To

Carey McWilliams,
editor, The Nation,
1955–1975,
who lived out his father's precept
to be "honorable in all things."
a group calling itself the “Black Guard,” an alleged offshoot of the Philadelphia RAM, which had long been a prime CD target. The raid followed the arrest of six officers and members of the group and was timed with inspired precision: On the very next day, July 28, 1967, Mayor Tate proclaimed a “limited emergency” (discussed below) that banned public meetings of twelve or more. Later Tate made a television announcement that the police were searching for “several large caches of dynamite, rifles and other contraband” hidden by the arrested conspirators, a development that conveniently served as an answer to the widespread demands for an end to the “emergency.”

The black militants were initially charged with disorderly conduct and breach of the peace and, later, on the basis of the seized documents, with a conspiracy to incite to riot and other seditious plots, including a weird superplot, described in this way by Lieutenant Fenc:

Men were solicited to create a riot in the city of Philadelphia; to commit murder, to cause public chaos by destruction of private and public property, literally to destroy the city by violence. It was their intention that once riots started in the city that poison would be distributed through their agents throughout the city for the purpose of placing it in the food and drink that would be distributed gratuitously to policemen assigned to the riot area.12

In October the Totentanz took a wilder turn when more alleged RAM members were seized and charged with plotting to dynamite public buildings and assassinate public officials, including Rizzo. All of the incitement charges were quickly dropped and the other charges (of dynamiting and assassination) were also abandoned. In exchange the defendants pled guilty to breach of the peace and were placed on six months’ probation on that charge.13

The police had still another go at RAM in November 1968, when a detail from the CD Squad descended on a house that Fenc said had been placed under surveillance for “a period of time” as the suspected headquarters of the Black Guard. In the basement the police found an assortment of weapons—two rifles, two shotguns, two pistols, more than three hundred rounds of ammunition, and several knives—as well as tape recorders, a mimeograph machine, and three cartons of Maoist literature. The police said they also found a bullet-ridden Philadelphia telephone directory, which indicated that the basement had been used for target practice. An alleged member of the group, Odell Rogers, was arrested and held on the usual high bail—$20,000. Again, the prosecution was dropped; and RAM itself disappeared from the scene.14

The SDS Bomb Conspiracy

By 1969 many American cities had already experienced the impact of SDS militance. On Philadelphia campuses, however, SDS had never been very strong, and Rizzo found himself behind the times. Rizzo’s problem was admirably summed up by Bernard Segal, a Philadelphia attorney, in a 1969 interview: “Rizzo is a 1969 guy. He’s very modern, like the guy who wants to be the first on his block to have a [late model] car. And it bothered him that other cities were having trouble with SDS but Philadelphia wasn’t. So he decided to have trouble with the SDS.”

The National Caucus of Labor Committees (NCLC) was a miniscule offshoot of the SDS, quite removed from and scornful of the mainstream of dissent, proud of its militance, but unable to attract substantial support. When the NCLC became involved in a campaign directed against the city’s public school system, Rizzo moved against it.15 In February 1969 eight members of the group were arrested by the CD (over the vigorous protests of the Philadelphia branch of the American Civil Liberties Union) for distributing leaflets in front of two Philadelphia high schools.* In the same month, six visitors to the city were arrested for taking pictures of a ceremony outside a high school. The police justified the arrests on the grounds “that they were suspicious people in an auto with New York tags taking photos.”†

In March Rizzo charged that the NCLC organizers were subverting the high schools and plotting to blow them up. He “documented” his charge with Your Manual, a pamphlet on how to make bombs and Molotov cocktails, which he reproduced in quantity for the local media and

* The leaflets were captioned, “Help the Fight against the University City Science Center at Penn.” The eight were taken to the Police Administration Building, interrogated, photographed, required to provide information for use on an “intelligence summary” (discussed later), detained for three hours, and then released.
† Young people in cars with out-of-state license plates with long-haired drivers or passengers were frequently stopped “on suspicion.” For example, in 1970 the son of Governor Cahill of New Jersey was stopped because he was driving an out-of-state car with a peace sticker on the side, which was parked in a black neighborhood. Young Cahill was arrested and charged with a marijuana law violation. The same year, the daughter of a prominent Quaker drove into town with a long-haired passenger and out-of-state license plates. She was stopped as soon as she crossed the line into Philadelphia, and when she asked the reason for stopping her, the police replied, “We just want to check on your identity. We want to know who the people are who come to Philadelphia.” This “outside agitation” concern may well have been a cover. The evidence is strong that such targets were pinpointed by the FBI pursuant to the collaborative arrangement described earlier.
circulated with a memorandum stating: “The Students for a Democratic Society is the moving force behind the circulation of this booklet in Philadelphia.” In fact, the pamphlet was published in San Francisco and referred to the local San Francisco scene only and was obviously not intended for use outside of that city. It had been seized and destroyed by the police there, except for single copies distributed by the Veterans of Foreign Wars (VFW) to urban police chiefs; the real “moving force behind the circulation of this booklet in Philadelphia” was Rizzo himself. In a letter to the Philadelphia ACLU dated April 11, 1969, he justified his action by saying that he knew the pamphlet had been distributed at an NCCLC meeting in Philadelphia as recommended reading and he believed that “it is in the interest of the people of this city for them to be aware of the actions advocated by groups within our society.” Rizzo refused to disclose the source of his knowledge of SDS’s use of the pamphlet.

