Terrorism and the Response to Terrorism in New York City During the Long Sixties

David C. Viola Jr.

The Graduate Center, City University of New York

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TERRORISM AND THE RESPONSE TO TERRORISM IN NEW YORK CITY DURING THE LONG SIXTIES

BY

DAVID C. VIOLA, JR.

A dissertation submitted to the Graduate Faculty in History in partial fulfillment of the requirements for the degree of Doctor of Philosophy, The City University of New York

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ABSTRACT

TERRORISM AND THE RESPONSE TO TERRORISM IN NEW YORK CITY DURING THE LONG SIXTIES

By

David C. Viola, Jr.

Advisor: Joshua B. Freeman

During a period stretching from the mid 1960s until the mid 1970s, the United States and especially New York City experienced a wave of terrorism unprecedented in many ways. Never before, and never since, have such a variety of actors from all across the political spectrum engaged in this particular form of political violence during the same period of time and especially in the same small geographic area. New York City endured a stretch of attacks that can be labeled as terrorism from 1969 to mid-1970 that the Commissioner Howard R. Learly of the New York City Police Department (NYPD) characterized it as the year of bombings in “gigantic proportions” when testifying before Congress.

Scholarship on political radicalism and especially terrorism during what many scholars have termed “the Long Sixties” has largely focused on radical elements of the New Left such as the Weather Underground. This dissertation argues that, instead of how scholarship has traditionally treated it, terrorism during the time and in New York city was just as likely to emanate from the political right, and may have in fact manifested there first.

This dissertation also makes the argument that terrorism and the response to terrorism – most notably by the NYPD and the Federal Bureau of Investigation (FBI) – coevolved during the period. The actions of terror actors prompted more aggressive investigations by authorities, and
the actions of authorities drove terror actors further underground. Building on “intelligence” operations including undercover operatives and secret informants, authorities brought to bear many of the practices that would soon land them in legal trouble such as occurred during the U.S. Senate Church Committee investigation and the “Handschu” civil liberties case brought against the NYPD. And in response to these aggressive and often effective actions by authorities, groups like the Weather Underground in fact went underground.

Ultimately, what this dissertation argues is that the history of terrorism in the United States is longer and more diverse than is commonly understood, and even more so than argued in scholarly history, and that the time and place of New York City during this period is uniquely important because of the diversity of the actors and the sheer volume of attacks illustrates how much more broadly accepted this form of political violence was than ever was before, or ever since.
ACKNOWLEDGEMENTS

The historical study of terrorism and the responses to terrorism in New York City, and in U.S. more broadly, is a personal pursuit (as a native New Yorker who still lives in the wake of 9/11), a professional endeavor (as a military intelligence counterterrorism officer), and most importantly, a scholarly endeavor that I believe is vastly more important to the history of the United States than has been acknowledged in preceding scholarship.

The faculty, staff, and student body of the PhD program in history has been tremendously supportive of my research over the years, despite (and in large part because) the history of terrorism is not something that is often spoken of on the fifth floor of the Graduate Center. The atmosphere of support in investigating new and different directions in the field has been tremendous and for this I will always be grateful.

First and foremost among the individuals who has made this dissertation possible is Professor Joshua B. Freeman, my dissertation committee chair. The guidance and encouragement he offered along the way, the willingness to read several rough chapters and steer me back on track when I wandered, and the continuing education in twentieth century U.S. history that characterized each of our conversations, were invaluable. Professors David Nasaw and Thomas Kessner, also of my dissertation committee, likewise offered tremendous guidance and direction not only during my dissertation process, but also in amazing courses with each that is the foundation upon which my historical studies are based. And Professor Beverly Gage of Yale was not only generous enough to sit on my committee, but her research and writing on terrorism in the United States has had nothing short of a profound impact on the direction of my own path as a scholar of the subject. I am lucky to have been trained under each of the members of my committee and to now call each a colleague and a friend.
Support at the Graduate Center has extended beyond my dissertation committee; Executive Officers Helena Rosenblatt and Andrew Robertson (also a professor of mine) have been supportive all along the way; department staff Marilyn Weber and Huber Jaramillo keep things running so smoothly that we often forget how valuable that level of support is; and finally, my cohort and my peers in the history department, a longer list than I can satisfy here, have been friends, sounding boards, and trench-mates over these past years as we all worked our way through coursework, orals, figuring out how to be professors, and then planning and executing our dissertations. Without the easy comradery that exists in the program, this wouldn’t have been possible or nearly as much fun.

The staff and my colleagues and students at the Center for Terrorism at John Jay College, where I have taught terrorism courses for more than four years, have challenged and shaped me as a scholar. Chief among them is Chuck Strozier, the Director of the Center and an accomplished historian and terrorism scholar, and a long supporter of my research endeavors. Scholars Jeremy Varon of The New School and Thai Jones of Columbia lead a longer list of scholars whose work mine would not be possible without, and who have been more than generous with their time. Joshua Melville and Ivan Acosta must also be mentioned – Josh has become a friend as we discussed the life of his father Sam over the past few years, and Ivan was willing enough to not only speak of his own experiences in the Cuban exile community but share his contacts as well.

Of course, no historian gets anywhere in life without the tireless work of the archivists who make it all possible. Without them, this dissertation simply would not have happened. No real historical writing ever would. I will always be grateful to the staff at the National Archives and Records Administration in New York, the FBI Freedom of Information / Privacy Act team including David Sobonya, the staff at La Guardia and Wagner Archives at the Fiorello H.
LaGuardia Community College, the Special Collections Librarian at the Lloyd Sealy Library at the John Jay College of Criminal Justice, the New York Municipal Archive staff, and the staff at the New York County District Attorney’s Office Records Division who dug up court records for me that haven’t been seen since the cases were closed before my lifetime. Thanks also goes out to the staff of the Mina Rees Library and the Interlibrary Loan office for their assistance in retrieving the massive stack of books referenced in this dissertation.

As I continued to scratch out a living in graduate school, I have been blessed with love and support of an infinitely better family and group of friends than I deserve. My niece and nephew, Sophia and Thomas, who I hope both follow in my steps and pursue graduate education (or something else that challenges and enriches their lives), my brother Victor, my mom and step dad, all deserve special mention. Dear friends including Shan Nicholson, Andrew Wonder, and Richard Boccato, have read, critiqued, and been supportive of me and my work over the years. My colleagues in the U.S. Navy Reserve Intelligence Community have similarly been supportive of and had an enriching impact on my development as a terrorism and counterterrorism professional.

Finally, this dissertation is dedicated to Charley, my best friend for eleven years and the best Siberian Husky to ever walk the planet, and by far the best study buddy I could have hoped for as I pursued my graduate education. Whether it was sitting by my side as I worked toward my first Master’s degree outside of Boston, or during coursework in New York, or studying for written exams and then orals and then writing dissertation chapters in the Berkshires – but most importantly when it was time for a break to enjoy a Sunday in Central Park or a hike around Lake Garfield – my time as a graduate student was profoundly enriched by the time I had with him. Charley passed away two days before I defended this dissertation, but his spirit lives on in every single word I wrote and everything that follows.
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INTRODUCTION
On July 4th, 1914, the morning marking the 138th birthday of the nation was violently disrupted by a monstrous explosion in New York City’s Harlem, at 1626 Lexington Avenue near 102nd street. When the smoke cleared, dazed onlookers could see that that the top three floors of the new six-story tenement house had been reduced to a smoldering chaos of splinters, the wrought iron fire escape twisted and collapsed upon itself and around the broken body of a young man, and the street below littered with debris, furniture, and shards from the hundreds of windows that had shattered with the concussion. Five known anarchists – associates of Alexander Berkman and Emma Goldman – had been in the apartment constructing a bomb intended for John D. Rockefeller when the dynamite unexpectedly detonated. Four were killed in the explosion; the sole survivor escaped with his life when the bathtub he was in fell through the floor that disintegrated beneath him.1

The stretch from October 1914 to July 1915 was especially tense in New York City; in the eight months after the Harlem explosion, anarchists targeted a myriad of locations in the boroughs for bomb attacks, including St. Patrick’s Cathedral, courthouses, and other government buildings.2 And in April of 1919, thirty-six mail bombs were sent by post to different political leaders, judges, and law enforcement officials across the country; the bombs were intended to arrive on May Day. Punctuating what is remembered as the first American Red Scare, that same summer eight larger

2 Thai Jones’s More Powerful Than Dynamite: Radicals, Plutocrats, Progressives, and New York’s Year of Anarchy (New York: Walker, 2012) is a comprehensive exploration of this tumultuous year in New York City.
bombs exploded in eight different American cities including New York, targeting similar individuals (and in the case of Attorney General A. Mitchell Palmer, the same individual) as the mail bombs, propelling the Palmer Raids and mass anarchist deportations of 1919 and 1920.3

The history of what we know as terrorism in New York City, then, did not begin on a warm and cloudless Tuesday morning in September of 2001, or even on a cold February afternoon in 1993 when Islamic extremists first attempted to bring down the World Trade Center. Historians including Beverly Gage and Thai Jones compellingly show how New York City, and the nation, suffered through this earlier era of anarchism-related terrorism, the most dramatic of the episodes – the 1920 bombing of the J.P. Morgan Bank on Wall Street – resulting in the death of thirty-eight civilians.4 And a century and a half ago, the Ku Klux Klan embarked upon what is without question the longest, deadliest, and most impactful campaign of terrorism in U.S. history.5

4 See Gage, The Day Wall Street Exploded. The 1920 J.P. Morgan Bank bombing was the deadliest terrorist attack in U.S. history until the bombing of the Murrah Federal Building in Oklahoma City in 1995 claimed the lives of 168 people.
5 The long, ebbing and flowing KKK campaign of terror, and the socio-political context within which it sits, is a rich area still underexplored in historical scholarship. Mark David Chalmer’s still-authoritative Hooded Americanism: The History of the Ku Klux Klan (Durham: Duke University Press, 1981) explores the long history of the Klan, or rather three historically distinct iterations of the Klan. Also see Allen W. Trelease, White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction (Louisiana State University Press, 1971)
Terrorism has in fact been a part of the American political and social landscape since the birth of the nation.\(^6\)

Anarchism, anarchist terrorism, and the Red Scare subsided in the years after the 1920 Wall Street bombing, and, for decades that followed, terrorism was not among the major concerns for an America that had many things – not least among them the Great Depression and another World War, and the coming of the Cold War – to contend with. Terrorism, however, was soon to reemerge in American society.

During what Jeremy Varon and other scholars have termed “the long Sixties,” a period stretching from the emergence of the protest movements that characterized the era in the 1950s until it generally subsided in the mid 1970s, the nation underwent one of the most dramatic and volatile chapters in post-Civil War U.S. history. The latter half of that era was accompanied by a new age of terrorism that in some respects was the most violent in the history of the nation.\(^7\)

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\(^6\) Even before the rise of the KKK during Reconstruction, episodes like the Trail of Tears and perhaps Revolutionary actions like the Boston Tea Party can be understood through the *modern* conceptual framework of terrorism (“Perhaps George Washington, not Alexander Berkman, was America’s first terrorist,” Gage provocatively suggests in the *Journal of American History*). However, at those earlier points in time the word would most certainly be understood in the French Reign of Terror context.

This work explores the span from 1965 into the first few years of the following decade; essentially, the latter half of the “long Sixties,” when terrorism reemerged, escalated, and peaked in New York City.

In July of 1970, almost a quarter-century before the first attack on the World Trade Center, a Treasury Department official testified before a U.S. Senate Committee that “the figures do graphically reveal that terrorist acts of violence and anarchy by bombing have reached menacing proportions in our country. From January, 1969 to April of this year – a scant 15-month period – this country suffered a total of 4,330 bombings, an additional 1,475 attempted bombings, and a reported 35,129 threatened bombings.”

Culture. The collected essays of *The Hidden 1970s: Histories of Radicals* (edited by Dan Berger, himself a scholar of the Weather Underground), argue that some of the most iconic events in the history of Sixties radicalism in fact happened in the 1970s, and this dissertation furthers that argument.

8 Riots, Civil and Criminal Disorders: Hearings Before the Permanent Subcommittee on Investigations of the Committee on Government Operations, United States Senate, Ninety-First Congress, Second Session, July 15, 16, 17, 21, 22, and 29, 1970 (Hereinafter referred to as “Senate: Riots, Civil and Criminal Disorders”). Statement of Eugene T. Rossides, Assistant Secretary of the Treasury for Enforcement and Operations, page 5343. To compare with other periods in U.S. history, these levels of violence can be put in historical context with Klan violence, which is, unfortunately, difficult to get a grasp on for many reasons. First, the Klan was far from a monolithic organization or even movement between its emergence after the Civil War and the period under consideration. Secondly, violence against African Americans and their supporters often, or even regularly, went unreported. Some dramatic twentieth century episodes of violence including the 16th Street Baptist Church terrorist bombing in 1963 and the murder of civil rights activists in 1964 and 1965 are well documented; the more exact and inclusive register of Klan violence, however, is a much harder task to accomplish and well outside the scope of this paper. Klan lynchings are one area where some competent historical research can be pointed to. The Tuskegee University Library contains a little-known archive on KKK activities – The Klan Archive. According to a report compiled by the Tuskegee University Archive Directors Monroe Work and Danny Williams between the 1940s and 1969, the Klan was responsible for 4,473 verifiable lynchings between 1882 and 1968; however, current Tuskegee University Archivist Dana Chandler argues that due to the exacting standards for inclusion on the list by the Directors and because of what one must assume are a substantial number of unreported lynchings that occurred in that timeframe, the actual number is probably well in excess of 5,000. (See “Lynchings, Whites and Negroes, 1882 – 1968,” available on the Tuskegee Library website, [http://192.203.127.197/archive](http://192.203.127.197/archive) - last accessed May 18th, 2016).
New York City was the violent epicenter of this era of terrorism in the United States. No other county in the nation was targeted by terrorist bombers as much as Manhattan, let alone New York City’s five boroughs combined.\(^9\) At the same Senate hearing, New York City Police Department (NYPD) Commissioner Howard R. Leary testified that the level of attacks in New York had reached “\textit{gigantic proportions}… since January of 1969, there have been 368 bombing incidents…” – more than twice the amount of such attacks in New York City as in the eight preceding years combined.\(^10\)

This work explores that dramatic reemergence of terrorism in New York City during one of the most turbulent times in Gotham’s (and America’s) twentieth century, and the response to it by the authorities most directly tasked with countering it – the NYPD and the Federal Bureau of Investigation (FBI).

\(^9\) Manhattan alone, and not even New York City more broadly, was the American county with the most incidents of terrorism (the overwhelming majority of them bombings) between 1970 and 2008 – by more than a factor of two relative to Los Angeles, the next county on the list – according to a recent work by Gary LaFree and Bianca Bersani; “\textit{Hot Spots of Terrorism and Other Crimes in the United States, 1970 to 2008},” Final Report to Human Factors/Behavioral Sciences Division, Science and Technology Directorate, U.S. Department of Homeland Security. College Park, MD: START, 2012. During the decade of the 1970s alone, Manhattan more than doubled the terrorist attacks in San Francisco, the next closest location, the report concludes. In comparison, southern racial terror, including KKK violence, was more often than not in the form of lynchings and similar types of physical violence, and not explosives. This work does not attempt to make a direct corollary between bombings and terrorism; that would be a false equivalency. A bomb is not always terrorism, and terrorism is not always conducted with a bomb. Outside of the U.S. south, where racial terrorism manifested in other ways more frequently, though, almost all tracked terrorism during the era was conducted with some kind of an explosive device. Exceptions certainly exist even in the south, including the 1963 bombing of the 16th Street Baptist Church in Birmingham and the nearly two dozen terrorist bombings in that city that preceded it. See “Six Dead in Church Bombing,” \textit{Washington Post}, September 16\textsuperscript{th}, 1963.

\(^10\) Senate: Riots, Civil and Criminal Disorders, (Statement of Howard R. Leary, Commissioner of the New York Police Department - NYPD), page 5372. My emphasis.
In an era characterized by the political and social turmoil that reverberated through New York City, the nation, and the world, the role that terrorism played in the larger narrative is often reduced to the end-point in a declension narrative of left wing movements during the period: that after peaceful (or at least non-violent) beginnings, extremist elements of these movements turned to ill-advised and ultimately self-destructive terrorism campaigns and other forms of political violence. Even renowned terrorism scholar David Rapoport’s highly influential periodization of modern terrorism into four “waves” describes the wave from 1960 through 1980 as the “New Left” wave. But what this dissertation questions is if that narrative and our understanding of the long Sixties oversimplifies the more complex truth of the era; was it exclusively the young, aggravated, long-haired extremists of the political left that turned to terrorism? What role did right wing political actors play in the reemergence of terrorism during the era in New York City and the nation? 

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12 The distinction between political “left” and “right” in this work relies on what would be understood to encapsulate these categories during the long Sixties; the left included the traditional left of labor activists, Students for a Democratic Society, the Civil Rights movement, and the Democratic party, as well as the emergent New Left; see Van Gosse, *The Movements of the New Left, 1950–1975: A Brief History with Documents* (New York: St. Martin's Press, 2004), and John McMillan and Paul Buhle, editors, *The New Left Revisited* (Philadelphia: Temple University Press, 2003). The right included those in opposition to the change advocated for by the diffuse left, including anti-Civil Rights and anti-communist organizations and movements. These are, admittedly, imperfect categorizations. Many on the “New Left” did not philosophically associate with those on the “old” left, and even many on what are considered the “right” – like Cuban exiles, for their opposition to the Cuban Revolution, a vanguard of the left, and like American anti-communist and the Jewish Defense League, for their opposition to the “old” left vanguard of communism and the “New Left” vanguard of Castro’s Cuba and North Vietnam – were also well-versed and may have adopted aspects of Marxist-Leninist and Maoist philosophy and tactics. Perhaps better described as a circular spectrum than a straight line with binaries, the extremes of both left and right were not unlikely to find at least some common ground on the fringes of their politics.
And therein lie the first set of interrelated questions this work explores. First, who were these terrorist actors? Looking beyond the most notable and notorious actors that most scholarship focuses on, on the political left, this work argues that a much wider range of terrorists were active in Gotham than the scholarship suggests. In New York City as elsewhere in the nation, anti-government and anti-Vietnam War protestors like the Weather Underground and the Sam Melville collective, virulent anti-communists like the Minutemen, radical religious organizations like the Jewish Defense League, nationalists of various stripes from Cuba and Puerto Rico and as far away as Croatia, and a myriad of other groups and individuals from across the political spectrum, embraced terrorism to promote their political goals. I argue that a more accurate depiction of the long Sixties reveals not just, and maybe not even primarily, the political left turning to terrorism in New York City, where this kind of political violence was by far most prevalent. Groups on the political right, largely ignored by historians just as they were ignored by Republican candidate for President Richard Nixon as he promoted his push for a return to “Law and Order” in the 1968 election season, had an early and lasting impact on the era.

The second fundamental question this work explores is, what was the dynamic relationship between these terrorist actors and the local and federal agencies tasked with responding to their actions? The organizations this study focuses on are the NYPD and the FBI, the primary local and the primary federal organizations that found themselves responding to the resurgent threat of terrorism in New York City. Two fundamental concepts that undergird this work are: that terrorism and counterterrorism during this era coevolve, that both are directly impacted by developments amongst the other group of actors, and that a consideration of one must also take into account the other; and secondly that law enforcement intelligence operations are absolutely central in countering terrorism. That holds true not just in the period under consideration but
throughout all of modern U.S. history. Michael Hayden, Director of the U.S. National Security Agency (NSA), argued soon after the 9/11 attacks that “[i]ntelligence – and how we use it – is our first line of defense against terrorists…”\textsuperscript{13} How did the actions of these organizations, then, build upon the activities and experiences of earlier generations of law enforcement and intelligence in response to a new era of terrorism in New York City? How were these agencies themselves impacted by the tumultuous socio-political atmosphere of the long Sixties – both locally in New York City and at the national level – and by the actions of terrorist actors as it reemerged in American society?

I argue that the law enforcement and intelligence excesses of the era, significantly exhibited by the Watergate and COINTELPRO scandals on the national level and the so-called “Panther 13” case and Handschu class-action lawsuit against the NYPD on the local level, had substantial impacts on the methods by which, and then the ability and effectiveness of, these agencies to counter the threat posed by terrorists. Of particular note is that it is these organizations own efforts to thwart terrorism – such as in the case of FBI’s Squad 47, established to investigate the Weather Underground, and the famous so-called “Panther 13” case involving the NYPD – that resulted in some of the most impactful curtailments of these agencies abilities.

\textbf{DEFINING TERRORISM}

What has been called ‘terrorism’ has evolved over the centuries. Prominent scholars in terrorism studies including Bruce Hoffman and Walter Laqueur argue that the term first came to prominence

during the French Revolution and then meant something quite different than it does in our own
time.\textsuperscript{14} In contrast to terrorism as we generally perceive it today – and how it was perceived during
the long Sixties\textsuperscript{15} – as being conducted by subnational or clandestine agents in the shadows, the
French \textit{Reign of Terror} (1793-1794) was a systematic use of oppression, intimidation, and
execution by the recently ascended revolutionary government as a method of subduing perceived
dissidents; it was a tool openly utilized by those \textit{in} power, not clandestinely by those seeking
power.\textsuperscript{16} This “terrorism from above,” as it is sometimes referred to, is a particular form of
political oppression that, while many argue is still practiced by some nations – including perhaps
the United States – is not a debate that this work engages in.\textsuperscript{17}

\textsuperscript{14} Just what \textit{is} terrorism is a necessary question to consider: “[b]ecause terrorism is what we are
trying to explain, the most obvious question concerns what it is.” (Martha Crenshaw, “Questions
to be Answered, Research to be Done, Knowledge to be Applied,” in Walter Reich, editor;
\textit{Origins of Terrorism: Psychologies, Ideologies, Theologies, States of Mind} [Washington, D.C.:
Woodrow Wilson International Center for Scholars, 1990], page 247). The works of Crenshaw
as well as Walter Laqueur and Bruce Hoffman loom large in demystifying and clarifying the
concept and enabling the use of the word in objective analytic terms, as opposed to the
intellectually lazy pejorative that it is too often employed as. See Bruce Hoffman, \textit{Inside
Terrorism} (New York: Columbia University Press, 1998), and several works by Walter Laqueur
over several years, including the more recent \textit{A History of Terrorism}, (New Jersey: Transaction
Publishers, 2001). See also Boaz Ganor, “Defining Terrorism - Is One Man’s Terrorist Another
Man’s Freedom Fighter?” \textit{Police Practice and Research: An International Journal}, Volume 3,
Issue 4, 2002; Crenshaw, \textit{Explaining Terrorism: Causes, Processes and Consequences} (New
Conflict & Terrorism}, Volume 27, Issue 5, 2004

\textsuperscript{15} The use of the term “terrorism” to describe the actions explored in this study is not an
anachronistic application of a modern term or concept to a historical context that it would be
foreign to; the term was regularly applied by the media, law enforcement, and others to describe
these acts, even if then (as now) an exact definition of the term was difficult to ascertain.

\textsuperscript{16} For a historical exploration, see Arno J. Meyer, \textit{The Furies: Violence and Terror in the French
and Russian Revolutions}, (Princeton University Press, 2000). Hoffman offers a discussion of
French Revolutionary “terrorism” in the context of modern terrorism studies in \textit{Inside Terrorism}.

\textsuperscript{17} See Asafa Jalata, "Terrorism from Above and Below in the Age of Globalization," \textit{Sociology
Mind}, Volume 1, Number 1, pages 1-15, February 2011
Terrorism as Americans became most familiar with it during the twentieth century, a tactic adopted by the powerless seeking power – modern terrorism, “terror from below” – is defined in this work as the intentional use or threat of violence by sub-national agents against civilians, civilian institutions, and other non-combatants in an effort to promote a political goal broader than the specific targets of that violence. To create fear and terror in service of a political goal.\textsuperscript{18}

The political nature of the violence, as Hoffman convincingly argues, is essential in separating terrorism from other forms of violence.\textsuperscript{19} This modern, sub-state terrorism is the object of inquiry of this work.

\textbf{THE HISTORIOGRAPHY AND OTHER SCHOLARSHIP}

In the \textit{Journal of American History} in 2011, Beverly Gage argues that despite an unmistakable post-9/11 increase in the scholarship on terrorism in the American experience, it would still be “hard to classify this surge of work as a flourishing subfield or even a coherent

\textsuperscript{18}The debate surrounding the definition of terrorism has been ongoing in the social sciences, politics, the military, and media for some time now. The definition offered in this work, however, largely covers what is agreed-upon consensus ground in the definitional debate and steers clear of the more disputed aspects of terrorism, such as whether or not states can be terrorist actors. Whether or not bombing a \textit{place} and not a \textit{person} constitutes terrorism is the one aspect of this definition that some may debate: that since no human was intentionally injured it falls short of terrorism, an admittedly ambiguous term. I disagree. The key intent of terrorism is the message projected and not the actual target struck, be it human or not. The human / object distinction therefore is less relevant in my estimation. Scholar of the 1960s (and particularly of the Weather Underground and German Red Army Faction) Jeremy Varon, for instance, has argued that such acts might constitute an “armed struggle” and not terrorism, arguing that usage of terrorism (a loaded pejorative) is a judgment of the politics behind the violence (See Varon, \textit{Bringing the War Home}, page 329, N.3). I might argue the opposite – that calling it “armed struggle” rather than using “terrorism” in an intentionally neutral fashion is, itself, a judgement of the politics behind the violence.

\textsuperscript{19}Hoffman, \textit{Inside Terrorism}, 14
historiography. Almost a decade out from 9/11, most U.S. historians remain hard-pressed to explain what terrorism is, how and when it began, or what its impact has been.” More than five years removed from Gage’s foundational article, these words remain true. Historians have long explored those events and movements that might contribute to the history of terrorism in the United States, such as scholarship on anarchism and labor radicalism in the United States, and the Ku Klux Klan and other anti-civil rights violence in the nineteenth and twentieth centuries. However, the enduring indeterminateness of the subject (just what is terrorism?), or the unwillingness to apply what is a distinctly negative term to the subjects that many scholars study, or the hesitancy to appear to engage in presentism, in what is undeniably a critical issue in the modern U.S., have proven roadblocks to a more defined historiography. The works that have emerged instead tend to be “episodic, a series of discrete interventions rather than a consistent, developing conversation,” as Gage puts it. “Most historians who have engaged the subject remain wedded to a particular period and social context, shying away from broader conclusions.” This dissertation attempts to meet the challenge more directly, to define what terrorism is and was; to explore a particular period, as Gage puts it, but to look beyond a particular social context and to explore broader conclusions, to bring itself and the works it cites into conversation as part of or related to the historiography of terrorism (and counterterrorism) in the American experience.

The historiography of the American sixties is vast. Generally and overwhelmingly, the period is presented as a time of political unrest largely emanating from the political left. The evolving Civil

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21 Ibid., 82
22 Broad overviews of this most important era in U.S. (and world) history, such as the noteworthy *America Divided: The Civil War of the 1960s* by Maurice Isserman and Michael
Rights movement, for instance, has its own expansive and rich body of scholarship, and other scholars’ work informs this dissertation by exploring the evolution of the struggle for African American equality towards, in limited cases, the use of terrorism as part of the larger narrative.23

The broad-based anti-war protest movement, and the New Left, have been the seeds from which the lion’s share of the scholarship exploring the era, and of U.S. terrorism of the era, has sprung. This dissertation explores if that disparity accurately reflects the history of the time, whether the political left was indeed responsible for such an imbalance of terrorism as the scholarship and popular history seems to suggest.

As far as this era goes, the Weather Underground has been by far the subject of the most scholarly writing and has produced a litany of memoirs by former members.24 Scholars like Varon, Kazin (New York: Oxford University Press, 1999), prove useful for big-picture context. Other notable scholarly syntheses include Mark Hamilton Lytle’s America’s Uncivil Wars: The Sixties Era from Elvis to the Fall of Richard Nixon (Oxford University Press, 2006), and David Farber’s The Age of Great Dreams: America in the 1960s (New York: Hill and Wang, 1994). Todd Gitlin’s memoir/history, The Sixties: Years of Hope, Days of Rage (New York: Bantam, 1987) is an influential first-hand account of the era that largely reinforces – in fact was an early example of – the declension narrative of the 1960s.


24 Standout scholarship on the group is highlighted by Jeremy Varon’s Bringing the War Home. Former Weather Underground members (and their family, in at least one case) have found it difficult to NOT write memoirs and otherwise discuss their time as radicals. The long list includes Mark Rudd’s Underground: My Life with SDS and the Weathermen (New York: William Morrow/HarperCollins Publishers, 2009), Cathy Wilkerson’s Flying Close to the Sun: My Life and Times as a Weatherman (New York: Seven Stories Press, 2007), Susan Stern’s With the Weathermen: The Personal Journal of a Revolutionary Woman (New York: Doubleday, 1975), and Thai Jones’s account of his family’s history of radicalism through the twentieth century, A Radical Line: From the Labor Movement to the Weather Underground (New York: Free Press, 2004). They also frequently appear in other written historical accounts and documentaries, including Sam Green and Bill Siegel’s 2002 documentary, The Weather
and more recently Arthur Eckstein, while acknowledging that Weather Underground sat within a larger field of political radicals in the United States, place tremendous emphasis on this group as the most impactful of the era.\textsuperscript{25} Without disputing that claim, this dissertation focuses instead on the actions and impact of much-lesser-remembered historical actors of the era who in fact predated and paved the way for Weather’s actions.

Chief among the less-remembered historical actors this dissertation explores is radical leftist Sam Melville and the ‘collective’ of likeminded individuals that formed around him. Despite what I argue is their precedent-setting campaign of bombings, the Sam Melville collective is largely ignored by historical scholarship of the era. Varon credits Melville and his collective as a prototype for other leftist bombers to follow, even if discussing the man and the group for only a few pages.\textsuperscript{26} But the question this dissertation asks is if a closer look reveals an even greater import and relevance than most historians including Varon have acknowledged.

\textit{Underground} and Dan Berger’s, \textit{Outlaws of America: The Weather Underground and the Politics of Solidarity} (California: AK Press, 2005) which relies on many oral histories with former members, but gravitates uncomfortably towards hagiography.\textsuperscript{25} Arthur M. Eckstein’s new exploration of Weather Underground, \textit{Bad Moon Rising: How the Weather Underground Beat the FBI and Lost the Revolution} (New Haven: Yale University Press, 2016), takes into account newly-declassified documents in an exploration of the emergence of Weather as well as important subjects like the organization’s relationship to violence and, very relevant to this work, the FBI’s obsession with capturing them that ultimately drove the Bureau to the illegal practices that ultimately ended up finding Bureau leadership, and not Weather Underground leadership, facing federal charges.\textsuperscript{26} Bryan Burrough’s popular history account of the leftists of the era, \textit{Days of Rage: America’s Radical Underground, the FBI, and the Forgotten Age of Revolutionary Violence} (New York: Penguin Random House, 2015), similarly to Varon (almost verbatim in fact) gives Melville credit as a trendsetter but also dedicates few pages, and in this case only of secondary-source recitation, to the collective’s actions. Another account, Leslie James Pickering’s \textit{Mad Bomber Melville} (California: Arissa Media Group/PM Press, 2007) – the only book written specifically on Melville – is superficial and so unrepentantly hagiographical to render itself of very limited scholarly use.
Right wing political movements of the era have been explored by scholars, and many resorted to violence during the era. But the question of whether these movements and these actors belong in the conversation on terrorism of the era, and in the American experience more broadly, remain un- or under-explored.

Anticommunism in the United States, characterized by personalities like Senator Joseph McCarthy and organizations like the John Birch Society and the Minutemen, was among the principle right wing political movements of the era. But on the question of anticommunist terrorism the scholarship is nearly silent. On another major manifestation of extreme right wing politics in New York City and elsewhere in the nation – Cuban exile anti-Castro activity – the scholarship is also relatively silent on the question of terrorism. An idiosyncratic organization that represents the beginning and end of its particular brand of political radicalism in the U.S. – radical Jewish activism, as manifested by the Jewish Defense League (JDL) – has similarly been the subject of little historical scholarship, and none exploring them in the context of terrorism.

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29 Little scholarship exists on the JDL. An unpublished 1981 CUNY Graduate Center Ph.D. dissertation, “The Zionist Hooligans: The Jewish Defense League,” by Shlomo Russ (Sociology Department) is the most extensive historical accounting of the JDL. While Russ’s dissertation is
For each of these movements and organizations on the political right, what little scholarship that has emerged is characteristic of the “discrete interventions” that Gage spoke of in her JAHI article; terrorism is at best an ancillary consideration in these few works, and in any case does nothing to put JDL, or Cuban exile, or anti-communist activity, into a greater context of the era of terrorism in the U.S. more broadly.

Beyond but related to the scholarly intervention in political violence and terrorism of the era, how historians and other scholars have explored the policing and especially political policing of the era is also of central significance to this work. In keeping constant with the scholarly interpretation of terrorism of the era, the interpretive direction of scholarship on policing leans heavily toward the exploration of the excesses of authorities in opposition of various organizations, movements, and individuals on the political left.

The FBI has been a popular subject of historical scholarship almost since it emerged in the first decades of the twentieth century, but the Bureau’s image was carefully controlled by Director

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tremendous scholarship on JDL not to be outdone in the pages dedicated to the group in this dissertation, the framework this dissertation applies – putting both the terrorist acts and the response to it in context of the broader picture of terrorism and counterterrorism in New York City during the era – is not one that Dr. Russ endeavored to in his own scholarship. See also JDL leader Meir Kahane’s The Story of the Jewish Defense League (Pennsylvania: Chilton Book Company, 1975), which necessitates a tremendously circumspect reading, and Alan Dershowitz’s memoir The Best Defense (New York: Random House, 1982), which includes a chapter on his defense of JDL members on charges relating to their terrorist acts.

30 Only a scant few journal articles from outside of the discipline of history including a 2014 article by William Rosenau discuss the issue directly (See Rosenau, “The ‘First War on Terrorism?’ – U.S. Domestic Counterterrorism during the 1970s and Early 1980s,” Washington, D.C.: CNA Center for Strategic Studies, October 2014). Rosenau, a former political scientist at the RAND Corporation, employed a focus that was broadly national. Generally, no scholarly writing explores the specific question of the rise of terrorism in New York City during the era; the closest exception is Jeffrey A. Kroessler’s 2014 journal article, “Bombing for Justice: Urban Terrorism in New York City from the 1960s through to the 1980s,” in Criminal Justice and Law Enforcement Annual: Global Perspectives, Vol. 6-1.
Hoover during his long tenure that lasted until his death in 1972. The FBI-as-counterterrorist-actor is a small subset of the scholarship that has largely, in past decades, focused on the illegal practices and intelligence excesses of the Bureau. Characteristic of this subset of the scholarship is Pulitzer Prize winning author Tim Weiner’s *Enemies: A History of the FBI*, which explores the century-long history of the Bureau and places intelligence and terrorism at the center of that history: “We think of the FBI as a police force, arresting criminals and upholding the rule of law,” Weiner explains. “But secret intelligence against terrorists and spies is the Bureau’s first and foremost mission today, and that has been true for most of the past hundred years.” Weiner’s work, however, generally fails to make the important distinction between secret intelligence utilized against peaceful political protest, radical politics, and terrorism, creating an uncomfortable conflation of terrorism and other types of political dissidence, including peaceful and lawful (if vocal and vibrant) protest.

