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1-7, 9-40, 42-56, 58-61

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(Mount Clipping in Space Below)

Levi Gives Warning On FBI Guidelines

WASHINGTON (UPI) — Despite a House committee's charges of "atrocious and horrendous" things done by the CIA and FBI, Attorney General Edward Levi warned today against giving the courts virtual control of criminal investigations.

Testifying before a House Judiciary subcommittee on proposed guidelines for operating the FBI, he objected to suggestions that court-approved warrants be required for practically every investigation.

"There is a temptation to resort to having the courts make difficult day-to-day decisions about investigations," Levi said.

"When a Fourth Amendment search or seizure is involved, of course, recourse to a court or a judicial warrant is in most circumstances required."

The House intelligence committee Tuesday folded its tent, leaving behind an unpublished report on "atrocious and horrendous things" done by the CIA and FBI and a stack of recommendations on how to prevent illegal activities and abuses.

But Levi told the Judiciary panel today that congressional zeal prompted by such reports could prompt decisions which hamstring or at least slow law enforcement.

(Indicate page, name of newspaper, city and state.)

P-2 EVENING OUTLOOK
SANTA MONICA, CA

Date: 2/11/76
Edition: 3 Star
Author:
Editor: Robert D. Funk
Title: COINTELPRO

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FBI - LOS ANGELES	

For example, it has been suggested that the FBI ought to obtain a warrant before using an informant. Extending the warrant requirement in this way would be a step toward the inquisitorial system in which judges, and not members of the executive, actually control the investigation of crimes."

Levi pointed a finger at the White House as responsible for a number of past incidents "in which the FBI was misused for political purposes."

"...In most cases we discovered where the White House was involved the initiation of an improper request was made by a White House staff member — acting in the president's name — to a counterpart in the FBI. These requests were often made orally. White House staff members in a number of different positions were involved."

The intelligence committee wound up its work amid controversy.

"These proceedings are closed," said chairman Rep. Otis Pike in ending the committee's work Tuesday.

He gave members until today to forward any final minority observations they might have on a package of approved recommendations and said it all would be sent to the full House for action soon.

The 13-member panel's mandate expires tonight at midnight, leaving only the Senate intelligence committee in business until it also runs out of time at the end of the month.

Both committees have proposed permanent House and Senate oversight panels. With the filing of the House committee's recommendations, the way was opened for a decision by Speaker Carl Albert, D-Okla., on what to do with its controversial 338-page report — the fruit of a year's investigations.

The House voted Jan. 30 to ban publication until President Ford had a chance to delete material he thought might harm intelligence activities.

Pike said the document contains "atrocious and horrendous things" which should be made public and "not swept under the rug."

He refused to submit it to censorship. Instead he sent the 2,000 printed copies to the Clerk of the House who locked them up pending further action.

(Mount Clipping in Space Below)

FBI Curbs Could Benefit Terrorists, Kelley Warns

From Times Wire Services

WASHINGTON—FBI Director Clarence M. Kelley said Wednesday that too much restrictive legislation over the agency's domestic intelligence activities might hamper its ability to investigate terrorist groups in the future.

Kelley and Atty. Gen. Edward H. Levi testified before the House judiciary subcommittee on civil and constitutional rights, which is charged with drafting legislation—based on recommendations of the now defunct Select House Intelligence Committee—governing the FBI's activities.

Levi presented the committee with proposed guidelines covering White House inquiries, investigations for congressional staff and judicial staff appointments, the handling of unsolicited mail and domestic security investigations.

Rep. Herman Badillo (D-N.Y.) said he would file a resolution in the House to reject Levi's guidelines.

Badillo said the guidelines were "so broad as to give license to exactly the same kinds of activity the FBI has carried on up until now without the benefit of guidelines."

Kelley said he endorsed the FBI guidelines proposed by the Justice Department, but added that restrictions should not go too far.

"I want to emphasize that these domestic intelligence investigations are not undertaken for the purpose of collecting information on those who hold unpopular or controversial political views," Kelley said. "Their focus is on conduct, not ideas—conduct that involves or is likely to involve a violation of federal law."

Kelley also warned that terrorism was increasing in the United States and could cause violent "fireworks" at bicentennial celebrations.

Blaeser

(Indicate page, name of newspaper, city and state.)

I-11 LOS ANGELES TIMES
LOS ANGELES, CA

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Editor: William F. Thomas
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He said terrorist groups might carry out many new acts of violence unchecked if Congress restricted too severely, in the name of civil liberties, "preventive investigations" by the FBI.