The attempt to attribute this how-to-do-it manual to the NCCLC was marked by a particularly offensive irony. Rizzo had in the past confined himself to targets whose style and rhetoric might create an expectation of violence. But the NCCLC had fought factions in the student movement and the SDS that were committed to anarchist-terrorist methods: it favored coalition politics, mass pressure, and ameliorating legislative programs. In short, the political police of Philadelphia attributed a revolutionary bomb plot to a group that had come into being and defined itself by rejection of bomb plots as a political instrument.

When the initial harassment, bogus arrests, and smear press releases failed to stop the NCCLC, Rizzo once again resorted to the familiar bomb-plot scenario. On the night of April 9, 1969, after two weeks of around-the-clock surveillance, ten members of the CD Squad led by Lieutenant Fend entered the apartment of Steven Fraser and Richard Borgmann, young activist members of the NCCLC. Armed with a search warrant (applied for on the basis of a “tip from an unnamed informant”) the detail found a can of explosive powder, three casings for pipe bombs, six metal pipe caps, a container of plastic explosive known as C-4, and a length of dynamite fuse. The incriminating explosives were “discovered” in or underneath a refrigerator in a corner of the kitchen, a location that enabled the policemen to “find” the contraband without being seen simply by walling the corner off with their massed backs.

Rizzo held a press conference on the day after the raid and recited his now predictable lines: those arrested “could have caused great grief in the community and great damage. People like this should be not permitted to roam the streets.” The commissioner displayed sixteen photographs of the messy apartment and two separate close-up pictures showing four paperback novels with titles like My Body Is Waiting. “Just look at the filthy conditions in those pictures,” he said. “They’re self-explanatory.” Given such degeneracy, who needed further proof of guilt?

At the preliminary hearing on the case, a set of seized bomb parts mysteriously made an appearance in police photographs as an assembled bomb. But even stranger was the police failure to take fingerprints. The following colloquy between defense counsel and Lieutenant Fendt tells its own story:

Q. Did you or any of the other officers who handled these items pick up either with tongs, tweezers or with handkerchiefs in order to preserve whatever fingerprints there might be on those cans to help identify the individuals who had been handling or having possession of the particular item?

A. No, we did not.

Q. Why not?

A. We just did not do it.16

At a hearing Fendt asked for $25,000 bail for each of the defendants and asserted that the NCCLC was part of an “East Coast Bomb Conspiracy” centered in Boston whose first priority was the demolition of national monuments in Boston and Philadelphia. He added that Fraser had been present at a Boston meeting of the “conspiracy” the preceding March. The court granted Fendt’s bail request, but on appeal, when Fendt admitted that he really didn’t know that such a gathering had ever taken place, let alone that either Fraser or Borgmann had attended, the bail was reduced to $10,000 each. All this happened in the summer of 1969. Almost four years later, in 1973, the case was dropped on the grounds that the prosecution was unwilling to reveal its informer’s identity.*

The Panther Police Assassination Plot

Commissioner Rizzo had been singularly unsuccessful in making any of his bomb-plot charges stick, and by 1969 he was beginning to have the same trouble as the boy who cried wolf. He was helped out of his di-

* Not long after this the NCCLC turned sharply rightward. Its leader, Lyn Marcus, revealed himself to be Lyndon LaRouche, an ex-Trotskyist, and renamed the NCCLC the U.S. Labor Party. The organization specialized in political and economic intelligence and sought to supply information to federal, state, and local police on left-wing activities. LaRouche and his lieutenants were eventually convicted on criminal charges of fraud.
In December 1983 Floridians learned that an Orange County, Florida, sheriff’s investigator, using an assumed identity, spent seven months undercover in the Central Florida Nuclear Freeze Campaign on an infiltration assignment. The sheriff’s office claimed that the freeze campaign posed a danger to the county’s security because several of its members had been previously arrested in Tampa for civil disobedience. In Orange County, California, Sheriff Bradley Gates has been sued for an assortment of surveillance practices including wiretapping, bugging, and harassment of three political opponents and critics—a judge, a private investigator, and a college professor—who claim they were targeted in order to silence them.

Data exchanges are also recorded between the Chicago Police Department and twenty-six state law-enforcement agencies. The record further demonstrates that state units in California, Connecticut, Maryland, Michigan, New Jersey, New York, and Ohio, among others, staked out their own countersubversive turf and continued their surveillance activities in the late sixties and thereafter when urban operations were attacked or suspended.