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31 The most notable instance of this controlled image is Don Whitehead’s popular 1956 history of the Bureau, *The FBI Story: A Report to the People* (New York: Random House, 1956) – a whitewash, really, with careful guidance by the FBI and an introduction by Hoover himself.  
32 Bryan Burrough argues “[t]he FBI has been America’s punching bag… ever since the first stories of its 1960’s excesses began appearing in the wake of J. Edgar Hoover's death in 1972,” so much so that “store shelves sag under the weight of books” taking the FBI to task (Bryan Burrough, Review of *Broken: Not Your Father's F.B.I.*, by Richard Gid Powers, *New York Times*, October 24th, 2004). Other works to consider on the FBI include Burrough’s reviewed work by Richard Gid Powers, who has written extensively on the Bureau including this most recent work that argued the “battering” that the FBI was subject to in response to revelations about its illegal excesses in the 1960s and 1970s led to the “timid” FBI that failed to prevent 9/11. Also see Peter Lance’s *1000 Years for Revenge: International Terrorism and the FBI* (New York, William Morrow & Co., 2003), and David Cunningham’s *There’s Something Happening Here - The New Left, the Klan, and FBI Counterintelligence* (Berkeley: University of California Press, 2005), which argues that the Bureau was only reluctantly brought to investigate the radical right – most notably the Klan – through substantial efforts by the Department of Justice, Attorney General Robert F. Kennedy, and President Lyndon Johnson.  
Some very accomplished scholarship argues an entirely different view than does Weiner. Frank Donner’s Protectors of Privilege: Red Squads and Police Repression in Urban America remains, a quarter center after publication, the most thorough examination of political policing not only in New York but elsewhere in the nation. In exploring federal authorities but more importantly local authorities like NYPD, Donner makes the opposite argument – that the intelligence operations Weiner lumps in the category of counterterrorism were in fact political policing. In making his argument, Donner never suggests that the political organizations and persons under investigation by the FBI and these local authorities were indeed sometimes threatening and committing violence or the terrorism that Weiner explores.34 This dissertation explores whether, as in many things in life, the truth lies closer to the middle of these two binary arguments.

As far as NYPD is concerned, much of the scholarship on the police department is either general overview or specific to a particular incident of note, such as the highly impactful Knapp Commission investigating police corruption during the 1970s.35 Gage and select others, however, have done exceptional work in exploring the NYPD in the earlier era of anarchist terrorism, and there have been a number of recent accounts of post-September 11th NYPD counterterrorism and

34 Frank Donner, Protectors of Privilege: Red Squads and Police Repression in Urban America (Berkeley: University of California Press, 1990). Donner’s analytical bias is not surprising; an accomplished scholar and lawyer, he served as the Director of the American Civil Liberties Union’s (ACLU) Project on Political Surveillance and had worked tirelessly throughout his long legal career to further left-leaning, anti-policing, and anti-intelligence practices in the United States. See Bruce Lambert, “Frank J. Donner Is Dead at 82; A Lawyer in Civil Liberties Cases,” New York Times, June 11th, 1993.

intelligence activities. But very little scholarly work explores the central questions of this study in any kind of depth, other than Donner’s standout work. The lone addition is former Detective Anthony Bouza’s recounting of the operations of the Bureau of Special Services, or BOSS, NYPD’s premier intelligence unit for decades including during the long Sixties.

This work engages with that shallow pool of scholarship that has explored NYPD counterterrorism and what those like Donner allege was political policing, and questions whether or not what is alleged to have been political policing – in violation of civil liberties – may have in fact been legitimate law enforcement efforts to counter terrorism.

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36 The most notable of works on the modern NYPD is a lauded work by Matt Apuzzo and Adam Goldman, *Enemies Within: Inside the NYPD’s Secret Spying Unit and bin Laden’s Final Plot Against America* (New York: Touchstone, 2013), which was based on their Pulitzer Prize-winning Associated Press reporting.

37 Anthony Bouza, *Police Intelligence: Operations of an Investigative Unit*, (New York: AMS Press, 1976). Bouza details how BOSS “grew into an effective intelligence operation rather naturally and unconsciously” because of the challenges presented by the times – including “terrorist acts of sabotage” and “the proliferation of radical political organizations.” (Bouza, *Police Intelligence*, 3). Frank Donner’s *Protectors of Privilege* also includes a very well-researched chapter on BOSS. While there is scant scholarship on NYPD’s efforts in counterterrorism during the era, there have, however, been a surprising number of memoirs by other former members of the police department, beyond Bouza, that are tremendously useful despite the obvious caveats of caution that must be acknowledged when considering any memoir. Those memoirs of most relevance are selections by former Chief of Detectives Albert Seedman, who investigated the Melville collective and the Weather Underground; former NYPD Commissioner Patrick Murphy, whose dramatic restructuring of the Detective Division had a substantial impact; former BOSS Detective Jack Caulfield, who investigated Cuban Power; Ed Howlette, who infiltrated Revolutionary Action Movement; and former BOSS undercover operative Richard Rosenthal, who infiltrated the Jewish Defense League as a rookie policeman. See Albert Seedman & Peter Hellman, *Chief! Classic Cases from the Files of the Chief of Detectives*, (New York: Arthur Fields Books, 1974); Jack Caulfield, *Caulfield, Shield #911-NYPD* (iUniverse, 2012); Ed Howlette Sr., *Eric-83: Patriot or Traitor? A Precursor to Modern Day Terrorism* (Maryland: PublishAmerica, 2007); Richard Rosenthal, *Rookie Cop: Deep Undercover in the Jewish Defense League* (New York: Leapfrog Press, 2000)
THE REEMERGENCE OF TERRORISM

The question of why terrorism reemerges in New York City is a compelling historical inquiry. Terrorism had already reemerged elsewhere in the United States, most graphically illustrated by the KKK and the violent reaction to the Civil Rights movement in the south. Alabama’s Birmingham was often referred to as “Bombingham” well before terrorism reemerged in New York City, and even before the deadly 1963 terrorist attack on the 16th Street Baptist Church in Birmingham, because of the numerous bombs that had exploded there to counter the Civil Rights movement. At the Congress of Racial Equality’s (CORE) national convention in the summer of 1963, just months before the Baptist Church bombing, one delegate told a journalist that “[i]t is not easy to tell a man that is being beaten not to reach for his gun or his knife.”38 Perhaps given that sentiment it is unsurprising that some decided to no longer turn the other cheek, and that some of those who decided to respond to violence with violence turned to the same tactic – terrorism – that was often being used against them.39

As recently as 1962, Students for a Democratic Society (SDS) – the origins from which the Weather Underground would spring – proclaimed in their “Port Huron Statement” that “[i]n social change or interchange, we find violence to be abhorrent… [i]t is imperative that the means of violence be abolished and the institutions – local, national, international – that encourage non-

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39 This work, however, does not make the claim that all of the violence / reactionary violence that often characterizes the second stage of the Civil Rights movement was terrorism; there was a wide spectrum of violence ranging from the nationwide riots, assaults and assassinations of police officers, violent rhetoric from the Black Panthers, RAM, and others, and to a much lesser degree, terrorism and terrorist plots such as the Statue of Liberty plot.
violence as a condition of conflict be developed." The Weather Underground “Declaration of a State of War” that would emerge not eight years later, needless to say, adopted a much different approach to social change. Those eight years were violent years – in Vietnam, on college campuses like Kent and Columbia, at events like the Democratic National Convention (DNC) in Chicago in August of 1968. *RAT Subterranean News*, emerging as one of the most prominent underground press publications, argued after the Chicago DNC that “[t]he cops don’t understand. It’s not ‘hippies’ who are fighting with them in the streets… It’s white drop-outs who have buried their flowers and joined the community. It’s the kids who made the scene during the summer of love and then had to survive the New York winter.” Jeremy Varon quotes flyers that had appeared plastered around New York City during the Columbia University protests earlier that same year: “We must prepare ourselves to deal with the enemy. Our weapons: political education and tactical organization for students and workers: rocks, clubs, fire bombs, plastique, guns — but most of all — commitment and courage.”

That the left, or rather some on the left, adopted violence in response to violence (as the CORE delegate warned) is not surprising. That it manifested as terrorism is only evidence of the dirty secret that, historically, terrorism as a tool of the less-powerful sometimes works.

But terrorism in New York City, and political left terrorism in the U.S. more generally, shouldn’t be seen as exclusively or even primarily a reaction to violence from the political right,

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42 Varon, *Bringing the War Home*, 26, citation number 15, “DARE WE BE HEROES?” (anonymous flyer, 1968, University of California – Berkley)
43 See Hoffman, *Inside Terrorism*, especially Chapter 1, for a short discussion of the historical instances from Northern Ireland to French occupied Algeria to mandate Palestine where terrorism had a positive impact for those who employed it.
violence that had persisted ever since Reconstruction and had, in response to the Civil Rights
movement, turned to the more blatant and visible terrorism of bombs. The reemergence of
terrorism from the political left during the long Sixties can and should also be seen as a component
of an increasingly radicalized left and, often, an increasing abandonment of the tenets of non-
violence as espoused by the Dr. Kings and Port Huron Statements of the world. Terrorism was
just one such manifestation of increasing levels of violence in all quarters. The SDS / Weatherman
“Days of Rage” in 1969. Rioting that spread through urban ghettos. It was a violent time and
terrorism was perhaps a way to cut through the noise with your message, to achieve the headlines
that too often were buried for lack of enough front pages to cover all of the tumult of the era.

Further, as Varon argues, the violence of the long Sixties in the U.S., including the
reemergence of terrorism, must not be seen in a domestic vacuum – international considerations
must be taken into account. These include the war in Vietnam, the Cuban Revolution,
international communism and anti-communism more generally, international independence
movements from Algeria and Palestine to just over the northern border in Quebec, and the
emergence of New Left and revolutionary political ideologies as espoused by the likes of Regis
Debray, Frantz Fanon, and Mao Tse Tung.

As Jeremy Varon argues, it is important to keep in mind that while these terrorist acts
manifested in the U.S., they are often not uniquely American. Movements and organizations
discussed in this work to include Weather Underground, Cuban Power, the Minutemen and the
Sam Melville collective, to name just a few, had either (or both) international influence or
objectives. See Varon, Bringing the War Home.

Regis Debray’s Revolution in the Revolution? (1967) is a well-known and frequently cited
book amongst New Left activists and extremists during the long Sixties. See Avi Shlaim, Israel
and Palestine: Reappraisals, Revisions, Refutations, (New York: Verso, 2009) for a discussion
of terrorism in the Israeli-Palestinian context, and Bruce Hoffman, Invisible Soldiers, Anonymous
discussion of terrorism by both Jews and Muslims during mandate-era Palestine. Frantz Fanon’s
highly influential The Wretched of the Earth (1961), which had a tremendous impact on anti-
colonial and anti-imperialist movements and the justification of violence in service of them.
In conclusion, then, this work explores the reemergence and response to terrorism in New York City during the long Sixties, among the most dramatic periods of terrorism in U.S. history. Broadly and at its most ambitious, this work endeavors to shed light on a place and time of unique importance to the history of terrorism in the American experience that has not previously been explored in such a way – the importance of both periodization and geography – and to expand on the literature that has previously overwhelmingly only explored terrorism of the era from the left. Why did such a variety of actors from such a wide swath of the political spectrum engage in terrorism during the long Sixties?

By exploring the law enforcement and intelligence efforts to combat terrorism in New York City during this time period, this work contributes to the scholarship on political policing and law enforcement / intelligence excesses of the time and engages the work of scholars like Frank Donner who have argued these efforts were purely political in nature (and not in response to potential or actual threats and crimes), and contends with the historiographical assertions that largely claim these law enforcement practices exclusively targeted the political left.

Finally, this work serves as a deliberate contribution to the still-emerging historiography of terrorism in the American experience that Beverly Gage discusses in the *Journal of American

Another highly influential international theoretical publication is famed terrorist Carlos Marighella’s *Minimanual of the Urban Guerilla* (1969), that laid out specific plans for how to utilize sabotage and terrorism (a distinction that isn’t clear from his work) in the plight of underground organizations. “Terrorism,” Marighella argues in the *Minimanual*, “is a weapon the revolutionary can never relinquish.” Finally, Mao was often celebrated by radical leftists and his writings were highly influential; for instance, Mao published an essay discussing the utility of symbolic acts others might find futile, in 1930. The title of that essay, “A Single Spark Can Start a Prairie Fire,” was to be parroted by the Weather Underground in their own publication, *Prairie Fire*, in 1974.
History. By engaging with the concept of terrorism directly, by engaging with much of the scholarship of the long Sixties, and by engaging directly with other scholars who have explored the issues of terrorism and counterterrorism in the United States, this work intends to both fill gaps in the existing scholarship on the era as well as create new questions for future scholars to explore.
PART I: NYPD, FBI, and Early Terrorist Plots in NYC During the Long Sixties

Chapter 1: The FBI and NYPD
The FBI and the NYPD were the constants. From the very first failed plots that would mark an understated start to the new era of terrorism in New York City, and through the rest of the turbulent period when terrorism in city streets became commonplace enough to be buried in the filler pages of local newspapers, this federal organization and this local organization would be at the center of it all. Their centrality was not accidental. The primary positions that FBI and NYPD had in countering terrorism arose from those organizations’ positions as the foremost law enforcement and intelligence operations existing in New York City at the time.

We look first at the authorities who would become the central counter-terror actors in this period, and not terrorism itself, because these authorities and the structures and practices they brought to bear against terrorism predate the terrorism of the era. As we shall see, FBI and NYPD did not, intentionally and specifically, develop intelligence programs to counter terrorism; not in this era at least. During this historical period, these two organizations possessed vast political intelligence operations, some decades old, similar to those proliferating throughout the nation – at the federal, state, and municipal levels – to counter what they deemed to be political subversives, potentially dangerous (at least politically dangerous) organizations and individuals, mostly in the context of Cold War fears and civil rights upheavals.¹ Terrorism, being political in nature, reemerged from among some of the alleged political subversives that these intelligence operations targeted; not every political movement spawned terrorists, but every terrorist was inherently part, at least tangentially, of a political faction that the FBI and NYPD would argue they had cause to monitor.

¹ See Frank Donner, *Protectors of Privilege*
THE FEDERAL BUREAU OF INVESTIGATION (FBI)

By 1965, the FBI had grown from the original thirty-four agents of the Bureau of Investigation to 6,336 agents and 8,533 support staffers, with a Congressionally allocated budget of more than $161 million.\(^2\) During the turbulent years to come, these numbers increased substantially; by 1971 there were 8,548 agents and 11,130 support staffers with a ballooned budget of $295 million.\(^3\) That the FBI of this era maintained a robust domestic intelligence program and dedicated a substantial amount of these mounting resources to investigating and thwarting what the organization perceived as dangerous and “subversive” elements in American society is the most commonly explored aspect of the organization’s history; but as Beverly Gage, Tim Weiner, Frank Donner and others point out, the FBI-as-domestic-intelligence-agency was not a new development for the Bureau. During the era of anarchism, as Gage argues, the nascent Bureau of Investigation and a young J. Edgar Hoover cut their teeth on some of the most compelling cases of the time including the 1920 Wall Street Bombing.\(^4\) In 1918, Hoover had been appointed as the Chief of the Bureau’s newly emerged Radical Division, so gathering intelligence on and combating subversives and terrorists are in fact a crucial early step in the long trajectory of both the man and the organization he would be singularly responsible for shaping.\(^5\)

\(^2\) The FBI traces its roots back as far as 1909; despite congressional prohibition of spending any funds on the initiative for fear of creating an American “secret police,” Attorney General Charles Bonaparte quietly recruited a number of former detectives and Secret Service agents to work within the Department of Justice, and to report to the Chief Inspector and to the Attorney General himself. This force of “Special Agents” was renamed the Bureau of Investigation by the next Attorney General, George W. Wickensham, when he took office in March of 1909. See Athan G. Theoharis, editor, with Tony G. Poveda, Susan Rosenfeld, and Richard Gid Powers; The FBI: A Comprehensive Reference Guide (Phoenix: Oryx Press, 1999), 361


\(^4\) See Gage, The Day Wall Street Exploded

\(^5\) See Weiner, Enemies; and Gage, The Day Wall Street Exploded
The Bureau established a presence outside of Washington, D.C., almost immediately upon its creation. The New York field office was one of the Bureau’s first two satellite offices, opened in 1910, and remains to this day the largest of its dozens of field offices. At first, the New York field office was located in the City Hall Post Office and Courthouse on the site of the present-day City Hall Park. The New York office moved several times over the following decades, landing in 1956 at a newly renovated silver warehouse at 201 East 69th street, just east of Third Avenue; it would remain there for almost a quarter century, moving in 1980 to the site it currently occupies at the Jacob Javits Federal Building near Foley Square.⁶

By the mid 1960s, the FBI was composed of ten divisions, structured around functional instead of geographic lines. Many large field offices, including New York, included representatives from most if not all divisions. Assistant to the Director Cartha DeLoach was responsible for the three investigative divisions: Division Six, General Investigative; Division Nine, Special Investigations; and most relevant to this study, Division Five, Domestic Intelligence. The Intelligence Division, given its mandate to “develop intelligence information concerning the activities of individuals and organizations who aimed to subvert or overthrow the United States government,” is from where much of the FBI’s response to terrorism would emanate.

The Intelligence Division is also where the COINTELPROs – or Counter-Intelligence Programs – were housed, under the guidance of Intelligence Division head William C. Sullivan, who served as Hoover’s de-facto agent in charge of the programs.⁷ The use of the term “intelligence” in the COINTELPROs, however, is a euphemism for programs of not just questionable legality but, often, clear illegality. The COINTELPROs utilized a number of

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⁷ Ibid., 226
aggressive tactics to “disrupt and neutralize” targets, including but not limited to: expansive surveillance operations using informants and undercover agents; illegal “black bag” jobs, or breaking and entering and theft; leaking of embarrassing information or lies about the group or individual targets; disinformation campaigns; and legal and physical intimidation. Historian Seth Rosenfeld argues that the COINTELPROs “took techniques originally developed for use against foreign adversaries and turned them on domestic political groups whose politics they considered un-American.”

The programs ran, hidden from public eye, from 1956 until 1971 – closed down only when public knowledge about them became likely following a theft and dissemination of FBI documents by a left wing protest group in Media, Pennsylvania. But through much of the long Sixties, the various COINTELPROs were brought to bear against a broad spectrum of potentially subversive elements in American society, including right wing groups like the Ku Klux Klan. The vast majority of targets, however, were on the political left – from the Communist Party USA and civil rights leaders and groups, and organizations and individuals in the New Left.

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9 Seth Rosenfeld, Subversives, 213
10 COINTELPRO began with Hoover’s unilateral authorization of the first operation, in 1956, against the U.S. Communist Party; see Alan Belmont to L V Boardman, FBI memorandum, August 28, 1956, found in Church Report ‘Volume VI. The Federal Bureau of Investigation’, pages 372-376. The list grew to include perceived threats to internal security from other communist and socialist organizations in the U.S., right wing extremists (mostly the KKK but also a small number of programs targeting the John Birch Society and the Minutemen), Civil Rights leaders and groups and student activist groups (including Martin Luther King, Jr., King’s SCLC, the Student Nonviolent Coordinating Committee [SNCC], the Revolutionary Action Movement [RAM], the Congress of Racial Equality [CORE], and Elijah Muhammad’s Nation of Islam), and the burgeoning Vietnam War protest movement. COINTELPRO – NEW LEFT was initiated in April of 1968; this would be the last of the five formal COINTELPROs. See Director J. Edgar Hoover to SAC (Special Agent in Charge-Albany), FBI Memorandum, “Counter Intelligence Program: Black Nationalist – Hate Groups, Internal Security,” May 14, 1968.
Despite its centrality to the narrative of FBI intelligence investigations during the era, the focus in the case of this dissertation must not rest entirely on this single set of programs. Between 1965 and 1975, according to a Government Accounting Office (GAO) study, intelligence investigations (both foreign and domestic, including COINTELPRO operations) constituted 20% of the FBI’s workload, although COINTELPRO operations in fact constituted less than a quarter of one percent themselves.\(^\text{11}\) Those who would turn to terrorism in this era were subject to both COINTELPRO “disruption” and “neutralization” operations, as well as unrelated non-COINTELPRO intelligence operations (both lawful and unlawful) by the FBI, as well as criminal, espionage, and other investigations stemming from different divisions within the Bureau.

**NEW YORK CITY POLICE DEPARTMENT (NYPD)**

With the consolidation of New York City’s five boroughs in 1898, the New York City Police Department (NYPD) as we know it today began to emerge.\(^\text{12}\) By the middle of the 1960s it was one of the largest, most highly trained, and professional municipal police forces in the world. In 1969, the Department added 3,187 new recruits bringing the total number of policemen to 31,641,

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\(^\text{12}\) The NYPD emerged from rowdy and disorganized beginnings in the middle of the nineteenth century when an array of magistrates, justices of the peace, night watches, constables and marshals composed law enforcement in Gotham. In May of 1845 the city council adopted an ordinance creating a unified full-time police force of 800 men, the Municipal Police, and in 1856 a larger Metropolitan Police force was established, bringing together the disparate forces in New York City (then only the island of Manhattan), Brooklyn, Westchester, and Staten Island. See James Lardner and Thomas Reppetto, *NYPD: A City and its Police*. 
then the largest number in the history of the NYPD.\textsuperscript{13} In 1965 the number had stood at just over 28,000; in 1953 it had been less than 20,000.\textsuperscript{14}

The members of the NYPD Detective Division were spread throughout each of the Department’s dozens of precincts in all five boroughs; the Chief of Detectives, a high-profile and senior member of the department, served as the Commanding Officer of all the detectives throughout the force, and exercised great autonomy from both the Police Commissioner as well as the Mayor’s office.

In addition to the detective squads at precincts, special units of detectives existed for dedicated purposes, organized as “Central Office Bureaus and Squads;” the most relevant to this study being the Bureau of Special Services (BOSS).

As the long Sixties unfolded, the NYPD was on the verge of entering a period of unprecedented violence and social unrest in the city they were tasked to protect, strained relations with city government and with the public, internal turmoil, and debilitating scandal. The upheavals would greatly impact how the policemen of the NYPD reacted to the escalating threat of terrorism of the era.

Like the FBI, despite what would become a long history of countering terrorism in New York City, NYPD’s efforts didn’t start, specifically, as intentional counterterrorism programs. The Chicago Haymarket bombing in 1886 largely precipitated the first major red scare in American history, and

\textsuperscript{13} Annual Report of the Police Department of the City of New York – 1969, page 3 (New York: Police Dept., City of New York), Special Collections - NYPD Collection, Lloyd Sealy Library, John Jay College, CUNY (henceforth “NYPD Collection, LSL, JJC-CUNY”)

\textsuperscript{14} Remarks of Mayor Robert F. Wagner at NYPD Graduation Ceremony, December 1\textsuperscript{st}, 1965; Box #060029W, Folder #14, page 6; Robert F. Wagner, Jr. Documents Collection, La Guardia and Wagner Archives, Fiorello H. LaGuardia Community College, CUNY (henceforth “RFW JR Documents, LWA, LCC-CUNY”)
“resulted in the establishment of the first sustained American police intelligence operation aimed at leftist groups” according to a 1976 report by the International Association of Chiefs of Police cited by Donner.\textsuperscript{15} However, as Gage argues, New York City in this early period in fact was the target of substantially less acts of terrorism than “rough and tumble western outposts such as Chicago, Idaho, and California” and thus other threats were law enforcement priorities in Gotham, such as organized crime, labor tensions, and wartime sabotage.\textsuperscript{16}

The long list of various NYPD units created, named and renamed, tasked and re-tasked with assorted clandestine functions can be somewhat confusing. What became known as the Italian Squad was initially formed as an elite, secretive unit within NYPD by Police Commissioner Theodore A. Bingham in December of 1906 to combat the Black Hand – an underground group of Italian extortionists preying on their own communities in New York City.\textsuperscript{17} A favorite tactic of the Black Hand was the use of dynamite to intimidate or murder its victims, and the Italian Squad became the de facto specialists in investigating instances of “bomb throwing” in the city. But the Italian Squad receded after the 1909 murder, in Italy, of undercover Lieutenant Joseph Petrosino, leader of the squad – still the only member of NYPD to die in the line of duty in a foreign country.\textsuperscript{18} Despite the escalating pace of dynamite bombs in the coming years, members of the greatly diminished Italian Squad were diffused throughout the Police Department in November of 1910.\textsuperscript{19}

It was in the middle of this second decade of the century that the use of dynamite by extortionists and gangsters was greatly overtaken by the use of dynamite by political radicals and clandestine foreign government agents in New York City. Fears of the Black Hand were drowned

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\textsuperscript{15} Donner, Protectors of Privilege, 5
\textsuperscript{16} Gage, The Day Wall Street Exploded, 102
\textsuperscript{17} “A Secret Service Squad to Hunt the Black Hand” New York Times, December 20\textsuperscript{th}, 1906
\textsuperscript{18} “Petrosino a Terror to Criminal Bands” New York Times, March 14\textsuperscript{th}, 1909
\textsuperscript{19} “Five Bombs Set Off in Fifteen Days” New York Times, January 17\textsuperscript{th}, 1913
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out and largely forgotten as fear of “bomb-throwing” anarchists and German secret agents escalated, and as Gage shows the NYPD responded quickly after the Lexington Avenue explosion in Harlem in 1914: “[i]n August, police commissioner [Arthur] Woods announced the creation of an undercover bomb squad to infiltrate the anarchist movement and the [Industrial Workers of the World, the IWW or the “Wobblies” as they were commonly known]. Within a few months, the new squad found itself in the midst of the city’s first full-blown dynamite epidemic.”20 In 1921, the remnants of the Italian Squad were officially merged with the Bomb Squad, and the modern NYPD Bomb Squad today traces its roots to that older unit.21

The creation of the Bomb and Neutrality Squad, as it was first called, also came just weeks after the First World War began in Europe, and the fear of war-related sabotage plots and attacks would soon become at least as much cause for concern as the rash of anarchist-related terrorism. The massive explosion of war munitions caused by German saboteurs at Black Tom Island off the southern tip of Manhattan in July of 1916 was felt in five states and as far as 100 miles away, and proved with sobering clarity how dangerous this wartime threat could be.22 The thirty-four man Bomb Squad headed by Captain Thomas Tunney looms large in NYPD’s response to the Red Scare that prompted the Bureau of Investigation to create their own Radical Division. It was the Bomb Squad that investigated the aftermath of the Wall Street bombing and the St. Patrick’s Cathedral bombing before that; it was a Bomb Squad undercover detective who thwarted a second bombing attempt at that famed Fifth Avenue cathedral.23

20 Gage, *The Day Wall Street Exploded*, 103
21 “Fiaschetti Reduced in Police Shake-Up,” *New York Times*, August 26th, 1922
23 “Young Detective Joins Anarchist Group; Learns Secrets,” *The Sun* (New York), March 3rd, 1915
It may have come as a surprise to New Yorkers of the time who expected it to be the harbinger of even more dangerous times to come, but as Gage, Thai Jones, and other scholars show, the wave of anarchist bombings in fact slowed dramatically after the 1920 Wall Street bombing. By 1924 the various and sundry units of NYPD tasked with these similar missions were combined in the Radical Squad, which housed three sub-units: the Bomb Squad, the Industrial Squad, and the Gangster Squad, which largely disappeared after the end of Prohibition a decade later.24

Various NYPD units including the Alien Squad, then the Radical and Alien Squad, continued on. In 1931, the Bomb Squad was separated from these other units and reconstituted, fundamentally, as an explosive ordinance disposal (EOD) and technical expertise unit organized within the Detective Division, like BOSS, and has remained as such to this day. Responsibility for investigation of subversives, anarchists, and other radicals would fall to other detective squads in the Division.

Terrorism and other dynamite attacks in the decades following the era of anarchism continued to fade in New Yorkers’ collective memory, for the most part, but the thud of bombs exploding around the city never truly disappeared.25 The exceptions to the quiet of the decades following the end of the anarchist era of terrorism illustrate the police response. The most notable exception during this period of relative quiet is the campaign of the so-called “Mad Bomber.” Between 1940

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24 Anthony Bouza, *Police Intelligence*, 24
25 An important wartime exception is the July 1940, bombing of the British Pavilion of the World’s Fair in Queens – two Bomb Squad technicians were killed as they attempted to remove the bomb. The case was never solved and no credit taken. The Bomb Squad and the special World’s Fair Precinct investigated, with units like the Espionage Squad assisting with leads when they pointed to German and Irish links. See “Police Die in Blast,” *New York Times*, July 5th, 1940
and 1956, with a long hiatus between 1941 and 1951, a rash of bombings by someone protesting the Consolidated Edison Company (ConEd) plagued New York. More than thirty small devices exploded throughout the city, first at ConEd locations but then expanding to movie theaters, Grand Central Station, the New York Public Library, Radio City Music Hall, and elsewhere. Various NYPD units were involved in the long investigation into the bombings, most centrally the Bomb Investigation Unit (BIU), a taskforce contingent of as many as fifty detectives charged with working nothing else but the Mad Bomber case. The Bomb Squad, police forensics, police psychologists, and various other units in the department all assisted in the investigation that Police Commissioner Patrick Kennedy, in 1956, ordered to be “the greatest manhunt in the history of the Police Department.”

In January of 1957 George Metesky, a disgruntled former ConEd employee, was arrested in Waterbury, Connecticut, by NYPD detectives.

A similar bombing campaign – albeit much shorter – emerged in New York City in late 1960. No less than five simple dynamite bombs were placed in subway cars, city parks, and other public places, always on a Sunday, injuring nearly sixty and killing a fifteen-year old girl. No motive, political or otherwise, was ever offered or divined. Despite nearly a quarter of the NYPD detective force being placed on the “Sunday Bomber” case, nobody was ever charged with the crimes.

George Metesky’s long bombing campaign was not terrorism, or politically motivated in any way – it was clear from the first bomb that the Mad Bomber bore a personal grudge against ConEd and not political aims, and Metesky was found to be “incurably insane” and committed to a state mental

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hospital instead of standing trial. The distinction of terrorism or not terrorism is not one that would have been relevant to most New Yorkers during the bombing campaign. It does well, however, to illustrate the organization of the department at the time in terms of responding to political subversion and violence.

The NYPD Bureau of Special Services and Investigation emerged in 1946, a continuing, postwar evolution of what was earlier the Radical Squad and then the Criminal Alien Squad; its name was shortened to Bureau of Special Services (BOSS) in August of 1955. The unit would over time emerge as the most robust municipal police political intelligence operation in American history, exchanging intelligence, information, and training with the FBI and even CIA, before its eventual disappearance in the 1970s. By the beginning of the period under question, BOSS initiated and conducted some 2,500 investigations per year in the “subversive, nationalist, pacifist, racial, right-wing and/or political fields.” The categorization of an organization as “hostilely subversive” was the prerogative of the Police Commissioner or the Chief of Detectives; it was not

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28 “Psychiatrist Finds Metesky Incurably Insane,” New York Times, April 11th, 1957. Despite the oversimplified and usually uninformed rhetoric from politicians and law enforcement, the overwhelming degree of evidence-based research not only illustrates the lack of any identifiable psychopathology in terrorists, but demonstrates how frighteningly 'normal' and unremarkable in psychological terms those who engage in terrorist activity usually are. Terrorism and insanity are distinctly different phenomena; see John Horgan, The Psychology of Terrorism (London: Routledge, 2013)

29 Bouza, Police Intelligence, 24; see also “Public Relations Squad Again Gets Name Change,” New York Times, April 14th, 1946. NYPD has not shared the records pertaining to the rationale for the formation of BOSS / reorganization of the Radical and Alien Squads. The Annual Report of the Police Department of the City of New York – 1947 (Organization Chart), is the first year where “Bureau of Special Services and Investigating” appears. NYPD Collection, LSL, JJC-CUNY

a decision officially made lower on the chain of command, and was officially not a political decision made by the political infrastructure of the city, including the Mayor.\textsuperscript{31}

It’s location an open secret, BOSS was headquartered on the fourth floor of a non-descript office building at 56 Worth Street, near Church Street, in lower Manhattan.\textsuperscript{32} It had moved here from 400 Broome Street, a building across from Police Headquarters, where it had previously been located.\textsuperscript{33} By the late 1960s, the commanding officer, usually the rank of Inspector, administered a unit composed of captains, lieutenants, sergeants, and approximately sixty detectives, both male and female, the majority of whom worked undercover.\textsuperscript{34} It was Deputy Chief Inspector Sanford Garelik and Captain William Knapp who would shepherd BOSS through this tumultuous decade;\textsuperscript{35} Garelik would eventually retire from NYPD and be elected to the New York City Council and even run for Mayor;\textsuperscript{36} Knapp would himself rise to the rank of Deputy Chief Inspector and continue to be involved with memorable NYPD cases such as the 1972 assassination, inside a Nation of Islam mosque in Harlem, of Police Officer Phillip Cardillo.\textsuperscript{37}

Tasked, ostensibly, with escort and protection of distinguished visitors to the city including national and international politicians, it was common knowledge by no later than the early 1950s that BOSS was the core of NYPD’s intelligence, anticommunist, and anti-subversive efforts.

\textsuperscript{31}A BOSS Sergeant discussed the unit’s chain of command and categorization process in State Supreme Court testimony during the Panther 13 case; see Edith Evans Asbury, “Policeman Describes Panther Inquiry,” \textit{New York Times}, June 4\textsuperscript{th}, 1970
\textsuperscript{32}Bernard Weinraub, "Police Undercover Unit Kept Tabs on Minutemen," \textit{New York Times}, November 1\textsuperscript{st}, 1966
\textsuperscript{33}\textit{Police Department of the City of New York: Rules and Procedures – 1956} (New York: Police Dept., City of New York), NYPD Collection, LSL, JJC-CUNY
\textsuperscript{34}Bouza, \textit{Police Intelligence}, 31
\textsuperscript{35}Not to be confused with Whitman Knapp, appointed by Mayor John Lindsay in 1970 as head of what became known as the Knapp Commission, to investigate corruption within the NYPD.
\textsuperscript{36}Matt Flegenheimer, “Sanford Garelik, Former Mayoral Candidate, Dies at 93,” \textit{New York Times}, November 20\textsuperscript{th}, 2011
\textsuperscript{37}“Inspector Quitting Over Mosque Killing,” \textit{New York Times}, April 25\textsuperscript{th} 1972
Publically available Annual Reports and NYPD Manuals directed police officers to report to BOSS any activity that might fall under these categories, including the seizure of anarchistic literature, arrest of foreign aliens, or “any suspected espionage, sabotage or other subversive activities.”\textsuperscript{38}

According to long-time NYPD BOSS Detective Anthony Bouza, BOSS “grew into an effective intelligence operation rather naturally and unconsciously” because of the challenges presented by the times – including “terrorist acts of sabotage” and “the proliferation of radical political organizations.”\textsuperscript{39} The 1956 NYPD Manual gives BOSS responsibility for conducting three explicit functions: investigate labor disputes, guard visiting dignitaries, and cooperate with U.S. Immigration and Naturalization Services; all functions that allowed BOSS detectives to closely monitor traditional “subversive” elements and adversarial foreign influences.\textsuperscript{40} The Manual also gives BOSS the responsibility (or ability, depending on one’s outlook) to conduct “other investigations as directed by the Chief or Detectives or other competent authority.”\textsuperscript{41}

In service of its responsibility to protect dignitaries, BOSS provided security for – and kept tabs on – U.S. presidential candidates and foreign leaders ranging from the Pope to Yasser Arafat and Fidel Castro. But it is this responsibility to “conduct other investigations” that Bouza claimed became the central focus of BOSS; “[i]n practice, this duty… evolved into the most important function of the unit: the investigation of subversives or potentially disruptive people or groups.”\textsuperscript{42}

What BOSS didn’t do much of was actually arrest suspects; “[a]ctual arrests and related

\textsuperscript{38} Police Department of the City of New York: Rules and Procedures – 1956, page 38b. See also pages 96, 115, 127 (New York: Police Dept., City of New York), NYPD Collection, Lloyd Sealy Library
\textsuperscript{39} Bouza, Police Intelligence, 3
\textsuperscript{40} Police Department of the City of New York: Rules and Procedures – 1956, page 15 (New York: Police Dept., City of New York), NYPD Collection, LSL, JJC-CUNY
\textsuperscript{41} Ibid.
\textsuperscript{42} Bouza, Police Intelligence, 21
operational responsibilities” Bouza explains, were “delegated to other units of the Police Department, because arrests are not a function of [an] intelligence unit.”\footnote{Bouza, \textit{Police Intelligence}, 32}  Typically, field units such as the Bomb Squad and the Safe and Loft Squad, who often worked closely with BOSS, would be involved with any arrests that occurred as a result of their investigations.