He said there had been 83 bombings attributable to U.S. terrorists in 1975—nearly double the 1974 figure and more than triple that of 1973.

The FBI guidelines proposed by Levi prohibit the commission or instigation by the FBI of criminal acts; the dissemination of information for the purpose of holding an individual or group up to scorn, ridicule, or disgrace; the dissemination of information anonymously or under false identity, and the incitement of violence.

Badillo, in rejecting the guidelines, said: "During the past months, we have been shocked by the revelations surrounding Cointelpro operations against Martin Luther King. If the new guidelines are ever promulgated, exactly the same kind of activities could be given the sanction of respectability."

Cointelpro was a domestic intelligence program operating from the 1950s and 1960s in which the FBI disrupted and harassed groups of the right and left.

But Rep. Don Edwards (D-Calif.), chairman of the rights subcommittee, said he thought Levi was doing very well on the draft guidelines, and that he intended to hold more hearings on new tentative guidelines as they were developed.

(Mount Clipping in Space Below)

Ex-FBI Informer Describes Right-Wing Terrorist Role

BY NARDA ZACCHINO
Times Staff Writer

Howard Berry Godfrey is an unimposing ex-San Diego city fireman who seems out of character in the role of a right-wing terrorist.

But that is the part he played for five years when he served simultaneously as a member of several right-wing paramilitary organizations and as an informant for the San Diego office of the FBI.

Godfrey, now 32, discussed his activities in a lengthy interview.

He detailed a number of the groups' activities including:

- Conducting a reign of terror against the left in a series of attacks including bombings, burglaries and harassment.

- Plotting the assassinations of President Richard M. Nixon and several controversial leftists.

- Shooting into the home of a Marxist college professor, wounding a woman guest.

- Stealing membership files and lists from leftist organizations. Godfrey said he turned these files over to the right-wing extremists and the FBI.

- Damaging cars of leftists by slashing tires, throwing hydrochloric acid and fire bombs.

- Bombing a San Diego movie theater that showed X-rated films.

Godfrey's activities are the focus of an investigation by the Senate Select Committee on Intelligence into allegations of leftists and newsmen that Godfrey was used by the FBI to wreak havoc on the left, a charge the bureau has denied. Godfrey has maintained he acted largely on his own.

These allegations and some of the details of Godfrey's activities have emerged in newspaper and magazine articles—the first time three and a half years ago in a San Diego alternative newspaper, The Door, and most recently in New Times Magazine and The San Diego Union.

But Godfrey's own story has never been told.

Blosser
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(Indicate page, name of newspaper, city and state.)

I-I LOS ANGELES TIMES
LOS ANGELES, CA

Date: 1/26/76
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For the first time, he talked about his role and the role of the FBI during the years 1967 to 1972. And he explained how a quiet man at age 24 could decide to forego a normal life for one of danger and violence. This is his account:

He had just been discharged in Texas as a weather observer in the U.S. Air Force in late 1966 when Godfrey met a family acquaintance in San Diego who invited him to join a right-wing extremist group.

Unsure of the goals and practices of the group, Godfrey, who considers himself "a Goldwater conservative," sought advice from a member of his church. Through this friend, he contacted another church member, an agent from the San Diego FBI office, and he asked me to infiltrate and furnish some information," Godfrey recalled.

By early 1967, Godfrey was a member of the Phantom Cells, then a right-wing "survival" and guerrilla group associated with the Minute Men," he said.

It was the beginning of Godfrey's five-year career as an informant and extremist, a career that ended when he was subpoenaed to appear before a San Diego County grand jury investigating the paramilitary Secret Army Organization.

That testimony came after right-wing violence in San Diego. His role in it had escalated to the point at which the FBI could no longer conceal his identity from police. It resulted in indictments and complaints filed against eight right-wing extremists for various offenses.

In his double role, Godfrey had different pseudonyms for his different audiences. He was "Capt. Mike McGann" to the right wing and "Jerome" to the FBI.

I used it (the name Jerome) after the first two years to make contacts," he said. "I signed my reports with the code name Jerome, although receipts for money I was paid I signed with my own name."

He made his FBI contact "primarily through phone calls. There were special phone lines of numbers that were given to me. If anyone else called, they wouldn't have known because it wasn't answered, 'FBI.' I used the name Jerome."

Sometimes he met his contacts. "We used to meet a couple of times a week, in parking lots throughout the city, behind stores, anywhere that happened to be handy. We would grab a few minutes and talk," he said.

One former contact agent at the San Diego FBI office vouched for Godfrey's credibility. "Anything you've gotten from him you can pretty well stay with," special agent Jordan Naylor said. "I trust him implicitly. There is no reason to distrust his integrity. You can depend on what he says as accurate."

