566. Dhoruba Bin Wahad, “War Within,” in Fletcher, Jones and Lotringer, *Still Black/Still Strong*, p. 49. In addition to BLA activities and those of the Puerto Rican FALN, the JTTF, was supposedly created to combat the activities of Omega 7, an anti-Castro Cuban organization, and a group calling itself the Croatian Liberation Force, which bombed John F. Kennedy International Airport in 1980; John Castellucci, *The Big Dance* (New York: Dodd, Mead, 1986) p. 244. Also see *COINTELPRO Papers*, pp. 309-11.

567. Bottom and Washington were arrested on charges of attempting to murder San Francisco Police Sergeant George Kowalski, shortly before midnight on Aug. 27; “Jalil Abdul Muntaquin: Black Liberation Army Political Prisoner,” *Can’t Jail the Spirit: Political Prisoners in the U.S.* (Chicago: Editorial El Coquí, 1992) pp. 80-2.

568. *Bell, et al. v. Coughlin, et al.*, 89 Civ. 8408 (U.S. Dist. Ct., S. Dist N.Y., 1989) p. 4.

569. The lineup was conducted in early September 1971. No witnesses identified Washington. One witness stated that Bottom “might” have been involved. The four other witnesses asserted that he “definitely” was not. Two of these witnesses, both teenagers, reversed their opinions about Bottom after extended “interviews” with BOSS detectives, FBI agents, and Assistant Manhattan DA Robert K. Tanenbaum, who prosecuted the case; *ibid.*, pp. 5, 8.

570. The fingerprint match was supposedly made in November 1971; *ibid.*, p. 8.

571. “Herman Bell: Black Political Prisoner,” *The Black Panther*, Feb. 1991.

572. Scott was a suspect in the shotgun slaying of a desk sergeant in one of the BLA assaults on San Francisco police stations carried out in August 1971; *Bell, et al.*, pp. 20-1.

573. This was on retrial. The first trial ended in a hung jury, with 11 jurors voting to acquit Washington and five voting to acquit Bell and Bottom as well. Charges against two other defendants, the brothers Gabriel and Francesco Torres, were dismissed for lack of evidence at the end of the second trial; *Bell, et al.*, pp. 5, 9-10. Also see Brian Glick, *A Call for Justice: The Case of the New York 3* (New York: Committee to Defend the New York Three, 1985); Timothy Clifford, "Convicted Cop Killers Seek to Overturn Verdict," *New York Newsday*, Dec. 19, 1989; Marvane Howe, "3 Seek New Trial in 70's Police Killings," *New York Times*, Dec. 26, 1989.

574. The FBI lab conducted ballistics tests on the .45 on Sept. 7, 1971, establishing that it was *not* the murder weapon. Bureau documents demonstrate that both Det. Simmons and ADA Tanenbaum were aware of this. Yet Simmons denied under oath that any such tests had been conducted. Tanenbaum, for his part, failed to turn over the lab report, despite a defense discovery motion; *Bell, et al.*, pp. 13-4, 16-20.

575. Barry Porter, a San Francisco public defender, testified during the first trial that the FBI had provided exactly the same fingerprint material for use in the prosecution of a case against Bell *before* Jones and Piagentini were killed. During the second trial, the same material was introduced, but slightly altered—agents' initials were added—to make it appear different; *Bell, et al.*, p. 8.

576. The police applied the stick, Tanenbaum offered the carrot. The deal was that Scott, already sentenced to fifteen years on his Louisiana bank robbery conviction, could plead to a lesser charge and receive an equivalent sentence in the California cop killing. The sentences were to be served concurrently in a federal institution rather than Louisiana's infamous Angola Prison. Nonetheless, during the trial, Scott informed presiding Judge Edward Greenfield that his testimony was untruthful and subsequently recanted his testimony on several occasions; *Bell, et al.*, pp. 7, 20-3, 26. Tanenbaum went on to coauthor a book about his exploits in the case. Although he neglected to mention either the deal he engineered for Scott, or Scott's repeated recantations, the prosecutor did admit that his witness was tortured by police in the manner described; Robert Tanenbaum and Philip Rosenberg, *Badge of the Assassin* (New York: E.P. Dutton, 1979) pp. 281-2.

577. The three witnesses were Gabriel Torres' wife Linda, Jacqueline Tabb (Francisco Torres' girlfriend), and Tabb's sister, Karen Parks. Parks was Anthony Bottom's jilted lover. As "material witnesses," all three women were held in jail for nearly fourteen months without counsel and threatened with loss of their children if they failed to "cooperate." After they agreed to be "cooperative," they were lodged in hotels and provided \$150 per week stipends; *Bell, et al.*, pp. 46-7.

578. Michael Kaufman, "Slaying of One of the Last Black Liberation Army Leaders Still at Large Ended a 7-Month Manhunt," *New York Times*, Nov. 14, 1973; Owadi, "The Saga of Twyman Meyers," *New Afrikan Freedom Fighter*, Vol. 1, No. 1, June 1982.

579. Quoted in Kaufman, "Slaying."

580. Michael Kaufman, "Seize Woman Called Black Militants' Soul," *New York Times*, May 3, 1971; "1 Panther killed, another imprisoned," *The Guardian*, May 16, 1973. According to medical reports, Assata Shakur was standing with her hands raised and back turned to police when she was shot. The nature of her wounds was such that she could not wield a weapon; Lennox Hinds, "Forward," in Shakur, *Assata*, p. xi.