That BOSS was not the primary investigative body within NYPD to work the “Mad Bomber” George Metesky case might very well be a function of the fact that it was clear, since 1941, that the bombings were not political in nature. The bombings were not terrorism, they were not the work of communists or other subversives, but clearly the work of an individual with a personal and not political vendetta. Despite an investigation that spanned most of the decade, and what the commissioner argued was the greatest manhunt in the department’s history, Bouza argues that the 1950s “were a quiescent time…” there was “little real activity in NYC of a threatening nature, and [BOSS] settled into a rut of inactivity and disuse.”\footnote{Ibid., 25}  BOSS was involved in other instances where political subversion and terrorism were suspected, including a credible 1948 threat of 150 bombs across New York City that mobilized police all throughout the city. The threat turned out to be a hoax, but it is telling that not only Bomb Squad responded but also BOSS.\footnote{“Bombing Threat in Crank Letter Causes Police to Guard Key Areas,” \textit{New York Times}, April 4\textsuperscript{th}, 1948}

As Bouza explains, after what he calls the relatively “quiescent” 1950s, the following decade “burst with fury upon the city’s life… groups of the far left and far right reemerged as the 1960s began. Groups like the John Birch Society, SDS, and the Minutemen appeared.”\footnote{Bouza, \textit{Police Intelligence}, 25}  Given the political focus of BOSS’s mission, that this secretive unit would also become the primary
NYPD effort in countering terrorism when it reemerged with such intensity in the 1960s is of little surprise.

BOSS utilized the breadth of methods commonly associated with an intelligence unit, including informants, the placement of undercover infiltrators, surveillance, and the use of technical equipment like “bugs” and wiretaps. And the coverage of those individuals or organizations targeted for investigation could be exhaustive; according to Bouza, BOSS often had “two or more investigators, infiltrators, or informants working on the same case at the same time.”\(^{47}\) The intelligence files that accumulated through this process were substantial; BOSS maintained a massive data bank of files on persons, groups, and events that at its height in the 1960s included well over one million entries. These records were not solely – not even primarily – on those suspected of terrorism, or any criminal act for that matter. There were dossiers on suspected political dissidents; individuals who had joined law-abiding protest groups; students; activists; anyone who did or might even possibly, one day, cause an economic or political disturbance, no matter how legal. BOSS detectives, like FBI officials, created a vast network of intelligence gathering and undercover infiltrators who penetrated not only groups and individuals from across the political spectrum that would turn to terrorism in the 1960s, but also law-abiding political and civil rights groups and individuals in alarming numbers.\(^{48}\)

Within the larger category of intelligence operations, confidential informants and undercover infiltrators were, in fact, the primary tools used by both the FBI and the NYPD in their political policing, and would emerge as key tools in the related objective of countering terrorism as well. In its 1975 investigation, the U.S. Senate Church Committee found that “[t]he paid and

\(^{47}\) Bouza, *Police Intelligence*, 46  
\(^{48}\) See Donner, *Protectors of Privilege*
directed informant [was] the most extensively used technique in FBI domestic intelligence investigations. Informants were used in 85 percent of the domestic intelligence investigations analyzed… by comparison, electronic surveillance was used in only 5 percent.\textsuperscript{49} The investigations into NYPD’s operations, running almost on a tandem timeline to the Church Committee, resulted in similar findings.

BOSS’s massive trove of intelligence records would, in time, become a source of constant hassles and litigation for the police department; they were first reduced dramatically and then ultimately ordered to be destroyed by the courts.\textsuperscript{50} But early in this period, through what can be considered the first half of the long Sixties, the NYPD in fact had considerable public support and a strong advocate in City Hall in the person of Mayor Robert F. Wagner, Jr. First taking office in 1954, Wagner would ultimately serve three terms, staying in office until the last day of 1965 – a period of dramatic transition for New York City.

Generally a progressive who gets little credit or scholarly attention, Wagner – following in his prominent father’s footsteps – was largely favorable to workers’ rights, brought more minority appointees into city government than ever before, and vocally supported the legal and social victories of the Civil Rights movement.\textsuperscript{51} But, ultimately, he was a law and order man, an advocate

\textsuperscript{49} Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, \textit{Final Report, S. Rep. No. 94-755} (1976), Book III Supplementary Detailed Staff Reports on Intelligence Activities and the Rights of Americans, page 228
\textsuperscript{50} More on this in Chapter 10; see David Burnham, “Police Intelligence Records Here Are Purged of a Million Names,” \textit{New York Times}, February 9\textsuperscript{th}, 1973; and Angel Castillo, “After Long Court Fight, City Police Accept Political-Surveillance Curbs,” \textit{New York Times}, December 31\textsuperscript{st}, 1980
\textsuperscript{51} Richard M. Flanagan argues that Wagner “completed and institutionalized the New Deal project in New York pioneered by Mayor La Guardia” and “codified the construction of the foundations of the municipal labor movement” in New York City. See Flanagan, \textit{Robert Wagner and the Rise of New York City's Plebiscitary Mayoralty: The Tamer of the Tammany Tiger}, (New
of the steady and gradual change he believed he saw occurring in American society – change that wasn’t fast or complete enough for an increasing number of his own constituents. Vincent J. Cannato, biographer of John Lindsey (who would follow Wagner in City Hall), argues that even though Wagner “had always been sympathetic to black and Puerto Ricans, the aggressive style of the Civil Rights movement clashed with [his] personality.”

Wagner enjoyed a close relationship with the Police Department that he often boasted of expanding by more than 42% during his time in office. He “always felt a close relationship with (New York’s) men in blue” and, as crime rates and social protest increased across the nation (and in New York City), Wagner tried in vain to balance the voices of the protestors and rioters with his predisposition toward law and order.

On July 18th, 1964, fifteen-year old James Powell was shot and killed in Harlem by a white off-duty police officer. Large-scale rioting exploded first in Harlem and then spread through the city, bringing fires, looting, and – over six days – one death and hundreds of injuries and arrests. There were a number of claims of both police brutality as well as claims of violence directed at police officers. Returning early from a trip to Geneva after the riots began, Wagner told New Yorkers that he believed “[t]he proper complaints of reasonable people must be heeded and acted upon. The human rights of every individual must be zealously safeguarded. Every action we are taking is to do the fair, the reasonable, the right thing.” But calling the rioters “the loose

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52 Vincent J. Cannato, The Ungovernable City: John Lindsay and his Struggle to Save New York (New York: Basic Books, 2001), 33
53 Remarks of Mayor Robert F. Wagner at NYPD Graduation Ceremony, December 1st, 1965; Box #060029W, Folder #14, RFW JR Documents, LWA, LCC-CUNY
54 See Martha Biondi, To Stand and Fight: The Struggle for Civil Rights in Postwar New York City
gunpowder of our day,” he made a full-throated defense of the police department and law and order:

“The police are under legal mandate and obligation to protect with all the force that is necessary and justified. The mandate to maintain law and order is absolute, unconditional and unqualified. It is the primary obligation of local government… Let me also state in plain language that illegal acts including defiance of or attacks upon the police, whose mission it is to enforce law and order, will not be condoned or tolerated by me at any time.”55

In his public address, he voiced his “complete confidence” in the Police Commissioner and brought up what was increasingly becoming a contested issue in New York City – the Civilian Complaint Review Board (CCRB), whose job it was to investigate claims of misconduct by police officers. There were increasing calls for civilian oversight of the police department; by 1964, the review board was composed entirely of three policemen (Deputy Commissioners) who elevated what they found to be legitimate civilian complaints to the Deputy Mayor. The process, however, excluded any civilians from oversight or review, and the perceived lack of impartiality was an increasingly sore subject as racial tensions and claims of police misconduct in the city and especially in minority neighborhoods escalated dramatically.56

55 Mayor Robert F. Wagner, Statement on Harlem Riot, July 22nd, 1964, ID #70867, WNYC Archive
Wagner’s staunch defense of the existing review board against increasing criticism was representative of his approach to policing in New York City; hands off, and letting the department police itself. Speaking to a graduating class at the Police Academy, newly-appointed Police Commissioner Vincent Broderick singled out Mayor Wagner for praise at great length: “Your brothers in the Police Department have had a rare privilege in being able to serve for many years under Mayor Wagner… when he took office twelve years ago, he recognized that the health of New York City depended upon a climate of law and social order. And he realized that a climate of law and order could only be provided by a strong, a vigorous and alert police department…” The Commissioner spoke to the debate on the CCRB: “in my judgment the principal contribution which he has made has been firmly to establish the principle that there is to be no outside interference with the operations of the Police Department.” Mayor Wagner himself boasted, to another graduating class of policemen only months earlier, “[o]urs is a police force that has been kept free from political interference.” Free of political interference meaning free from outside supervision and civilian oversight that not just the incoming mayor, but the courts and the city’s population would find the department was wanting of in coming years.

A former military intelligence officer himself, Wagner’s administration fostered a hands-off climate of policing that BOSS had thrived in.

John Vliet Lindsay succeeded Robert F. Wagner, Jr. as the Mayor of New York City, taking office on the first day of 1966. Joseph Viteritti argues that “[t]he transition from Robert Wagner’s

57 Remarks of Police Commissioner Vincent L. Broderick, Commencement Exercises, Police Academy Recruits Training School, September 21st, 1965; Box 104, Folder 1224, Page 90; RFW JR Documents, LWA, LCC-CUNY
58 Remarks of Mayor Robert F. Wagner at NYPD Graduation Exercises, June 23rd, 1965; Box 060031W, Folder 23, RFW JR Documents, LWA, LCC-CUNY
mayoralty to John Lindsay’s represented a historic point from the moderate liberalism of a city dominated by white working class traditions to the angrier politics of a city growing more diverse and disconnected from the old institutions.”59 The relationship between the Mayor’s office and the NYPD changed dramatically between the last day of Wagner’s mayoralty and Lindsay’s first. Lindsay, a liberal Republican whose previous work in Congress, his support for civil rights legislation, and the measures he supported to curb the activities of the House Un-American Activities Committee (HUAC), all seemed to make him less likely to completely defer to the police department in the way that Wagner had.60

In his first campaign speech in May of 1965, in fact, then-Congressman Lindsay had come out strongly in support of a revised CCRB that would incorporate four civilians as members.61 The move brought strong reactions from the police department unions, and the statements from then-Mayor Wagner and Police Commissioner Broderick. The issue became a major component of Lindsay’s campaign, and when elected, he stuck to it. After taking office, Lindsay replaced Commissioner Broderick, who was insistent on maintaining the status quo, with Howard R. Leary, a liberally-minded former Philadelphia Police Commissioner praised by civil rights organizations, just a month into his term as mayor.62

The Civilian Complaint Review Board as Lindsay and Leary imagined it was short-lived – it was voted down by overwhelming white disapproval of it in a referendum in November of 1966.

59 See Joseph P. Viteritti, Chapter 1, “Times a-Changin’,” in Summer in the City: John Lindsay, New York, and the American Dream, edited by Joseph P. Viteritti
60 See Vincent J. Cannato, The Ungovernable City, especially Chapter 1.
– but the battle over it defined much of Lindsay’s first year in office and firmly set the tone for a new relationship between City Hall and the Police Department.\footnote{Bernard Weinraub, “Now a Police Board to Police the Police,” \textit{New York Times}, November 13th, 1966}

After twelve years of staunch support from the Mayor’s office and what Anthony Bouza calls a “quiescent” time, the NYPD entered a time of vastly increasing public criticism, scandal, investigative commissions, and involvement by the Mayor’s office that would all have a substantial impact on the way that the Department countered the escalating threat of terrorism in New York City. Even though Lindsay very rarely, if ever, directly interfered or directed BOSS operations, the impact on BOSS was substantial as the administration continued on in office. As Bouza argues, “the election of a liberal mayor, John V. Lindsay, and his appointment of a tough-minded, liberal police commissioner, Patrick V. Murphy, (who would follow Leary in 1970) created a political climate, reflecting a prevailing public attitude, that was not hospitable to operations of an intelligence unit.”\footnote{Bouza, \textit{Police Intelligence}, 6} Major issues including the corruption scandals that lead to the Knapp Commission, the impact of the so-called Panther 13 trial, new Surveillance Guidelines governing the intelligence activities of the department, the so-called Handschu case, and the evolution and dissolution of BOSS will be discussed in coming chapters.

\textit{CONCLUSION}

The political intelligence operations of the FBI and the NYPD were justified, internally, by the need to counter the subversive elements in society that officials in those agencies, none more
notably than J. Edgar Hoover, saw everywhere they looked. Terrorism being political in nature, these intelligence officials at FBI and NYPD were looking in the right places (among the multitude of wrong places), when terrorism burst back upon the American scene during the long Sixties.

Yet while BOSS arguably cast as wide a net as did the FBI in collecting intelligence on those perceived to be potentially subversive, NYPD was never accused – even by its detractors – of collection methods or intimidation tactics as illegal or intrusive as those employed by FBI in COINTELPRO operations, and no records have emerged that would suggest that was ever the case. Yet, as with the FBI, perceived excesses by NYPD would result in a backlash that would, by the end of the long Sixties, greatly restrict the scope of their actions.65

Something of note to emerge from the published memoirs of those that served in the specific parts of two organizations most relevant to this study – FBI’s New York office and NYPD’s Bureau of Special Services – is the close cooperation between the two intelligence units, a fact that is borne out by records. Even in the era that preceded the development of the FBI Joint Terrorism Task Force (JTTF) to formally combine their efforts, NYPD and FBI did not act in a vacuum, autonomous of one another. As we shall see, it was quite the opposite. Danny Coulson was assigned to New York City in 1967, at the beginning of his long career with the FBI. Coulson landed on “internal security” cases – intelligence – where he worked what would become the Panther 13 case, and was intimately involved with the infamous bank robberies and police murders perpetrated by the Black Liberation Army, a radical offshoot of the Black Panther Party. In telling of his time in New York City working these and other notable terrorism cases of the time, Coulson

65 Most notable in the list of rolling back of FBI practices was the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, better known as the Church Committee, which greatly impeded FBI domestic intelligence gathering efforts. To be discussed at greater length in Chapter 10
describes a close relationship with NYPD; Bureau Special Agents and NYPD Detectives were on first-name basis, sharing information and intelligence freely, and often participating in raids and other operations together. Testimony by FBI agents in a number of cases describe the same. From the NYPD side of the equation, Bouza’s account illuminates what he argues was an “extremely close” relationship with the FBI; former BOSS Detective Jack Caulfield echoes this characterization.

Finally, while it is beyond question that these were the primary two agencies combatting terrorism in New York City, they were certainly not the only federal and local agencies involved in the effort. It is, for instance, unsurprising that New York City’s firefighters (FDNY) found themselves on the front line of the response to terrorism in the city, as they had since the days of anarchism. The men of the FDNY regularly responded to fires resulting from exploded anarchist bombs – including the Lexington avenue Harlem explosion and the 1920 Wall Street bomb – and the FDNY’s Bureau of Combustibles attended unexploded bombs and explosive material in much the same fashion as NYPD’s Bomb Squad. A “professional opener of bombs,” FDNY Bureau of Combustibles Inspector Owen Eagan became a minor celebrity disarming as many as 7,000 “infernal machines” in New York City before his death in 1920. In reporting on his death, the New York Times referred to Eagan as a “Famed Anarchist Foe.” When terrorism reemerged in the long Sixties, FDNY again found themselves playing a similar role. That this work focuses on

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66 See Danny O. Coulson, Elaine Shannon, Sharon Shannon; No Heroes: Inside the FBI’s Secret Counter-Terror Force (New York: Pocket Books, 1999)
67 Bouza, Police Intelligence, 34
68 Jack Caulfield, Shield #911, various.
FBI and NYPD (especially the NYPD Bureau of Special Services) is a function of their centrality in counterterrorism in New York City, not their exclusiveness.
PART I: NYPD, FBI, and Early Terrorist Plots in NYC During the Long Sixties

Chapter 2: The Monumental Plot
Scholarship exploring the Civil Rights movement in the U.S. has largely focused on the American South. But as historians including Martha Biondi, Thomas Sugrue, and Clarence Taylor have discussed, the struggle for African American rights emerged in New York City in the immediate aftermath of WWII. Biondi argues that African American activists and politicians in New York from Paul Robeson to Adam Clayton Powell Jr. pursued desegregation, economic equality, and other campaigns well in advance of Rosa Parks and Bull Connor putting civil rights center stage elsewhere in the nation. “The first civil rights laws since Reconstruction were passed in New York City and state, including the first fair housing, employment, and education laws,” Biondi explains. “These inspired similar laws in dozens of other states, and became models for national legislation in the 1960s.”¹ And as Taylor argues, the largest civil rights boycott of the entire era took place in New York City in February of 1964 when 465,000 schoolchildren – nearly half of the city’s student body – stayed home from school to protest segregation in their school system.²

Additionally, the Civil Rights movement is often characterized as two overlapping periods characterized largely by the peaceful leadership of Reverend Dr. Martin Luther King, Jr. more prominent on one end, and the more militant, fiery black nationalism of the Black Panther Party and the Revolutionary Action Movement (RAM) that dominates the narrative in the wake of assassin James Earl Ray’s bullet.³ However, as Sugrue compellingly argue, this more militant,

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¹ Martha Biondi, “How New York Changes the Story of the Civil Rights Movement,” Afric Americans in New York Life and History: Jul 2007; 31, 2;
³ The ‘first’ Civil Rights movement under King including the Montgomery bus boycott, the Freedom Rides, the 1963 March on Washington, as discussed by Taylor Branch in the Pulitzer Prize-winning Parting the Waters: America in the King Years, 1954-63 (Simon & Schuster: 1988). Yet despite a movement that was overwhelmingly peaceful in nature, the era of Civil Rights was not always so, as illustrated by the violence often imposed on Freedom Riders.
more radical manifestation of the African American struggle emerged before King’s death, and perhaps especially so in the North. The most illustrative example of the early, angry reaction to the civil rights situation in New York City must be the previously-discussed Harlem riots of 1964 – the violence sparked by the death of a fifteen-year old African American boy at the hands of a white off-duty policeman. The riots, starting in Harlem in July of 1964, spread throughout the city for six days and later that summer spread throughout other northeastern cities like Philadelphia and Newark.

It is from the extreme fringe of this more militant African-American movement in New York City that emerge one of the earliest examples of terrorism in Gotham during the era. In early 1965, amidst escalating tension between the African American community and the authorities on the national level, and certainly between the community and both the Wagner administration and the NYPD in the wake of the riots, a plot to bomb national landmarks in New York City and other northeastern cities to bring attention to the plight of African Americans was thwarted by BOSS and the FBI. The case is perhaps the earliest example of a major terrorist plot in New York City during the long Sixties, and illustrates the already existing relationship between the FBI and NYPD (especially BOSS) that countering terrorism over the latter half of the period would largely build upon.

throughout the South and protestors in Birmingham Alabama. On September 15th, 1963, just weeks after King spoke on the steps of the Lincoln Memorial, members of a local Ku Klux Klan chapter bombed the 16th Street Baptist Church in Birmingham, an African-American church often used as a meeting place by Civil Rights leaders including King. The act of terrorism killed four young girls and injured many more who were attending a children’s sermon that day.

4 See Thomas Sugrue, *Sweet Land of Liberty*
Early on the morning of February 16th 1965, on West 239th street in the Riverdale section of the Bronx, two African American men drove a 1965 Chevy into an overgrown parking lot not much more than a stone’s throw from the Riverdale Jewish Center. Robert Steele Collier, twenty-eight, was an Air Force veteran who had received an other-than-honorable discharge after slashing a man with a knife in London during a fight in 1956. In 1965, Collier was working at the iconic main branch of the New York Public Library on 42nd Street in Manhattan, and lived in Manhattan’s Lower East Side. Given the staunchly anti-communist atmosphere that permeated the nation at the time, Collier raised many eyebrows when, just a few months earlier in July of 1964 (the same month of the Harlem riots), he and four others made a public announcement that they had visited Cuba by way of Europe in defiance of the U.S. State Department ban on travel to the island nation. There, in a move that made them few friends in the American government, Collier and the others dined and spoke with Castro’s right-hand man, Che Guevara.

In the Chevy’s driver’s seat that February morning was thirty-two-year-old Raymond Woodall, a former Chester, South Carolina high school football star. Arriving in New York after leaving the Air Force himself, Woodall bounced from job to job including stints at a paper products

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6 The Riverdale Jewish Center would itself be targeted in 2009 by another group of would-be African American terrorists who were arrested due to the work of an informant, this time for the FBI. Baker, Al; Javier C. Hernandez, "4 Accused of Bombing Plot at Bronx Synagogues," New York Times, May 20th, 2009
company, Chase Manhattan Bank, Texaco, Sinclair Oil, and as a teletype operator, and took
courses at NYU, Fordham, and at City College, where he was asked to leave in 1963 after one
semester because of poor grades. The previous July, right around when Collier was making
headlines with his trip to Cuba, Woodall made his own when he was arrested with local civil rights
leader Herb Callender and other members of the Congress of Racial Equality (CORE) for
attempting to stage a citizen’s arrest of Mayor Wagner. Woodall was also well known and
respected for coordinating activities and protests for CORE during the July riots.9

Woodall and Collier had known each other for less than two months, since December 14th,
1964, when the men were first introduced at a rally for the Progressive Labor Movement at the
Manhattan Ballroom by Paul Boutelle, a common acquaintance of the two and an African
American socialist leader of the short-lived Freedom Now political party.

A few hours before their drive to Riverdale, at 1:00AM that February morning, the phone rang in
Woodall’s apartment at 1640 Topping Avenue in the Bronx. It was Michelle Duclos calling.
Duclos, a twenty six-year old French Canadian national, was a member of Rassemblement pour l'Indépendance Nationale (RIN), an organization that when it emerged in 1960 marked, according
to Canadian historian Louis Fornier, “the political debut of the Quebec sovereignty movement,”
and from which would emerge Front de libération du Québec (FLQ), the Quebecois terrorist
organization responsible for well over 100 bombings between 1963 and the early 1970s.10 Duclos
had driven her 1961 Rambler through the day and then through the night, traversing the almost

0189, S.D.N.Y., Docket 29881, Box 8A, 9A, No. 161, Ascension # 021-73A-0825, Location
#32728, NARA-NYC; see also: Wood testimony, “Subversive Influences in Rioting, Looting,
and Burning,” Ninetieth Congress, First Session, 1967, page 1032
10 Louis Fornier, FLQ The Anatomy of an Underground Movement, (1984), 16
400 miles and an international border between Montreal and Manhattan’s Upper West Side. She asked Woodall to meet her at the Colonial House Hotel on West 112th street right away; he hung up the phone and hopped in a taxi. After they rendezvoused, Duclos told Woodall that she had successfully smuggled thirty sticks of dynamite and several blasting caps into the U.S. for Collier and Woodall, and that it was hidden at the parking lot on West 239th street. Using her glove to illustrate a map of the parking lot on the hotel wallpaper, Duclos detailed the scene – pass by a double fence which marked the boundary of the parking lot and the dynamite would be in a Benjamin Moore Paint box in the shrubbery in the adjacent empty lot. The blasting caps were wrapped in a Canadian newspaper, which she left for them under the fourth car in the parking lot. Not long after, Woodall and Collier were driving the Chevy through the still-dark February morning uptown through Manhattan towards the Bronx.\textsuperscript{11}

When they arrived, Woodall put the car in park and both men got out. Collier proceeded through the double-wire fence and found the Benjamin Moore box that Duclos had described; he handed it over the fence to Woodall, who set it down. Collier then came back across the fence, picked up the box and walked back toward the car, placing the box into the front seat.\textsuperscript{12}

Within moments of placing the explosives into the car, Detectives Clifford Leinberger, George Waslyciow, and other members of NYPD rushed forth from hidden positions and

\textsuperscript{11} Testimony of Detective Raymond A. Wood, NYPD, June 16\textsuperscript{th}, 1965, U.S. v Bowe, 65 crim. 0189, S.D.N.Y., Docket 29881, Box 8A, 9A, No. 161, Ascension # 021-73A-0825, Location #32728, NARA-NYC

\textsuperscript{12} Testimony of Detective Clifford A. Leinberger, NYPD, June 16\textsuperscript{th}, 1965, U.S. v Bowe, 65 crim. 0189, S.D.N.Y., Docket 29881, Box 8A, 9A, No. 161, Ascension # 021-73A-0825, Location #32728, NARA-NYC
immediately descended upon the men. They seized the dynamite, and after a search, found the blasting caps hidden in the snow near where Duclos said they would be.\textsuperscript{13}

Soon after the arrest in the Bronx, the FBI sprung into action to arrest other known conspirators. Michelle Duclos was taken into custody at the Hotel Excelsior on West 81\textsuperscript{st} street. Special Agent Anthony Constantino and other members of the Bureau moved on the Go-Rite Deli in Brooklyn where twenty-two-year-old Khaleel Sayyed worked. Sayyed, born to a Muslim family in Brooklyn, was a former National Honors Society scholar at Eastern Vocational High School. He went on to spend four years studying engineering at Howard University, where he was both a member of the Reserve Officers’ Training Corps (ROTC) program and became involved in the campus chapter of SNCC. But Sayyed had taken a leave of absence from Howard the previous year and returned to Brooklyn; when the FBI arrested him they found him with two canvas bags, each one containing a U.S. Army .30 caliber carbine rifle and ammunition.\textsuperscript{14}

Special Agent Phillip Brooks of the FBI went with other agents to the home of Walter Bowe at 368 East 10\textsuperscript{th} street in Manhattan. Bowe, like Woodall thirty-two-years old and also African American, was a former musician who, like Sayyed, had also recently attended Howard University and was working as a group counselor and judo instructor at the Henry Street Settlement, an iconic Lower East Side social service agency. FBI agents arrested Bowe at his home, and during the arrest and search found and seized two .30 rifles.\textsuperscript{15}

\textsuperscript{13} Testimony of Detective Clifford A. Leinberger, NYPD, June 16\textsuperscript{th}, 1965, U.S. v Bowe, 65 crim. 0189, S.D.N.Y., Docket 29881, Box 8A, 9A, No. 161, Ascension # 021-73A-0825, Location #32728, NARA-NYC
\textsuperscript{14} Testimony of Special Agent Anthony Constantino, FBI, June 16\textsuperscript{th}, 1965, U.S. v Bowe, 65 crim. 0189, S.D.N.Y., Docket 29881, Box 8A, 9A, No. 161, Ascension # 021-73A-0825, Location #32728, NARA-NYC
\textsuperscript{15} Testimony of Special Agent Phillip Brooks, FBI, June 16\textsuperscript{th}, 1965, U.S. v Bowe, 65 crim. 0189, S.D.N.Y., Docket 29881, Box 8A, 9A, No. 161, Ascension # 021-73A-0825, Location #32728, NARA-NYC
That same morning, BOSS Detective Bernard Mulligan searched Collier’s apartment and seized, among other things, a red container of gasoline, several boxes of nails, five Pepsi bottles, four rolls of cotton, a bottle of benzene, a U.S. Army FM 5-25 Explosives and Demolition manual, and a U.S. Army carbine rifle with ammunition.\textsuperscript{16} The bottles and other supplies, as the charges would go, were intended by Collier “to show the kids how we make Molotov cocktails.”

The detectives who searched Collier’s apartment also found two Statue of Liberty postcards – the iconic statue in New York Harbor was the alleged primary target of the conspirators. The group had planned to use the Canadian dynamite not just to bomb the then-seventy-nine year old monument, the “damned old bitch” as Bowe referred to her, but also the Liberty Bell in Pennsylvania and the Washington Monument in the nation’s capital, in order to bring attention to the plight of African Americans, so recently illustrated by the riots that began in Harlem and spread over the coming months to Philadelphia, Chicago, Newark and several other cities in New Jersey.\textsuperscript{17}

As the New York Times noted the day after the arrests, it was not the first time the Statue had been intended to make a political statement; on November 18, 1956, during the Hungarian uprising, nationalists from that country draped American and Hungarian flags from the balcony surrounding the torch. And just over a month before the arrest of Collier and his accomplices, on

\textsuperscript{16} Deposition of Lt. Bernard Mulligan, NYPD, February 16\textsuperscript{th}, 1965, U.S. v Bowe, 65 crim. 0189, S.D.N.Y., Docket 29881, Box 8A, 9A, No. 161, Ascension # 021-73A-0825, Location #32728, NARA-NYC

\textsuperscript{17} Testimony of Detective Raymond A. Wood, NYPD, May 20\textsuperscript{th}, 1965, U.S. v Bowe, 65 crim. 0189, S.D.N.Y., Docket 29881, Box 8A, 9A, No. 161, Ascension # 021-73A-0825, Location #32728, NARA-NYC. See Biondi and Sugrue, especially, for discussion of the riots during the latter half of 1964.
January 3rd, a total of nineteen Cuban exiles chained themselves to the base of the Statue for a half-hour to protest Fidel Castro’s rise to power.\textsuperscript{18}

The Statue of Liberty bomb plot had developed rapidly. The day after Paul Boutelle first introduced Collier to Woodall they met again at another rally at the Renaissance Ballroom in Harlem, and again the day after that in order for Woodall to assist Collier in getting technical books Che Guevara had asked for from the CORE library.\textsuperscript{19} During their meetings and lengthy conversations, Collier had expressed his frustration with the inactivity of the protest organizations then operating in New York City and the nation, including CORE and even the more militant RAM that Collier had been a member of. Collier also discussed the lengthy training he had received in weapons, explosives, and sabotage at the North Vietnamese Embassy in Havana during his trip there. Hearing Woodall’s history and his proclivity toward direct action, Collier was eager to include him in the plans he was formulating.\textsuperscript{20}

On January 19\textsuperscript{th}, Collier phoned Woodall to ask him to bring certain supplies to his apartment for what Collier said would be an “arts and crafts class.” The supplies included the Pepsi bottles and other components of Molotov cocktails that the detectives would seize in his apartment when he was arrested a month later. Woodall arrived first for the “class” – Sayyed and Bowe soon after. It was the first time that Khaleel Sayyed or Walter Bowe ever met Raymond Woodall.

\textsuperscript{18} Philip H. Dougherty, “Guard Tightened at Three Monuments” \textit{New York Times}, February 17\textsuperscript{th}, 1965
\textsuperscript{19} \textit{Testimony of Detective Raymond A. Wood, NYPD}, “Subversive Influences in Rioting, Looting, and Burning.” Ninetieth Congress, First Session, 1967, page 1034
\textsuperscript{20} Ibid., page 1038
But what Collier, Bowe, and Sayyed didn’t know at the time was that Raymond Woodall, pot-smoking civil rights activist with a badge-of-honor arrest on his record, was actually Raymond A. Wood, an undercover NYPD officer with the Bureau of Special Services.

Raymond Wood joined NYPD in April of 1964. In a highly unorthodox trajectory for rookie cops – but a trajectory not uncommon for undercover “spy” members of BOSS – Wood began work as a police officer with no training whatsoever. He would finally begin his formal law enforcement training on February 17th – the day after the arrests he was instrumental in making happen.\(^{21}\)

BOSS often used untrained or inexperienced police for its undercover work. "You just can't act like a cop," explained Joseph Jaffe, assistant United States Attorney for the Southern District of New York. "And after police training you just can't help but act that way. That is why (BOSS) took them right out of the police academy before they acquired their police mannerisms."\(^{22}\) In the case of Wood and other infiltrators, BOSS took them before attending the Academy.

Ray Wood infiltrated the Bronx chapter of CORE as his first assignment on the force, given to him the very day after he joined the Department. CORE had become among the most vocal protest organizations in the Civil Rights movement, and was among those with the greatest penetration into New York City. By the middle of the long Sixties it had become a thorn in the police department’s side, with several chapters throughout New York – more than in any other city. It was a New York City chapter of CORE that had organized the “citizen’s arrest” of Mayor Wagner that Wood took part in in 1964; several months earlier, in November of 1963, then-Police


Commissioner Michael J. Murphy lashed out angrily against the New York chapters for the allegations of police brutality CORE had made following a protest picket of Governor George Wallace and Attorney General Robert Kennedy during their visits to the city. The allegations of brutality, Murphy insisted, were “aimed at destroying respect for law and order and are, in effect, calculated mass libel.” And in the summer of 1963, the Bronx CORE chapter that Wood joined first came into prominence with large-scale, widely publicized protests against the White Castle hamburger chain for discriminatory hiring practices in the Bronx.

CORE was also of particular interest to the FBI. Although Reverend King was singled out by Director Hoover as “the most dangerous negro” in the nation, the Bureau, at his direction, targeted a much broader spectrum of civil rights activists and organizations for intelligence operations. CORE – long suspected of communist infiltration by Hoover – was, in fact, one of the initial targets of the COINTELPRO operation, formally initiated in 1967, targeting African American activists.

Wood remained in CORE until September of 1964, serving as the chapter’s housing and voting registration chairman for a month each, rising steadily through the ranks and even being appointed as a delegate to CORE’s national convention in Kansas City; he took part in sit-ins and

25 See Kenneth O’Reilly, Racial Matters: The FBI's Secret File on Black America, 1960-1972 (New York: The Free Press, 1989). Hoover’s suspicion of communist infiltration was not unique to CORE. Many members, O’Reilly argues, were in fact socialists and some were in fact members of the CPUSA. COINTELPRO – Black Nationalist-Hate Groups was initiated in 1967 and the Church Committee later explained, “Initial group targets for ‘intensified attention’ were the Southern Christian Leadership Conference, the Student Nonviolent Coordinating Committee, Revolutionary Action Movement, Deacons for Defense and Justice, Congress of Racial Equality, and the Nation of Islam.” See Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, April 23rd, 1976, (“Church Committee, Book III”) page 20
sleep-ins; he even, ironically, captained picket lines at NYPD headquarters on Centre street;\textsuperscript{26} and earned his street cred with his arrest during the “arrest” of Mayor Wagner. Wood’s infiltration of CORE turned up no illegal activity, and after passing on the intelligence he gathered on that group and with his civil rights activist image burnished, in September he joined the Freedom Now Party as a dues-paying member, and remained with that organization until December – when he was given orders to follow up on his chance meeting with the intriguing Robert Steele Collier.

Wood testified in court that it was Walter Bowe who first suggested they blow the head off of the Statue of Liberty during their first meeting on January 19\textsuperscript{th}; that when Bowe arrived and saw the others looking at a map of New York City and asked what they were doing, Collier replied that they were discussing different ways – all violent acts – that might help promote the African American struggle. Bowe suggested the Statue: “that old girl out there in the harbor… If we could make that girl blow her top we would really put a hurt on that damn old bitch.” Collier quickly warmed to Bowe’s idea, but Sayyed objected to an operation of such a scope and size; he was also hesitant given that he had never met Wood prior to that evening. Sayyed instead suggested they “pull a couple of stick-ups up there in Harlem” to send a message. Wood admitted that he intentionally downplayed the stick-up plan, arguing “I think Walter has the best plan and I think we ought to go along with that one.” The question of entrapment based on Wood’s zeal would come up later at trial.

The plot, then, began to take shape that very first day that all of the men met as a group. During their trial, star witness Wood testified that the defendants showed “no remorse, none

\textsuperscript{26} Susan Brownmiller, “View From the Inside: I Remember Ray Wood,” \textit{Village Voice}, June 3\textsuperscript{rd}, 1964
whatsoever” at the potential loss of life; Bowe argued “if anyone was killed or injured in the blast, they would just have to be sacrificed for the cause,” and that in any case they could place the explosives just before closing and the only people who might be guarding it and who might die would be “a couple of fancy-pants Marines.”

They began to plan for the operation; Collier said he would try to go to the Statue on Friday to take a look around, Bowe that he would go the day after that. Each of the men did in fact visit the Statue that coming week. Playing his part, Wood also visited, bringing along a large paper bag in order to see if security personnel would check its contents. On the 26th, Wood testified he went to Collier’s home and found Collier, Bowe, and Sayyed discussing the plot; on the coffee table was a small replica of the Statue of Liberty that Bowe had picked up on his trip to the landmark. Bowe acknowledged that both he and Sayyed visited the monument, and that he “wanted to show you guys that this is the best place where I think you could place the stuff at” and used a pencil to indicate a spot on the left side of the statue. “Over here, there is a large crevice which leads all the way down to a point in the hand. Now, if we could take some stuff and prime it… light a fuse and just lower it into the crevice and then drop the string…”

When he was arrested, Collier, the alleged ringleader, was found with a small pocket diary detailing his own thoughts on where to place the explosives: “Statue arm is the most vulnerable but it has ¼ inch steel angle structure support. Charges for neck to be effective have to be planted in four places at least. Blowing the support for arm could topple or tear off a good part of statue.” By placing the explosives near two

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28 Ibid.
support beams he identified, they could “tear the whole damn thing down.”