Godfrey advanced in the ranks of the extremist groups because of his hard work and he became viewed as a respected and dedicated cadre member, according to former SAO associates.

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His rise from recruit to head of the San Diego branch of the Minutemen to cofounder of the Secret Army Organization (SAO) corresponded to an increase in his FBI pay and an escalation in the violence against the left in San Diego.

"The first few months I made almost nothing," he said. "They didn't know what I was going to do or put out or anything." By the end of his stint as an informant, his base pay was \$250 a month "plus a couple hundred a month expenses. . . . I can't say I was paid on the basis of production because I got paid regardless of what I did."

What he and his right-wing comrades did was extensive.

Activities which began on a minor scale such as disrupting antiwar demonstrations escalated to a shooting and bombings, death threats and burglaries. Legal pranks led to illegal acts.

Although "many of the acts were spontaneous," Godfrey said he reported all acts to his FBI superiors, who sometimes had prior knowledge of them.

"For instance, I would report (to the FBI) that one night we were going to go out and harass the Street Journal (an alternative newspaper). And that night we would put up SAO stickers or we might put a rock through their windows with a slingshot or we might throw a flare into a car parked in front of the building," Godfrey said.

Sometimes, however, harassment of the Street Journal and the Door newspapers—both now defunct—was more serious.

"Our organization did the attack on the Door when their printing equipment was smashed," Godfrey said, adding they also smashed the printing equipment at the Street Journal.

"They were both complete disasters," he said. No one was ever prosecuted for these acts, a district attorney's spokesman said.

Godfrey said he and another man also broke into the Door one night and stole 5,000 copies of the newspaper and dumped them into San Diego Harbor. The newspaper contained the picture of an undercover informant who was scheduled to testify at the Chicago 7 conspiracy trial, he said. Former Door editor Larry Remer confirmed this.

Staff members were harassed, and Godfrey told of one Street Journal staffer whose car "was burned by us. I was present. There were a whole series of car burnings in San Diego done by the right. I was present at several; some were done without me."

There were also a series of burglaries, some of which Godfrey said he committed, including one of a house in Vista from which he took Communist Party records and files, and several of the Peace and Freedom Party headquarters and leftist offices where he got lists of names and addresses.

These lists, he said, he would turn over to the right-wing extremists to copy for their intelligence files, then the FBI to copy for their files.

Did the FBI encourage him to steal? "Well, the FBI was happy to get the files, but it's hard to say whether it was encouragement of the FBI or the agent. I don't know whether the encouragement was official or unofficial," he said. He said he did get one

financial bonus from the FBI for files he stole.

Once, through a list of names taken from the leftist Student Mobilization Committee, the rightists called parents and told them what their children were doing and parents who stuck up for their kids were put in the file, too," Godfrey said.

Godfrey referred to these "intelligence files" kept by the right as "a sort of hit list" so the right would know who to target in case of a Communist takeover of the government.

Among other pranks, the right wingers would try to diminish attendance at demonstrations by calls to radio stations and letters alleging to be from leftist leaders saying the demonstrations had been canceled or postponed.

Once, he said, he and another man spread carpet tacks over the grassy area where a demonstration was to be held and "here come 5,000 barefooted hippies stomping into it. It was rather funny . . . We used to do things like this regularly."

It was the vigilante Minutemen who planned to assassinate a Chicago 7 defendant and controversial Marxist college professors Angela Davis and Herbert Marcuse in San Diego, Godfrey claimed.

A plot to hang Marcuse and Miss Davis by throwing them off the bridge over San Diego's Highway 395 was scrapped in favor of hanging them in effigy.

Godfrey said Minutemen watched Marcuse's house and allowed him and the San Diego rightists got right-wing extremists in Arizona, Nevada, Washington and the East coast to make harassing calls to Marcuse.

"Several threats were made on his life," Godfrey said.

In July, 1968, Marcuse fled his La Jolla home and hid. Godfrey said he was convinced the assassination plots could have been carried out, but "I talked it down to prevent it from happening. I said it would make them (Marcuse and Davis) martyrs."

Godfrey implicated a San Diego County supervisor, Lou Conde, in the effigy-hanging scheme. Conde admitted it was his idea, but he denied any connection with the Minutemen or any assassination plots. Conde also admitted participating in another "prank" with Godfrey, on the Peace and Freedom party.

The most violent of the groups was the Secret Army Organization, which Godfrey said he cofounded with Jerry Lynn Davis in 1971 after the demise of the Minutemen faction in San Diego.