581. Omowale, "Repression," p. 145. Also see "Sundiata Acoli: New Afrikan Prisoner of War," *The Black Panther*, Feb. 1991.

582. Cawley, quoted in Kaufman, "Slaying." In a 1975 communiqué entitled "Looking Back," the BLA counted four dead and twenty imprisoned in New York City alone by early 1974, although the count seems to have included Zayd Shakur, who was actually killed in New Jersey. In the city itself, aside from Twyman Meyers, the fatalities included Woody Changa Olugbala Green and Anthony Kimu Olugbala White, both killed in a January 1973 firefight with police in Brooklyn; see "By Any Means Necessary"; Omowale Umoja, "Repression," p. 146.

583. On the BLA/RNA relationship, see, e.g., Kwame Afoh, Chokwe Lumumba, Imari Obadele and Ahmed Obafemi, *A Brief History of the Black Struggle in America* (Baton Rouge: House of Songhay, 1991). The BLA also instituted a formal Coordinating Committee during this period; Muntaquin, *BLA*, p. 13.

584. At trial in January 1975, both Bakhari, former Communications Secretary of the New York Panthers, and Ekehosi, former Communications Secretary of the Party's Jersey City chapter, declared themselves citizens of the Republic of New Afrika, and that the U.S. therefore lacked jurisdiction to prosecute them. Bakhari in particular suffered as a result of adopting the "freedom fighter defense," as her position quickly came to be called, spending the next nine years in an isolation cell; Omowale Umoja, "Legacy," pp. 428-9; "Repression," p.147; Grady-Willis, "State Repression," p. 383.

585. Quoted in Williams, *Inadmissible Evidence*, p. 171. The black contingent of the team which pulled off the spectacular operation consisted of former Panther 21 defendants Sekou Odinga and Kuwasi Balagoon, Mutulu Shakur (Jeral Wayne Williams, former Eastern Regional Counsel for the RNA), Kokai (William Patterson), Mtayari Sundiata (Samuel Lee Smith) and Tyrone Rison. Three whites—Marilyn Buck, Judy Clark and Susan Rosenberg, also participated; Castellucci, *Big Dance*, pp. 139-47.

586. See, e.g., Rev. Herbert Daughtry, "Run Sister, Run Hard," *Amsterdam News*, Dec. 1, 1979; "Peace to Assata Shakur," *Amsterdam News*, Jan. 5, 1980. Also see Assata Shakur, *From Somewhere in the World: Assata Shakur Speaks to the New Afrikan Nation* (New York: New Afrikan Women's Organization, 1980).

587. How far off the scent the Bureau really was is indicated by a massive raid conducted on a Harlem housing complex during the predawn hours of April 19, 1980. The agents arrest a Columbia graduate student named Ebun Adelona, whom they believed as "really" Assata Shakur; Williams, *Inadmissible Evidence*, p. 176.

588. Omowale Umoja, "Repression," p. 150. Clark, Gilbert and Boudin were former members of the Weatherman faction of SDS (see note 554). Sam Brown (Solomon Bouines), the only black captured at the scene, was so savagely beaten that he suffered a broken neck within the first 24 hours of police custody; Castellucci, *Big Dance*, p. 223.

589. "Police beat and kicked Odinga, burned his body with cigars, removed toenails from his body, and forced his head into a toilet bowl full of urine, repeatedly flushing the toilet... As a result of this brutality, Odinga's pancreas was severely damaged and [he] had to be fed intravenously for three months"; Omowale Umoja, "Repression," p. 151. Also see Williams, *Inadmissible Evidence*, pp. 178-9; Castellucci, *Big Dance*, p. 237. Also see "A Chronology of Key Events, 1979-1982," *New Afrikan*, Vol. 2, No. 1, 1983.

590. Omowale Umoja, "Repression," p. 151; Castellucci, *Big Dance*, p. 265; "Chronology."

591. Omowale Umoja, "Repression," p. 151; "Chronology."

592. Castellucci, *Big Dance*, p. 263; "Chronology."

593. Castellucci, *Big Dance*, p. 264; "Chronology."

594. Buck, reputedly the only Euroamerican ever accepted as a full member of the BLA, was captured along with Linda Evans, another former member of the SDS Weatherman faction. After the RATF was obliterated, the pair had banded together with Rosenberg, a young May 19th activist named Tim Blunk, and Alan Berkman, a physician associated with the RATF, to form an all-white "Armed Resistance Unit" (ARU). Blunk was arrested along with Rosenberg at an explosives cache in Philadelphia. On May 20, 1985, the pair received unprecedented 58-year sentences for possessing explosives. Evans, meanwhile, had received an equally unprecedented 42-year sentence for using a phony i.d. to purchase firearms in New Orleans. Berkman, arrested on May 24, 1985, was subsequently sentenced to eight years for having treated a gunshot wound suffered by Marilyn Buck during the Rockland operation (thereby becoming the first physician since Dr. Mudd, who had treated John Wilkes Booth's broken leg after the Lincoln assassination in 1865, to be imprisoned for rendering medical assistance); *COINTELPRO Papers*, pp. 411-2.

595. On the Madame Binh Collective and May 19th Organization, see Castellucci, *Big Dance*, pp. 147, 257, 267.

596. Sunni Ali was cleared after she was able to establish conclusively that she was in New Orleans rather than New York on Oct. 20, 1981. Nonetheless, she and several others were interned for more than a year in a federal prison after refusing to cooperate with a federal grand investigating the RATF; "Fulani is Free!" *New Afrikan*, Dec. 1983. Abiodun avoided a similar fate by going underground, finally surfacing in Cuba in 1994; Omowale Umoja, "Repression," p. 151.