Making his contribution to the plot, Sayyed produced an envelope on which he’d written the departure times for ferries going to the Statue in order to plan their travel to and escape from the island. Collier, intent on projecting his political message, suggested they print up leaflets to let the world know why they did what they were doing; Bowe objected, saying they needed to “lay cool” after the attack to avoid the massive investigation that was sure to come.

Bowe did, however, suggest that they consider additional targets, arguing that the Statue of Liberty operation wouldn’t require all four of their efforts. He suggested they also include the Liberty Bell in Philadelphia and the Washington Monument in the Washington, D.C., to the list of targets; Bowe even offered to recruit from his acquaintances for the additional manpower needed for those other attacks. The plan to attack all three monuments had materialized.

On January 29th, Wood picked up Collier in a car – rented by the NYPD – and together they traveled to Montreal where Collier had connections with leftist radicals who he believed could be helpful in acquiring the dynamite they needed for their plans. It was very late when they arrived at the home of Michelle Saunier, a radical Quebec separatist friend of Collier’s – a connection made in Cuba – who had agreed to help him obtain the explosives. The following day, when Saunier asked how much “stuff” Collier needed, he suggested about thirty pounds of plastic explosives, six feet of primer cord, and after consulting with Wood, about ten blasting caps. Michelle Duclos soon

31 Ibid.
appeared at Saunier’s apartment to help facilitate the acquisition; Duclos and Collier knew each other, having met in New York the past November through Saunier. The two exchanged pleasantries, and spoke about Collier’s trip to Cuba and his meeting with Che Guevara – not a bad feather in a leftist radical’s cap in 1965.

It was here in Saunier’s apartment that Duclos met Wood for the first time. Collier and Duclos discussed various subjects that must have been of concern to the undercover policeman in their midst, including how to build weapons out of common objects, like a bazooka made of a pipe and gunpowder, and the concept of funding operations by robbing armored cars. Duclos, like Collier, had little hesitancy to commit violence to further her political objectives. The two also discussed security; noting that keeping a secret organization like his safe meant keeping it undercover, Duclos asked Collier if he was sure they had not been infiltrated by the police. “Yes,” Collier responded as Officer Wood listened, “I am sure.”

Getting down to business, Collier told Duclos that he and his accomplices needed dynamite; that they had “three important things to do” but refrained from giving her details. Duclos wondered why Collier had come to Canada to get explosives when her organization usually bought them in New York state, but consented to request the explosives from the persons in charge of her organization. Ultimately, she told the men that she would come to them on February 15th, just two weeks away, and hoped to bring the explosives with her. The following day, satisfied

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32 The concept of criminal activity such as robbery or “expropriations” for the purpose of supporting revolutionary activity is explored by Eric Hobsbawm in *Bandits* (1969)
34 Ibid.
that Duclos would come through for them, Collier and Wood drove back to New York City, leaving their contact information and even Collier’s house keys with Duclos.

The plot moving swiftly, on February 12th Wood and his supervisors at BOSS met with FBI Special Agent John O’Connell, who would lead the investigation for the FBI, Special Agent Anthony Constantino, and other members of the Bureau at the Waldorf Astoria hotel, to brief them on the plot. As former members of BOSS like Jack Caulfield and Anthony Bouza explain, the NYPD and FBI by then had already developed a close coordination in intelligence sharing. The meeting in the Waldorf Astoria is a very early and unmarked example of counterterrorism liaisons between the two agencies.

Immediately upon receiving the early-morning phone call from Michelle Duclos on February 16th, Wood let his superiors know he was on the way to the Colonial House Hotel to meet her. Captain William Knapp of BOSS and Detective Waslyciow waited for Wood to emerge from his meeting with Duclos at the Colonial House, and followed him in a car for a few blocks before picking him up to debrief him. It was then that the undercover policeman let them know that the explosives had arrived and the wheels were set in motion. Waslyciow and another member of NYPD proceeded to the Bronx to take up a hidden position from which to observe Collier when he arrived with Wood, who went to NYPD headquarters on Centre Street to requisition a rental car – the 1965 Chevrolet – with which to pick up Collier.

Later on that same morning of February 16th, NYPD Bomb Squad Detective Clifford A. Leinberger was staked out in front of Collier’s house. His standing orders were to arrest Collier if he came into possession of the dynamite that Wood had warned the Department might soon be in

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35 See Jack Caulfield, *Shield #911*, and Anthony Bouza, *Police Intelligence*
play. Before Wood picked Collier up to make the drive to the Bronx, he let Detective Leinberger know that the dynamite had successfully been smuggled into New York City and that he and Collier were en route to pick it up in the Bronx.\textsuperscript{36} Leinberger followed as Wood drove the rented Chevy uptown towards the Bronx; it Collier’s last ride as a free man for some time to come.

\textbf{THE TRIAL}

On May 13\textsuperscript{th}, before the trial even commenced, Duclos plead guilty to illegally transporting the dynamite into the U.S. and thereafter became a witness for the prosecution. The additional charge of plotting to destroy the landmarks was dismissed after sentencing, a result of her assistance in the prosecution of the three American defendants. Showing leniency, Duclos was set free on September 20\textsuperscript{th}, 1965, and her suspended sentence replaced with five years of probation with the understanding that she would leave the country and not return; she left North America altogether for a job opportunity in Paris.\textsuperscript{37}

The trial of the remaining plotters commenced May 17\textsuperscript{th} of 1965 at the Federal Courthouse for the Southern District of New York in downtown Manhattan, and went to the jury on June 14\textsuperscript{th}. At trial, the central element of the defense strategy was arguing the defendants were entrapped by an overeager and untrained policeman. Despite each of the men admitting to visiting the Statue of

\textsuperscript{36} Testimony of Detective Clifford A. Leinberger, NYPD, June 16\textsuperscript{th}, 1965, U.S. v Bowe, 65 crim. 0189, S.D.N.Y., Docket 29881, Box 8A, 9A, No. 161, Ascension # 021-73A-0825, Location #32728, NARA-NYC

\textsuperscript{37} U.S. v Michelle Duclos, 65 crim. 0189, S.D.N.Y., September 20\textsuperscript{th}, 1965, Docket 29881, Box 8A, 9A, No. 161, Ascension # 021-73A-0825, Location #32728, NARA-NYC
Liberty after the plot was first discussed they argued there was no intent to bomb it. 38 Each of the men claimed that the plots against the Statue, the Washington Monument, and the Liberty Bell, were all conceived of by Wood. 39 Sayyed claims that when Wood continued to press his violent plans, the young man responded “this is getting ridiculous, let’s talk about something else.” 40

Bowe argued that he’d only visited the landmark at Wood’s urging “to pacify him as a future (judo) student who would be giving me three dollars a week for the next fifty-three weeks… I figured Mr. Wood was part of the sit-in generation, which I was no longer a part of, and he was over-zealous. I figured some judo practice would give him a chance to vent his aggressions and give him some outlet for his emotions.” 41 Bowe explained that he bought the small replica of the Statue to give to Wood, jocularly suggesting that if he had any aggression to take out on the Statue of Liberty he could take it out on the statuette instead. 42 Bowe claimed he’d never even heard of Michelle Duclos or Michelle Saunier until after his arrest, and that he’d never heard the name of the organization he allegedly belonged to – the Black Liberation Front – until it was printed in a magazine a week after the FBI took him into custody.

The men’s attorneys furthered the entrapment defense by pointing out how Wood had not only suggested and aggressively promoted the plot, but had bought and paid for many of the

40 Ibid.
supplies found in Collier’s apartment, including the Army explosives manual, had rented the car to bring Collier to Canada, had paid Bowe for judo lessons for the men, and had rented the car to bring Collier to the Bronx on the day of his arrest.

The jury found the entrapment defense unconvincing; given the physical evidence and the damning testimony of Duclos, an accomplice to the plot, the guilty verdicts are unsurprising.

According to the prosecutors, Collier was “unquestionably the agitator, the ringleader, the man who prodded the other defendants into the attempted consummation of the crime they had planned… it was he who insisted on making the trip to Canada to get the necessary dynamite.” Bowe and Sayyed, who the court argued were intelligent and moral men, were “goaded and prodded” into the plot by Collier but should have known better. One can only look at the evidence mounted against Collier – the notebook found in his possession when he was arrested, the damning testimony of Michelle Duclos, the fact he was caught red-handed with a box of dynamite in his possession – and wonder how compelled he hoped the jury would be by an entrapment argument. Collier was sentenced to five years in prison and five additional years of probation. He was released from Lewisberg Federal Penitentiary after serving twenty-one months; but it was not the last time Collier would find himself wrapped up with NYPD undercovers and alleged terrorist plots. Robert Steele Collier and twenty other members of the New York chapter of the Black Panther Party were arrested in 1969 and charged with conspiring to bomb New York City landmarks and assassinate members of the NYPD in what became known as the Panther 21 case.

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Walter Bowe and Khaleel Sayyed were shown relatively more leniency, no doubt because of the belief that Collier was the ringleader and because the most damning evidence didn’t involve them. Bowe was sentenced to three years in prison and three years of probation, and Sayyed to eighteen months in prison followed by two years of probation.\textsuperscript{44} All things considered, all three men got off with light sentences compared with terrorist conspirators in New York City in the post-9/11 era – Najibullah Zazi and his coconspirators, in a plan to bomb New York City subways on the anniversary of 9/11 in 2009, were sentenced to life in prison for their plot (including one conspirator who was sentenced to life plus 95 years).\textsuperscript{45} But the Statue of Liberty plotters’ sentences, compared with right wing terrorists and would-be terrorists of their own era, is another thing, as the following chapters discuss.

\textit{POLITICAL POLICING / BECOMING COUNTERTERRORISM}

It bears pointing out that BOSS did not send Raymond Wood into the field as an undercover infiltrator to investigate suspected terrorist activity; there frankly was not much terrorism, per se, to be concerned with in New York City in 1964. Wood was tasked, as Frank Donner has argued BOSS was primarily engaged with, with investigating the political activity of CORE.\textsuperscript{46} The Congress of Racial Equality, the first assignment that Wood was given and that ultimately led to his involvement with Collier, had never at that point been accused, nor would it after, of being involved with terrorism or any other kind of violent, unlawful activity, despite the increasingly

\textsuperscript{44} “U.S. v Bowe, Resentencing,” November 4\textsuperscript{th}, 1965, U.S. v Bowe, 65 crim. 0189, S.D.N.Y., Docket 29881, Box 8A, 9A, No. 161, Ascension # 021-73A-0825, Location #32728, \textit{NARA-NYC}

\textsuperscript{45} Mosi Secret, “Man Convicted of a Terrorist Plot to Bomb Subways Is Sent to Prison for Life,” \textit{New York Times}, November 16\textsuperscript{th}, 2012

\textsuperscript{46} Frank Donner, \textit{Protectors of Privilege}
volatile Civil Rights movement and despite aggravating the NYPD and the Mayor as a result of their civil rights protests, and garnering the attention of the FBI for suspected communist leanings that virtually every civil rights organization was suspected or accused of.

The rookie cop made a total of seventy-eight written and oral reports to Captain Kinsella of BOSS during his time as an undercover infiltrator. Not only did he report on all of his involvement with Collier’s group – what became known as the Black Liberation Front – but Wood also submitted dozens of verbal and written reports on CORE and Freedom Now Party activity. Presumably, this reporting involved a great deal of protected speech that should not have been part of a police report – reports that are very likely have been included in the first purge of BOSS records in 1973, and certainly included in the later elimination of virtually all BOSS records. That Wood ultimately found his way into Collier’s orbit, and into involvement with the plot, did not exhibit a specific intent on the part of NYPD to disrupt terrorism but rather a coordinated effort by the Department to keep tabs on organizations and individuals it believed to be anti-establishment subversives. Political policing, even if it was political policing that would ultimately lead to violent criminal plots. That anti-establishment organizations would lead to terrorism was still, in the United States in 1964 and early 1965, a conceptual leap despite the fact that it would become unmistakably linked within a few short years, and despite the fact that white supremacists in the American south had been resorting to terrorism for generations and specifically terrorist dynamite bombings for at least a decade.

As with the political policing that Donner discusses in his own work, an emphasis on intelligence and infiltration would become the preferred method of counterterrorism at NYPD in the years following the plot disrupted by Raymond Wood. And as with Richard Rosenthal five years later, NYPD recruited young men (and often women) who could easily blend into the organizations and movements they were to infiltrate. Wood, an African American, was tasked with infiltrating civil rights organizations predominately comprised of African American members; as Chapter 9 discusses, Richard Rosenthal, a young Jewish man from Brooklyn, would be ordered to infiltrate the Jewish Defense League (JDL), an organization where he fit the demographic perfectly. The targeted recruiting proved effective; BOSS undercover operative Gene Roberts was so effective at fitting into his role in Malcolm X’s inner circle that he was literally standing at the Civil Rights leader’s side when he was assassinated at the Audubon Ballroom in Washington Heights only five days after Collier and his cohort were arrested. “In CORE we suspected the white folks as the cops,” Brooklyn CORE member Dwayne Bey later explained. “But who would have looked at (Wood)?”

Sending Wood into the field as an undercover infiltrator less than a day after joining NYPD, with absolutely no law enforcement or legal training was in fact not a unique event. Little is known about the vast majority of undercover operators that BOSS sent into the field, but the few who have told their stories – like Richard Rosenthal who infiltrated JDL, and like Ed Howlette, who infiltrated Revolutionary Action Movement in 1965 – and whose experiences made it into newspapers and court documents like Ray Wood and Gene Roberts – show an organization that

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50 See Ed Howlette Sr., *Eric-83: Patriot or Traitor? A Precursor to Modern Day Terrorism*, (Maryland: PublishAmerica, 2007)
placed a tremendous emphasis on the ability of their infiltrators to gain access with no traces to the police department, and not an organization that placed an emphasis on professional, or even necessarily legal, police practices. Longtime BOSS Detective Anthony Bouza, reflecting on the case, has this to say:

“What made Ray Wood such an outstanding agent in the Statue of Liberty case was his lack of familial ties, his being from out of town, and his ability to devote himself totally and exclusively to his job. His knowledge of the jargon and workings of the NYPD was minimal, while his commitment to the assignment was total… He had never set foot in any official police installation during the first months of his career except as a prisoner to be booked!”

The inner workings of BOSS have, to this day, remained largely obscured. The courts proved to be complicit in the aura of mystery surrounding the secretive organization. During the trial, defense attorneys repeatedly asked Wood and other officers under cross examination what their orders were; the prosecution consistently objected and the court consistently sustained those objections. The same held true each time the witness was asked who his superior officers were. The defense frustration boiled to the surface on more than one occasion; Mark Lane, Collier’s defense attorney, exclaimed in frustration on one such occasion, “[e]very time I asked (what the instructions were or who Wood’s superiors were) the court said it was not material.” Judge

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51 Bouza, Police Intelligence, 64
52 Other than the previously discussed memoirs, and some court records, nothing exists in the public realm on BOSS, and NYPD responded to this scholar’s dozens of FOIL requests a year and a half later with a form letter denying access to any records save a bland four-page report on the New York City Black Panther Party.
William Herlands responded “I think it is a fishing expedition and it is peripheral and collateral, and a fishing expedition of the most conjectural kind up to this point.”

It is also worth noting, again, that BOSS was not the only organization within NYPD that would become increasingly involved with countering terrorism. Detectives from the Bomb Squad became involved almost immediately after it was known that dynamite was being discussed, and detectives from that unit were not only involved on the day of the arrest but also removed the dynamite from the 1965 Chevy in the Bronx, and took the explosives to Fort Tilden, where the thirty sticks were examined and later destroyed. As in an earlier generation of terrorists, because of the fact that explosives (commonly dynamite) were the preferred method of violence, the Bomb Squad would play an important role in responding to, if not investigating, terrorist activity.

Raymond A. Wood received an on-the-spot promotion to detective the day the arrests were made, received a bevy of commendations from the police department, the U.S. Department of Justice, and even the press. Detective Wood went on to testify in front of the House Un-American Activities Committee (HUAC) during the investigation into communist activities of CORE member Blyden Jackson in 1967. He earned his Bachelor’s degree in 1972 and his Master’s degree in 1982 (both from CUNY John Jay College); his master’s thesis was on Transnational Terrorism.

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CONCLUSION

It hadn’t only been the cynical critics of the Civil Rights movement like Hoover that had been warning for some time that some elements of the movement might turn to violence. As mentioned in the Introduction, even CORE officials had conceded, as early as the summer of 1963, that some members were leaning toward reacting to the difficult circumstances differently than in the past; to meet violence with violence. “It is not easy,” said one delegate at CORE’s annual national convention in June of 1963, “to tell a man that is being beaten not to reach for his gun or his knife.”

It was that same year that RAM emerged, eventually becoming one of the first national organizations to openly advocate greater militancy in the name of self-defense and African American rights; sixteen members of RAM would be arrested in New York City in June of 1967 on charges including conspiracy to commit murder, assault, and anarchy. One of the alleged assassination targets was Roy Wilkins, the moderate Executive Director of the NAACP; another was former CORE National Chairman James Farmer. Another undercover BOSS infiltrator, Ed Howlette, was instrumental in those arrests. And in April of 1968, as previously mentioned, twenty-one members of the New York chapter of the Black Panther Party – including Statue of Liberty plot ringleader Robert Collier, recently released from prison – would be arrested on charges relating to multiple terrorist bomb plots in New York City with targets including police

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57 See Sugrue, Sweet Land of Liberty
59 See Howlette, Eric-83
stations, department stores, and railways.\textsuperscript{60} Those arrests were also facilitated largely by BOSS infiltrators.

“The Monumental Plot” is what \textit{Time} would call it when the weekly magazine reported on Collier and his accomplices’ plot not much more than a week after their arrests.\textsuperscript{61} As the plot shows, the escalating militancy of some elements of the Civil Rights movement, especially in the North as Sugrue argues, manifested earlier than most acknowledge and were an important first marker in the history of terrorism in New York City during the long Sixties.

Ultimately, the arrests in New York City in February of 1965 can been seen as a harbinger of things to come; that the tactic of terrorism already being employed by opponents of Civil Rights in the American south was migrating north and being embraced by a wider political cross section of Americans. The authorities, however, do not seem to have foreseen this.\textsuperscript{62}

After the Statue of Liberty arrests, FBI Director J. Edgar Hoover proudly announced “[t]his investigation conducted by the FBI and the New York City Police Department, is an excellent example of cooperation of law enforcement agencies at the federal and local level.”\textsuperscript{63} Director Hoover’s praise of the cooperation in this case was not undeserved. Despite a local law enforcement agency being solely responsible for infiltrating the plot, both the briefing that NYPD officials including Wood gave members of the FBI at the Waldorf Astoria Hotel in the days before the arrests, and the coordination that occurred between the FBI and NYPD on the actual day of the

\begin{itemize}
\item[Morris Kaplan] "Bomb Plot is Laid to 21 Panthers," \textit{New York Times}, April 3\textsuperscript{rd}, 1969
\item[\textcolor{red}{\textit{“New York: The Monumental Plot,”} Time Magazine, February 26\textsuperscript{th}, 1965}]\textsuperscript{61}
\item[In 2017, thousands of BOSS records thought to have been destroyed were discovered intact by the New York City Municipal Archive; when they are released to the public, they may shed light on the question of whether or not authorities at BOSS and elsewhere were indeed predicting the emergence of terrorism from the wider political spectrum or not.\textsuperscript{62}]
\item[\textit{FBI Press Release}, February 16\textsuperscript{th}, 1965, Court Exhibit, U.S. v Bowe, 65 crim. 0189, S.D.N.Y., Docket 29881, Box 8A, 9A, No. 161, Ascension # 021-73A-0825, Location #32728, NARA-NYC]
\end{itemize}
arrests, attests to that cooperation. After Collier’s arrest by NYPD early on the morning of February 16th, it was the FBI who rounded up the remaining suspects. Of course, that the alleged intended targets were all federal property in three different states, and that the charges would be federal and not state in nature, suggests that the FBI would, logically, be involved. Attorney General Nicholas Katzenbach, echoing Hoover in a letter to NYPD Commissioner Michael Murphy, commended both the department and Wood specifically: “The success of American law enforcement depends, at root, on the kind of cooperation possible among law enforcement agencies at all levels. Your work in this case gives great support to that principle.”

Despite what can be seen as a personal stake in the matter – Wood had after all been arrested while undercover for trying to arrest him – Mayor Wagner was absent from the self-congratulatory parade that followed the arrests. The communications, the congratulations, the back-slapping, were all between the FBI, the NYPD, and the Attorney General. The Mayor, given his deference to the Police Department, almost certainly knew nothing about the specifics of the investigation; even his successor, who deferred to police department officials exponentially less, was not involved in day-to-day or even the broad-picture of BOSS operations. The plot emerged less than four months before Wagner would publically announce he was not seeking another term as Mayor, in any case, so it is likely his attention was elsewhere. What the plot did represent, in hindsight, was a view into how the NYPD and the FBI would approach the re-emerging threat of terrorism in New York City, and to the kind of cooperation that would characterize their efforts in the volatile years to come.

64 Attorney General Nicholas Katzenbach to NYPD Commissioner Michael Murphy, February 16th, 1965, reprinted in NYPD 3100, RFW JR Documents, LWA, LCC-CUNY
PART I : NYPD, FBI, and Early Terrorist Plots in NYC During the Long Sixties

Chapter 3 : The 1966 Minutemen Plot
As this dissertation argues, a closer look at the reemergence of terrorism in this era of United States history shows something largely ignored by scholars of both the era and of terrorism in the American experience more broadly: even beyond the racist terrorism of the KKK, actors on the political right like the largely-forgotten Minutemen – an American anticommunist organization that counted thousands of members at its zenith in the mid 1960s – were not only part of the history of American terrorism in this period, they in fact preceded those on the left. In 1966 the New York City Police Department, investigating the Minutemen alongside the FBI, uncovered a plot to bomb several targets associated with the political left in the New York area. Even the earlier thwarted terrorist attack on the Statue of Liberty and other national monuments in early 1965 was predated by right-wing attacks like the long terrorist bombing campaign in “Bombingham” that was capped by the 1963 bombing of the 16th Street Baptist Church that killed four young schoolgirls, one of the deadliest and certainly one of the most abhorrent attacks of the era.¹

Paralleling the scholarly focus on left-wing political violence of the era, the much-explored excesses of law enforcement at both the federal and state level – the political policing, the illegal and disconcerting intimidation and “intelligence” operations, the oppressive crackdown on anti-war and anti-government protest – are similarly almost exclusively talked about in the context of how these disquieting practices were brought to bear against individuals and organizations on the

¹ One notable bombing prior to the 1963 Baptist Church bomb is the 1958 bombing of The Hebrew Benevolent Congregation Temple in Atlanta. The Temple’s leader, Rabbi Jacob Rothschild, was an outspoken proponent of civil rights and a friend to Dr. Martin Luther King, Jr. See Melissa Faye Greene, *The Temple Bombing*, (Reading, MA: Addison-Wesley Publishing Company, 1996)
political left. The massive files developed on and intimidation of King and other civil rights leaders;\(^2\) the FBI COINTELPRO operations against the New Left, the Civil Rights movement, and the Communist Party USA; the NYPD’s alarmingly violent and widely-covered crackdown on Columbia University protestors in 1968; and NYPD’s intelligence outfit, the Bureau of Special Services (BOSS) and their infiltration of Malcolm X’s inner circle, the Black Panther Party, and other left-leaning organizations. But while focus on the left illustrates a general truth, the fact of the matter is that exploring law enforcement’s aggressive posture toward the left during the long Sixties only tells part of the story. Law enforcement and intelligence operations were not nearly equal opportunity offenders, but as we shall see, political policing and other excesses of the time were similarly, if not nearly as regularly, brought to bear against those on the political right – like, as this chapter argues, the Minutemen.

**THE MINUTEMEN EMERGE**

Despite regular appearances in public discourse of the time, the Minutemen can’t even claim to be relegated to the history books; today the organization barely registers in the footnotes of history books. Even the much more mainstream John Birch Society, which emerged in 1958 and persists to this day as a shell of its former self, has largely been lost to history despite being “the largest, most important, best organized, and most formidable ‘radical’ or ‘ultra’ right-wing group of the period,” according to the lone historian, D.J. Mulloy, who has considered them at length in the

\(^2\) Outright harassment was far from uncommon. Among the most salacious episodes is the FBI’s sending of an anonymous and vicious letter to King suggesting he commit suicide. See Beverly Gage, “What an Uncensored Letter to M.L.K. Reveals,” *The New York Times Magazine*, November 11\(^{th}\), 2014
past half-century.\(^3\) More generally, scholarship exploring right-wing movements in the United States during the 1960s has been overwhelmed by works considering the important movements on the political left.\(^4\)

The extremes of right wing politics of the time manifested most explicitly in the racist and often violent reactions to the Civil Rights movement, and by a rabid anticommunism best characterized by the dramatic rise and fall of Senator Joseph McCarthy (R-WI) and then by the John Birch Society and Minutemen. Scholar of right-wing movements Sara Diamond argues that by the early 1950s “anticommunism had become the raison d’être of U.S objectives abroad… [and] permeated the political and social scene at home…”\(^5\) There was, then, both – on one hand, a sustained commitment to countering communism abroad, a through-line that continues from Truman all the way to Reagan, and certainly includes the liberal Democrat presidencies of Kennedy and Johnson, who started and escalated the war in Vietnam in the name of countering communism. But on the other hand there was also social and political anticommunism within the United States, countering perceived red subversion, a movement with a longer history than usually acknowledged, lasting with ebbs and flows from the Russian Revolution to the fall of the Iron Curtain. And anticommunism was not always, or exclusively, a conservative-only prerogative. Historians including Richard Gid Powers have shown that anticommunism was, over the years, in fact a pluralistic endeavor embraced varyingly by liberal Jews, African American activists, and

\(^3\) D.J. Mulloy, *The World of the John Birch Society*, 7
\(^4\) Beyond studies on anti-communism, much of the scholarship on right wing / conservative politics in the Sixties explores Barry Goldwater’s miserably failed 1964 presidential campaign, arguing it was, at best, a long prelude to the rise of Reagan conservatism. Perhaps the most noted work exploring the impact of Goldwater on conservative politics is Rick Perlstein’s *Before the Storm: Barry Goldwater and the Unmaking of the American Consensus* (2001). See also Lisa McGirr’s thoughtful exploration of the rise of the conservative movement in Southern California, *Suburban Warriors: The Origins of the New American Right* (2001).
\(^5\) Sara Diamond, *Roads to Dominion*, page 37
labor leaders; not just right wing extremists like McCarthy, the Birch Society, and the Minutemen. But the traumatic experience that McCarthyism was for the United States irrevocably altered anticommunism in the United States; Powers argues that “[i]n the popular mind, anticommunism and McCarthyism were one and the same, and American anticommunism would never recover from the effects of that fatal embrace.”⁶ By the end of the 1950s, despite what Powers argues is a passive but “instinctive rejection” of communism by virtually all Americans, assertive domestic anticommunism had become the exclusive endeavor of the extremes of the far right like the Birch Society and the Minutemen.⁷

According to the Minutemen’s official version of how the organization came into being, the genesis was a duck-hunting trip in Missouri in June of 1959. Ten hunters got to talking as they rambled through the Missouri backcountry over the course of their hunt; one of the men casually remarked that if (and when) the communists invaded, they could melt into the woods and fight on as a guerilla band. The offhand remark quickly became a serious project. Joseph McCarthy had been dead for less than two years.⁸

Robert DePugh was the most prominent of the duck hunters that June day; he would soon become the national chairman of the organization that emerged and the person whose name would remain forever most closely tied to the Minutemen. More than a decade and a half earlier, in August of 1944, just one year after entering the Army, DePugh had been discharged from active duty after a military medical board found he suffered from “anxiety, nervousness… mental

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⁶ Richard Gid Powers, *Not Without Honor*, 272  
⁷ Ibid., prologue  
depression... and schizoid personality." Based in DePugh’s hometown of Norborne, Missouri, the organization began to quickly spread throughout the nation, and it did so as publically as it could manage. In October of 1961 an example of the public outreach appeared in no less than the pages of the *New York Times*: “Join the Minutemen,” an advertisement read. “Help put real strength in civilian defense. Pledge yourself and your rifle to a free America…”

A 1961 Minutemen brochure titled "What Chance for Minutemen?" discussed the various ways communists might take over the government of the United States, including by democratic elections. Democrat John F. Kennedy had, of course, been sworn into office just that past January. In the case of a democratic takeover by communists, the Minutemen argued, they must “be willing to continue the fight for liberty even though we no longer have the legal support of established authority… Prepare to take any action — no matter how brutal — that may be required to renew the protection of the United States Constitution for future generations.”

Despite a shared belief that the threat of communist subversion in the United States was as much or more of a threat than the foreign threat of communism, the John Birch Society and Minutemen had different postures when it came to adopting violence to defend against the perceived threat. The Minutemen had vowed to fight in the streets since they first emerged; Powers argues that the Birch Society was “if truth be told, more in the nature of a study club devoted to the reading and discussion of [JBS Founder Robert] Welch’s literary productions than a threat to

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9 DePugh Army discharge papers related in Jones, *The Minutemen*, 27
Sara Diamond concurs, arguing that the Birch Society “did not promote violence or particularly undemocratic action to achieve victory,” but instead promoted a tremendous public awareness program to educate citizens and to counter the perceived all-encompassing threat of internal communist subversion; according to Welch, even sturdy Cold Warriors Dwight Eisenhower and the Dulles brothers were part of this vast conspiracy.\(^{13}\) As J. Harry Jones, Jr., the original and still-unrivaled chronicler of the Minutemen, argues, “[w]hat most distinguishes the Minutemen from their ideological allies is the urgency of their belief that a Communist takeover from within the United States is so imminent, coupled with their preparations – through training and the acquisition of weapons of war – to defend the country from this threat.”\(^ {14}\)

Anticommunism in the United States had already been tempered by President Eisenhower and other national leaders when, in January of 1961, the incoming Kennedy administration further steered the nation away from the peak of public anticommunism reached in the mid 1950s. The administration, for instance, immediately began vigorously curtailing anticommunist rhetoric and indoctrination within the military,\(^{15}\) and in the fall and winter of 1961 the so-called “Reuther Memorandum” emerged. Conceived and drafted by UAW labor leaders and administration allies Victor and Walter Reuther at the request of Robert Kennedy (after they’d made the same

\(^{12}\) Powers, *Not Without Honor*, 287

\(^{13}\) Diamond, *Roads to Dominion*, 54


\(^{15}\) In July of 1961, Senate Foreign Relations Committee Chairman J. William Fulbright (D-AR) warned about the dangers of a revolt by right-wing military officers against the Kennedy Administration in a then-secret memorandum often referred to as the Fulbright Memorandum. Just two months earlier, Major General Edwin Walker was relieved of his post for indoctrinating his troops in Augsburg, Germany, with John Birch Society propaganda. It was less than three months after Kennedy took office, and only the most notorious case of uneasy political activity by senior right-wing military officers. See Powers, *Not Without Honor*. 83
arguments to him in person), the memorandum called for a comprehensive government approach to counter elements of the radical right to include a public information drive to discredit these groups, FBI infiltration, ending of their tax-exempt status, and disbanding of guerilla groups like the Minutemen.\textsuperscript{16}

When anticommunists in organizations like the Minutemen believed, then, that the government was turning away from them after a period of ideological alignment (if not outright allegiance), they were right. In a speech at a Democratic fundraiser in Hollywood in November of 1961, President Kennedy called out the Birch Society and the Minutemen as “the discordant voices of extremism… armed bands of civilian guerillas” who incorrectly saw the threat of communism coming from \textit{within}, from their fellow citizens, and not from abroad. As he continued his speechmaking swing through the country that month, he repeated his points about the danger of extremists on both the left and the right in North Carolina and in Seattle; in response, Barry Goldwater made a point of articulating his belief that “extremist groups on the left are far more dangerous than those on the right… They are the ones raising hell with his country.”\textsuperscript{17} It the years that followed, neither men would be proven entirely wrong. Violent extremists from both ends of the political spectrum would emerge, even if it is those from the left that Goldwater warned of that we remember most.

In 1961, just two years after the Minutemen emerged, FBI Headquarters in Washington directed every field office to monitor any chapters in their area of operations, but without actually

\textsuperscript{16} See Powers, \textit{Not Without Honor}, 300-302

commencing an actual investigation. The year was a busy one for the FBI’s domestic intelligence agents; it had expanded the COINTELPRO operations from the initial target, the Communist Party USA (CPUSA), to an alarmingly broad number of targets that might be communist sympathizers or even fellow travelers like Dr. King and a local Boy Scout troop, and added the second COINTELPRO target, the Socialist Workers Party. But while the CPUSA, civil rights leaders, and a handful of Boy Scouts were getting proactive covert action operations directed at them despite an overwhelmingly peaceful agenda, the Minutemen, with their clear, unambiguously subversive and threatening language, were only getting a passive file developed.

But this passive monitoring of the Minutemen would not last for too long. The assassination of President Kennedy in November of 1963 (the first of a sitting president since anarchist Leon Czolgosz shot William McKinley in 1901) immediately and dramatically elevated scrutiny of potentially violent subversives on both the left and the right. In January of 1964, new directives came down from FBI Headquarters; field offices were instructed to not only monitor but start an active intelligence investigation into Minutemen chapters in their area; to discern if there were local chapters, and if so, what were their numbers, their leadership structure, and any activities they were involved in. Included in the new direction to field offices was the order to coordinate with local intelligence, law enforcement agencies, and even military liaisons. In New York City, the primary point of contact was the NYPD Bureau of Special Services (BOSS).

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18 “FBI Memorandum Director FBI to SAC Albany, ‘Minutemen,’ (Internal Security), Bureau File no. 62-107261,” FBI Records Request #62-NY-12699, Minutemen-NYC-1, 57/178, IA
19 “FBI Memorandum, SA Daniel J. Quigley to SAC, ‘Minutemen,’ (Internal Security) (Kansas City),” January 24th, 1964; details interactions with BOSS and other New York law enforcement agencies over several pages; FBI Records Request #62-NY-12699, Minutemen-NYC-1, 73/178, IA
The FBI Headquarters-directed canvas yielded negative results, the law enforcement and military officials all reporting that they’d heard of the group from news reports, but had not heard of any local chapters of the Minutemen. On January 28th, 1964, a detective from BOSS advised the FBI New York office that “there is no information in the files of [BOSS] indicating that there are any units of the ‘Minutemen’ established in New York City, nor had [BOSS] any information concerning persons who were individual members of the "Minutemen." The only blip on the radar was from Poughkeepsie, eighty or so miles upstate from New York City, where agents learned that the local American Legion junior band was commonly known, also, as the Minutemen. On April 29th, 1964, the New York field office reported to the Kansas City field office – the office leading the Minutemen investigation – that after concluding its active investigation “no information concerning the formation of ‘Minutemen’ units or individual memberships in the ‘Minutemen’ within the NY Division” could be found.

Earlier that month, however, Special Agent George Arnett of the Kansas City office advised that the Minutemen were divided into four regional commands, and that an individual by the name of Milton Kellogg of Syracuse, New York, was the Northeast regional coordinator. Kellogg had come to the attention of the Bureau as early as 1961, when as the Commander of the

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20 “FBI Memorandum, Director FBI to SAC Albany, ‘Minutemen,’ (Internal Security),” January 16th, 1964; and “FBI Memorandum, SA John V. Griffin to SAC New York, ‘Minutemen,’ (Internal Security),” February 16th, 1964; FBI Records Request #62-NY-12699, Minutemen-NYC-1 57/178; and Minutemen-NYC-1, 57/178 and 82/178, IA
local American Legion, he approached the local Syracuse FBI office with information regarding communist infiltration of the motion picture industry; he had recently organized a picket of movies including *Spartacus* and *Exodus* for their employment of communists (presumably blacklisted screenwriter Dalton Trumbo, who wrote both). He and his associates handed out more than 160,000 fliers in protest at nearly 100 screenings.

During that same spring and summer of 1964, several individual civilians in the New York City area, including at least one member of the Army, also reached out to the FBI to let them know that, although they were not members, they had corresponded with the Minutemen and received their publications in the mail. More than a few individuals were also reported to the FBI by their friends, and in one case a man by his own wife, as having received Minuteman literature. Most of the self-reporting was done by what seemed to be genuinely patriotic citizens who had concerns about the Minutemen program.