The Minutemen began to die out "partially because I wasn't putting in as much effort to keep them going as I probably should have," Godfrey admitted.

After the SAO was formed in September, 1971, "Things began to pick up," he said.

"The FBI was definitely interested in my participating (in the SAO). I don't know how instrumental I was in founding the SAO, I was there during all the organizing."

He became assistant state commander, San Diego County coordinator and state intelligence officer for the group.

"In my command, I had 9 or 10 people whom I was in contact with in San Diego, although some of them had people working under them," he said. "I could reach 45 to 50 people, maybe more . . ."

The army's mailing list contained 227 names of so-called sympathizers and there was an organized recruiting program. But the SAO was discriminating. Some people were not admitted "because they drank too much and were a bad security risk," Godfrey said.

He said the army was well-armed and in addition to several smaller weapons members had a flame thrower, .50-caliber machine guns, antitank rifles and hand grenades.

In searching SAO associates' homes and other properties—in the wake of Godfrey's 1972 grand jury testimony—law enforcement officials confiscated military drugs, explosive paraphernalia, the flame thrower, land-mine fuses, primer fuses and illegal inflammable material.

Godfrey said one night SAO members heard Chicago 7 defendant Jerry Rubin was in town, "so three men came to my house and wanted to assassinate Rubin. So we go out and I'm driving and I'm carrying a .45" and the others were armed with .45-caliber pistols and a shotgun.

They never found Rubin.

"I was hoping they weren't going to find him," Godfrey said. "But that night resulted in a smoke bombing and two car burnings" and Godfrey said one man had to be stopped "from shooting into a house with a 12-gauge shotgun."

The position of the FBI in all his activities was, "Stay out of as much as I could," Godfrey said. "Stay in but stay out. In other words, I was not encouraged to participate in any illegal activities and encouraged to prevent as much illegal activity as I could, which I did."

Citing his role of leadership, he described his plight: "I was in so deep I had to do a certain amount of activity to maintain my cover."

FBI Director Clarence Kelley said:

"We did not commission him, nor would we condone him to commit any acts that have been alleged. We certainly would not engage in any acts of that type."

Kelley, who became director in 1973, said the FBI never funded the SAO.

However, Godfrey said he used FBI "expense" money to help pay for an IBM typewriter and pay for some of the SAO "bulletins," including one poster distributed in February, 1972, containing a picture of President Nixon indicating the President was "Wanted for Treason." It demanded the President's arrest.

The poster criticized Nixon for dealing with "The Red China Gang" with "his chief henchman Henry (Czar) Kissinger."

Godfrey said he was later reimbursed for the Nixon poster by another SAO member. He said the poster "became popular" and gained other recruits, and that 5,000 copies of the Nixon poster were distributed around the country.

Jerry Lynn Davis, an SAO member who was indicted after Godfrey's 1972 grand jury testimony, claimed Godfrey's financial contributions were substantial. Davis pleaded guilty to possession of explosive-type devices, his attorney said.

"There were times when we could not have existed without his financial support," Davis said. "You might say we were a federally funded antipoverty program for the right wing."

"The FBI paid for one bulletin to be printed and published," Godfrey said. "I think it was the one about Maureen O'Connor," a San Diego city councilwoman.

Miss O'Connor, contracted in her office, had a copy. It warned of "liberals, pinks, reds and other fuzzy-thinking types" who were coming to disrupt the upcoming 1972 Republican National Convention, which was then slated for San Diego.

The bulletin scored the "unconventional center," a center funded by the Southern California First National Bank to coordinate activities of police, the city and protesters with the hope that the various factions could express their diverse opinions peacefully at convention time.

The bulletin cited supporters of the center, including Miss O'Connor, her twin sister, Mavourneen, who was the center's coordinator; the bank's chairman at the time, Bob Peterson, and city officials, including Mayor Pete Wilson. It gave phone numbers, addresses and license numbers of some supporters.

"We got threats by telephone on our lives," said Councilwoman O'Connor of herself and her sister. "Our lives were pure hell for a year and a half."

She said the threats forced them to move to a new apartment, but SAO stickers appeared on their cars and apartment door.

"Our roommate had a green Chevy," she said, "and one night there was a fire . . . It was a green Chevy, but the wrong one. We were most definitely frightened."

San Diego was picked as the Republican convention site in July, 1971, but party leaders in May, 1972, decided to move it to Miami.

For the 10 months during which it was slated for San Diego, law enforcement officials watched as both the left and right planned protests and counter-protests.