597. Among other things, the JTTF attributed the Dec. 19, 1978 robbery of a Coin Deposit armored truck in Livingston, NJ, to the RATF, along with the June 2, 1981, robbery of a Brinks truck in the Bronx. The take on these two expropriations alone came to \$492,000. All told, the RATF allegedly raised more than \$1 million by robbing banks and armored trucks between May 1977 and June 1981; Castellucci, *Big Dance*, pp. 67, 77-84, 152-68. Prosecutors' statements will be found at pp. 273, 292.

598. *Ibid.*, p. 280. Also see "Message from Sekou Mgobogi Abdullah Odinga: New African Prisoner of War," *The Black Panther*, Feb. 1991.

599. Odinga's life sentence is scheduled to commence at such time as his racketeering sentence expires. To date, his time has been served in federal maximum and supermaximum facilities at Marion, Illinois, and Leavenworth, Kansas; Castellucci, *Big Dance*, p. 292; *Can't Jail the Spirit*, p. 84.

600. Castellucci, *Big Dance*, pp. 283-4. On Clark and Gilbert, see *Can't Jail the Spirit*, pp. 160, 171-2. Balagoon died in prison on Dec. 16, 1986.

601. Castellucci, *Big Dance*, p. 288; *Can't Jail the Spirit*, pp. 155-6.

602. This was the maximum sentence possible; Castellucci, *Big Dance*, p. 280.

603. Like Rubin Scott in the New York 3 case, Rison's sentence was arranged to run concurrently with that imposed after a bank robbery conviction (this one in Georgia), with time served in a federal rather than much tougher state institution; Castellucci, *Big Dance*, pp. 277-8.

604. *Ibid.*, p. 288.

605. *Ibid.*, p. 280.

606. 18 USCS § 1961-1968. Although federal prosecutors seldom employed RICO against actual organized crime figures until the 1990s, the RATF defendants weren't the only political dissidents tried under its provisions during the 80s. See, e.g., Don Ogden, "Ohio Seven: The Whole Truth Goes Untold," *The Guardian*, Sept. 15, 1989. Inter-

estingly, the government never attempted a RICO case against the Newton BPP faction, which eventually *did* undertake Mafia-style activities.

607. Castellucci, *Big Dance*, 195-6, 270.

608. *Can't Jail the Spirit*, pp. 63-5, 77-9.

609. The "Son of Brinks" label seems to have been dreamed up by JTTF commander Lee F. Laster. According to JTTF infiltrator Howard Bonds, the "cell," headed by Coltrane Chimarenga (Randolph Simms), had hatched a conspiracy by 1984 to rob two banks, the proceeds earmarked to fund operations intended to free Sekou Odinga and Kuwasi Balagoon. Arrested en masse, the group was ultimately acquitted in the same manner when the jury concluded the evidence against it was absurd; Castellucci, *Big Dance*, pp. 290-4, 299.

610. The defendants—Laura Whitehorn, Marilyn Buck, Susan Rosenberg, Tim Blunk, Linda Evans, Alan Berkman and Elizabeth Anna Duke (in absentia)—were charged in the bombings of the U.S. Capitol Building and several other federal facilities in 1981 and 82; *U.S. v. Whitehorn et al.*, Cr. No. 88-0145 (U.S. Dist. Ct., D.C., 1988). Also see Laura Whitehorn, "Counterinsurgency in the Courtroom: The 'Resistance Conspiracy' Case," *Covert Action Information Bulletin*, No. 31, 1989; Susie Day, "Resistance Conspiracy Trial," *Z Magazine*, Sept. 1989.

611. For an excellent selection of commentaries, see Mumia Abu-Jamal, *Live From Death Row* (Reading, MA: Addison-Wesley, 1995); *Death Blossoms: Reflections from a Prisoner of Conscience* (Farmington, PA: Plough, 1997).

612. Among many other things, prosecutors had Jamal using a .38 caliber revolver to fire a .44 caliber slug into Faulkner's head; see Leonard Weinglass, *Race for Justice: Mumia Abu-Jamal's Fight Against the Death Penalty* (Monroe, ME: Common Courage Press, 1995). Also see Ward Churchill with Mike Willuweit, "Giving Voice to the Voiceless: The International Tribunal on the Case of Mumia Abu-Jamal," *Dark Night field notes*, No. 11, Winter 1998.

613. For background and details, see Margot Harry, "Attention MOVE! This is America!" (Chicago: Banner Press, 1987).

614. Shoats, "Fighting Formations," p. 168. Also see Muntaquin, *BLA*; Sundiata Acoli, "The New Afrika Prison Struggle," in Chinosole, ed., *Schooling the Generations in the Politics of Prison* (Berkeley: New Earth, 1995) pp. 67-83.

615. PRISAC was supposedly terminated in 1976, but evidence indicates it was continued well into the 1980s; Dhoruba Bin Wahad, "The Cutting Edge of Prison Technology," in Fletcher, Jones and Lotringer, *Still Black/Still Strong*, pp. 79-80.

616. Cummins, *Radical Prison Movement*, pp. 237-8.

617. Shoats, "Fighting Formations," p. 168. Also see "Magee."

618. The pair, already serving time, were convicted in an extremely problematic case of killing a guard named Brent Miller on April 17, 1972; Scott Fleming, "Louisiana Panthers Endure 27 Years of Solitary Confinement for a Murder They Did Not Commit," *New Political Science*, Vol. 21, No. 2, 1999, p. 281.