The year before, 1963, BOSS had provided the FBI New York office with a list of individuals who had corresponded with the organization; how they came about the list is unclear. When BOSS or NYPD more broadly began tracking Minutemen is also unclear, but if BOSS was in possession of a list pertaining to Minutemen in 1963 – a year prior to the FBI directive to open an active investigation into the organization – NYPD’s interest in them, then, isn’t spawned specifically in response to the FBI’s request for information during the 1964 canvas. What this illustrates is that, just as the FBI had decided to do, BOSS was investigating the Minutemen and potentially subversive political organizations on the right just as it did those on the left.

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24 “FBI Memorandum, SAC New York to Director FBI, ‘Minutemen,’ (Internal Security),” December 16th, 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-8, 194/254, IA
25 Untitled and undated handwritten note describes “B.S.S., N.Y.C.P.D.” giving SA [Name Redacted] “a list of Minutemen members on 5/2/63,” FBI Records Request #62-NY-12699, Minutemen-NYC-3, 57/182, IA
So, despite the FBI’s conclusion in April of 1964 that there was no Minutemen activity in the New York region, there clearly wasn’t *nothing*: there was a regional organizer, local recruiting in the press and in the public including in schools, and correspondence between the organization and New Yorkers. The conclusion that the Minutemen had no presence in New York is indeed a curious conclusion to have come to.

More than a year and a half after wrapping up the investigation, in January of 1966, the FBI and NYPD reported internally for the first time that the Minutemen were, indeed, active in New York City. A BOSS detective shared with the FBI a confidential Minutemen correspondence in NYPD possession. The detective claimed that it was uncertain how BOSS came into possession of the letter that included the names and addresses of several New York members of the organization; that it was obtained illegally or by an NYPD member infiltrating the organization is certainly likely. As had been the case a year earlier when undercover rookie policeman Raymond Wood uncovered the plot to bomb the Statue of Liberty and other national monuments, developing confidential informants and infiltrating the organizations with undercover FBI and NYPD members emerged as the primary tool used to combat the Minutemen.

The letter NYPD confidentially shared with the FBI clearly indicated there were between twenty and thirty members in the area, and another dozen or so that “could be brought in in due time.”\footnote{\textit{\textquotedblleft}FBI Memorandum, SAC New York to Director FBI, ‘Minutemen,’ (Internal Security),\textquotedblright{} February 28\textsuperscript{th}, 1966; FBI Records Request \#62-NY-12699, Minutemen-NYC-4, 63/193, IA} It was after the discovery of this letter that FBI and NYPD cooperation into the investigation increased dramatically. Between January and March of 1966, a substantial amount
of FBI records indicate BOSS interviewing and investigating several persons for possible membership in the group and a great deal of information sharing between the two agencies.\(^{27}\)

In addition to information the FBI and NYPD were developing in secret, the Minutemen were busy becoming much more visible on the local scene. Open recruiting through newspapers and the mail continued, but not all mail was as benign. One person reported to the FBI the receipt of an anonymous letter, postmarked from Newburgh, about fifty miles from New York City. The letter – on it the Minutemen logo of a silhouetted image of a man with a rifle – cryptically stated “[t]his is to inform you that your name has been duly noted.” The recipient, who had recently published a piece in a local newspaper critical of the House Un-American Activities Committee (HUAC), understood the implied threat clearly.\(^{28}\)

Some actions moved beyond threats; in March of 1966, the Minutemen were suspected of bombing a vehicle at an anti-Vietnam War meeting in Huntington, Long Island. While members of an organization opposed to the war met at the Huntington Library, a homemade bomb was placed on the windshield of one of their trucks in the parking lot; when the bomb exploded, it shattered the windshield and damaged the interior of the car. When the startled participants of the meeting came out to investigate, they found Minutemen stickers attached to several cars and to the library itself.\(^{29}\)

\(^{27}\) See, as examples: “FBI Memorandum, SAC New York to SAC Newark, ‘Minutemen,’ (Internal Security),” March 25\(^{th}\), 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-4, 114/193, IA; and “FBI Memorandum, SA [Name Redacted] to SAC, ‘Minutemen,’ (Internal Security),” April 5\(^{th}\), 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-4, 121/193, IA

\(^{28}\) “FBI Memorandum, SAC New York to Director FBI, ‘Minutemen,’ (Internal Security),” April 23\(^{rd}\), 1965; FBI Records Request #62-NY-12699, Minutemen-NYC-3, 108/182, IA

\(^{29}\) “FBI Memorandum, SAC New York to SAC Newark, ‘Minutemen,’ (Internal Security),” March 25\(^{th}\), 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-4, 114/193, IA
In mid-April 1966, a confidential informant who attended a National Renaissance Party (NRP) meeting at the organization’s headquarters on Manhattan’s Upper West Side reported to the FBI that he had learned that at least one Minutemen cell was active in New York City. The informant reported that a Minuteman speaker claimed “each cell contained 13 members and 20 pieces of armament such as automatic rifles, bazookas, and pistols, and grenades,” that they were responsible for the bomb in Long Island some weeks earlier, and that they trained in weapons and guerilla warfare in upstate New York. The same FBI confidential informant attended the Minutemen convention that June. Some of the information that the informant returned to the FBI as a result of the trip was the identity of the state coordinator – Milton Kellogg – as well as the existence and location of Minutemen training camps in the region. A confidential informant – perhaps the same one again – also explained that at one such meeting it was suggested that a Minutemen member could infiltrate college peace groups and attend a meeting with a suitcase of explosives timed to explode after their departure.

By 1966, FBI infiltration of groups on the political right had become a not-uncommon occurrence. The FBI initiated COINTELPRO WHITE HATE against the Klan and other white

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30 According to FBI Records, the NRP was “an anti-Semitic, anti-Christian, anti-Negro, and neo-Fascist organization with activities generally confined to the New York City area. It was founded in 1949 by James H. Madole…” and was headquartered at his residence at 10 West 90th Street. See “FBI Memorandum, SAC Albany to SAC New York, ‘Minutemen,’ (Internal Security), Appendix” May 13th, 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-5, 31/204, IA
32 “FBI Memorandum, SAC New York to Director FBI, ‘Minutemen,’ (Internal Security),” July 12th, 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-5, 87/204, IA
supremacist groups on July 30th, 1964, even before the FBI initiated similar programs against the Black Power movement and the New Left. Informer Gary Thomas Rowe, a member of the KKK, had already provided the Bureau with years of useful intelligence by March of 1965, when he served as the linchpin in securing the arrests and convictions of three Klansmen for the murder of thirty nine-year old Viola Liuzzo, a white suburban Detroit mother of five, on the last night of the Selma-Montgomery march. Unlike the other COINTELPRO operations, though, the WHITE HATE operations largely did not expand beyond the initial named targets; the Minutemen, after they began stockpiling weapons, emerged as the subjects of those few exceptions. The Minutemen would become the target of FBI COINTELPRO operations, if only a very limited number that pales in comparison to those operations directed at the Civil Rights movement or New Left.

By early 1966, BOSS had its own confidential sources inside the New York Minutemen. In addition to BOSS’s possession of the confidential list of New York City Minutemen shared with the Bureau in January, in late May BOSS advised the FBI that it learned from inside the organization that Robert DePugh himself had traveled from Syracuse (where, coincidentally or not, Milton Kellogg the regional coordinator lived) to New York City for an unknown purpose.

34 See Church Committee, Book III, pages 239 – 245. Cunningham, in There’s Something Happening Here, argues that the Bureau was reluctantly brought to investigate the right – most notably the Klan – by a Justice Department and mostly AG Robert Kennedy and President LBJ. The national attention brought by white supremacist murders made it impossible for the Bureau to remain passive any longer, and this is where COINTELPRO WHITE HATE came from (page 70-73). This is what got the Klan investigation moved from GID (General Investigative) to DID (Domestic Intelligence Division).
35 See Church Committee, Book III, especially pages 18 and 19, for COINTELPRO WHITE HATE info. The Committee found that the few operations under WHITE HATE program, other than the named targets, targeted the Minutemen.
BOSS also advised that it learned that as many as fifty members planned on attending guerilla warfare training maneuvers in upstate New York’s Catskill region near Ellenville in June of 1966, echoing what FBI informants had learned.\(^{37}\) When upstate police were alerted to be on the lookout for individuals who might be part of the group, it wasn’t hard to pick out the Caucasian men in camouflage gear running around the woods with rifles; the license plate numbers the local law enforcement officers dutifully copied were transmitted to BOSS, who in turn gathered information on the owners of the vehicles and shared it with the FBI.\(^{38}\)

The FBI and NYPD investigations into the Minutemen were clearly more than political policing. The Minutemen organization was urging its unknown number of members to purchase, stockpile, and hide weapons for what they expected to be a coming fight with foreign communists and maybe even American citizens for the future of the United States. It was preparing its members for an underground campaign that included intelligence gathering and violent activities. Although never known to have been explicitly spelled out like this by either agency – perhaps it was obvious enough that it didn’t need to be – what FBI and NYPD were increasingly seeing, if they didn’t see it at first, was an organization that had the stated intentions and the increasing capability to conduct illegal violence in the service of their political goals.

\(^{37}\) “FBI Memorandum, SAC New York to Director FBI, ‘Minutemen,’ (Internal Security),” June 22\(^{nd}\), 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-5, 99/204, IA

\(^{38}\) “FBI Memorandum, SA [Name Redacted] to SAC, ‘Minutemen,’ (Internal Security),” July 12\(^{th}\), 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-6, 92/189, IA
THE 1966 NEW YORK MINUTEMEN PLOT

On October 30th, 1966, in a series of raids beginning in the borough of Queens but quickly spreading throughout the rest of New York City and even throughout the state, NYPD and other law enforcement officials arrested twenty men and confiscated what Queens District Attorney Nat H. Hentel called “the biggest haul of weapons and death-dealing material seized in this area in the memory of veteran law enforcement officers.” Among the cache were automatic rifles, mortars, bazookas, machetes, crossbows, homemade bombs, garrote wires, and more than a million rounds of ammunition. On the stock of one of the rifles was stamped “Liberty or Death,” echoing Patrick Henry’s famous 1775 proclamation.39

Hentel charged that the twenty men – all members of the Minutemen – were committed to “destroying and demolishing” three separate “communist, left-wing, and liberal” camps later identified to be in Wingdale, New York, near Wanaque, New Jersey, and a 40-acre commune run by the Committee for Nonviolent Action in Voluntown, Connecticut.40

New York State Police (NYSP) searched Camp Webatuck in Wingdale and found nine gallon-sized jugs filled with gasoline, configured as “electrified Molotov cocktails” with crude timing devices made of cheap watches attached to flashlight batteries and candles. The bombs had been armed and activated but failed to ignite.41

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41 Will Lissner, “Minutemen Accused of Having Informer Among State Police,” New York Times, November 6th, 1966; see also “FBI Memorandum, SAC New York to Director FBI, [Subject Redacted],” November 2nd, 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-6, 150/189, IA
It was later revealed that the Brooklyn headquarter of Herbert Aptheker, a Marxist candidate for Congress, was also targeted.\textsuperscript{42}

The news of the dramatic raids and arrests broke on Halloween; the \textit{New York Times} covered the news on the front page, above the fold, along with a photo of District Attorney Hentel surrounded by a small fraction of the massive cache of weapons that had been seized. The FBI New York office immediately informed Headquarters and the St. Louis office that it had been maintaining contact and sharing information with BOSS in the months leading up to the arrests, and by that time the New York office had no less than six confidential informants within the Minutemen organization – at least one of whom was almost certainly rounded up in the raids and arrests.\textsuperscript{43}

The arrests were clearly an NYPD operation with a BOSS infiltrator at the center of it. Informants and infiltrators from both organizations, however, had been reporting on the organization for some time and continued to do so all the way up to the arrests. An FBI informant report from the day after the arrests reads: “Six members of the Minutemen from the Long Island area met at Goldies Diner, North Conduit Avenue and 130\textsuperscript{th} street, Queens, at 5:30am on this date. At 5:45am on this date about twelve NYC detectives entered the diner and arrested the members of the Minutemen.” With a bit of wry humor at what was almost certainly his own arrest, the informant concludes his report: “This ended the maneuvers for this date.”\textsuperscript{44}

\textsuperscript{42} “19 Minutemen Here Linked to DePugh,” \textit{New York Times}, November 8\textsuperscript{th}, 1966; see also “FBI Memorandum, SA Heinz H. Eisele to SAC, ‘Minutemen,’ (Internal Security),” November 7\textsuperscript{th}, 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-7, 14/184, IA
\textsuperscript{43} “FBI Memorandum, Director FBI to SAC New York, ‘Minutemen,’ (Internal Security),” November 16\textsuperscript{th}, 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-7, 104/184, IA
\textsuperscript{44} “FBI Informant Report, [Name Redacted] to SA Edward A. Uzzell, ‘Arrest of Minutemen at Goldy’s Diner, 10/30/66,’” November 8\textsuperscript{th}, 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-7, 95/184, IA
Alarmingly, those rounded up included a New York State Trooper suspected of passing confidential law enforcement information to the group, an FDNY fireman, an Army Special Forces reservist from Queens, and Milton Kellogg, the Syracuse-based regional director for the Minutemen. As the investigation grew and two hundred possible members were identified, the list included a number of other soldiers with the 11th Special Forces Group Reserve Unit at Miller Army Airfield in Staten Island; the FBI had good reason to believe that stolen arms and communication gear from the Reserve Unit constituted a large part of the arsenal found when the Minutemen were arrested.\(^{45}\)

Several NYPD officers were also on the list – perhaps unsurprising given that a controversy had erupted just a few months earlier over New York City policemen in the John Birch Society. In an illustration of a much less hands-off approach to the police department than his predecessor, Mayor Lindsay – who derided the JBS as “hostile to everything I think is decent” – directed Commissioner Howard R. Leary to report on Birch Society activities on the part of policemen after a JBS spokesperson estimated that there were about 500 Birchers amongst the roughly 27,000 men and women in uniform.\(^{46}\) Ultimately, Leary would concede that as much as it displeased him that any members of the force were also Birch Society members, because of New York Corporation Council J. Lee Rankin’s official opinion on the matter stating the guaranteed constitutional right of association, “I can’t do anything about it.”\(^{47}\) Combined with the new Mayor and new

\(^{45}\) “FBI Memorandum, SAC Denver to Director FBI, ‘Minutemen,’ (Internal Security),” May 25\(^{th}\), 1967; FBI Records Request #62-NY-12699, Minutemen-NYC-12, page 12-23/244 and 63/244, IA


Commissioner’s efforts in support of a restructured CCRB, it had been a busy first half-year of confrontation with department rank and file and before too long would impact NYPD intelligence and counterterrorism activities.

Despite the huge weapons cache seized during the raids, the Bureau’s ongoing interaction with BOSS also found the FBI downplaying the seriousness of the arrests, at least internally. The day after the statewide roundup, the New York office sent a confidential teletype to Director J. Edgar Hoover that heavily relied upon the ongoing interaction with BOSS. The massive seizure of weapons and ammunition had been “greatly exaggerated” according to BOSS’s commanding officer, Captain William Knapp. The confidential conversation between BOSS’s senior officer and the FBI also characterized the atmosphere that led to the arrests – rather than intelligence that suggested an imminent attack on the horizon, BOSS and FBI analysis and informants suggested that nothing was in fact planned other than “routine maneuvers” such as the guerilla warfare training upstate that had occurred before and that they believed the “alleged plot to bomb or burn three ‘red camps’… refers to past non-specific discussions of such contemplated activity.” The FBI’s informants had already reported on these vague discussions and suggestions in the past – at NRP meetings – without causing enough alarm to warrant rounding up the organization. Captain Knapp informed the FBI that the arrests were made “with virtually no advance warning” at the direction of Queens District Attorney Hentel, who took “complete personal charge of the matter” and made “exaggerated public statements;” the reasoning, NYPD argued and the New York Field Office shared with the Director, was that it had more to do with capitalizing on the publicity

Society, Henry di Suvero, would three years later come back into the spotlight as defense council for left-wing bombers Jane Alpert and Sam Melville.
windfall given the District Attorney’s candidacy for re-election just a week later. Future press reports would echo this suggestion of politically-timed arrests, but even before the issue was raised in public, Hentel countered it, explaining that investigators had learned that the attacks were supposed to happen on the day of the arrests under the pretext of a hunting trip.

The fact that Captain Knapp downplayed the plot to the FBI, and that the FBI in New York communicated this without criticizing it to Hoover, is certainly curious given the fact that nine bombs were found at the intended targets. A vague plot, bravado and loose talk with no action, is one thing – but nine bombs already at their targets and a massive cache of weapons found on the suspects during their arrests is something else altogether, and not something that seems easily discounted by law enforcement officers from the same department that, just one year earlier, had made such a big deal of the arrests of those who plotted to bomb the Statue of Liberty but actually had an infinitesimal fraction of the arms, explosives, or specific plans that the New York Minutemen did in October of 1966.

Also, despite the NYPD and FBI assertions that only regular maneuvers were planned for October 30th, an FBI source reported a full week before the dramatic arrests that upstate Minutemen members were scheduled to supply the New York City area members with a detonating material known as Primacord “and possibly TNT and dynamite.” At the same meeting where the FBI source heard these plans, various explosive timing devices were displayed and one of the members leading the meeting, Jim Britt of Freeport Long Island, instructed the assembled Minutemen to build facilities for hiding equipment and literature in the next two weeks because

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48 “FBI Memorandum, SAC New York to Director FBI, ‘Minutemen,’ (Internal Security),” October 31st, 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-7, 120-123/184, IA
“something big was going to happen.”" It was not like the FBI or NYPD had no evidence that the Minutemen had violent intentions, even outside of the plot to bomb the ‘red camps’ – one FBI source disclosed that a number of weeks prior to their arrest, several Minutemen, whose names were not disclosed, planned to set fire to a building in Brooklyn by using some sort of bomb, but somehow managed to ignite the device in the car while en route to their target, badly burning one of the would-be terrorists. " BOSS, through their undercover operative, had also learned that Minutemen members practiced with homemade bombs in Long Island, and had carefully “cased” the offices and surrounding area of a national communist newspaper, *The Daily Worker*, based in Manhattan’s Chelsea neighborhood, which was subsequently smoke-bombed on September 4th.

What seems to be a double-standard, when comparing the alarm raised by NYPD and the FBI in the wake of the Statue of Liberty plot, and at least the internal dismissal when the Minutemen plot was revealed, is worth considering. Authorities, both federal and local, were considerably more concerned by plots emerging from what would generally be considered the political left – as was the Statue of Liberty plot – than those on the right, such as the ultra-conservative Minutemen. The color of the skin of the Statue of Liberty plotters – African American and Arab – versus the overwhelmingly Caucasian Minutemen is also impossible to ignore. It certainly does not seem a leap to think that if the Statue of Liberty plotters had already planted bombs, as did the Minutemen,

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50 “FBI Memorandum, SA [Name Redacted] to SAC, ‘Minutemen,’ (Internal Security),” November 4th, 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-6, 186/189, IA

and maintained a weapons cache of such immensity, as did the Minutemen, the alarm raised by law enforcement would have been ringing loud enough to drown out reason. That some of those arrested and otherwise suspected in the plot were police officers, firemen, and even Army reservists – and not left-leaning college students, African American activists, or members of a socialist or communist organization – most certainly played into the discounted threat assessment by both FBI and BOSS officials. Despite rhetoric and not insubstantial effort from Presidents Kennedy and then Johnson, and Attorney General Robert Kennedy, among others, the political right was not nearly as much a priority to old conservative Cold Warriors like Hoover and traditionally conservative organizations like NYPD’s BOSS, despite massive weapons caches, despite their unambiguous language challenging the government, and despite being the source of some of the most barbaric political violence of the era, like the 1963 bombing of the 16th Street Baptist Church in Birmingham.

In mid-December of 1966, the Queens Grand Jury finally returned indictments for sixteen of the arrested men, charges ranging from weapons possession to conspiracy to commit arson. The charges would all be state; no arrested Minutemen in New York would be charged with any federal crimes, as members of the organization would be elsewhere in the nation. Most of the New Yorkers were charged with felonies; the FDNY fireman and one other man were charged with misdemeanors only. All charges against four of the men, including Milton Kellogg, were dismissed.\(^{52}\)

\(^{52}\) Emanuel Perlmutter, “16 Are Indicted in Rightist Case,” *New York Times*, December 15th, 1966
For his part, Minutemen leader Robert DePugh did chime in when the indictments came down. He first accused District Attorney Hentel of the politically-motivated arrests and dubious timing to coincide with the elections. He also frankly admitted that the arrested men were or had been Minutemen and that they had, in fact, drawn up plans to raid the camps as charged, but that they had no intentions to actually attack it; “it was an academic training program,” DePugh argued. “The men picked live targets to make it more interesting, and to give a feeling of reality to the proposed training program.”

A Minutemen letter to all members dated December 4th, 1966, continued to argue that the members didn’t really have any intention on bombing the camps – no mention was made of the nine bombs actually found there – but went on to argue “the other side of the story” by explaining how all three “hard core training camps” were part of a “vast interlocking network… used by the communists and various pro-communist organizations to corrupt young Americans and recruit them into the folds of the communist party… The facts make up a picture so hideous and so vulgar as to be unbelievable to the mind of a decent human being.” The bulletin goes on to describe in great detail the “depravities” including interracial sexual relations that the leaders of the “work camps” force upon the “wholesome American children” to convert them into “depraved young Communists.” Young girls are taught “exotic” sexual techniques in order to win “negro men” over to the communist cause. Apparently, Minutemen believed African Americans more susceptible to sexual manipulation than whites. One targeted camp – Camp Midvale – specialized in training homosexuals in addition to communist indoctrination, the bulletin claimed. “Actually,” the bulletin pointed out, “there are not as many homosexuals among hard core communists as is

53 “FBI Memorandum, SAC Albany to Director FBI,’ (Internal Security),” December 16th, 1966; FBI Records Request #62-NY-12699, Minutemen-NYC-8, 191/254, IA
generally believed but many communists pretend homosexual tendencies in order to strongly tie
natural perverts to the party.” The letter waffled on DePugh’s earlier assertion that no attack was
planned, but justified it just in case. “We don't know for certain whether or not the New York
Minuteman really intended to raid these camps. We do know that both State and Federal
Authorities have been aware of these conditions for many years and have never made the slightest
effort to correct them. Just how long do they expect decent citizens to restrain themselves?”

If the Minutemen indeed had no actual intent of bombing the camps, on the day of the
arrests or at some point soon after, they were having a hard time convincing even themselves.

Far less is known about the BOSS undercover policemen who infiltrated and disrupted the
Minuteman plot in New York City than is known about NYPD officer Ray Wood’s infiltration of
the Statue of Liberty plot a year earlier; in that earlier plot, the defendants were proven guilty after
a court case that lasted nearly a month. The preserved testimony and depositions of the earlier
case have shed considerable light not only on the details of the plot, but also on how NYPD
discovered the plot and prosecuted the investigation. As a general rule, those who served with
BOSS did not appreciate the publicity that came along with splashy cases. The detectives did their
best work outside of the watchful gaze of the press, the public, and potential critics. What’s more,
as one police source told the New York Times, “After a big case, BOSS always loses some of its

54 “Minutemen bulletin - Special Bulletin To All Members Of The Patriotic Party And To All
Minutemen” December 4, 1966, found in “FBI Memorandum, SAC Los Angeles to Director
January 6th, 1967; FBI Records Request #62-NY-12699, Minutemen-NYC-9, 112/275, IA
best people because of the publicity.\textsuperscript{55} Raymond Wood, in the year since the Statue of Liberty investigation, had left BOSS to reassignment as a detective in Brooklyn.

The 1966 case against the Minutemen would not go nearly as well for NYPD as did the Statue of Liberty case. Almost a full five years after the initial dramatic arrests in 1966, on October 18\textsuperscript{th} 1971, the last of the charges against the last of the suspects was dropped by Queens Chief Assistant District Attorney Frederick Ludwig. Not a single person would plead guilty, or even go to trial, for a single charge. Ludwig, maintaining that he was convinced that there was in fact a violent Minuteman conspiracy in 1966, admitted the case “went down the drain” over the years as court after court found the original search warrants defective.\textsuperscript{56}

In June of 1968, New York State Supreme Court Justice Peter T. Farrell found the warrants faulty on grounds of insufficient affidavits and stipulated the evidence be suppressed – a reading of the Judge’s finding seems exceedingly technical, almost an argument built to support a predetermined decision. In June of 1970, the Appellate Division in Brooklyn upheld the previous order, adding that the sworn affidavits by an NYPD detective “did not indicate who the informant was or in what way the information was reliable,” despite the detective later testifying that he eventually learned the information came from undercover NYPD operatives. The appellate court found this insufficient. The remaining state charges, misdemeanors of conspiracy to commit arson and to endanger life by maliciously placing explosives near buildings, against the final seven defendants who had not by then been completely cleared, were dropped in 1971 in recognition of the prosecution’s failure to comply with the constitutional guarantee of a speedy trial.\textsuperscript{57}

\textsuperscript{55} Bernard Weinraub, "Police Undercover Unit Kept Tabs on Minutemen," \textit{New York Times}, November 1\textsuperscript{st}, 1966
\textsuperscript{56} Peter Kihss, "Minutemen Case is Dropped Here," \textit{New York Times}, October 19\textsuperscript{th}, 1971
\textsuperscript{57} Ibid.
Whether or not any information gleaned from FBI informants in the Minutemen, or from the close working relationship between FBI and BOSS, came up in court proceedings is unclear, but given that no federal charges were ever imposed upon the men the FBI receded into the background as the state court case began to fall apart.

**CONCLUSION**

In February of 1967, a letter from the Minutemen national headquarters alerted members that, moving forward, there would in fact be no more national headquarters. The Minutemen were going “completely underground” and each member would be assigned to a ‘network.’ “The fight against domestic communism is entering into a new phase which will require greater independence and freedom of action by local groups. Greater discipline and personal sacrifice will be required and expected by individual members.”

But what DePugh envisioned – something that might have become the right-wing equivalent of the Weather Underground or the anti-communist version of the KKK, a decentralized underground politically motivated organization embracing terrorism among other tactics to forward its agenda – never emerged. The Minutemen would soon begin to fade from whatever prominence they found in the first half of the long Sixties. Just a week after the arrests in New York City, Minutemen leaders went on trial in Missouri; Robert DePugh and his associates Troy Houghton and Walter Patrick Peyson were charged with various conspiracy and firearms charges. In January of the following year, DePugh would be sentenced to four years after his federal conviction, but would jump bail and evade capture – ironically by sometimes

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dressing as a hippie – for two and a half years. An investigation by the New York State Police the next year, however, found that the overwhelming majority of those whose names appeared on Minutemen lists were not “hard-core” members but rather individuals who had written the organization for information and had little or no further correspondence.\textsuperscript{59} The NYSP findings are actually representative of the Minutemen as a whole; the vast majority of the numbers that DePugh often claimed were in the organization – upwards of 30,000 at times – were simply those who had written for information or who politically supported the idea of anticommunism, liberal gun laws, and the like. Even among the actual dues-paying membership – DePugh would later admit that it was a fraction of the larger number, perhaps about 2,500 – the vast majority of those had no interest in the type of violence that the New York area group found themselves accused of. An upstate New York Minutemen who agreed to speak with the FBI in June of 1967 said he was unhappy about the state of the Minutemen and that they previously had a “nice, friendly little group in Buffalo” which occasionally met until the arrests of DePugh and then the New York City arrests. “The guys around New York City sure ruined everything,” he told the FBI.\textsuperscript{60}

Not all of the names that appeared on the Minutemen membership lists faded into obscurity after the arrests. George Demmerle, a machinist from Brooklyn, was interviewed by FBI agents and BOSS detectives after his name emerged, but ultimately accused of no wrongdoing. An avowed anticommunist, Demmerle would soon decide that his energies were better suited for infiltrating organizations on the left; offering his services to the FBI, Demmerle became a well-

\textsuperscript{59} “FBI Memorandum, SA [Name Redacted] to SAC, ‘Minutemen,’ (Internal Security),” March 24\textsuperscript{th}, 1967; FBI Records Request #62-NY-12699, Minutemen-NYC-11, 42/204, IA

\textsuperscript{60} “FBI Memorandum, SAC Newark to Director FBI, ‘Minutemen,’ (Internal Security),” May 31\textsuperscript{st}, 1967; FBI Records Request #62-NY-12699, Minutemen-NYC-11, 190/204, IA
known left activist, an associate of Abbie Hoffman, and was ultimately the indispensable factor in uncovering the Melville collective of terrorists in New York City in 1969.

Even though left wing political violence would eclipse right wing violence toward the end of the decade, right wing terrorism did not dissipate as the Minutemen declined. In August of 1967, Bronx District Attorney Isidor Dollinger and NYPD detectives arrested four men, including at least two members of the John Birch Society, and charged them with an earlier failed bomb attempt on the life of Herbert Aptheker – who the Minutemen targeted less than a year before. The bomb failed to detonate when Aptheker was nearby but did explode days later, causing damage to the building it was placed in. The group was charged with plans to kill Aptheker as well as attack a left-leaning anti-poverty group in the Bronx. As with the earlier case against the Minutemen, an NYPD undercover operative was at the center of the case, and also as in the earlier case, a massive haul of weapons including bazookas and homemade bombs was netted. Two suspects were given suspended sentences, one was dismissed, and the final defendant, Peter Pysras, was derided as “nothing but a punk” when the Judge, Arthur Markewich, compared his activities to early Nazi conspiracies and sentenced him to two years in prison. In February of 1968, two Minutemen were busted by undercover detectives as they attempted to bomb The Jefferson Book Shop, a Marxist book store near Union Square. And in August of 1968 the same camp in Voluntown, Connecticut that the New York Minutemen targeted not two years earlier was attacked by other members of the organization who had not been arrested in New York City. The Minutemen

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brought gasoline bombs with them during the raid and attempted to burn the camp down, but were intercepted by state police who had been alerted to the plan by the FBI. In the ensuing gunfight, six Minutemen, a Connecticut State Trooper, and a camp member were shot before the men were captured. Minuteman Louis Rogers, only twenty-four at the time, lost his sight as a result of a gunshot to the face. Camp member Roberta Trask was hit by a shotgun blast in the crossfire and almost bleed to death on the way to the hospital, a policeman saving her life by keeping pressure on her exposed artery in the back of the ambulance. Six Minutemen eventually pleaded guilty to reduced charges such as conspiracy to commit arson and carrying a weapon at night and were given not-insubstantial sentences ranging from one to nine years despite the pacifist campers refusing to testify, under threat of contempt of court, and their petitions for clemency for their attackers; one Minuteman, Thomas Fowler, was sentenced to twenty-two months in prison but remained unapologetic even thirty years later. “I have no regrets,” Fowler told a journalist in 1999. “I’m an American patriot… what we did that night was purely patriotic. These people were supplying our enemy, the North [Vietnamese] who were shooting and killing American soldiers. What put me over the edge was Jane Fonda and her activities.”

The August 1968 re-attack on the camp in Voluntown occurred the same day that, a thousand miles away, the Democratic National Convention burst into violence as Hippies, Yippies, and thousands of other Vietnam War protestors clashed with police on the streets of Chicago and

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64 It was never explicitly disclosed how the FBI knew about the 1968 Voluntown raid prior to it happening; it is almost certainly an example of another FBI informant penetrating the Minutemen.
on live television screens across the nation and the world. Neither left nor right monopolized political violence that day.

That same month, two men known to be associated with the American Nazi Party, the KKK, and the Minutemen were arrested after a BOSS infiltrator, Detective William Plackenmeyer, exposed their operation to bomb the residences of known leftists; the men were arrested actually placing a bomb, which was deactivated by Bomb Squad. Police found nine other bombs and a list of leftist targets on the men. Both men plead guilty in the face of what seemed damning testimony by the Detective and the physical evidence, and were sentenced to serve between three and nine years in prison. One of the men, William Hoff, had a brother who was a minister in upstate New York; Reverend Donald Hoff was a member of the Draft Resistance Movement and the NAACP. The leaders of both organizations were targeted by his brother and his brother’s accomplice. 66

And, as will be discussed in the following chapters, in 1968 and 1969 anti-Castro (and some CIA-trained) members of an organization calling itself Cuban Power began a wave of dynamite bombings in the New York area as well as in Florida and elsewhere.

By all accounts, all members of the Minutemen organization weren’t terrorists or terrorist wannabes. Very, very few likely were. As long-time BOSS detective Anthony Bouza remarked, though, despite a Minutemen membership that was not “numerically large… terrorism requires

few plotters to disrupt public life.”67 And like virtually all terrorist actors in this time period – and perhaps much more broadly – those Minutemen that did, most likely did not start out intending on turning to terrorism. But that some members of the New York Minutemen and their ideological brethren decided upon terrorism to achieve their goals, even if they themselves called it patriotism, is beyond much of a doubt. Ultimately, the 1966 Minutemen case in New York City illustrates the existence of terrorist plots from the full political spectrum, including the far right, during an era known for famous and infamous radical actors on the left like the Weather Underground and the Black Liberation Army. The case also illustrates the continuing and extensive coordination between NYPD and the FBI in political policing of the right, even if it was considerably less vigorous than political policing of the left.

67 Bouza, Police Intelligence, 74
PART I: NYPD, FBI, and Early Terrorist Plots in NYC During the Long Sixties

Chapter 4: Cuban Power 1968
On New Year’s Day, 1959, the first day of the last year of the decade, the long-simmering Cuban Revolution finally ousted American-backed dictator Fulgencio Batista and brought Fidel Castro’s 26th of July Movement to power in the small island nation. By the end of the year the Eisenhower administration, in concert with the State Department and especially CIA, had begun to take steps to undermine the Castro-dominated government that was increasingly hostile to the United States and fast moving into the Soviet orbit.

The success of Castro’s revolution, and his declaration in December of 1961 (to the surprise of few in the U.S. government) that he was a Marxist–Leninist, and would be “for the rest of [his] life,” and that Cuba was on the way to establishing a communist government – not a hundred miles off the coast of the Florida – would have a dramatic impact on the political history of the United States. Sensational episodes in U.S. history like the 1961 Bay of Pigs fiasco, and the Cuban Missile Crisis the following year, were born of the seeds planted by the Revolution and the American response to it. What is less accounted for in the historiography and popular discourse, though, is the diffusion of anti-Castro political activism and low intensity warfare throughout the United States and the rest of hemisphere that was also borne of the tension. Groups of Cuban exiles and their American supporters formed groups like the Cuban Nationalist Movement, Alpha 66, the International Anti-communist Brigade (IAB), Commandos L, and with the often-direct support of CIA engaged in political subversion and even limited military raids to the island nation.\(^1\)

\(^1\) “Castro Is Setting Up Party In the Communist Pattern,” *New York Times*, December 3\(^{rd}\), 1961

\(^2\) See Peter Kornbluh and James G. Blight, eds, *Politics of Illusion: The Bay of Pigs Invasion Reexamined*, (Boulder: Lynne Rienner Publishing, 1998); also see Landon Ledbetter’s interesting exploration of one non-Cuban American citizen who joined several such organizations out of his anti-communist fervor: Ledbetter, “A Pirates Life for Me: Craig T. Sheldon and Anti-Communism,” *AUM Historical Review*, #1, Winter 2012.
As had occurred with anti-communism more broadly, and as was discussed in the previous chapter, in what seems a recognition of the dangers of individuals and private organizations upsetting volatile international and even domestic politics, the Kennedy administration began to increasingly reign in and stymy sub-state, anti-Cuban activity. The day after the 1961 Bay of Pigs invasion ended in failure, Attorney General Robert Kennedy announced that, in view of the nation’s neutrality laws, some of the oldest in the U.S. books, groups “organized as a military expedition” were prohibited from “departing… the United States to take action as a military force against a nation with whom the United States is at peace.”³ In early April of 1963, with the near-catastrophe of the Cuban Missile Crisis in the rear view mirror, the President took the effort further and announced that there would be a stepped-up effort by the Coast Guard and law enforcement to prevent raids against Cuba from being launched from U.S. soil, as violations of World War II-era Neutrality Acts.⁴

While the Kennedy administration increasingly restrained sub-state action, what the administration didn’t do, however, was to abandon their own plans to subvert and attack the Cuban dictator. Even before the Missile Crisis in October 1962, the administration launched Operation Mongoose, a joint Department of Defense and CIA set of covert plans to subjugate and ultimately cause the downfall of the Castro regime. The initiative relied, in large part, on the recruitment and training of Cuban exiles – just as did the Bay of Pigs fiasco before it.