In 1980 the New Hampshire State Police, working with a private pro-nuclear group headed by the extremist Lyndon LaRouche, infiltrated the Clamshell Alliance, a coalition of nuclear power opponents. When a number of demonstrators were arrested for criminal trespass, one of them turned out to be a state police undercover agent. During 1983 and 1984 evidence emerged of surveillance and infiltration of a group demonstrating against the death penalty by the Georgia Bureau of Investigation (GBI) under a newly enacted Georgia statute, the Anti-Terrorism Task Force Act. The demonstration was also videotaped by an agent, who disguised himself by wearing a green ribbon, which was used for identification by opponents of the death penalty. In addition, identifying data were collected by uniformed troopers. The GBI also targeted a number of claimed “terrorist” groups for surveillance with no record of violent activities. The cloak-and-dagger obsession of the GBI’s director, J. R. Hamrick, led in 1986 to the targeting of the Campaign for a Prosperous Georgia, a consumer group with an antinuclear agenda, despite the fact that a GBI investigator had cleared the group of charges of illegal activities. But Hamrick was unpersuaded: he feared that the “international situation,” particularly the “conflict between the United States and Libya” created “the potential for a terrorist attack.”

In October 1983 it was disclosed that, under an Arizona statute passed in 1975 to investigate drug trafficking, the Arizona Criminal Intelligence Systems Agency had deployed infiltrators in two towns where copper miners were on strike; these mingled with the strikers and attended union meetings, tactics claimed to be justified by a “potential threat of violence.” Subsequently it was discovered that the same agency had infiltrated the ranks of anti-cruise missile demonstrators at an Air Force base as part of an investigation into “radical terrorist groups.”

In areas where national defense facilities are targets of protests and demonstrations, state police units are increasingly deployed both on their own and in collaboration with other agencies. In Connecticut political surveillance for purposes unrelated to law enforcement has routinely been conducted by the Connecticut State Police in the New London area, the site of a Navy laboratory, a submarine base, and a General Dynamics submarine yard. Moreover, in the recent past, state police officers have routinely photographed demonstrators at other sites, assertedly for “future intelligence purposes”; documents establish that in 1982 undercover troopers infiltrated a student gathering at Wesleyan University, where students were planning an anti-Klan rally. Documents also record surveillance of other demonstrations where certain participants were labeled “pacifists” and “Marxists.” In 1984 it was revealed that included in the Connecticut State Police collection of 24,000 “raw intelligence reports” was a file on a respected former state supreme court justice, initiated by an anonymous telephone call.

Nothing demonstrates the persistence of the latter-day surveillance drive as the disclosure that despite the dismantling of the Michigan State Police (MSP) intelligence unit in 1976 (see p. 297), state troopers, operating under the cover of another branch of the MSP, infiltrated peace groups protesting the construction of nuclear weapons at a plant in a Detroit suburb.

The revival of political surveillance may also be spurred by the private sector. Surveillance and file maintenance of alleged or suspected subversives has for a long time been a priority of ultra-right groups in this country, working on their own or, more commonly, with police agencies. In the sixties, and even earlier, a substantial majority of the police forces in large American cities—including New York, Philadelphia, Chicago, Detroit, Cleveland, Buffalo, and Birmingham—had close operational or file-sharing ties with right-wing groups. In some cases, local
matters, and with a Philadelphia councilman, David Cohen; and supplementary research by Robert Koulish.


5. The best account of Rizzo’s relationship with the press appears in Hamilton, ch. 6. See also Joe McGinnis, “He’ll Always Be Car One” [MORE], December 1971, and Berson, “Toughest Cop.”


10. Between August 13 and 23, 1966, Rizzo gave the press no fewer than twenty-five statements elaborating on the claim that the raid had rescued the city from disaster.


12. “4 Racists Accused of Cyanide Plot to Kill Hundreds Here,” Philadelphia Bulletin, September 27, 1967. For an account of the hearing at which prohibitively high bail ($10,000) was set, see “Black Guard Assaulted in Court by DA,” ibid., August 9, 1967.


15. The SDS “bomb plot” account in the text is based on interviews by the author; files of the Philadelphia ACLU and the American Friends Service Committee; lawyers for the defendants in court cases; and the Philadelphia ACLU’s publication, Civil Liberties Record, April 1969.

16. Quoted in Bomb Plot Conspiracy, a pamphlet published by the Fraser-Borgmann Defense Committee (n.d.).


21. Rizzo insisted even after the disclosure of police excesses that it was “clearly evident . . . that the police acted with remarkable restraint” (“Report of Panther Weapons Led to Raids,” Philadelphia Inquirer, September 4, 1970).


24. The account of the harassments of the Free Press in the text is based on undisputed allegation of a legal complaint, discussed on p. 221, and a series of interviews by the author with Biggin. The police case against Biggin and the Free Press is reflected in two Philadelphia Bulletin articles from July 28, 1970: “Head of Rebel Paper Is Central Figure in New Left Here” and “100 Here Called Hardcore Revolutionaries.” See also a series of stories by Albert Gaudiosi from the Philadelphia