619. Mike Ryan, "The Stammheim Model: Judicial Counterinsurgency" *New Studies on the Left*, Vol. 14, Nos. 1-2, 1989; "Solitude as Counterinsurgency: The U.S. Isolation Model of Political Incarceration," in Churchill and Vander Wall, *Cages of Steel*, pp. 83-109. Dhoruba Bin Wahad also makes comparisons to Stammheim; "Cutting Edge," pp. 81, 83.

620. Jan Sussler, et al., *Marion Prison: Inside a Lockdown* (Chicago: Committee to End the Marion Lockdown 1986); Bill Dunne, "The U.S. Penitentiary at Marion, Illinois: An Instrument of Oppression," *New Studies on the Left*, Vol. 14, Nos. 1-2, 1989.

621. Mary O'Melveny, "Portrait of a U.S. Political Prison: The Lexington High Security Unit for Women," in Churchill and Vander Wall, *Cages of Steel*, pp. 112-22.

622. Fay Dowker and Glenn Good, "From Alcatraz to Marion to Florence: Control Unit Prisons in the United States," in Churchill and Vander Wall, *Cages of Steel*, pp. 131-51. On Pelican Bay, see Miles Corwin, "High-Tech Facility Ushers in New Era of State Prisons," *Los Angeles Times*, May 1, 1990; Cory Weinstein, "Supermax Blues at Pelican Bay SHU," *California Prisoner*, Aug. 1990. On Elmira, see "Trying to Economize, New York Makes Its Own Alcatraz," *New York Times*, Feb. 20, 1991; Jim Pfiffer and Garth Wade, "To the Max: Special Report," *Elmira Star Gazette*, Apr. 7-9, 1991. Other states were also queuing up to get into the act by this point; see, e.g., Noel K. Wilson, "Hard-Core Prisoners Controlled in Nation's High-Tech Prisons," *Chicago Daily Law Bulletin*, Apr. 25, 1991.

623. According to BoP Director J. Michael Quinlin, the criteria for placement in the experimental control unit at Lexington included a "prisoner's past affiliation, association or membership in an organization which has been documented as being involved in acts of violence, attempts to disrupt or overthrow the government of the U.S. or whose published ideology includes advocating law violations in order to 'free' prisoners"; letter, Quinlin to Rep. Robert W. Kastenmeier, Sept. 30, 1987; quoted in O'Melveney, "Lexington," p. 114.

624. The phraseology is attributed to Dr. Edgar H. Schein, a specialist in brainwashing and career consultant to the BoP. See, e.g., Edgar H. Schein with Inge Schneider and Curtis H. Baker, *Coercive Persuasions* (New York: W.W. Norton, 1961); Edgar H. Schein, "Man Against Man: Brainwashing," *Corrective Psychiatry and Journal of Social*

Therapy, Vol. 18, No. 1, 1962 (essentially the text of a presentation made to BoP officials the same year). Other cornerstones of "the literature" include John P. Zuleck's *Sensory Deprivation: Fifteen Years of Research* (New York: Appleton-Century-Crofts, 1969) and subsequent essay, "Behavioral and Psychological Effects of Prolonged Sensory and Perceptual Deprivation: A Review," in John E. Rasmussen, d., *Man in Isolation and Confinement* (Chicago: Aldine, 1973). Also see National Committee to Support the Marion Brothers, *Breaking Men's Minds* (Chicago: Committee to End the Marion Lockdown, n.d.); S. Grassian, "The Psychopathological effects of Solitary Confinement," *American Journal of Psychiatry*, Vol. 51, No. 4, 1982; Dr. Richard Korn, "The Effects of Confinement in HSU," appended to National Prison Project, *Report on the High Security Unit for Women, Federal Correctional Institution, Lexington, Kentucky* (Washington, DC: ACLU, Aug. 25, 1987). Korn's study is excerpted in Churchill and Vander Wall, *Cages of Steel*, pp. 123-7.

625. See, e.g., National Prison Project (ACLU), *High Security Unit*; Amnesty International, "Allegations of Inmate Treatment in Marion Prison, Illinois USA" (AMR 51/26187, May 1987) and "The High Security Unit, Lexington Federal Prison, Kentucky (AMR 51/34/88); "Report of Visit by Global Board of Ministries Team to High Security Unit for Women, Federal Correctional Institution, Lexington, Kentucky," Oct. 15, 1987.

626. See, e.g., Pat McGraw, "Safety for Both Guards, Prisoners Designed into Jeffco's High-Tech Jail," *Denver Post*, Sept. 7, 1986.

627. The matter can be viewed proportionately. There were some 100,000 members of the IWW in 1917, as compared to 5,000 in the BPP by 1969; Patrick Renshaw, *The Wobblies: The Story of Syndicalism in the United States* (New York: Doubleday, 1967) p. 179.

628. Herman Bell, "The BPP and Political Prisoners," *The Black Panther*, Feb. 1991, p. 11.

629. Quoted from Chris Bratton's and Annie Goldson's excellent documentary film, *Framing the Panthers in Black and White: Dhoruba Bin Wahad, the Black Panther Party and the FBI's Counterintelligence Program* (New York: Pressa, 1990).

630. For the best overview of these findings, see Morton Halperin, Jerry Berman, Robert Borosage and Christine Marwick, *The Lawless State: The Crimes of U.S. Intelligence Agencies* (New York: Penguin, 1976).