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³ “Robert F. Kennedy Statement on Cuba and Neutrality Laws, April 20th, 1961,” Collection JFK-RFK: Robert F. Kennedy Papers, 1937 - 06/06/1968; John F. Kennedy Library (NLJFK); National Archives and Records Administration. The same exact statement, though, tellingly argued that there was no provision blocking individuals from “leaving the United States with the intent of joining an insurgent group,” or preventing Cuban exiles from “returning to that country to engage in the fight for freedom.”
⁴ “U.S. Strengthens Check on Raiders,” New York Times, April 6th, 1963
Among a long, sordid list of other things, the operational plan had even considered “sabotage” – American supported terrorism on the island. While it is uncertain if any such acts were actually carried out under the plan, a report from Brigadier General Edward Lansdale, who headed up *Mongoose* for the administration, acknowledged that as early as July 1962 “[p]lanning for such action by CIA has been thorough, including detailed study of the structures and vulnerabilities of key targets.”

A related proposal, *Operation Northwoods*, was considered and actually approved for further planning by the U.S. Joint Chiefs of Staff – the most senior military advisors to the president – before being rejected at the final stage, the desk of Kennedy himself. The plan suggested a number of covert courses of action to promote “a period of heightened US – Cuba tensions” that would justify an American military intervention. Among the many proposals was a series of sabotage actions aimed at the U.S. Navy base at Guantanamo Bay, Cuba, including blowing up the U.S.’s own aircraft and ammunition dumps and sinking a ship (a “Remember the Maine incident,” the Joint Chiefs called it), stateside airliner hijackings, and – perhaps most ominously – developing a “Communist Cuban terror campaign in the Miami area… and even in Washington… [e]xploding a few plastic bombs in carefully chosen spots…” and “the release of prepared documents substantiating Cuban involvement.”

The Joint Chiefs of Staff had recommended to the Secretary of Defense and the President that they commence planning for a false-flag campaign of terrorism in the United States to justify a war with Cuba.6

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6 Chairman L. L. Lemnitzer, Joint Chiefs of Staff, Memorandum to Secretary of Defense, “Justification for US Military Intervention in Cuba,” March 13th, 1962, National Security
As it would turn out, it wouldn’t be Cuban agents loyal to Castro – or Americans playing that role – that would characterize Cuban terrorism in the United States during the long Sixties. Among the least discussed aspects of this Cuban drama is that it did precipitate a wave of terrorism within the U.S. and throughout much of the Caribbean and North and South America, but carried out by a very small number of the hundreds of thousands of exiles who fled Cuba in the wake of the Revolution, instead of Castro’s agents. Terrorist attacks against Cuban interests, as well as countries and companies that dealt with Cuba, would become the first widespread terrorism campaign on American soil in decades, outside of the continuing terrorism waged against African Americans and other civil rights activists in the South.

Largely ignored by scholars, the mid- to late 1960s found bombs exploding from Miami – the epicenter of Cuban exile terrorism in the United States7 – to the other side of the continent in California.8 But beyond the ground zero of Miami, the secondary front for Cuban exile terrorism was unequivocally the New York City area. “Zona Norte,” as it was known in the exile community, comprised of the epicenter of New York City and towns like Union City, New Jersey,
just across the river in Hudson County – known as “Havana on the Hudson” for its abundant Cuban community. In “Zona Norte” as in Miami, many CIA and U.S. Army-trained Bay of Pigs veterans and other Cuban exiles, like former CIA functionaries Orlando Bosch and Luis Posada Carriles – who would both rise to international notoriety in the 1970s for dramatic attacks such as the bombing of a Cubana Airlines flight in 1976 that killed seventy-three civilians – retained their hatred of Castro, their American training, and maybe even their American-made munitions.9

**ANTI-CASTRO CUBAN TERRORISM EMERGES IN NEW YORK CITY**

A campaign of bombings in New York City in 1968 by elements of Cuban Power, an umbrella organization of anti-Castro Cuban exiles nominally led by Orlando Bosch, is the first prolonged series of successful terrorist attacks in the city by a single organization during the long Sixties, and the first such sustained campaign of terrorism in Gotham since the age of anarchism. It is this campaign of bombings from the political right that would exemplify tactics and a template that would be mirrored by other groups, many on the political left, as New York City entered into the years of bombings in “gigantic proportions,” as Police Commissioner Leary would characterize it in 1970.

The Bureau of Special Services and other units in the NYPD, including the Bomb Squad, would bring to bear many of the investigative tools and practices used in previous counterterrorism

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9 Peter Kornbluh of the National Security Archive at George Washington University has done a thorough collection and analysis of declassified CIA and FBI files exploring the connections with Carilles and Bosch, specifically. See [http://nsarchive.gwu.edu/NSAEBB/NSAEBB153/](http://nsarchive.gwu.edu/NSAEBB/NSAEBB153/), last accessed January 8th, 2016. His analysis of the U.S. – radical exile nexus can also be found in his related book on U.S.-Cuba relations during the Cold War, with William LeoGrande: *Back Channel to Cuba: The Hidden History of Negotiations between Washington and Havana*. See also Hickle and Turner, *The Fish is Red*, 315 – 325.
efforts, such as the thwarted attacks by the Statue of Liberty plotters and the Minutemen in the years before. The important difference is that, in the Cuban Power bombings, NYPD seemingly launched an *intentional* counterterrorism investigation, as opposed to political policing of potential subversives that inadvertently revealed terrorist plotting. Unsurprisingly, an NYPD infiltrator lies at the heart of the 1968 Cuban Power story. The investigation of the terror campaign also illustrates the ongoing relationship between the NYPD and the FBI as terrorism in New York City rose to the dramatic levels it would very soon reach.

Even before the Cuban Power bombings and subsequent arrests in 1968, anti-Castro politics had precipitated a number of terrorist plots and attacks in and around New York City in the preceding years. The first major anti-Castro plot to emerge in Gotham was in late 1964, just as the Statue of Liberty plotters case—their own avid *supporters* of the Castro revolution—was also developing. On December 11th, 1964, in the middle of the East River between midtown Manhattan and Long Island City in Queens, a bazooka shell exploded a few hundred feet from United Nations Headquarters that sits on the eastern shore of Manhattan, facing Queens.

NYPD Detective Jack Caulfield was in the U.N. Assembly Hall with Che Guevara, who was delivering a speech, as part of the Cuban leader’s NYPD security detail, when the bazooka shell exploded short of the building. Caulfield, BOSS’s expert on “all things pro- and anti-Castro at the time,” had been part of the BOSS team escorting Castro himself during his famous visits to the U.N. and New York City in 1959 and 1960. During the 1960 visit, the Detective was even asked by the FBI to passively gather intelligence on Castro’s diplomatic party, but an alert Castro aide noticed Caulfield’s interest and notified the Cuban Premier, who good naturedly let Caulfield
know that he was aware of what he was up to.\textsuperscript{10} Because of his experience with and knowledge about the Cuban community in New York City (BOSS Detective Anthony Bouza claims BOSS had been gathering intelligence on Cuban exiles in the city since at least 1958),\textsuperscript{11} Caulfield took on the lead role in the investigation into the bazooka attack for BOSS. But despite working closely alongside the FBI to locate what he suspected would be Cuban exile suspects from within the community he knew well, eight days after the attempted attack there were only dead ends. The case finally broke when a cousin of two of the plotters, who Caulfield was indeed very familiar with, ratted them out. Eleven days after the attack, three Cubans were arrested by the NYPD.\textsuperscript{12}

One of the exiles arrested for the bazooka plot was Julio Carlos Perez, a former Cuban Naval Officer during the Batista regime who had worked for the CIA in Havana before being caught by the new Castro government, tortured in prison, and then hiding in a cemetery while he secured the appropriate forged documents to escape to the United States.\textsuperscript{13}

The other exiles arrested that December were brothers Ignacio and Guillermo Novo, whose cousin turned them in. The Novo brothers would, over the next decade and a half, emerge as key figures in the wave of Cuban exile terrorism in the United States.\textsuperscript{14}

\textsuperscript{10} Jack Caulfield, “In Their Own Words,” \textit{The Nixon Era Times}, Nixon Era Center, Mountain State University, undated

\textsuperscript{11} Anthony Bouza, \textit{Police Intelligence}, 70

\textsuperscript{12} Caulfield, \textit{Caulfield, Shield #911}, 48 – 52. This was not Caulfield’s last brush with history; he left NYPD in 1968 to join the Nixon Campaign staff, and then the Nixon Administration as an intelligence consultant. In that role, he conducted a number of objectionable if not illegal operations like bugging the home of a journalist, developing sexual preference profiles of administration adversaries, and then, finally, as a messenger in the Watergate scandal. He was not indicted but his career in government and law enforcement was over.

\textsuperscript{13} Peter Kihss, “Judge Rules Out 3 Confessions in Firing of Bazooka at U.N.,” \textit{New York Times}, June 2\textsuperscript{nd}, 1965; and Julio Perez as told to Jack Ryan, \textit{The Sunday Pantagraph}, “I Faced Castro Firing Squad,” November 7\textsuperscript{th}, 1965

\textsuperscript{14} The brothers are often referred to as Ignacio and Guillermo Novo Sampol in different documents, but I will use the shorter version of their names in this work.
The attackers confessed that the intent wasn’t necessarily to damage or destroy the U.N. building, but to divert attention from Che Guevara’s speech. In another example of lackluster and halfhearted prosecutions of terrorist plots emerging from the political right (as compared to those from the left, like the Statue of Liberty plot and others to follow), the indictments were later dismissed by State Supreme Court Justice J. Irwin Shapiro when it came to light the defendants had been denied access to their lawyer prior to the confessions. The indictment had little merit without the confessions, the Judge argued. Because of a “loophole” in the law, no appeals by the prosecution would be permitted, he continued.15

Detective Caulfield speculated that the connection between the attackers and CIA wasn’t just in the past; at a meeting at the District Attorney’s office, the defendants’ “dapper American attorney arrogantly… introduced himself” and walked around the room passing out his business card. The Wall Street address on the card wasn’t of note to anyone else in the room, but Caulfield, given his extensive interactions with the intelligence agencies, immediately recognized it as the address of a covert CIA New York City station.16 There is no proof that CIA officials directly intervened on behalf of their former (and perhaps current) employee, or had any impact on the disinterested Judge Shapiro – who just the year before presided over the infamous murder trial in the Kitty Genovese case – but there is certainly enough circumstantial evidence to suggest that, somewhere between the successful identification of the plotters by NYPD and an attempt at a vigorous prosecution by the DA and, ultimately, the case somehow evaporating into the ether, somebody’s delicate touch tipped the judicial scales.

16 Caulfield, Caulfield, Shield #911, 59
In April of 1967 – a year and a half after the U.N. bazooka attack case was thrown out of court – Ignacio Novo, speaking to a large group of exiles in Manhattan, announced that a “sabotage campaign” directed against both Cuban interests and the interests of “any other nation that supports Castro” would soon be unleashed.\(^{17}\) That same month, a bomb exploded at the Cuban Mission to the U.N., injuring the acting chief of the mission.\(^{18}\) The Novo brothers were arrested again two months later, in July, when police found high-order explosives, blasting caps, timing devices, attaché cases, and other bomb-making materials in their shoe store in Jersey City.\(^{19}\) The bomb components found in their possession were strikingly similar to what would be used just months later in parcels addressed to Cuba that detonated prematurely in postal facilities in New Jersey and in New York City, and again the following year in attacks in Midtown Manhattan. None of the arrests, unsurprisingly, would result in convictions or jail time.\(^{20}\)

\textbf{THE 1968 CUBAN POWER BOMBING CAMPAIGN IN NEW YORK CITY}

On October 23rd, 1968, Manhattan Chief Assistant District Attorney Alfred J. Scotti announced the indictment and arrest of nine Cuban exiles for a bombing campaign that had rattled New York over the previous six months. Cuban Power leader Orlando Bosch, along with eight others, had

\(^{19}\) High-order explosion sites are usually characterized by destruction determined to be caused by a powerful supersonic concussive blast, as opposed to low order explosions, which do not usually include the damage caused by this type of concussive blast. High-order explosions are almost always caused by powerful explosives including dynamite and military-grade explosives like C4. They are, therefore, usually determined by investigators to not occur accidentally.
been arrested in Miami less than two weeks earlier on bombing charges; Cuban exile terrorism had stretched the length of the east coast during the spring and summer of 1968.\(^{21}\)

The first bombs in New York City exploded on April 22\(^{nd}\) at the 41\(^{st}\) street building housing the Mexican Consulate and the Mexican Permanent Mission to the United Nations, as well as at the Spanish National Tourist Agency on Fifth Avenue. Windows and doorways were shattered, but the late-night bombs caused no injuries. There was little doubt what the political motive behind the attacks was; a cardboard Cuban flag bearing the name Cuban Power was found at the scene.\(^{22}\)

There was also little doubt of the expert training of the bomb maker – evidence found at the Mexican Consulate by Bomb Squad detectives included fragments of a U.S. Army M1 Delay Firing Device, which NYPD detectives reported “functions when an acid eats through a wire and releases a firing pin thereby activating a non-electric blasting cap and detonating a high explosive charge.”\(^{23}\) This was not the work of an untrained amateur.

In an intelligence report to NYPD’s Chief Inspector following the bombing, BOSS Commanding Officer William Knapp described Cuban Power as “an anti-Castro organization… alleged to have its main base of operations in Miami, Florida,” which was reported to NYPD by federal authorities “to have been responsible for numerous bombings of stores, autos and night clubs in the Miami area since January 1968.”\(^{24}\) As early as the first bombing by Cuban Power, there was clearly already an exchange of information, then, between the FBI and BOSS. After the second time the Spanish tourist agency was bombed not two months later, FBI agents were

\(^{21}\) “9 Cuban Exiles Indicted in Plot to Attack Ships,” *New York Times*, October 12\(^{th}\), 1968
\(^{22}\) “Two Bombs Damage Midtown Buildings,” *New York Times*, April 23\(^{rd}\), 1968
\(^{23}\) BOSS and Bomb Section to Chief of Detectives and Leary to Lindsay, RE Cuban Bombs, April 22 1968 - Box 85 Folder 1621.6, JVL Papers, NYMA/LWA
\(^{24}\) Commanding Officer, Bureau of Special Services, to Chief Inspector, RE: Explosion in Doorway of Mexican Consulate…,” April 23\(^{rd}\), 1968. Box 85 Folder 1621.6, JVL Papers, NYMA/LWA
working alongside NYPD detectives once again, collecting and evaluating evidence including pamphlets titled “A Declaration of the Principles of Cuban Power” found at the scene.  

More bombs followed in quick succession after the start of the terror campaign in April. The Midtown offices of Channel Thirteen were bombed the night they broadcast an interview with an author, Jose Yglesias, whose recent book was sympathetic to the Castro regime; the Spanish tourism office was bombed again; and just a few nights later and a few blocks up Fifth Avenue, a building housing Canadian and Australian tourism offices and another building housing the Japanese National Tourist Agency was attacked. The attacks followed a nearly identical pattern: the targets were tourism or diplomatic offices of the twenty-six non-Communist nations that traded with Cuba; the bombs were high-order explosives with U.S. Army timing devices; late-night or early morning detonations ostensibly intended to avoid injuries; and claims of responsibility by Cuban Power. BOSS continued to investigate and Bomb Squad continued to collect evidence, but no arrests were made.

After the first week of July, a period of just a week and a half that saw four bombings occur, NYPD Commissioner Howard Leary established the first task force to investigate bombings since the exploits of “Mad Bomber” George Metesky more than a decade earlier. Responding to

what was then an outbreak of terrorism unprecedented in the career of anyone in the NYPD, the task force combined elements of at least BOSS, the Midtown North Precinct (where most of the bombs had occurred), the Bomb Squad, and Manhattan South Command. In another example of pre-FBI Joint Terrorism Task Force (JTTF) coordination between local and federal agencies, the FBI and even the CIA would contribute bodies and expertise to the terrorism investigation.

On July 8th, after a conversation with Lindsay, Police Commissioner Leary forwarded a number of reports from BOSS and the Bomb Squad to the Mayor’s office covering the various Cuban Power attacks of the previous four months. Despite a distinct separation between the Mayor’s office and the operations of BOSS that the records reveal, the first prolonged terrorism campaign in decades in New York City and emerging counterterrorism within the NYPD had closed the gap between City Hall and BOSS.

The bombing campaign continued to escalate. The day after the NYPD announced the creation of the task force, bombs exploded at the Cuban and Yugoslav Missions to the United Nations. By July 16th, barely a week after the task force was formed, the ninth device since April was planted at the French Government Tourist Office at Rockefeller Center. But this time the task force caught a break; the beefed-up security near Midtown Manhattan diplomatic offices paid off. An alert NYPD patrolman noticed four men walking on East 49th street after 2:00AM; his curiosity piqued, moments later he noticed a large paper bag hanging from the door of the Tourist Office. Running over to inspect the package, he found the bomb inside. Bomb Squad detectives, who

29 Leary to Lindsay, RE Cuban Bombs, July 8th, 1968 - Box 85 Folder 1621.6, JVL Papers, NYMA/LWA
were immediately called to the scene, disarmed the device with less than three minutes left before it was set to detonate.

The unexploded device – quizzically wrapped in a copy of the International Ladies’ Garment Workers’ Union (ILGWU) official newspaper, Justice – yielded the detectives the physical evidence they had thus far been lacking, and it proved some of their previous assumptions correct.\(^{31}\) The bomb did indeed utilize high-order explosives – a pound of C4, a military-grade explosive even more powerful than dynamite, that the government soon after confirmed was only produced in the United States by the Army. The powerful explosive was not legally or at all easily attained by civilians, giving the investigators clues to pursue.\(^{32}\) The blasting cap, a 1.5-volt battery, and the cheap clock timing device were also intact; the design and construction, a Bomb Squad detective concluded; was clearly executed by someone with “expert” training.\(^{33}\)

The bombings continued despite the thwarted attempt. On July 21\(^{st}\), a new type of target was attacked – the Jefferson Book Shop, the same Union Square bookshop that specialized in Marxist and antiwar literature that had been targeted by members of the Minutemen less than five months earlier. The earlier plot was disrupted by NYPD undercover operatives;\(^{34}\) this time, the bomb smashed the store’s windows and blew apart scores of books and pamphlets, as well as shattering windows up and down East 16\(^{th}\) street.\(^{35}\)

\(^{31}\) Commanding Officer, Bomb Section, to Chief of Detectives, RE: Unexploded Bomb Found Outside of French Tourist Office…,” July 15\(^{th}\), 1968 - Box 85 Folder 1621.5, JVL Papers, NYMA/LWA
\(^{34}\) Martin Gansberg, “2 Seized in Plot to Bomb Union Square Bookstore,” New York Times, February 20\(^{th}\), 1968. See also this dissertation, page 108 xx
On August 3rd, the fourteenth bomb in the Cuban Power campaign exploded at the Tokyo Trust Company Bank on the street level of the iconic Waldorf Astoria Hotel. Japan traded modestly with Cuba, exchanging textiles, chemicals, tires and sugar.\(^{36}\) Causing substantial damage, but again no injuries, it was the first attack against a bank and front-page news in the city. Just hours before the bombing, a spokesman for Cuban Power, Arturo Rodriguez Vives – who was among those arrested two months later – told the *New York Post* that there would be a bombing that night; he was only misleading in the selection of target, which he said would be another consular or tourist office. As they’d been getting used to doing, NYPD detectives and FBI agents scoured the scene for clues.\(^{37}\)

Other Cuban exile activity in the area was also causing authorities concern. A week and a half after the Waldorf Astoria bomb, FBI agents, alongside New Jersey State Police and local authorities, raided a farm in rural Johnsonburg, New Jersey – barely 60 miles from New York City – owned by American-born Cuban exile sympathizer Michael DeCarolis. There, they found nearly a half-ton of dynamite along with a massive cache of weapons including automatic rifles, mortars, grenades, and ammunition. Cuban exiles, including some of those arrested during the bombing campaign raids not two months later, had been coming to the farm for years for target practice and guerilla training. Sitting in the middle of one of the tucked-away fields that had been turned into a training obstacle course for the 2506th Cuban Assault Brigade – an organization of veterans of the Bay of Pigs invasion – was a target practice scarecrow with “Fidel” painted on it.\(^{38}\)


Just days later, on August 19th, the final bomb thought to be linked to the Cuban Power terror spree exploded in front of the West Side Liberal Club just before 4:00AM at Broadway near 84th street. The attackers phoned in to take credit for the bomb, this time claiming it targeted the “liberal” American government for not taking a stand against Castro; “We hate terrorism and bombs, but this is the only road left to us Cubans,” the caller declared. An official from the Hebrew International Aid Society, which ran the Liberal Club, pointed out that the attackers must not have known about their strong anti-Castro position or the fact that they’d resettled more than 5,000 exiles from Cuba since Castro took power. Again, no one was injured, but this time just barely – two NYPD patrolmen happened to be walking just a few dozen yards from the explosion when it violently broke the early-morning silence. It would be the final bomb attributed to Cuban Power before the arrests of the exiles two months later.

The late-night October raids that netted the nine Cuban exiles was front cover, above-the-fold news in the *New York Times*. NYPD Commissioner Howard Leary appeared at the press conference with Chief Assistant District Attorney Scotti to announce the arrests; also present were NYPD Chief Inspector Sanford Garelik and Chief of Detectives Frederick Lussen, the police officials directly in charge of the Bureau of Special Services. The police brass and District Attorney’s Office big shots present that October day illustrate the priority that city officials had placed on bringing about the end of the six-month investigation.

At least three of the Cuban exiles arrested that day – Oscar L. Acevedo, Gabriel Abay, and Carlos Fernandez – were veterans of the CIA–orchestrated Bay of Pigs invasion. Acevedo had

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also served as an Active Duty U.S. Army Officer from 1963 to 1966, and at the time of arrest was a Captain in the Army Reserve; Carlos Fernandez had, like U.N. bazooka plotter Julio Carlos Perez, worked with the CIA after fall of the Batista regime before taking part in the Bay of Pigs invasion. Another indictee, Ivan Acosta, swept up in mass arrests as a teenager in Havana after the Bay of Pigs and then escaping to Jamaica and New York City with his family, had recently returned from time as an active duty U.S. Army Paratrooper to begin film classes at New York University.40

Ultimately, only three of the men were charged with the bombings – Miguel, Fernandez, and Arturo Rodrigo Vives, who had also acted as a spokesman for the group. The rest of the men were charged with plotting to raid the 106\textsuperscript{th} Infantry Armory in Brooklyn to steal arms and explosives; Acosta claims to have not even met those charged with the bombings prior to their arrest.41

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41 Morris Kaplan, "9 Cuban Exiles Held in 6 Bombings Here," \textit{New York Times}, October 24\textsuperscript{th}, 1968; see also The People of the State of New York vs. Gabriel Abay, Oscar L. Asevedo, Jose Rondone, Ivan Acosta, and Carlos Fernandez, Defendants. Supreme Court of the State of New York, County of New York. Indictment no. 4638 1/2-68, NYS Supreme Court Records, NYMA District Attorney Records. Acosta’s telling of the story in an interview with the author in October 2016 largely mirrors the kind of entrapment that the Statue of Liberty plotters had charged a different BOSS detective with a few years earlier; the plot, Acosta claims, was devised by the detective, was mostly promoted by the detective, and then foisted upon the men when they were arrested. His version is difficult to substantiate, but does bring up an interesting parallel with the earlier claim.
As became evident through the court proceedings – but never discussed in the press, public, or scholarship – another BOSS infiltrator, Detective Eddie Rodriguez, was the key to the arrests of the Cuban Power terrorists in New York City that October. Rodriguez, known for his abilities to fully immerse himself in undercover roles, had successfully penetrated the Cuban exile community and worked his way into the group. His testimony and surreptitiously recorded conversations with the defendants proved the vital elements to the indictments. But in an important distinction between Detective Rodriguez’s infiltration of Cuban Power and, for instance, the previous BOSS infiltrations of the Statue of Liberty plotters and even the Minutemen plot, this more recent operation was specifically directed to disrupt terrorism and attacks that had been occurring for six months. Detective Rodriguez’s successful infiltration was counterterrorism; the previous infiltrations were unintended discoveries of terrorist plots through the course of investigating politically subversive individuals and groups by BOSS and the FBI. In any case, the detective had made dangerous enemies; the month after the arrests, a “rather macabre doll” with Rodriguez’s name written on it, painted red with a nail driven into its head and a noose placed around its neck, was found in front of his house.42

The resources devoted to the investigation of the bombings by both the NYPD and the FBI indicates a legitimate effort to capture the responsible parties. Yet, in contrast to the accolades heaped upon Raymond Wood – the BOSS undercover who penetrated the pro-Castro Statue of Liberty plotters – there were no such public proclamations of gratitude towards Detective

Rodriguez for breaking up the *anti*-Castro Cuban Power members, who had moved past plotting and carried out more than a dozen bombings. There was no photograph with the Commissioner, no on-the-spot promotion, no awards from civilian organizations. After taking credit for the bust at the widely publicized press conference the day of the arrests, police department and City Hall officials very quickly receded to the background and the press completely lost interest; there was no glory to be had in impeding Castro’s foes, even if the targets they attacked were in Midtown Manhattan. Even the trial of the men would be colored by the politics inherent in the terrorist acts; Oscar Suarez, defense attorney for three of the defendants, argued during sentencing (when they finally got there in January of 1971) that “[i]t seems ludicrous to ask that while we are spending money and the lives of many American youngsters in the jungles of Viet Nam, that we have to stand here to apologize to this Court and to society for what we consider an overzeal (sic) on the part of these defendants… who had shown their rabid disregard for the principles advocated by the red dictator of Cuba.”

Lawrence E. Goldman, the Assistant District Attorney prosecuting the case for the government, made substantial efforts to counter this political valuation as a factor in the consideration of the case: “…the law cannot make a distinction based on the politics that a person holds. They cannot make a distinction as to whether a person is anti-Castro or pro-Castro in bombings… It is just as much a crime to bomb the Cuban Mission as it is to bomb the British Mission.” Goldman argued his belief, and hope, that “people regardless of their politics are treated evenly and equally in our courts.”

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44 Ibid., page 27 – 28
Goldman’s petition for a politically unbiased judgement on the part of the court failed. Despite vigorous pleas to hold two of the defendants in particular accountable and sentenced to long terms in jail – Carlos Fernandez and especially Guillermo Miguel, who had admitted to the bombings, and to a plot to assassinate the Cuban Ambassador to the U.N. – the presiding judge, State Supreme Court Justice Harold Baer, expounded a lengthy, and in hindsight embarrassingly biased, dismissal of the seriousness of the crimes as portrayed by District Attorney Goldman, sympathizing with Miguel, who he argued had “a very good work record… a wife and family… I am not going to sentence Miguel to prison,” the Judge noted, “because of the political activity that has been rampant for the last couple of years, whether they be against Cuba or any other country. I’m not going to take it out on him.” The Judge proceeded to sentence all of the men, including Miguel, to no prison time and a few short years of probation despite “vigorous prosecution objections.”

Those on the political left charged with similar, and even less serious terrorism charges during the long Sixties in New York City – including the Statue of Liberty plotters and particularly Sam Melville, the subject of the following chapter – would not find the courts so gracious.

**CONCLUSION**

As would be the case involving Cuban exile terrorism throughout the 1970s, law enforcement efforts to investigate would not be matched by a similar zeal within the criminal justice system.

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Of course, not all right-wing terrorists escaped prison; the Connecticut Minutemen in 1968 were indeed sentenced to prison for the attack on the Voluntown camp; but they weren’t just charged with attacking institutions of the political left, they were charged with engaging in a shootout with, and injuring, a State Police Officer. The two former Minutemen charged in New York City that same month for their attempted bomb attack were also given prison terms, but they were caught red-handed placing a bomb at a residence and a hit-list of more than 150 people they sought to kill.\(^{46}\) Regardless, there was clearly less appetite to hold those on the political right accountable, and certainly those with political objectives aligned with those of the U.S., than those on the left.

Whether or not an application of behind-the-scenes political pressure factored into sometimes spiritless prosecutions and almost always pillow-soft sentences is hard to determine for certain, but as BOSS Detective Caulfield speculates, sometimes behind-the-scenes influence from CIA lawyers may have had an impact. What is certain, though, is that the Cuban exile community did have political heavyweights on their side. This was especially so in Florida, where the exile community wielded considerable political power, but was the case everywhere in a time when other irregular forces like the Afghan mujahedeen were seen to be at the vanguard of those fighting communism around the world. In 1989, a young Jeb Bush lobbied his father, then President of the United States, on behalf of convicted terrorist mastermind Orlando Bosch.\(^{47}\) Florida Congresswoman Ileana Ros-Lehtinen, at the beginning of what has been a long career, also lobbied the administration on behalf of Bosch, who she considered a hero in the war against Castro.\(^{48}\)

\(^{46}\) See Chapter 3
\(^{47}\) See Ann Louise Bardach, *Cuba Confidential*
\(^{48}\) Jeffrey Schmalz, “Furor Over Castro Foe's Fate Puts Bush on Spot in Miami,” *New York Times*, August 16\(^{\text{th}}\), 1989. Ros-Lehtinen has long celebrated anti-Castro Cuban extremism and lobbied on behalf of several Cuban terrorists; she is also a loud denouncer of Democratic administrations for “whitewashing” reports on other terrorists who do not share her conservative worldview. See Statements by Congresswoman Ileana Ros-Lehtinen (R-FL), June 22\(^{\text{nd}}\), 2015,
Bosch was released from prison in 1990 and granted U.S. residency two years later, blocking efforts by other nations to have him extradited for terrorism and murder charges.\(^49\) As the Castro Revolution became a cause célèbre amongst leftist in the U.S. and around the world, anti-Castro fighters became the right wing equivalent.

Most of those Cuban exiles identified in the New York wave of terrorism in the 1960s faded back into the community after their legal troubles dissipated. The majority are difficult to track after 1968, but at least one went on to be noted members of the Cuban-American and New York City communities. Ivan Acosta’s claim to never have been involved in the 1968 bombings is perhaps substantiated by his never being charged with them; he went on to put his NYU film school education to work. His highly successful Off-Broadway play, *El Super*, the story of a Cuban exile and his family trying to adjust to life in New York City, was adapted as an independent film that became something of a Cuban-American cult classic.\(^50\) Acosta, who claimed to never have met admitted bomber Guillermo Miguel until the day of their arrests, tells of running into him driving a bus in Miami several years later. From bomber to bus driver, the soft touch of the judicial system allowed for many on the political right to fade back into the obscurity they had come from.


\(^{49}\) Ann Louise Bardach, “Our Man's in Miami. Patriot or Terrorist?”, *Washington Post*, April 17\(^{th}\), 2005

\(^{50}\) Vincent Canby, “The Screen: 'El Super,' A Cuban-American Tale,” *New York Times*, April 29\(^{th}\), 1979. The film’s director, Leon Ichaso, went on to a very successful career in film and TV, directing other critically acclaimed films like the biographical film *Piñero*. 

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in 1974; his wife told police he’d asked her to leave when a man she couldn’t identify showed up to talk to him. She came home to find him shot dead.51 And in May of 1969, Guillermo Novo was arrested – again – by the FBI for allegedly plotting to bomb a number of ships and buildings in Montreal. Canada and Mexico were at the time the only western hemisphere nations holding normal economic relations with Cuba. Continuing the trend, a confidential informant close to the subjects had been the key to this particular case.52 Including the bazooka arrest in 1964, and then the bomb materials arrest in 1967, this was Novo’s third arrest on terror-related charges. None stuck. Guillermo Novo would, along with his brother, emerge as central figures in the infamous assassination of former Chilean Ambassador Orlando Letelier. Orlando Bosch, unsurprisingly, was another central player in the assassination. Then working for a Washington, D.C., think-tank and continuing as a vocal critic of the Pinochet regime, Letelier was killed by an expertly constructed, remote detonated, high-order explosive charge placed under his car as he and two associates – also killed – drove through Sheridan Circle in the capital on September 21st, 1976.53 Guillermo and Ignacio Novo would finally be found guilty for the assassination in February of 1979 – but just a year later, those convictions were overturned on a technicality. They were found not guilty at a retrial in May of 1981.54

51 “Cuban Exile Found Shot to Death Here,” *New York Times*, April 17th, 1974
The wave of Cuban exile terror in New York City in 1968 was an important marker – it was the first sustained terrorism campaign in New York City during the long Sixties, moving terrorism in the era in Gotham beyond failed plots and individual attacks and onto the front pages and onto the desk of the Mayor. And importantly, it illustrates a shift, perhaps a subtle shift, by NYPD – instead of stumbling upon a terrorist plot within a potentially subversive element of an increasingly volatile society, the NYPD seems to have responded, this time, to terrorist attacks and directed a BOSS member, Detective Eddie Rodriguez, to investigate and infiltrate. The NYPD response was counterterrorism, not political policing that unintentionally unearthed terrorism. And in 1974, this particular brand of Cuban exile terrorism evolved with the emergence of Omega 7, one of the most prolific terrorist organizations on U.S. soil during the long Sixties.
PART II – The Melville Collective and the Year of Gigantic Proportions

CHAPTER 5 - The Melville Collective: Emergence
In a decade littered with turning points, 1968 was a crossroads, and it appeared the United States had finally started to come apart at the seams.¹ The civil and political strife that had plagued the United States boiled over into rioting in dozens of American cities. Mired in a fantastically unpopular war getting less popular and more deadly by the day,² and in an increasingly volatile domestic civil and political situation, President Lyndon Johnson shocked the nation by announcing on March 31ˢᵗ that he wouldn’t seek or accept reelection the coming year. Just four days later, Martin Luther King, Jr. was assassinated in Memphis. Two months after that, an assassin’s bullet took the life of Robert Kennedy in the midst of his campaign to replace Johnson. The Democratic National Convention in Chicago in August, already under the shadow of Johnson’s abdication and Kennedy’s assassination, devolved into anti-war protests marred by dramatic violence by protestors, police, and the National Guard – all broadcast to the world on live television. The turmoil wasn’t just in the United States; cities across the world from Paris and Prague, to Tokyo and Berlin and Mexico City, erupted with special force and drama that year.³ And the onset of dramatic levels of terrorist bombings in New York City, first characterized by Cuban Power, continued and was embraced by the increasingly radical political left.

² The Tet Offensive and the Mylai Massacre in the first few months of the year added urgency to the Vietnam War protest movement. See Frederik Logevall, Embers of War: The Fall of an Empire and the Making of America's Vietnam (New York: Random House, 2012)
³ See Jeremy Varon, Bringing the War Home, page I
Although far from unscathed, following Reverend King’s assassination New York City escaped the worst of the riots that broke out around the nation. As soon as he was notified of King’s death, as Vincent Cannato explains, Mayor John Lindsay traveled to Harlem against the advice of his closest aides and the police department and made an impassioned plea to the thousands who had gathered to remain peaceful.  But it was hardly a tranquil year in Gotham. Crime rates, on the rise for more than a decade, continued to set new levels. A nine-day sanitation strike in February found virtual mountains of trash collecting on sidewalks and everywhere else, and burning garbage blowing down city streets. A city-wide teachers strike highlighted not just the pitiful state of the city’s educational system but also of its deteriorating labor relations, and exposed deep divisions between the city’s black, Puerto Rican, and Jewish communities. And in protests at Columbia University in upper Manhattan that began in March and quickly and dramatically escalated, students occupied campus buildings and even forced the closure of the university before a violent crackdown by NYPD eventually brought the protests to an end. But while the crackdown ended the protests and occupation of the university, it only deepened the fissure between the NYPD, the city, and many of the protesters including SDS and future Weatherman members like Mark Rudd;

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4 See Vincent J. Cannato, *The Ungovernable City*, 209 – 213
5 Emmanuel Perlmutter, “Cleanup is Begun by 1,400 Workers,” *New York Times*, February 11th, 1968
6 See Jerald Podair, *The Strike That Changed New York: Blacks, Whites, and the Ocean Hill-Brownsville Crisis* (New Haven: Yale University Press, 2002). See also Cannato, *The Ungovernable City* for an exploration of the strike (and the rest of the tumultuous year) in relation to Mayor John Lindsay’s administration; and Freeman, *Working-Class New York*, for discussion of the receding influence of working classes and labor unions in New York City during a high point following WWII.
7 Cannato argues that Mayor Lindsay was extremely hesitant to get involved in the situation at Columbia as it moved toward police action. The Mayor “understood that he “little to gain and much to lose from an active involvement in the controversy” and thus the direction was decided on by Columbia Administration officials and the NYPD. Cannato, *The Ungovernable City*, 252-253
Cannato argues that the violent overreaction of the NYPD “solidified the view of an out-of-control police force. Even Sandy Garelik, the NYPD official in charge at Columbia, believed (some actions) were ‘uncalled for.’”