The most serious act was a planned attack by the SAO on Nixon that Godfrey reported to his FBI superiors. He explained the SAO felt Nixon was too liberal in his moves to restore relations with the Communist Chinese.

"They (the SAO) were talking about firing 81-mm mortar rounds into the San Diego Sports Arena while Nixon was speaking," Godfrey said. "The same man who was going to give us the two 81-mm mortar rounds was going to give us a 60-mm mortar and 60 hand grenades."

It was about this time that Godfrey wanted out of the informant business.

"Things were getting carried away . . . where there were more and more activities with things compounding, more and more violence starting to show. Within the group there were more and more violent tendencies," he said.

He said he was getting frightened for his safety and his wife was unhappy because "we were keeping explosives in the back room of my house. At one time we had 50 to 60 pounds of explosives in the back bedroom."

He said he told his contact agent, Steve Christianson, that he wanted out, that he wanted the FBI to protect him and asked the agency to relocate him in another city.

"But they wanted to use me in the convention and told me if I got out, I was on my own, they wouldn't protect me or relocate me. They had me over a barrel," Godfrey said.

Christianson, contacted at his Utah home, corroborated this.

"The FBI imposed on him (Godfrey)," Christianson said. "They wouldn't let him out. He desperately wanted to get out of that situation . . . They (FBI) were going to use Godfrey during the convention. He was a valuable man."

(When Godfrey finally testified against the SAO, it was the San Diego Police Department and not the FBI that relocated Godfrey, according to former Police Chief Ray Hoobler.)

In the pre-convention period, San Diego leftists formed the Convention Coalition. One prominent member was a San Diego State College professor, Peter Bohmer, a Marxist economist.

In early January, 1972, the SAO targeted Bohmer for harassment. He was the subject of an SAO bulletin that suggested someone "deal with this red scum."

Bohmer received threatening phone calls and SAO stickers were left on his college office door and at his Ocean Beach home.

On Jan. 6, shots were fired into Bohmer's home and a young woman, Paula Tharp, was wounded in her right elbow. Her assailant, George Mickey Hoover, who was convicted and served time in prison for the shooting, was a passenger in a car driven by Godfrey.

(Bohmer and Tharp have since filed a \$10.6 million lawsuit naming Godfrey, Nixon and 57 other defendants, charging government and law enforcement officials violated the pair's civil rights through counterintelligence moves aimed at destroying the New Left.)

Godfrey said he and Hoover stole the gun used in the Tharp shooting in an earlier burglary.

Jan. 7, Godfrey said he gave the gun to Christianson, assuming the FBI would tell the police and Hoover would be arrested, forcing an end to his informant career.

Not so.

Christianson took the gun home and hid it under his couch, where it remained for six months.

"He told me he hid it to protect me because of the convention, because he couldn't afford to lose me. He was getting pressure from work to preserve me," Godfrey said.

Christianson, who lost his job as a result of the gun incident, corroborated Godfrey's tale.

"I was instructed it was imperative to preserve Godfrey," he said. "It was my own decision to hide the gun . . . I don't think I did anything morally wrong." He said his possession of the weapon "was not that secretive" around the local office.

An FBI spokesman in Washington, D.C., said, "There was no instruction we're aware of to Christianson to keep the gun."

Christianson said that at all times, "officials inside and outside the police department were kept informed of Godfrey and SAO activities." But the police department's former chief and members of the San Diego district attorney's office claim the FBI hindered the investigation into the shooting.

"We had no evidence to localize on any particular suspect, no evidence to identify a suspect," said Hoobler. "They (FBI) had the evidence. They knew we were investigating. We spent 500 man-hours investigating the shooting . . . not having the total information for a six-month period severely limited our bringing a suspect to justice."

A district attorney's spokesman said, "Homicide detail broke their backs trying to investigate that case. They were told explicitly that the informer was not available, that they could not interview him or have his identity."

Clark Brown, former assistant agent in charge of the San Diego FBI office, denied the FBI obstructed the police investigation.

"We gave officers investigating the case all the information we had . . . and we said we would reveal the informer only if they couldn't establish a case without him," he said.

The first break in the shooting case came in June, 1972. He said he told the FBI that Yakopec was dangerous, had explosives and had threatened to blow up so-called "pornography" targets—theaters and a bookstore and a massage parlor.

This information is verified in an FBI report on the SAO dated Feb. 21, 1973.

Godfrey was never prosecuted for any of his activities, although "I had to itemize my activities for the district attorney's office and when he (the prosecutor) saw that list, he figured it'd be the easiest one of the bunch to prosecute."