631. E.g., the *Hampton* case; see note 436.

632. Former FBI Director L. Patrick Gray, former Acting Associate Director W. Mark Felt, former Assistant Director for Domestic Intelligence Edward S. Miller, and John Kearny, former head of the New York Field Office's Squad 47 (COINTELPRO Section) were indicted in 1978 for having committed a variety of crimes during the Bureau's pursuit of WEATHERFUGS (Weatherman fugitives) during the early-70s; Nicholas Horrock, "Gray and Two Ex-FBI Aides Indicted in Conspiracy in Search for Radicals," *New York Times*, Apr. 11, 1978. Charges were dropped against Gray, essentially on the basis that he was too highly-placed and too transient in his position to have been responsible for the misdeeds of his underlings. Kearny, on the other hand, received a directed verdict of acquittal on the basis that he'd too lowly-placed and had thus merely followed the orders of his superiors (the so-called "Nuremberg Defense," supposedly invalid in U.S. courts). Felt and Miller were, however, convicted in 1980. Their appeal was preempted by the pardons, bestowed by Ronald Reagan in April 1981; Tony Poveda, *Lawlessness and Reform: The FBI in Transition* (Pacific Grove, CA: Brooks/Cole, 1990) p. 83. A \$100 million civil suit, *Clark v. U.S.* (78 Civ. 2244 (MEL)), was also pressed by former Weather fugitives Judy Clark and Dana Biberman while the criminal proceedings were unfolding. In early 1981, at about the same time the *Hampton* suit was being settled in Chicago, *Clark* was settled "on terms favorable to the plaintiffs."

633. Eve Pell, *The Big Chill* (Boston: Beacon Press) pp. 193-4.

634. Statement of Los Angeles District Attorney Gil Garcetti; quoted in Boyer, "Freedom."

635. Interview with Geronimo ji Jaga, People's International Tribunal for Justice for Mumia Abu-Jamal, Philadelphia, Dec. 6, 1997 (tape on file).

636. This assessment of the weight carried by Held in the Pratt case is based on interviews with appeals attorney Stuart Hanlon (San Francisco; April 1987) and former agent M. Wesley Swearingen, who worked in the Los Angeles COINTELPRO Section during the crucial period (Santa Fe, NM; October 1994).

637. Documents demonstrating Held's involvement in the Peltier case are reproduced in *Agents of Repression*, pp. 268, 269.

638. Augusto Delgado, "La invasión del viernes 30," *Claridad*, Sept. 12, 1985; Candida Cotto, "Madrugada del 30 agosto," *Claridad*, Sept. 12, 1985; Juan Mari Bras, "El escirro Richard Held," *Claridad*, Sept. 13, 1985; Manuella Coss, "Delicuenta al servicio del FBI," *Claridad*, Sept. 20, 1985.

639. In 1993, Held retired from the FBI. He now serves as head of security for the Visa Corp.; Ward Churchill, "The FBI Targets Judi Bari: A Case Study in Domestic Counterinsurgency," *Covert Action Quarterly*, No. 47, Winter 1993-94. As was remarked in note 435, Held's father, Richard G., also benefited from his orchestration of the FBI's coverup of its role in the Hampton/Clark assassinations; Churchill, "Family Business."

640. In the wake of the Felt/Miller convictions, the FBI Agents Association, an exceedingly potent lobby, went to work to ensure that none of its members would again be subject to prosecution for comparable criminal activity; Don-

ald Kessler, *The FBI* (New York: Pocket Books, 1993) p. 344. Interestingly, a strict reading of the RICO statute applied against the RATF and Ohio 7 defendants (see note 606) suggests that the Agents Association, along with the Fraternal Order of Police, with which the Association is allied, and which does the same, should be subject to “racketeering conspiracy” prosecution.

641. Senator Jeremiah Denton, Mar. 25, 1983; quoted in Pell, *Big Chill*, p. 194. Also see U.S. Senate, *Hearings on FBI Oversight Before the Subcommittee on Security and Terrorism of the Committee on the Judiciary* (Washington, D.C.: 97th Cong., 2nd Sess., 1982); *Hearings on Domestic Security (Levi) Guidelines Before the Subcommittee on Security and Terrorism of the Committee on the Judiciary* (Washington, D.C.: 97th Cong., 2nd Sess., 1982); *Hearings on Domestic Security Guidelines Before the Subcommittee on Security and Terrorism of the Committee on the Judiciary* (Washington, D.C.: 98th Cong., 1st Sess., 1983); *Report of the Chairman of the Subcommittee on Security and Terrorism: Impact of the Attorney General's Guidelines for Domestic Security Investigations* (Washington, D.C.: U.S. Government Printing Office, Nov. 1983).

642. E.g., the “Bail Reform Act of 1984” (18 U.S.C. § 3142), which makes it virtually impossible for political targets to exercise their constitutional right to be freed on bond pending conviction at trial. Another example is the “Violent Crime Control Act of 1994,” which, among many other things, applies the death penalty to some fifty additional categories of federal crimes and radically constrains the habeas corpus rights of those sentenced to death in seeking judicial relief; see generally, Ward Churchill, “The Third World at Home: Political Prisons and Prisoners in the United States,” in Churchill and Vander Wall, *Cages of Steel*, esp. pp. 9, 15-6. On the 1994 Act, also see Paul Chevigny's *Edge of the Knife: Police Violence in the Americas* (New York: New Press, 1995) pp. 112-5, 271.