Lindsay, having very intentionally kept his distance from tactical decision-making during the Columbia protests and crackdown, at best equivocated in the days after, citing the right to protest as well as the need for law and order, and discussed both the violence on the part of the protestors as well as perhaps an overreaction on the part of the police.

Columbia also marked the beginning of the FBI’s most direct program to counter the increasingly radical left movement – COINTELPRO NEW LEFT was initiated on May 14th, just two weeks after the violent conclusion of the Columbia protests.

The Columbia protests are an important milestone in the evolution of the radical left protest community. RAT Subterranean News, emerging as one of the most prominent underground press publications in large part because of its reporting from within the Columbia protests, argued in August that “[t]he cops don’t understand. It’s not ‘hippies’ who are fighting with them in the streets… It’s white drop-outs who have buried their flowers and joined the community. It’s the kids who made the scene during the summer of love and then had to survive the New York winter.”

Jeremy Varon quotes flyers that had appeared plastered around New York City during the Columbia protests: “We must prepare ourselves to deal with the enemy. Our weapons: political

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8 Cannato, The Ungovernable City, 254
9 Cannato, The Ungovernable City, 260-261
10 “FBI Memorandum, Director to SAC Albany, Counterintelligence Program: Internal Security: Disruption of the New Left,” May 14th, 1968, Subject: (COINTELPRO), New Left, San Antonio; FBI FOIPA Series # 100-449698-45
education and tactical organization for students and workers: rocks, clubs, fire bombs, plastique, guns — but most of all — commitment and courage.”

From among the masses of young white protestors at Columbia, one — an engineer with a family, no less, and not from one of the affluent white college kids – would embrace this escalation to “firebombs” and “plastique” first and pave the way for others from his “community” to follow. Samuel Joseph Melville and the loose “collective” of individuals who would form around him – and a load of dynamite – would take the template illustrated by Cuban Power and others and claim it for the political left.

**SAM MELVILLE**

On September 9th, 1971, upwards of 1,000 inmates at the Attica Correctional Facility in upstate New York broke into open rebellion, seizing various parts of the prison and taking forty-two correctional officers and civilians as hostages. The prison, according to historian Heather Ann Thompson, was commonly known to be “overcrowded and governed by rigid and often capricious penal practices,” and the prison rights movement of the era was at fever pitch after the death of “Soledad Brother” George Jackson during a San Quentin escape attempt just weeks earlier.

With negotiations at a standstill four days after the Attica uprising began, on Governor Nelson Rockefeller’s order, New York State Police, the National Guard, and Attica correctional

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12 Varon, Bringing the War Home, 26, citation number 15, “DARE WE BE HEROES?” (anonymous flyer, 1968, University of California – Berkeley)
14 Several works explore the Attica Riot in the context of the prison rights movement or as a historical event on its own. See especially Heather Ann Thompson, Blood in the Water: The Attica Prison uprising of 1971 (New York: Pantheon Books, 2016)
officers launched a violent operation to retake the prison. By the time the smoke cleared and the
echo of gunfire had faded, forty-three inmates and hostages lay dead in the bloodiest prison
rebellion in modern American history. Among the dead inmates was thirty-six year old Sam
Melville – killed by a sharpshooter, the state claimed, as he allegedly ran with four homemade
September 14\textsuperscript{th}, 1971. There were many contradicting stories of how Melville died; many
prisoners said he was alive at the end of the retaking of the prison and executed by vengeful
guards. Others point out inconsistencies and logical faults with the official story surrounding his
death. See Thompson, \textit{Blood in the Water}, especially Chapter 21.}

Samuel Joseph Melville had been producing headlines in New York for more than two
years before his violent death at Attica. He and three associates were indicted in November of
1969 after a string of bomb attacks in Manhattan that began in July of that year, making Gotham
November 16\textsuperscript{th}, 1969. A fifth person would be added to the indictment in 1970.}

Even after the arrests of Melville and his associates, the headlines continued to come, with the revelation that an FBI informer in
their midst had finally brought the group down, a foiled jailhouse escape attempt, at least one co-
conspirator on the loose, and another one of the defendants skipping bail and going underground.

As Bryan Burrough argues, before the Weatherman faction of SDS (later Weather Underground)
would turn to a similar bombing campaign that would spawn a great deal of historical scholarship
and popular writing, the Melville collective “was the first to take antigovernment violence to a
new level, building large bombs and using them to attack symbols of American power. While
later groups would augment his tactics with bank robbery, kidnapping, and murder, Melville’s

\footnote{15}{15}{15}
remained the essential blueprint for almost every radical organization of the next decade.\textsuperscript{17} While Burrough largely misses, dismisses, or ignores the plots on the left and the actual terrorist attacks on the right that preceded Melville – including the virtually identical campaign waged by Cuban exiles in New York City less than a year before, making perhaps long-forgotten Guillermo Miguel the actual “Patient Zero” in Gotham – the inarguable point is that Melville and his collective were living, working, socializing, and protesting alongside a great many other members of the radical left movement who would later turn to the identical methods they established a format for. Melville, Burrough argues, “was the first, the trailblazer. In death he became perhaps their greatest martyr.”\textsuperscript{18} Here Burrough echoes Jeremy Varon, almost verbatim, who argues that after his bombing campaign and then death at Attica, Melville became “one of the New Left’s few and most beloved martyrs.”\textsuperscript{19}

Melville was born Samuel Joseph Grossman on October 14\textsuperscript{th}, 1935 in New York City. The young Grossman spent his troubled youth in upstate New York near Buffalo with two half-sisters, his impoverished single mother, and a string of her abusive boyfriends. He changed his name later in life, apparently in recognition of author Herman Melville, whose famous Captain Ahab, like Sam Melville, ultimately met his end battling the white whale that consumed him. After reconciling with his estranged father and after graduating from Amherst Central High School in 1954, Melville moved to the Bronx to be with his father’s family there. He never spoke to nor saw his mother or sisters again.\textsuperscript{20}

\textsuperscript{17} Bryan Burrough, \textit{Days of Rage}, 10 – 11
\textsuperscript{18} Ibid., 25
\textsuperscript{19} Varon, \textit{Bringing the War Home}, 118
\textsuperscript{20} Accounts of Melville’s life prior to his radical activities – largely prior to 1968 – are taken from Melville’s testimony at trial in federal court (U.S. v. Melville et al, No. 70 CR. 28,
After spending a year at City College in Harlem, Melville spent a short time as a short-order cook, and then a number of years as a plumbing engineering professional. Melville married early, at about twenty-two, and fell into a comfortable urban middle-class life as a plumbing engineer and steam-piping instructor with his wife Ruth and then their son, Joshua. But that life increasingly offended and bored the growing radical in him.

Melville’s father was a devoted member of the Communist party; the previously apolitical younger man took quickly to the leftist ideals and even overtook his father’s zeal; “(w)hile Sam despised the cowardice of the Communist Party,” Melville’s lover and bombing accomplice Jane Alpert would later write, “its political analysis of imperialism and the inevitability of socialist revolution was the first and last political doctrine he ever learned.” According to Alpert, Melville became disillusioned with his father, who in the end “could not stand up to McCarthyism, left the party and abandoned his ideals…”21 His father died in April of 1968, just as Cuban Power’s first bombs were echoing through New York City.22

“The only thing you have to teach a plumber is that payday comes on Friday and shit don’t go uphill,” Melville would say later in life to Alpert.23 A long middle-class life as a plumbing engineer and instructor wasn’t Sam Melville’s fate and by 1968 he had left his career, never to return. Melville and his wife separated when Joshua was barely a year old, and he was increasingly

S.D.N.Y. 1970) December 1969, FBI biographical data found in intelligence files, and accounts relayed by Jane Alpert in her introductory essay to Melville’s book of prison letters: Letters From Attica (see especially pages 11-15). While Alpert’s accounts of Melville’s early life are her recollections of his anecdotal stories and thus potentially flawed, they remain among the limited source available on these years.

21 Alpert, Letters, 13
22 Many New Left leaders, and many who would turn to terrorism, were the children of former Communist Party activists; beyond Melville, the long list includes at least Weather Underground leaders Judy Clarke, Kathy Boudin, Jeff Jones, and Eleanor Raskin.
23 Ibid., 15
estranged from his son; after early 1968 Melville never spoke to him again in person. Melville’s son would, decades later in 2000, be awarded $25,000 as part of a settlement awarded to the families of inmates killed during the 1971 riot.\textsuperscript{24}

During that tumultuous year of 1968, Sam Melville began to take radical protest activities considerably more seriously. Becoming increasingly involved with the Columbia University Community Action Committee (CAC), an organization of local residents and Columbia students formed primarily in opposition to the University’s expansionist real estate program in historically African-American Harlem, Melville befriended John Cohen.\textsuperscript{25} Cohen was at the time a vocal leader of the CAC who had been arrested for protests not just in New York City but also at the infamous March on the Pentagon in 1967, and often quoted in underground publications like \textit{RAT Subterranean News} for his speeches at campus and community events. A future member of the bombing collective and the only public link to Melville during his time in jail, Cohen would remain an important figure for the remainder of Melville’s life.\textsuperscript{26}

It was also through the Columbia CAC that Melville first met Alpert, a young, recent Swarthmore College graduate from Forest Hills, a quiet middle-class enclave in central Queens not far from where the 1964 World’s Fair took place while she was still a teenager. Despite left-leaning politics and some protest activities, she seemed already on the path to financial and social mobility as an up-and-coming editorial assistant at Cambridge University Press.\textsuperscript{27}

\begin{footnotes}
\footnote{25} Records pertaining to the Columbia CAC during the period Melville and Cohen belonged to it can be found at the Columbia University Archival Collection, University Protest and Activism Collection, 1958-1999, Box 10 Folder 23
\footnote{26} Cohen is the person referred to by the pseudonym “Greg Rosen” in Alpert’s memoir, \textit{Growing Up Underground}, and wrote an introduction in \textit{Letters From Attica}.
\footnote{27} Alpert, \textit{Growing Up Underground}, and FBI FOIPA Records (Request #1315776-0) pertaining to her arrest.
\end{footnotes}
Their relationship developed quickly amidst the turbulent times. Alpert and Melville moved to the East Village in November of 1968 to an “awful” place on 11th street between Avenues B and C that “smelled of cat semen.”28 In May of 1969, the couple would relocate to a second floor apartment at 235 East 4th street; Patricia (Pat) Swinton and her sometimes-boyfriend John David Hughey, III, lived three floors upstairs from them in a corner fifth-floor apartment overlooking East 4th street and Avenue B. Hughey and Swinton would, along with Alpert and Melville, form the core of the bombing collective, making 235 East 4th street something of a terrorism hub in New York City in 1969.

THE CANADIAN CONNECTION

The Front de Liberation de Quebec (FLQ) was a revolutionary separatist movement that emerged in the French-Canadian (Quebecois) province in 1963.29 Michelle Duclos and Michelle Saunier, who had helped Robert Collier and the Statue of Liberty plotters obtain dynamite in 1965, were allegedly both members of the organization.30 Dynamite explosions became common occurrences

28 Alpert, Letters, 17
29 The three founding members of FLQ were all young members (Georges Schoeters, Gabriel Hudon, and Raymond Villeneuve) of the Rassemblement pour l'Indépendance Nationale (RIN), an organization that dated to 1960 and was the beginning of the political Quebecois separatists movement. For general background on FLQ and the Quebec separatists movement, few English-language sources exist, but the English translation of Louis Fournier’s *F.L.Q.: The Anatomy of an Underground Movement* (Toronto: NC Press, 1984) is a hard-to-find but valuable source. See also Walter Reich, *Origins of Terrorism*, for a valuable, albeit short, scholarly secondary source. *The October Crisis, 1970* by William Tetley is mostly restricted to the dramatic events of that month, and *White Niggers of America*, a memoir by FLQ’s Pierre Vallières written while held for four years in the same New York City Men’s House for Detention (“The Tombs”) that Sam Melville would be held.
30 Fournier, *F.L.Q.*, 137, and elsewhere in his book, cites RMCP reports that link them with the group, although they were never arrested specifically for any of its actions (they were both arrested in connection with the Statue of Liberty plot, however).
throughout Quebec between 1963 and at least 1970, when various cells – the organization “was not a monolithic whole but was composed of related and often discordant groups,” according to FLQ scholar William Tetley\(^\text{31}\) – carried out more than one hundred bombings of military recruiting offices, institutions of Canadian capitalism like banks, and even foreign diplomatic posts.\(^\text{32}\) On February 13\(^\text{th}\) of 1969, an FLQ cell dramatically upped the ante, carrying out the most impactful bombing of its long campaign; just as the trading day was starting to wrap up, a massive bomb exploded at the Montreal Stock Exchange, hospitalizing twenty-seven people.\(^\text{33}\)

That month – February 1969 – Alpert was in England on a two-week business trip for her “straight” publishing job with Cambridge University Press. Upon her return, she discovered to her great surprise that two FLQ fugitives – Jean-Pierre Charette and Alain Allard – had been staying in the apartment she and Melville shared. Pierre-Paul Geoffroy, the leader of the FLQ cell responsible for the Stock Exchange bomb, was under arrest in Canada, and in early April was sentenced to 124 concurrent life sentences.\(^\text{34}\) The two other members of the small cell, fleeing the Canadian dragnet, arrived in New York City with a single contact, an African-American radical –

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\(^\text{31}\) William Tetley, *The October Crisis*, 18

\(^\text{32}\) See the previously mentioned English language sources; short of a quantitative accounting of FLQ attacks, the author relies on the narrative of events in Fournier’s *F.L.Q.*, and the estimation that Reich provides in *Origins of Terrorism*, without quoting a more-defined number that is hard to justify without original exploration of the subject.

\(^\text{33}\) “Bomb Explodes in Montreal Stock Exchange, Wounding Many,” *New York Times*, February 14\(^\text{th}\), 1969. See also Fournier, *F.L.Q.*, 150. At the same time, Cuban exiles continued their own, quite ideologically distinct, campaign of terrorism in Canada, who along with Mexico were the only western hemisphere nations still openly trading with Cuba. In 1966 Cuban exiles attacked the Cuban Embassy in Ottawa in a rocket attack, in 1967 several exiles including Orlando Bosch were arrested for plot to bomb ships at port in Canada and elsewhere, and in May of 1969 two exiles, Guillermo Novo one of them, were arrested for a plot to bomb buildings and ships in Montreal. See “Bomb Blast Damages the Cuban Embassy in Ottawa,” *New York Times*, September 23\(^\text{rd}\), 1966; "Bombing Plot Laid to 6 Cuban Exiles," *New York Times*, July 20\(^\text{th}\), 1967; "2 Cubans Seized in Jersey in Montreal Bomb Plot," *New York Times*, May 21\(^\text{st}\), 1969.

who wanted nothing to do with them. The Canadian pair then proceeded to ping-pong around New York’s underground leftist radical community until eventually being given Melville’s name and number.\footnote{Alpert, \textit{Underground}, 154-157}

From the moment they first came into his orbit until he helped to facilitate their departure, Melville “devoted his whole existence to caring for their needs.”\footnote{Alpert, \textit{Letters}, 24 – 25} He provided or found them shelter and provisions so they wouldn’t need to venture out in the city where, with their extremely limited English skills, they would attract more attention than they wanted. He kept them informed by purchasing Canadian newspapers every day to monitor for information on the developing situation at home. He attempted different ways to secure identification for them so they could legally travel out of the United States to another nation, ideally Cuba, where they might find refuge. Finally, Melville traveled several times to Canada to contact their FLQ colleagues – efforts that would eventually come back to haunt him.\footnote{Alpert, \textit{Growing Up}, 152 – 160; Melville’s travel to Canada and the Canadian-American border is discussed at great length in his declassified FBI files.} Alpert, fully committed to both the movement and to Melville, obligingly embraced the men into their home and life.

More than a welcoming host, Melville was also an astute and committed student. “Sam’s brief involvement with the overground (sic) movement was gradually coming to an end” in late 1968, Alpert remembers. “Movement gossip bored him; talk that was not supported by action aroused his anger… The more he informed himself about the war, about foreign policy, and about the economic structure, the more he felt it was all doomed and that the only right action was whatever would push its physical destruction a little closer. He began to fantasize about sabotage.”\footnote{Alpert, \textit{Letters}, 20}
Canadians taught Melville a great deal that he would come to utilize, including how to acquire and care for explosives, and how to build time bombs. He was a quick study; the technical skills that Melville had spent many years employing as an engineering professional were now being put to altogether different purposes. In March of 1969, after a winter in which Melville moved downtown and when John Cohen saw him infrequently, Melville told him “he couldn’t bear inactivity anymore; he wanted to do something, to know indisputably that he had helped in a real way…” He was well on his way to learning how to do so.

While Melville was learning his new trade from the Quebecois visitors, twenty-one members of the New York City Black Panthers (including Statue of Liberty plot ringleader Robert Collier) were arrested in a hugely public spectacle of raids and press conferences on April 2nd, 1969. The indictment alleged that the Panthers had attacked NYPD police stations with bombs over the previous several months, and that they were in the final stages of preparation to bomb several popular New York department stores including Alexander’s and Gimbels, railway tracks, and, curiously, the Bronx Botanical Gardens. Unsurprisingly, BOSS was at the very center of the Panther 21 case – no fewer than six members of BOSS had infiltrated the New York City Black Panther Party, and according to federal prosecutor-turned-Panther 21 scholar Peter Zimroth, BOSS agents “were among the earliest members of the New York branch, indeed among the founders” when it first appeared in 1968. BOSS detectives briefed the nearly 150 NYPD officers specially

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39 Alpert, *Growing Up*, 156
40 John Cohen, *Letters*, 48
chosen to perform the numerous raids across the city to arrest the nearly two-dozen indicted Panthers.\textsuperscript{42} Three BOSS infiltrators – Ralph White, Carlos Ashwood, and Eugene Roberts – would play crucial roles in the prosecution.\textsuperscript{43}

BOSS leadership, including the Commanding Officer, Captain William Knapp, met with Lindsay in advance of each summer to brief the Mayor on the outlook of threats and potential issues of concern as the season approached. Just four weeks after the Panther arrests, Jay Kriegel – the Mayor’s close aide, designated with the responsibility to oversee law enforcement matters – suggested that Lindsay request a more in-depth briefing this time around, rather than the very general briefing usually delivered. Kriegel also suggested that the Mayor request that some of BOSS’s “undercover men” be present, so that Lindsay could “have the opportunity to confront first hand some of the people who really have a sense of what might be happening.” Even Kriegel admitted, though, that the Department and BOSS might “refuse this as too risky, but I think it’s worth a try.” That Kriegel acknowledges that NYPD could very likely refuse this request of the Mayor illustrates the independence of the department.

The issues on Kriegel’s mind as the summer of 1969 approached were “guerilla-type actions, such as bombings…” that would indeed emerge as the temperature rose.\textsuperscript{44}

Whether or not the Mayor did receive a more substantial briefing from BOSS as the summer approached, or if the “undercover men” did in fact take part in that briefing, is unclear.

\textsuperscript{42} As recounted by Zimroth, \textit{Perversions of Justice}, 25
\textsuperscript{43} Eugene Roberts, especially, had a long and successful career as a BOSS infiltrator of African American movements. He had so successfully penetrated Malcolm X’s inner circle that he was present on stage when Malcolm X was assassinated in February of 1965, and attempted to save the civil rights leader’s life by performing CPR.
\textsuperscript{44} “Jay L. Kriegel to Mayor John V. Lindsay, RE: Police briefing on the summer,” April 30\textsuperscript{th}, 1969 - Box 15 Folder 176.1, JVL Papers, NYMA/LWA
What would become clear, however, is that as terrorist bombings escalated, BOSS would in fact become considerably less of a factor than it had been in the past, and considerably less a factor than its mission would suggest. And as this chapter explores, City Hall would also take a lesser role than one might imagine given the Lindsay administration’s interest in these matters and given the proactive role he himself took in previous unrest such as that threatened the city in the aftermath of the assassination of Dr. King – but as following chapters argue, City Hall’s lesser role was not to last long.

The trial of the Panther 21 (eventually referred to as the Panther 13, in reference to the number of Panthers who would make it to trial) would take more than two years to very publically play out in New York City. Melville and Alpert, on the other hand, made quicker work with their plan to help the Quebecois escape to safety. On May 5th 1969, after exhausting what they thought were the alternatives, Alpert and Melville assisted the men in making their way to Cuba by helping them prepare to hijack a National Airlines flight bound from LaGuardia Airport in Queens to Miami. The men diverted the flight, a Boeing 727 with seventy-five passengers aboard, to Havana.45 Alpert had even withdrawn cash from her own personal bank account to purchase the airline tickets for them. Listening on the radio that night, Melville and Alpert gleefully heard reports that it was the twenty-fourth successful hijacking since the beginning of the year.46 “He never saw them

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45 Alpert describes the hijacking in *Growing Up*, but obscures the factual details as she does with other aspects of her story that may have resulted in further legal action against her. Details of the flight found on the Aviation Safety Network website, [www.aviation-safety.net](http://www.aviation-safety.net), accessed 8/3/2015, and in National Advisory Committee on Criminal Justice Standards and Goals, Report of the Task Force on Disorders and Terrorism, Appendix 6: “Chronology of Incidents of Terroristic, Quasi-Terroristic Attacks, and Political Violence in the United States: January 1965 to March 1976,” by Marcia McKnight Trick, 1976

again, but he talked of them often and I believe that they had a greater influence on him than anyone else in those last months of his freedom,” Alpert remembers. “He was now determined to imitate their exploits.”

The influence and impact of the radical elements of the nationalist movement and Quebec separatists, and especially of the FLQ, on the reemergence of terrorism in New York City (particularly from the political left), and therefore in the United States in this period, has been entirely overlooked in the scholarship. In the first place, the Quebecois movement represented a model, just north of the border, for ideologically-aligned leftist radicals in the United States to observe and mimic. But the Canadian connection extended beyond inspiration. In 1965, Michelle Duclos and her associates acquired and transported dynamite from Canada to New York City for Robert Collier and his group of Statue of Liberty plotters, putting in motion the first major arrests for a terror plot in New York City in decades. Melville, looking for an outlet for his increasingly radical drive, found it when the two FLQ terrorists serendipitously landed on his doorstep, ultimately setting in motion not only the exploits of his collective but also the many others those exploits would later inspire. Just as he would imitate the FLQ approach, so would others including Weather Underground imitate his. Of course, similar bombings had also been occurring in New York – the Cuban Power bombings in 1968 were an example of front-page terrorism in practice that Melville and his associates could not have avoided as they went about their lives in the city during that six-month period. But while they may certainly have considered concepts like

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47 Alpert, Letters, 25. The men would remain in Cuba for a decade, ultimately returning, voluntarily, to Canada to face justice just as Alpert would herself come out of hiding to do. They, along with other separatist terrorists in Quebec who did likewise, would all receive sentences of less than two years.
bombings for political protest, avoidance of civilian casualties, target selection, and examples of post-bombing press releases that were offered up by the Cubans, the FLQ bombers contributed all of this and significantly more. The Quebecois illustrated not only how this tactic of terrorism could be brought to bear to support the leftist politics that Melville and his collective fully identified with, they also brought technical and practical tutelage that it would have been impossible for the Americans to move forward without.

In fact, as Jeremy Varon similarly argues, other than white racist terrorism – the KKK and similar groups – much or most of the extraordinary levels of terrorism during the era must be seen through an essentially transnational lens. Some of the groups and individuals, like Cuban Power, were essentially engaging in a foreign conflict on U.S. soil; others like the State of Liberty plotters and Melville collective were trained in their craft and influenced by both foreign individuals or groups, and compelled by events abroad like the war in Vietnam. Even the Minutemen were compelled to terrorism by their fear of a foreign enemy infiltrating the homeland.

**ENTER THE FBI**

By the time Sam Melville first met Jane Alpert in September of 1968 he was already on the FBI’s radar. On July 26th, 1968, a reliable confidential informant reported to the FBI that Melville had designs on visiting Cuba; the New York office initiated what appears to be a routine internal security investigation.48 A credit check was run. NYPD files – most likely those of BOSS – were

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48 It was a not-uncommon protest activity for radicals to visit Cuba in vocal support of the Cuban Revolution and in opposition to the American government sanctions of the island nation. See Van Gosse, *Where the Boys Are: Cuba, Cold War America and the Making of the New Left* (New York: Verso, 1993)
checked. His former employer and the superintendent of his most recent known residence were interviewed. Several confidential informants familiar with various pro-Cuban organizations and movements in New York City were asked about Melville; none were familiar with him. The case was closed, but not before Melville was identified and officially given an FBI case number in the 105 series (Foreign Counterintelligence). If not for what transpired over the next year and a half, the FBI’s investigation of Melville would have disappeared into the stacks of files of countless other Americans who were similarly investigated, and he himself might never have known.

Instead, Melville reappeared on the FBI’s radar not long after his initial case was closed in late September of 1968. In early April of 1969, the Royal Mounted Canadian Police (RMCP, or “Mounties”) reported to the FBI that Melville and Alpert were reported to be meeting with a known French radical suspected of being a member of FLQ, Pierre Cattelier, in a hotel in Champlain, New

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50 Melville’s FBI case number was designated 105-183379. The investigation into Melville originated in the FBI’s Series 105 investigations (Foreign Counterintelligence) because of his suspected ties to pro-Castro Cuban elements in New York City and throughout the nation; others in the New Left and Black Panther movement would be similarly investigated for their statements of support and travel to the island nation and Vietnam. NARA’s own Finding Aid notes the all-encompassing nature of Classification Series 105 that would include COINTELPRO operations: “In the mid 1950s, Classification 105 was used to investigate aliens, especially from Russia and Eastern Europe. It was also to investigate the Ku Klux Klan, anti-Semitic groups and other hate groups. In 1959, these investigations were transferred to Classification 157: Extremist Matters; Civil Unrest. In the late 1950s and early 1960s investigations focused increasingly on Puerto Rican groups and especially on pro-Castro and anti-Castro Cuban groups. In the 1960s, Classification 105 was also used to investigate Chinese communist activities. In 1971 the classification was renamed Internal Security-Nationalistic Tendency (Foreign Intelligence), but investigations went beyond the activities of foreign intelligence services to include groups working for foreign political movements, such as IRA supporters, Arab terrorists, the Jewish Defense League, Yugoslav émigré groups, and Cuban groups…” National Archives website, last accessed June 23rd, 2016: https://www.archives.gov/research/investigations/fbi/classifications/105-counterintelligence.html
York – a small lakeside town on the Canadian border. What the Mounties didn’t know then was that Melville was in contact with Canadian radicals in an effort to obtain fake identification for the FLQ fugitives hiding out in New York. Regardless, the Mounties sent an officer to their hotel room, ostensibly on a “routine check,” to make copies of their identification papers and obtain their home addresses. Alpert thought it a coincidence at the time. It wasn’t. Their investigation, and the intelligence they had gathered on Melville, quickly made its way back to the FBI. Just one week earlier, Melville had been mentioned in the FBI Legal Attaché in Montreal’s report on anti-war demonstrations at McGill University in that city. According to a reliable FBI source, Melville had been officially deported from Canada on the day of the protests, March 28th, 1969. He had been on the train from New York City to Canada that morning and was rejected by Canadian immigration; he tried to gain entry again, a short while later, at Blackpool, Quebec, and was once more rejected entry. This time, though, Melville caused “such a disturbance that Canadian immigration held him, provided him a hearing, and officially deported him.”

That Melville was so vigorously trying to get into Canada, that he met with known French radicals who were already under observation – radicals who had only days earlier met with members of the Black Panther Party from Boston who had traveled to Montreal – got the FBI much more intrigued about him than they had previously been. It was after the RMCP notified the Bureau of Melville’s activities that the FBI – specifically the Domestic Intelligence Division –

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51 FBI documents suggest it was Cattellier; see “FBI Memorandum, Legat Ottawa to Director FBI, Subject: Front De Liberation Quebec (FLQ) Internal Security – Canada,” April 22nd, 1969; FBI FOIPA Records Request #1315776, HQ pg 24
52 “FBI Teletype, FBI Director to Legat, Ottawa, [Subject Redacted], Internal Security – Canada,” April 3rd, 1969; FBI FOIPA Records Request #1315776, HQ, page 9
53 Alpert, *Growing Up*, 162
54 “FBI Memorandum, [To / From Redacted], RE: Samuel J. Melville, [Subject Redacted], Internal Security – Canada,” June 25th, 1969; FBI FOIPA Records Request #1315776-0 HQ, pages 28-32
began to more vigorously look into Melville’s activities in the U.S., as well as those of the Black Panthers who had also traveled to Canada.\(^5^5\) On the heels of the RCMP tip, in April of 1969 Agent Thomas J. Dowling of the FBI New York office was put on the Melville case, just days after his deportation from Canada.

Many months before a man by the name of George Demmerle ever came into his life, then, Sam Melville had been unknowingly under the watchful eye of FBI informants.\(^5^6\)

**DYNAMITE**

The timing of the increased FBI scrutiny that emerged from his travels to Canada couldn’t have been worse for Melville. The FBI’s vigorous investigation of him commenced just as Melville was moving from frustration at inaction to actual plotting.

Melville had never stopped talking about bombs and dynamite since the Canadians were in town; in the weeks after their successful hijack-exit from New York City, Melville’s desire to acquire explosives continued to escalate. Alpert suggested a simple solution – looking up

\(^{55}\) T.D. Pawley and Doug Miranda, senior Black Panther Party leaders from Boston, met with the French separatists on March 26\(^{th}\) in Montreal. (See “FBI Memorandum, [To / From Illegible], [Subject Melville etc.],” April 1\(^{st}\), 1969, page 2 of 2, FBI FOIPA Records Request #1315776-0 HQ pg 7-8/49); Jennifer B. Smith, in *An International History of the Black Panther Party*, page 98, (Oxfordshire: Taylor & Francis, 1999) discusses other activities that Pawley took in Canada on behalf of the Black Panther Party before he was allegedly “purged” from the organization later in 1968.

\(^{56}\) “FBI Airtel, SAC New York to Director FBI, Subject: Alleged Matters With Canadian French Separatists and Black Panther Organization, Champlain, New York,” April 2\(^{nd}\), 1969, and “FBI Memorandums, SAC NY to Director FBI, RE: Samuel Joseph Melville, Internal Security – Canada,” June 25\(^{th}\), 1969; FBI FOIPA Records Request #1315776-0 HQ
“explosives” in the yellow pages, which to Melville’s surprise yielded all the information he needed.57

Dynamite in New York City was controlled much tighter than it was in surrounding areas – the main reason Robert Collier elected to travel to Canada to acquire the explosives the State of Liberty plot required. Explo Industries on Zarega Avenue in the Bronx had been granted a monopoly of dynamite sales in New York City in order to keep strict controls on the dangerous material; dynamite wasn’t even allowed to be stored overnight at construction sites – it had to be picked up and dropped off every day by Explo.58

John Katzenberger, the lone night watchman for Explo’s compound of two concrete blockhouses – one for dynamite, one for blasting caps – was in the office at 1:00AM on the night of July 7th reading a copy of the New York Post. Suddenly, Melville and two other men with red bandanas covering their faces like an old train robbery movie burst through the door, demanding dynamite at gunpoint.59 The perturbed night watchman told them where to find what they wanted; the three robbers tied Katzenberger up with a clothesline and walked out the front gate with three fifty-pound boxes of dynamite (65 sticks per box), and two boxes of blasting caps (50 caps per box).60

NYPD officials would later wonder why anyone would risk serious time in jail for armed robbery for something they’d have no trouble purchasing just outside the city for less than $200.61

57 Alpert, Growing Up, 188
58 Albert Seedman, Chief!, 230
59 The identities of the other collective members who took part in the robbery are known but have not been publically identified.
60 "FBI Memorandum, SAC NY to Director FBI, Subject: Samuel Joseph Melville AKA [Redacted], Fugitive, IO#4337; et al, DGP,” January 9th, 1970; FBI FOIPA Records Request #1315776-0
61 Seedman, Chief!, 230. As terrorism scholars including Randall Law have pointed out, the advent of dynamite by Alfred Nobel in the 1860s had a profound impact on terrorism (Randall
Years later, Alpert recalled her thoughts of that night: “It hadn’t been real until [then], when four boxes of explosives lay on the kitchen floor.” Having heard that cold storage prevented deterioration of the explosives, they stored it in their refrigerator. It had barely been two months since the Canadian terrorists had made their way to Havana, and after escalating devotion to their radical politics and to the movement, the emerging collective had taken the first irrevocable steps on the path that their Quebecois compatriots traveled.

**THE MELVILLE COLLECTIVE**

This Melville collective resembled what is known of the FLQ cells in Canada, and very much how Ivan Acosta, arrested during the Cuban Power roundup in New York City, describes the myriad Cuban exile groups: a loosely structured assortment of like-minded friends and associates with nothing but an ideological association with any other similar “collectives” or larger organization. The exact size of the Melville collective is probably indeterminable because of the lack of structure. There were at least seven or eight members and almost certainly more than that, but outside of the core individuals the others largely came and went, and there were varying degrees

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Law, *Terrorism: A History*, Polity Press, 2009, page 83). It was with this powerful and much easier to acquire, store, and transport, explosive – relative to gunpowder – that terrorists across the world for more than a century found their weapon of choice. As Gage argues, “anarchist circles were awash with praise for dynamite as a transformative revolutionary tool. As a weapon, it required little skill or effort; dynamite was cheap, available, and easy to use. Like a gun or a knife, it could be easily hidden… Dynamite gave its owner the ability to act anonymously; bombs could be planted on an enemy’s doorstep or tossed from afar.” (Gage, *The Day Wall Street Exploded*, 45). Not coincidentally, it was only in the wake of the widespread use of dynamite in terrorist attacks during the long Sixties that the procurement of dynamite became as regulated as it is today in the United States.

62 Alpert, *Growing Up*, 192
of commitment, varying commitment to violence, and differences in opinion on questions like harming civilians. The core consisted of Alpert, Melville, Swinton and Hughey, along with John Cohen and friends Robin Palmer and Sharon Krebs. As Jeremy Varon argues, none of the rigidity or “seemingly single-minded commitment to revolutionary violence, or tight group discipline” that would characterize Weather Underground cells to emerge in the coming months and years, for example, existed in the Melville collective. Furthermore, those associated with the collective remained above-ground during their activities, also starkly different from many who would follow; various collective members “remained active in their careers and in a range of activism, including alternative education, underground journalism, and guerrilla theater…. The life of the Melville collective, unlike that of the hyper-disciplined Weathermen, had a haphazard, make-it-up-as-you-go-along quality, punctuated by moments of exhilaration and great danger.”