643. Pell, *Big Chill*, p. 200. Also see “The Executive Order,” *Covert Action Information Bulletin*, No. 16, Mar. 1982. The CIA had of course been involved in such activities for a considerable period. In 1967, it initiated Project CHAOS, a mail-opening program designed to monitor the communications between “domestic radicals” and organizations/persons in foreign countries; Project RESISTANCE gathered intelligence data on domestic activists and radical groups; Project MERRIMAC involved infiltration of such groups for purposes of disruption. The BPP was targeted in all three projects, which were supposedly terminated in 1973. As with the FBI's COINTELPRO, there is ample indication they were simply continued under other names until Reagan legitimated them eight years later; “CIA Reportedly Recruited Blacks for Surveillance of Panthers,” *New York Times*, Mar. 17, 1978; Newton, *War Against the Panthers*, pp. 90-2, 106-7; Grady-Willis, “State Repression,” p. 369.

644. Quoted in Pell, *Big Chill*, p. 201.

645. See generally, Ross Gelbspan, *Break-ins, Death Threats and the FBI: The Covert War Against the Central America Movement* (Boston: South End Press, 1991).

646. Pell, *Big Chill*, pp. 60, 204.

647. See generally, Craig Uchida and David Weisburg, eds., *Police Innovation and Control of the Police* (New York: Springer-Verlag, 1993).

648. Bin Wahad, “War Within,” pp. 49-50. Also see Michael Dewar, *Weapons and Equipment of Counter-Terrorism* (London: Arms and Armour Press, London, 1988); Ward Churchill, “To Serve and Protect? The Social Context of Michael Dewar's *Weapons and Equipment of Counter-Terrorism*,” *New Studies on the Left*, Vol. XIV, Nos. 1&2, Winter-Spring 1989.

649. The decision to create a fully national counterintelligence/counterinsurgency apparatus, and to coordinate it with comparable establishments in several other countries (notably West Germany and Great Britain), can be dated from an international “counterterrorism” conference hosted by the FBI in San Juan, Puerto Rico, from Aug. 28-Sept. 1, 1978; “Secret Counter-Insurgency Conference Held in Puerto Rico,” *SI: Research Papers*, Oct. 1982. Also see my “Behind the Rhetoric: ‘English Only’ as Counterinsurgency Warfare,” *New Studies on the Left*, Vol. XIII, Nos. 1-2, 1988.

650. FEMA was created in 1977 by President Jimmie Carter's Executive Order 12148. During the late 1960s, Giuffrida ran a private consulting firm, the California Specialized Training Institute (CSTI), which, among other things, was contracted by Ronald Reagan's gubernatorial régime to devise a pair of counterinsurgency scenarios dubbed “Garden Plot” and “Cable Splicer” for use against the BPP and its allies. Field-tested by the FBI against the American Indian Movement on the Pine Ridge Reservation in South Dakota during the mid-70s, variations of the Garden Plot and Cable Splicer became the bedrock concepts upon which FEMA was organized, once Reagan named him to head it up; Tim Butz, “Garden Plot and SWAT: U.S. Police as New Action Enemy,” *Counterspy*, Fall 1974; “Garden Plot: Flowers of Evil,” *Akwesasne Notes*, Early Winter 1975; “Bringing Vietnam Home,” *Akwesasne Notes*, Early Winter 1975. Also see Diana Reynolds, “FEMA and the NSC: The Rise of the National Security State,” *Covert Action Information Bulletin*, No. 33, 1990.

651. This has been achieved simply by accessing the records of state departments of transportation (i.e., driver's license data) and lending institutions, as well as such more traditional sources as the police and military. In any event, as of 1993, the paper files “in headquarters alone would equal the weight of 275 Washington Monuments... On any given day, as many as 30,000 files are in transit within headquarters, [where they are pulled] by one of the

information management divisions 1,100 employees.” Computerizing this mass, and interfacing it with the databases of other police and intelligence agencies, both foreign and domestic, is the job of Assistant Director William A. Bayse, hired directly into the position by FBI Director William Webster in 1979. Bayse oversees a small army of 1,026 cyber-wizards, all of them harnessed to the task; Kessler, *FBI*, pp. 301-2.

652. In addition to Giuffrida, other heavy hitters on operational techniques brought in to help perfect the FEMA scenarios were British counterinsurgency experts Robin Eveleigh and Frank Kitson, who had learned their trade in locals such as Malaysia, Kenya and Northern Ireland; Ken Lawrence, *The New State Repression* (Chicago: Alliance Against the New State Repression, 1985). Also see Frank Kitson, *Low Intensity Operations: Subversion, Insurgency and Peace-Keeping* (Harrisburg, PA: Stackpole Books, 1971); Robin Eveleigh, *Peace-Keeping in a Democratic Society: The Lessons of Northern Ireland* (London: C. Hurst, 1978).

653. Another similarity is the role now played by private agencies such as Pinkerton’s, still the largest such firm in the business, albeit the flow of operatives has been reversed (whereas Pinkerton’s originally provided most Bol personnel, today most Pinkerton “detectives” are former FBI men). Second position is occupied by the Wackenhut Corp., founded by former agent and John Birch Society member George R. Wackenhut during the 1970s. Until his death a decade later, Wackenhut’s number two man was former FBI Assistant Director Stanley J. Tracy; the majority of the corporation’s 3,500 regular employees once worked for the Bureau. Then there is “Fidelifacts,” a 22-office operation which promotes itself as being “The National Organization of Ex-FBI Agents.” Still another such outfit is Dale Simpson & Associates, of Dallas, Texas. All of these “businesses” maintain extensive files, ongoing communications with the FBI, and pride themselves on the quality of their “anti-subversive” work; Turner, *Hoover’s F.B.I.* pp. 305-6, 207.

653. Harry, “MOVE!”

654. Perversely, by the early-80s at least some sectors of the racist right had begun to consciously imitate the RATF in terms of raising funds for political activities. Most dramatically, this involved a series of armored truck robberies—including one which netted \$3.8 million near Ukiah, California, on July 19, 1983—carried out by “The Order,” an offshoot of the Idaho-based Aryan Nation. This precipitated a JTTF-type response from the FBI, mainly in the Pacific Northwest; Kevin Flynn and Gary Gerhardt, *The Silent Brotherhood: Inside America’s Racist Underground* (New York: Free Press, 1989). A contemporaneous campaign was conducted in the Great Plains region against the Posse Comitatus, a libertarian organization, while the FBI was pursuing one of its members, Gordon Kahl, for killing a U.S. Marshal who’d attempted to serve him with a tax warrant; James Corcoran, *Bitter Harvest: Gordon Kahl and the Posse Comitatus Murder in the Heartland* (New York: Viking, 1990). In 1992, there was the Bureau’s siege of a home belonging to white separatist Randy Weaver in Idaho, ostensibly over minor weapons violations, which left his wife and son dead; Jess Walter, *Every Knee Shall Bow: The Truth and Tragedy of Ruby Ridge and the Randy Weaver Family* (New York: ReganBooks, 1995). Then, in 1993, there was the far more massive and sustained siege, and eventual slaughter, of Branch Davidians outside Waco, Texas; Stuart A. Wright, ed., *Armageddon in Waco: Critical Perspectives on the Branch Davidian Conflict* (Chicago: University of Chicago Press, 1995). On April 19, 1995, the extreme right retaliated, not only for the Waco butchery but for the Weaver family and Gordon Kahl as well, by bombing the Alfred P. Murrah Federal Building in Oklahoma City. 167 people died in the blast; Daniel P. Stern, *A Force Upon the Plain: The American Militia Movement and the Politics of Hate* (New York: Simon & Schuster, 1996). The dictum that “repression breeds resistance” obviously holds as true on the right as on the left.

655. The dating is a bit nebulous, but is most commonly dated from Reagan’s 1986 signing of a National Security Directive expanding the role of U.S. military forces ostensibly combating drug suppliers in Latin America. Actually, the preliminaries had commenced as early as 1982; Elaine Shannon, *Desperadoes: Latin Drug Lords, U.S. Lawmen, and the War America Can’t Win* (New York: Viking, 1988) pp. 85, 362.

656. See, e.g., Alfred W. McCoy, *The Politics of Heroin: CIA Complicity in the Global Drug Trade* (Chicago: Lawrence Hill, 1991); Peter Dale Scott and Jonathan Marshall, *Cocaine Politics: Drugs, Armies, and the CIA in Central America* (Berkeley: University of California Press, 1991); Clarence Lusane, *Pipe Dreams: Racism and the War on Drugs* (Boston: South End Press, 1991).

657. See note 238. It should also be remarked that very much the same situation prevails in Los Angeles. LA Panther leader Bunchy Carter was an important figure in the 5,000 member Slaussons, at the time the largest black gang in the city. At the time the Bureau engineered his assassination, Carter was negotiating a merger of the gang into the Party very similar to the arrangement Fred Hampton later attempted in Chicago. After the Panthers were obliterated by COINTELPRO, the Slaussons themselves divided into the notorious Crips and Bloods gangs, by all accounts the primary drug distributors in South Central LA; Pratt interview.

658. This was accomplished by the simple expedient of targeting the distribution/consumption of crack cocaine, a drug concentrated mostly in the inner cities, rather than the far more expensive powdered variety, long the drug of choice among the nation’s white yuppie elite. Interestingly, Oakland drug dealer Roosevelt Taylor, long a collaborator of sorts with Huey Newton (at least to the extent of paying tithes and providing Newton with “nose candy”), claims to have been the first to synthesize crack, at some point in 1977; Lance Williams, “Minister Recalls Crack’s Early

Days," *San Francisco Examiner*, Feb. 28, 1988. Also see Sam Meddis, "Drug arrest rate is higher for blacks," *USA Today*, Dec. 20, 1989.

659. Marc Mauer, "Americans Behind Bars: Comparative Rates of Incarceration," in Churchill and Vander Wall, *Cages of Steel*, pp. 25, 26. Also see Alfred Blumstein, "Prison Populations: A System Out of Control?" in Michael Tonry and Norval Morris, eds., *Crime and Justice: A Review of Research* (Chicago: University of Chicago Press, 1988).

660. Mauer, "Americans Behind Bars," pp. 24, 26. Also see James Austin and Aaron M. Davis, *The Impact of the War on Drugs* (San Francisco: National Council on Crime and Delinquency, 1989).

661. The 1994 Crime Bill (see note 642) allotted \$9.9 billion for new prison construction, \$10 billion for the hiring of additional police, \$6.9 billion for other "crime prevention" measures (mostly computer technology) and \$2.9 billion for additional enhancements to federal law enforcement capacity; Evelyn Williams, "The Crime Bill," in Chinosole, *Politics of Prison*, p. 134. All of this was transferred from federal appropriations for education and social services. In any event, a three-fold increase in the amount of space available has been radically insufficient to accommodate the more than five-fold increase in prisoners (about 200,000 in 1969, over a million in 1990, and closer to two million today). Severe overcrowding has thus become an endemic condition in U.S. prisons; Acoli, "Prison Struggle," p. 80. Also see James Austin and Aaron M. Davis, *The NCCD Prison Forecast: The Growing Imprisonment of America* (San Francisco: National Council on Crime and Delinquency, 1988).

662. Ken Silverstein, "America's Private Gulag," in Daniel Burton-Rose, Dan Pens and Paul Wright, eds., *The Ceiling of America: An Inside Look at the Prison Industry* (Monroe, ME: Common Courage Press, 1998) pp. 157-63.

663. See, e.g., the sections entitled "Workin' for the Man: Prison Labor in the U.S.A." and "Money and Warm Bodies: The Prison-Industrial Complex in the United States," in Burton-Rose, et al., *Ceiling of America*, pp. 102-67.

664. Dan Pens and Paul Wright, "The Resurgence of Chain Gangs," in *ibid.*, pp. 70-7.

665. The phrase is not a new one. See Steve Whitman, "The Crime of Black Imprisonment," *Chicago Tribune*, May 28, 1967.

666. For the early-60s and early-80s comparison, see Manning Marable, *Race, Rebellion and Reform: The Second Reconstruction in Black America, 1945-1982* (Jackson: University of Mississippi Press, 1984) pp. 172-7. For the early-90s, see Andrew Hacker, *Two Nations: Black and White, Separate, Hostile and Unequal* (New York: Scribner's, 1992); National Urban League, *The State of Black America, 1993* (New York: National Urban League, 1994). For interpretation, see Mack H. Jones, "The Black Underclass as Systemic Phenomenon," in James Jennings, ed., *Race, Politics and Economic Development: Community Perspectives* (London: Verso, 1992); Martin Carnoy, *Faded Dreams: The Politics and Economics of Race in America* (Cambridge, UK: Cambridge University Press, 1994).

667. Such outcomes were predicted a generation hence in books such as Richard J. Barnett's and Ronald E. Müller's *Global Reach: The Power of the Multinational Corporations* (New York: Touchstone, 1974). For an overview of globalization in the 1990s, see, e.g., Catherine Caufield, *Masters of Illusion: The World Bank and the Poverty of Nations* (New York: Henry Holt, 1996); William Greider, *One World, Ready or Not: The Manic Logic of Global Capitalism* (New York: Simon & Schuster, 1997).

668. Interpretations of this sort are legion. See, e.g., the handling accorded in Terry H. Anderson's handling in his widely-used text, *The Movement and the Sixties: Protest in America from Greensboro to Wounded Knee* (New York: Oxford University Press, 1995) esp. the remarks at p. 327.

669. Again, contributions to this "discourse" over the past twenty years have been legion. The linchpin of contemporary articulation will probably be found, however, in Gene Sharp's *Social Power and Political Freedom* (Boston: Porter Sargent, 1980). Also see Sharp's 3-volume *Politics of Nonviolent Action* (Boston: Porter Sargent, 1973).

670. For critique, see Ward Churchill with Mike Ryan, *Pacifism as Pathology: Observations on the Role of Armed Struggle in North America* (Winnipeg: Arbeiter Ring, 1998).

671. Those preoccupied with the methodological ingredients of what is suggested here would do well to refer to Michael Foucault's *The Archaeology of Knowledge* (New York: Pantheon, 1972).

672. Ollie Johnson discusses this and related issues in his "Demise." Probably most constructively, he brings perspectives offered by the late C.W. Cassinelli to bear on the BPP's "Newton cult" phenomenon; C.W. Cassinelli, "The Law of Oligarchy," *American Political Science Review*, No. 47, 1953. Of related interest is the "élite theory" expounded by Robert Michels in his *Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracy* (New York: Free Press, 1962).

673. Chris Booker offers a valuable, although by no means completely satisfying, analysis of the very question in his essay, "Lumpenization." Other especially useful readings in this connection include those cited in note 224, as well as David G. Epstein's "A Revolutionary Lumpen Proletariat?" *Monthly Review*, Dec. 1969; Clarence J. Mumford's "The Fallacy of Lumpen Ideology," *Black Scholar*, No. 4, 1973; and Kathleen Cleaver's *On the Vanguard Role of the Black Urban Lumpen Proletariat* (London: Grass/Roots, 1975).

674. A superb recent analysis of these matters is offered by Dhoruba Bin Wahad in his "Toward Rethinking Self-Defense in a Racist Culture: Black Survival in a United States in Transition," in Fletcher, Jones and Lotringer, *Still*

Black/Still Strong, pp. 57-76. Also see Clarence Lusane, "To Fight for the People: The Black Panther Party and Black Politics in the 1990s," in Jones, *Black Panthers Reconsidered*, pp. 443-63.

675. "If voting could change anything," as the old saying goes, "it would be illegal." For analysis, see, e.g., Michael Parenti, *Democracy for the Few* (New York: St. Martin's Press, [5th ed.] 1988).

676. As is readily evident in Robert Justin Goldstein's monumental study, *Political Repression in Modern America*, the same sorts of violently repressive techniques have been employed to a greater or lesser extent against every potentially effective movement in the U.S. for more than a century, irrespective of the targets' adherence to nonviolent principles.

677. See, e.g., the argument developed by Joy James in *Resisting State Violence: Radicalism, Gender and Race in U.S. Culture* (Minneapolis: University of Minnesota Press, 1996).

678. The segment of Brian Glick's *War at Home* entitled "Prospects for the Future" (pp. 39-73), while grossly inadequate, represents a start in this regard. Also see the concluding chapters of *Agents of Repression* and *COINTELPRO Papers*.