The central members of the collective all lived at 235 East 4th street – Melville and Alpert, and three floors above them, Hughey and Swinton. The four of them “had become a kind of family” by the spring of 1969. John David Hughey, III – known as David – was the son of a prominent Baptist minister from Sumter, South Carolina, where his family had been for generations. Twenty-two years old in 1969, Hughey had no cash in bank accounts, no property,

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63 Alpert, Growing Up, 209
64 Other New York radicals that moved in the same circles are possible members, for as much as membership did or didn’t mean. Varon, in recounting his conversation with Palmer, mentions at least three members who have never been named publically, including an Ivy League professor (Varon, Brining the War Home, 118). Wolfe Lowenthal, named as an unindicted co-conspirator in the Chicago 8 trial, later explained that “[b]y the end of the sixties, I was near the forefront of the anti-war movement. I had become a terrorist... My new playthings were guns and dynamite.” (Wolfe Lowenthal, Gateway to the Miraculous: Further Explorations in the Tao of Cheng Man Ch'ing, Berkley: Blue Snake Books, 1994)
65 Varon, Bring the War Home, 119
66 Alpert, Growing Up, 188
no car, no driver’s license. His only arrest at the time was for attempting to hang a Vietnamese flag on the arch of Washington Square Park during a protest in 1968.\footnote{Bail Hearing for John David Hughey III, November 19\textsuperscript{th}, 1969, Trial Transcript pg. 25 – 27, U.S. v. Melville et al, No. 69 CR 811 (S.D.N.Y. 1969), Box #6, Ascension # 021-76A-0877, Location # A8629052, NARA-NYC}

Hughey was Pat Swinton’s sometimes live-in partner in her apartment on the fifth floor of the East 4\textsuperscript{th} street building. Older than Hughey by a decade, Swinton had lived and worked in Italy and Tanzania after graduating university in 1962; she had married, borne a daughter, and divorced before returning to the United States and New York City.\footnote{Francis X. Clines, “Bomb Suspect Tied to Radical Paper,” \textit{New York Times}, December 5\textsuperscript{th}, 1970. See also biography of Pat Swinton as told by Alpert in \textit{Growing Up}, 138}

Richard (Robin) Palmer and his girlfriend at the time, Sharon Krebs, were also members of the collective but never identified by authorities and never prosecuted for any of the bombings carried out by the group. The couple, closer in age to Melville than to other young radicals in the movement, were well-known in leftist circles in New York. During a November 1968 Humphrey-Muskie rally, the two were famously photographed while presenting the startled well-dressed attendees with a pig head on a platter – while naked themselves.\footnote{Francis X. Clines, "Bomb Suspect Tied to Radical Paper," \textit{New York Times}, December 5\textsuperscript{th}, 1970}

Palmer, at the time of the bombings, lived at 90 Bedford Street in the West Village, almost a direct straight line west, one and a half miles across town, from the building where Alpert, Melville, Swinton, and Hughey lived on East 4\textsuperscript{th} street.\footnote{“FBI Report of SA Vincent A. Alvino, ‘Richard Robin Palmer,’ Security Matter – Anarchist, Bureau File# 100-417909,” November 21\textsuperscript{st}, 1969; FBI FOIA Case File 100-HQ-417909} Born in Harlem in April of 1930, Palmer was even older than Sam Melville and considerably older than the other members of the collective. A former Army paratrooper, Palmer’s short military career ended as a conscientious objector to
the Korean War in 1954.\footnote{Palmer received a General Discharge for refusing to go to Korea, and successfully fought to have it changed to an Honorable Discharge. See “FBI Memorandum, SAC Albany to Acting Director, FBI, Subject: Richard Robin Palmer, SM: Revact (Extremists),” June 21st, 1973; FBI FOIA Case File 100-HQ-417909} He went on to graduate from Cornell University in Ithaca, NY – where he would spend the latter half of his life – and by 1965, the increasingly activist Palmer had become involved with SDS, veterans’ protest groups, and would find himself in the center of the famous October 1967 anti-war rally and riot at the Pentagon where he became friendly with future Yippie leader Abbie Hoffman.

In 1968, Palmer also found himself at the center of the protests at Columbia University. It was there that he and Sam Melville came into the same orbit.\footnote{Varon, \textit{Bringing the War Home,} 147-149} In recounting his personal experiences with historian Jeremy Varon, Palmer found his trajectory toward bombing buildings with Melville (and eventually with Weather Underground – more on this to follow) a “disillusioning journey” that started out in the mid-1960s with confidence in the “perfectibility of man” and filled with optimism after episodes like the passage of the 1964 Civil Rights Act. Like many of his peers, his outlook was ruined by the Vietnam War and by what he perceived to be the deterioration of democracy at home. By 1969, Varon later argues, Palmer had “directed his outrage at the entire system.”\footnote{Varon, from interview with Palmer recounted in \textit{Bringing the War Home,} 139}

Sharon Krebs and her ex-husband, Dr. Allen Krebs, were instrumental in establishing the Free University of New York (FUNY) in 1965, the largest of the non- “corporation-backed” universities that had sprung up around the nation to serve as homes for radical and leftist professors, many who had been dismissed from other universities because of ideological stances opposing the war in Vietnam. The list of classes taught at FUNY usually included courses with
titles such as “Revolution in Latin America” and “Theory and Practice of Radical Social Movements;”

Sharon Krebs taught Russian Literature. She later became involved with the guerilla-theater feminist group WITCH (Women’s International Terrorist Conspiracy from Hell), which made a name for itself by colorfully protesting HUAC and the famous trial of the “Chicago 8,” notable activists including Abbie Hoffman and Jerry Rubin who had been brought up on charges for the protests at the 1968 Chicago Democratic Convention. After her separation from Allen Krebs, Sharon Krebs – keeping his now-notable name – got involved with Robin Palmer and the various groups they’d belong to together.

**HUMBLE BEGINNINGS**

The United Fruit Company, the American company that elevated bananas from an exotic unknown fruit to one of the most consumed food products in the world, was in the last few years of its century-long existence in July of 1969, and had stood out for years as a symbol of so many of the things left-leaning radicals of the era took serious issue with. Throughout much of the twentieth century, the company exercised a dramatic and often volatile influence in almost a dozen countries in the Western Hemisphere including Costa Rica and Guatemala, fostering close ties with pliable, corrupt, and violent dictators. At home, it developed extensive ties in American political and

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75 Alpert also took part in some WITCH activities, including the protest of a commercial bridal convention at Madison Square Garden in New York City. For more on WITCH, see Alice Echols, *Daring to be Bad: Radical Feminism in America 1967-1975* (University of Minnesota Press, 1989)
business power circles. In his 2007 history of the company, Peter Chapman writes “United Fruit had possibly launched more exercises in ‘regime change’ on the banana’s behalf than had even been carried out in the name of oil.” When Guatemalan President Jacobo Arbenz took the initiative against the company’s dominance of his country in the 1950s, United Fruit became central players in the 1954 CIA-led coup to remove him. A young Che Guevara happened to be in the nation to witness the coup firsthand.

United Fruit had maintained shipping docks in lower Manhattan along the Hudson River for years. At about 12:15AM on the morning of July 26th, 1969, an explosion violently disturbed a quiet night in the then-desolate neighborhood. A bomb had been placed against a large steel door securing the north bay of the pier’s warehouse, but the explosion was generally limited. Thirty-thousand peat moss planters and the Hudson River absorbed most of the blast, but the explosion still twisted the steel door, tore an eighteen by eight-inch hole in the concrete below, and blew out windows all along the pier. NYPD Bomb Squad detectives determined it to be a high-order explosion with a powerful concussive blast, therefore almost certainly not accidental.

This was the first “action” of the Melville collective, intended to mark the anniversary of the Cuban Revolution. They bombed what they thought was the United Fruit warehouse, but unfortunately for the political message the bombers had intended to broadcast, the pier had in fact been long ago leased to a tugboat company.

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77 Seedman, *Chief*, 225
78 High-order explosions, as discussed in Note 19, page 124, are almost always caused by powerful explosives including TNT, dynamite, and military-grade explosives like C4. See “FBI Memorandum, SAC NY to Director FBI, Subject: Samuel Joseph Melville AKA [Redacted], Fugitive, IO#4337; et al, DGP,” January 9th, 1970; FBI FOIPA Records Request #1315776-0
NYPD Chief Albert Seedman was one of the most colorful and visible police officials in New York City during the 1960s and 1970s. Sporting a well-earned tough-guy reputation, tailored shirts with “Al” embroidered on the sleeves, jeweled rings on both hands, and a pearl-handled revolver, Seedman looked more the part of the gangsters he hunted than of the NYPD Chief of Detectives. Yet, that is the role he served in from 1971 until 1972, the first Jewish person to ever hold that post.79 In the summer of 1969, fifty year-old Seedman had just been appointed the Chief of Detectives for the southern portion of Manhattan Island. “Frankly, I didn’t pay too much attention to the report” of the pier bombing, recalled Seedman. For some reason, despite a number of politically motivated plots and attacks over the past few years including those discussed in this study, terrorism was not one of the motives that NYPD’s most senior policeman investigating the crime considered at the time. “During those first weeks I could only imagine one reasonable motive: someone had a grudge against United Fruit or the tugboat company that leased the pier. In any case, the bombing barely made the papers; the big news was that man had walked on the moon.”80 With no injuries, no clues, no claim of responsibility, not even anything stolen, the investigation went nowhere fast.81

What Seedman and his detectives failed to realize was that the bombing occurred on the sixteenth anniversary of Fidel Castro’s raid on the Moncada Barracks in Santiago de Cuba, itself a failure but widely recognized as the beginning of the Cuban Revolution that brought Castro to

80 Seedman, Chief!, 224. Neil Armstrong and Buzz Aldrin had been the first to walk on the moon just six days before the bombing and the space mission continued to dominate the front pages.
81 Ibid., 226
power six years later, at a site connected to a company regularly and loudly criticized for its activities in Latin America. Castro’s movement was even known as the July 26th Movement (Movimiento 26 Julio). That the explosion was so minor and no credit was known to be taken – political or otherwise – is perhaps what prevented it from rising to the attention of BOSS, the unit at NYPD most likely to connect these dots.

**CONCLUSION**

The bombing of the United Fruit Pier went as unnoticed outside of police circles as it was dismissed within them. However, the innocuous event is an important marker nonetheless – after years of activism and months of talking and planning, and then the dynamite robbery, Melville and members of his collective had turned idea into action.

The emergence of the Melville collective in New York City in 1969 is an important marker in the history of terrorism in Gotham as well as the nation during the long Sixties. Embracing not only the lessons and examples set by the fugitive FLQ members in their midst – part of an important Canadian connection to terrorism in the U.S. during this period – as well as the obvious example set by organizations like Cuban Power in the months prior to their own terrorism campaign, the Melville collective would soon become what Burrough argues is “patient zero” for others who would follow them from the political left including, notably, the Weather Underground.
PART II – The Melville Collective and the Year of Gigantic Proportions

Chapter 6 - George Demmerle : Portrait of an Informer
The Woodstock Festival in upstate New York is a marker in American history for many reasons. The most compelling pop-culture event of the era; the nexus between the 1960s and the 1970s; Jimmy Hendrix’s famous rendition of “The Star Spangled Banner.” The three-day festival took place only two weeks after the United Fruit Pier bombing, starting on August 15th, 1969. Among the nearly half-million attendees were several members of the Melville collective including, at least, Alpert, Palmer, Krebs and Sam Melville himself.

He hated it. According to Alpert, Melville felt “oppressed by the utter mindlessness around him” and wanted to go back to New York City almost immediately.¹

In addition to the countless musical acts, there were also dozens of booths and tables and smaller events occurring within the larger festival; in the “Movement City” section, where various leftist political organizations set up camp to distribute literature, a small but notable group known as “The Crazies” set up shop to sell buttons, pass out pamphlets, and talk with festival-goers. Among the untold other markers in history that resulted of those three days in upstate New York was the chance meeting between Melville and George Demmerle, “dressed in his shining purple Prince Crazy cape and feathered helmet… hard at work manning the Crazies booth.”²

GEORGE DEMMERLE: PORTRAIT OF AN INFORMER

George Demmerle was a well-known figure in anti-war and various other leftist circles in New York City during the late 1960s. A machinist with a distinct Brooklyn accent, Demmerle was, like

¹ Jane Alpert, Letters, 28
² Ibid.
Sam Melville and Robin Palmer, somewhat older than most of the activists they surrounded themselves with who were usually in their early twenties. Many others in the movement in New York City were barely walking when George Demmerle was arrested in 1949 for going AWOL from his duty with the U.S. Air Force, ultimately yielding him a dishonorable discharge.

Three years before Woodstock, on August 9th, 1966, a message turned up on the desk of Special Agent John Robinson at the FBI New York office. A man he didn’t know phoned to let the FBI know that he intended to “infiltrate a subversive group and also attempt to raise himself to a policy making position in this group in order to compile subversive information.” Special Agent Robinson, who would become Demmerle’s main contact and advocate at the New York office, phoned him back more than a month later, on September 13th, and invited him into the office for an interview. During the interview, Demmerle made clear to Agent Robinson that he was “greatly concerned with the present trend of the U.S. toward socialism and possibly Communism, which is apparent to him because of recent U.S. Supreme Court rulings and legislation as being passed by the U.S. Congress.” The civil rights rulings of the Warren Court and legislation such as the Civil Rights Act and the Voting Rights Act were evidently too alarming to Demmerle “to sit idly by and let this happen without trying to do something about it” any longer.  

His phone call and then visit to the New York Bureau office, though, were not the first time Demmerle appeared on FBI, or for that matter NYPD, records. During the then-ongoing investigation of the Minutemen, Demmerle’s name appeared on lists of members of that group, and BOSS obtained a copy of his Minutemen membership application. Demmerle admitted he

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3 FBI New York field office’s nine-page, December 1966 initial report and request for PSI status for Demmerle is tremendously revealing and frank and serves as the source for all of the preceding. See “FBI Memorandum, SAC NY to Director FBI, RE: George Edward Demmerle, PSI,” December 20th, 1966; FBI FOIPA Records Request #1319364-0
had been a member of John Birch Society, and had corresponded with the Minutemen, but ultimately found the organizations too far right for his own liking. That didn’t stop him, however, from suggesting to the Minutemen organization in his 1964 membership application that, given he was an artist, he could blend in with “leftist” types. He essentially offered the Minutemen the same service that he eventually came to render for the FBI.4 Ultimately, Demmerle concluded that his conservative, patriotic ambitions could better be served by infiltrating and compiling “subversive information” on left wing organizations and “learning how they operate” than by being a part of John Birch Society or Minutemen or other similar right wing organizations who “were not doing any good for the U.S.”5

At the end of their interview in the fall of 1966, Demmerle was not yet officially an FBI informant and thus Special Agent Robinson could not actually “task” him; what the Special Agent did do, however, upon hearing that Demmerle had no specific ideas of what organizations to try to subvert, was to ask him if he had ever heard of the Progressive Labor Party (PLP), and note that PLP was supporting the candidacy of Hal Levin, a Brooklyn communist, for Congress; before too long Demmerle had contacted Robinson to let him know that he had volunteered on the campaign and was invited to official PLP functions.6 Without officially tasking Demmerle, the FBI had him out in the field as a political informant, and the fervor with which Demmerle attacked his first non-

4 Demmerle Minutemen Application, found in Demmerle’s FBI records; see “FBI Memorandum, SA [Name Redacted] to SAC, RE: Minutemen – Internal Security, Misc.,” July 16th, 1968; FBI FOIPA Records Request #1319364-0
5 “FBI Memorandum, SAC NY to Director FBI, RE: George Edward Demmerle, PSI,” December 20th, 1966; FBI FOIPA Records Request #1319364-0
6 PLM was also, not surprisingly, a target of NYPD BOSS infiltration. As Bouza tells it, PLM was infiltrated by BOSS undercover Abe Hart, recruited out of Pittsburgh so ties to NYPD would be even further obfuscated. Anthony Bouza, *Police Intelligence*, 83
assignment convinced Robinson that he was committed, and that he had “the initiative and ability
to infiltrate a subversive group.” Even Demmerle’s troubled past – his dishonorable discharge, his
upbringing in foster homes, the three years he spent receiving psychiatric care between 1958 and
1961 – were seen as possible positive attributes, as Robinson argued, because the majority of PLP
members and other leftists “have also shown traits of instability themselves.”

Yet, the Minutemen arrests in New York City occurred barely six weeks after he first met
with Special Agent Robinson. While Demmerle was never indicted on any Minutemen charges,
he was subpoenaed to appear before the grand jury investigating the charges brought against the
group by Queens District Attorney Hentel, and was subsequently laid off from a job he’d had for
six years because of his employer’s fear that his connection to the case would negatively impact
the company. Despite the New York office’s continuing attempts, FBI Headquarters officially
denied granting Demmerle status as a Potential Security Informant (PSI) on February 2nd, 1967
because the “derogatory information developed on Demmerle… presented too great a risk of
possible embarrassment to the Bureau.” When Robinson met with Demmerle to let him know his
services were no longer needed and can no longer be paid for, but that the Bureau would continue
to accept any information he voluntarily provided as it would from any other citizen, Demmerle
responded that he would continue his activities – that it would be “absolute treason” to do
otherwise.

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7 “FBI Memorandum, SAC NY to Director FBI, RE: George Edward Demmerle, PSI,”
December 20th, 1966; FBI FOIPA Records Request #1319364-0
8 “FBI Memorandum, Director FBI to SAC New York, Subject: George Edward Demmerle, PSI”
February 23rd, 1967; FBI FOIPA Records Request #1319364-0
9 “FBI Memorandum, SAC NY to Director FBI, RE: George Edward Demmerle, PSI,” March
22nd, 1967; FBI FOIPA Records Request #1319364-0
Demmerle sort of slipped into the leftist community in New York, casually hanging around various groups; “no one knew from which of the groups he had come from, one activist later recalled. “Everyone assumed he was from some group other than their own.”10 The same person also recalled that Demmerle was usually the first one in any particular group to accuse someone of being an undercover cop or informant. Todd Gitlin, in an article published in RAT just as the smoke was clearing from the Democratic National Convention in 1968, offered advice that would have been useful in hindsight: “Watch the man who casts the first stone,” Gitlin wrote. “[H]e may be a cop.”11

Continuing his non-sanctioned and unofficial informant activities, Demmerle became involved with Revolutionary Contingent (RC), what the FBI called a coalition of radical left groups in New York City formed in April of 1967 to “support anti-war activity, (and) recruit Americans to aid guerilla warfare anywhere in the world but especially in Central America, and support the National Liberation Front.”12 The group participated in protests like the National Mobilization Committee to End the War in Vietnam (The Mobe) marches in Washington and elsewhere, and traveled to Canada for similar activities. Because of their extremist bent, however, Demmerle was asked to choose between RC and PLP by PLP leadership; knowing the value of the new organization he had infiltrated, Demmerle chose RC. The FBI New York office was intrigued; they had no other informants within RC, and they used his elevating status to continue to lobby headquarters for PSI status for Demmerle. Finally seeing things New York’s way, headquarters

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11 Todd Gitlin, “Plainclothes Hoods,” RAT, page 7, October 4-17, 1968
12 Description of Revolutionary Contingent from Robin Palmer FBI files; very likely that it was furnished by George Demmerle. See “FBI Memorandum, SAC New York to Acting Director, FBI, Subject: Richard Robin Palmer, SM – RA (Extremists) (OO : New York),” May 7th, 1973, FBI FOIA Case File 100-HQ-417909
relented and granted him official PSI status in August of 1967, meaning among other things that Demmerle could then be directed and tasked instead of the Bureau passively accepting whatever information he voluntarily submitted. The Bureau elevated him from PSI to Full Security Informant on October 3rd, 1967.\footnote{“FBI Memorandum, SAC New York to Director FBI, [Subject Redacted]” October 3rd, 1967; FBI FOIPA Records Request #1319364-0}

Their now-official informant had gained considerable trust in the Vietnam protest movement through RC at the same time he was impressing his handlers by furnishing not just written reports but also leaflets, pamphlets, and other literature from various “subversive and new left groups” and even rolls of photos taken at meetings and demonstrations. In less than a four-month period from February 14th to June 4th, 1968, Demmerle supplied the FBI with forty-three written reports and three oral reports.\footnote{“FBI Memorandum, SAC New York to Director FBI, [Subject Redacted]” June 4th, 1968; FBI FOIPA Records Request #1319364-0} He even supplied the FBI with copies of the keys to Revolutionary Contingent’s headquarters on East 1st Street in the East Village.\footnote{“FBI Informant Report, [Demmerle – Name Redacted] to SA John W. Robinson, ‘One set of two keys to Revolutionary Contingent Headquarters, 41 1st Street, New York City,’” September 1st, 1967; FBI FOIPA Records Request #1319364-0}

Of particular interest and alarm to the Bureau was Demmerle’s report that members of RC had discussed activating a “sabotage ring” between the fall of 1967 and the summer of 1968, when the Cuban Power bomb spree was in full swing. Revolutionary Contingent’s actions were planned to coincide with racial disturbances and riots spreading through the country. Among those present at a meeting held in a park on East 16th street and Second Avenue (to ensure no wiretaps) was a person who claimed to have “the necessary contacts” to obtain and learn to use explosives, a person
who claimed to be connected with the 1965 plot to blow up the Statue of Liberty, and a former member of the Fair Play for Cuba Committee (FPCC).\(^\text{16}\)

Instead of launching a terrorism campaign, Revolutionary Contingent disbanded soon after for lack of funds and lack of cohesion; other groups, however, were emerging and ascending that provided Demmerle with ample opportunity to gather information for his FBI handlers. The Youth International Party – the Yippies - was a somewhat informal, highly theatrical, and even playful offshoot of the larger protest movement of the late 1960s, started by a group of already-well-known members of the activist community including Abbie Hoffman and Jerry Rubin. The Yippies would become among the most notable groups of the era, closely associated with a particularly off-kilter approach to demonstrations, including the nomination of a pig – “Pigasus” – for president, with the use of colorful guerilla theatrics in support of the campaign; Demmerle’s FBI reports detail his involvement in a number of Pigasus events throughout New York, Delaware, Chicago, Washington, D.C., and elsewhere. Even before “officially” establishing the Yippies, Hoffman and Rubin were intimately involved in the 1967 March on the Pentagon, where they and hundreds of others mockingly tried to use meditation and chanting to levitate the building (then the largest in the United States). The group, though, was also dead serious about its politics and protest activities. The massive response of activists who showed up in Chicago for the 1968 DNC would be in large part a product of Yippie organizing; both Rubin and Hoffman were indicted as part of the Chicago 8, the group put on trial for “inciting the riot” that surrounded the Convention and became a rallying cause for activists around the nation.\(^\text{17}\)

\(^\text{16}\) “FBI Memorandum, SAC New York to Director FBI, [Subject Redacted]” October 3\(^{rd}\), 1967; FBI FOIPA Records Request #1319364-0
\(^\text{17}\) See Todd Gitlin, The Sixties: Years of Hope, Days of Rage; see also Jonah Raskin, For the Hell of it: The Life and Times of Abbie Hoffman (Berkeley: University of California Press, 1996)
More militant and at least somewhat less theatrical than the Yippies was a smaller group of activists (most were also associated with the Yippies) calling themselves The Crazies; “Crazy George” Demmerle, as he would often be referred to, was perhaps the most visible and memorable of this small group.18 “George was the craziest cat around,” Jerry Rubin reflected. “If you wanted anything flippy done, call George. He lived on the streets and worked with the people. He never took off his yippie button. When the Crazies were born, in an attempt to get an identity distinct from yippe, George nicknamed himself ‘Prince Crazy, Son of Yippie.’”19

It was with the Crazies that George Demmerle would travel to Woodstock, and through the Crazies that he would meet Sam Melville.

Sufficiently hooked into the New York protest movement by the August 1968 Democratic National Convention, Demmerle was in good enough graces with the Bureau that they paid him an informant’s salary and expenses, and covered his missed work wages, for him to travel to Chicago as both a member of the Yippies and a group called Veterans and Reservists to End the War in Vietnam (VREWV), and supplied him with a codename and a contact at the Chicago FBI office.20 As a member of the Yippies and VREWV – both organizations that Robin Palmer was a central figure in – and as well as in classes he took at the Free University of New York, where Sharon Krebs was a key figure – Demmerle became personally familiar with both members of the Melville

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18 See Rubin’s *We Are Everywhere* (Harper & Row, 1971) for a discussion of the Crazies; a photo and discussion of Demmerle appears on pages 216 – 217.
19 Jerry Rubin, *We Are Everywhere*, 216
20 “FBI Airtel, SAC New York to Director FBI, [Subject Redacted] (OO : Chicago)” August 8th, 1968; FBI FOIPA Records Request #1319364-0
collective, and in fact seems to very likely have furnished specific informant reports on Robin Palmer’s activities with VREWV and the Yippies.  

That the Democratic National Convention was going to be chaotic, everyone knew. Protestors traveling to Chicago were being supplied, by the underground press, with maps of protest and rally points, illustrating the hotels where delegates were staying. It was not that there was violence that shocked anyone; how widespread it was, and the images of it broadcast to Americans everywhere on live television, was what the nation took note of. Demmerle found himself in the thick of the protests in Chicago alongside the Veterans group, the Yippies, Black Panthers and others, pepper-sprayed in the face and looking down the barrel of an angry Chicago policeman’s revolver. During the riot, Robin Palmer threw a chunk of concrete through the window of a Cadillac right in front of Demmerle; several protestors at the scene, Demmerle among them, were arrested. Palmer grew suspicious of Demmerle (though clearly insufficiently so) when the charges against him were mysteriously dropped. When he returned to New York City, of course, Demmerle reported everything to his FBI handlers. Not coincidentally, many reports on Robin Palmer’s activities at the Convention appear in FBI records.

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21 Robin Palmer’s recently declassified FBI records (October 2015) reveal a number of reports from informants that, while their identities continue to be redacted, very closely mirror the activities that Demmerle’s declassified records prove he was involved in. See: Various, FBI FOIA Case File 100-HQ

22 RAT Subterranean News, Convention Special, August 22, 1968

23 Demmerle submitted a very detailed nine-page informant report on activities at the Convention; see “FBI Informant Report, [Demmerle – Name Redacted], SAC New York to SAC Chicago, Received by SA John W. Robinson, Subject: Veterans and Reservists Against the War in Vietnam, Info Concerning (Internal Security), Date Received: September 9th, 1968” September 19th, 1968; FBI FOIPA Records Request #1319364-0

24 Palmer interview with Varon; Varon, Brining the War Home, footnotes number 16, pg 329. Ironically enough, Palmer himself would be arrested as the result of an NYPD infiltrator just two years later. See this dissertation, Chapter 8.

25 See, for instance, the intelligence on Palmer’s activities in Revolutionary Contingent, the Crazies, and VREWV, in “FBI Memorandum, SAC New York to Acting Director, FBI, Subject:
Demmerle’s protest activities continued, as did his flow of information to the Bureau. In March of 1969, Demmerle was arrested along with Abbie Hoffman for “parading without a license,” leading a group of dozens of Crazies and Yippies and flying flags for both organizations. Ironically, during the arrest Demmerle was singled out and photographed by BOSS detectives who weren’t aware of his status with the FBI. Also ironically, he and Hoffman would be represented by famed radical liberal attorney William Kunstler, who would be one of the last people to meet Sam Melville before he was killed at Attica. The arrest, and everything else Demmerle had been doing, including setting up Black Panther Party fundraisers, was effectively cementing his reputation as a committed member of the protest movement. In April of 1969, Demmerle advised the Bureau that the Veterans and Reservists to End the War in Vietnam would be staging a demonstration at the Commodore Hotel Ballroom in Manhattan, where Vice President Hubert Humphrey was set to appear at a luncheon. The group had obtained dozens of fake tickets, and was going to disrupt the festivities by presenting the Vice President with a real pig head (just as Krebs and Palmer did the previous November at another Humphrey event) and releasing hundreds of anti-war leaflets into the air. Given the tip, BOSS arrested several members of the group for trying to enter the event with fake tickets. Demmerle was one of those arrested. The credit for the

26 “FBI Informant Report, [Demmerle – Name Redacted], Received by SA John W. Robinson, Subject: Demonstration at ‘NY Times’ and Grand Central Station, 3/22/69, Date Received: 3/27/69” April 30th, 1969; FBI FOIPA Records Request #1319364-0
27 “FBI Memorandum, SA John Robinson to SAC, Subject [Redacted],” April 1st, 1969; FBI FOIPA Records Request #1319364-0
arrest was given to a ticket-checker, whose eagle-eye supposedly noticed the inferior paper quality of the fraudulent tickets and notified police.28

It wasn’t the only time Demmerle’s information would make it into BOSS detectives’ hands – his tip to the FBI that the Crazies and other groups were planning a demonstration at the Women’s House of Detention in Greenwich Village was shared with BOSS as well, as was an April 1968 Yippie plan to hold a “Loot-in” at the Macy’s department store.29 Even before that, Demmerle had helped identify individuals photographed at a January 1967 Committee for Independent Politics demonstration; those photographs and the identifications were shared with BOSS detectives.30 He reported on a discussion at a Yippie meeting to poison the food at a Long Island restaurant that regularly delivered food to NYPD, and the Bureau shared this information with BOSS.31 In June of 1967, Demmerle’s report to the Bureau that Revolutionary Contingent was going to picket the Armed Forces Induction Center on Whitehall Street – a favorite spot for protests of all kinds – was passed along to BOSS as well.32

In May of 1968 Demmerle was rated as a “very good” Security Informant; by March of 1969, just as Agent Dowling was about to begin taking a closer look at Sam Melville, Demmerle

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28 “FBI Teletype, Urgent, SAC New York to Director FBI, (ATTN: DID),” April 19th, 1969; FBI FOIPA Records Request #1319364-0
29 See “FBI Memorandum, Director FBI to SAC New York, Subject [Redacted],” June 11th, 1969; FBI FOIPA Records Request #1319364-0; and “FBI Informant Report, [Demmerle – Name Redacted], Received by SA John W. Robinson, Subject: Meeting of the Yippies 4/13/68 at Free School,” May 3rd, 1969; FBI FOIPA Records Request #1319364-0
30 “FBI Memorandum, SA John Robinson to SAC, Subject: Committee for Independent Politics, IS-PLP,” February 1st, 1967; FBI FOIPA Records Request #1319364-0
31 “FBI Record, Bufile 105166695, NYfile 100-160251, Subject – Revolutionary Contingent,” August 21st, 1967; FBI FOIPA Records Request #1319364-0; see also “FBI Memorandum, SAC New York to Director FBI, [Subject Redacted],” June 4th, 1968; FBI FOIPA Records Request #1319364-0
32 “FBI Teletype, Urgent, SA John Robinson to Director FBI (attn: Domestic Intelligence Division), Subject: Revolutionary Contingent, Information Concerning (Internal Security)” June 26th, 1967; FBI FOIPA Records Request #1319364-0
was rated “excellent,” the highest rating the Bureau could give him, by Assistant Director Mark Felt – “Deep Throat” himself. Demmerle took advantage of every opportunity to burnish his activist image; when he was accidentally struck in the face while walking past a construction site in Midtown Manhattan, suffering a gash that required nineteen stiches, he told his compatriots in the movement that he was attacked by “two right wing fascists who called him a dirty communist.”

**CONCLUSION**

Agent John Robinson spoke with Demmerle and received written reports from him frequently, more than twice a month. Yet, despite the copious reporting and the substantial amount of money paid to him by the Bureau over a number of years, during the ensuing trial the FBI acknowledged that, prior to Melville, Demmerle’s information had not resulted in the conviction of a single individual.

Informants and undercover operatives – from BOSS agents that infiltrated the Statue of Liberty plotters, the Panther 21, and Cuban Power, to KKK informant Gary Rowe and informants

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33 “FBI Memorandum, Assistant Director Felt to SAC Sullivan, Subject [Redacted].” April 9th, 1969; FBI FOIPA Records Request #1319364-0
34 “FBI Memorandum, SA John Robinson to Director FBI to SAC, Subject [Redacted]” November 16th, 1967; FBI FOIPA Records Request #1319364-0
35 Testimony of FBI Special Agent John W. Robinson (Robinson – Cross), Stenographers Notes, page dhe-3, March 6th, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
36 “Memorandum of Law in Support of Motion to Suppress Illegally Obtained Confession,” February 10th, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC. Demmerle’s tip about the pig’s head stunt at the Humphrey event was clearly not considered the sole cause for arrest, or the Bureau simply didn’t want to reveal the report at the time of the case.
within the Minutemen, had been central to how FBI and NYPD countered terrorism in New York City and around the nation even before these agencies *intentionally* countered terrorism during the long Sixties. George Demmerle serves as an interesting example of two distinct categories of individual typical of this era. First, as an individual impacted by the intelligence provided by informers – he was fired from his job after his name surfaced in connection to the Minutemen arrests in 1966. And secondly, a paid informant himself, he would have a dramatic impact on the lives of the members of the Melville collective and perhaps the entire movement that would come to celebrate their actions.
PART II – The Melville Collective and the Year of Gigantic Proportions

Chapter 7 - The Melville Collective : Conclusion
Just days after Woodstock ended – at 11:00PM on Wednesday, August 20th – a powerful bomb ripped through the Marine Midland Bank building at 140 Broadway in lower Manhattan. Placed near an elevator shaft on the eighth floor of the building, the blast was violent enough to move a two-ton computer several feet, blow out scores of windows that cascaded down on the streets below, and rip open a ten-foot hole in the floor that office machines and debris crashed down through.

This bomb was nowhere near as benign as the one that erupted three weeks earlier at the pier on the Hudson River, just a few minutes’ walk away. Seventeen office workers, processing the day’s trades and settling the bank’s accounts, sustained mostly minor injuries before they stumbled down the fire stairs and out to the street. If not for the massive machine separating the site of the blast from the bank employees, their injuries could have been much worse.1

Again with no inkling of the motive of the crime, and aware that this part of the bank handled no cash money, with recollections of the long bombing campaign of George “Mad Bomber” Metesky coming to mind, NYPD Chief Albert Seedman and his entourage that included members of the NYPD Bomb Squad initially oriented their investigation toward possibly spiteful ex-employees or customers; “I wanted my detectives to interview every employee on those floors, locate every employee who had been discharged under less than happy circumstances, and check out every one of the banks customers who had recently been turned down for a loan.”2

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1 Narrative of the explosion, the scene, and the injuries culled from Seedman, Chief!, 225, and from “Government Response to Motion to Reduce Bail, Jane Alpert,” November 14th, 1969; U.S. v. Melville et al, No. 69 CR 811 (S.D.N.Y. 1969), Box #6, Ascension # 021-76A-0877, Location # A8629052, NARA-NYC
2 Albert Seedman, Chief!, 227
Melville had carried out the bombing of Marine Midland by himself, with little preparation. He didn’t notify anyone else in the collective of his plan; he didn’t “case” the building; he just walked around the Wall Street area with a bomb in a bag until he happened upon a suitable ‘capitalist’ target. After returning home from depositing the device at the bank, Melville found Alpert at their 4th street apartment; when he told her that he’d set the bomb to detonate at 11:00PM, Alpert alarmingly let him know that night workers were likely to still be at their desks at that time.\(^3\)

The Statue of Liberty plotters in 1965 understood that some innocent bystanders would be injured or worse by their bomb; the Minutemen undoubtedly did as well. The FLQ terrorists who came into Melville and Alpert’s life did so because they were being hunted by Canadian authorities for injuring more than two dozen persons with their bomb at the Montreal Stock Exchange. The Weathermen accepted – even embraced – the concept of bombing persons and not just symbolic locations and structures before sharply altering course after the traumatic New York City townhouse explosion in March 1970.\(^4\) And even though Alpert claims Melville had previously argued that the FLN and Algerians, “who carried out revolutionary terrorism in which not only the powerful but also innocent bystanders were injured or killed” was rational and acceptable, the collective, Alpert later explained, had consciously committed to avoiding injuring anyone – similar to Cuban Power, or at least the New York City elements responsible for the terrorism campaign the previous year, who had been largely successful at avoiding injury to civilians.\(^5\) Alpert’s argument that people might be injured by his bomb – or worse – resounded; the couple hurriedly

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\(^3\) Jane Alpert, *Growing Up*, 207
\(^4\) The 11th street Weather Underground townhouse bomb; to be discussed at length later in Chapter 8.
\(^5\) Alpert, *Letters*, 29
walked to a payphone where they placed a phone call to warn Marine Midland security that a bomb was set to go off in less than an hour. Melville would later tell the FBI and Chief Seedman that he couldn’t get through to the Wall Street location so instead called to warn the Hanover Square branch just a few blocks away, expecting the warning to be relayed from Hanover Square to the Broadway location where the bomb was placed. The warning, clearly, was not taken seriously enough.

Melville, Alpert claims, was profoundly disturbed by the injuries his bomb had caused; the wider collective was extremely disappointed that they weren’t involved and that people could have been killed. Alpert would later tell the FBI that at least one member severed ties with the collective because of the Marine Midland attack.

The NYPD investigation into potentially disgruntled employees or customers lead nowhere, but the Bomb Squad’s meticulous sifting of the debris turned up what would later become important evidence – a damaged mainspring from an alarm clock, a Westclox “Baby Ben,” the most popular hand-wound model in the country at the time.

In the wake of the Marine Midland bomb, Seedman began checking into the availability of dynamite in and around New York City “for the first time in [his] twenty-seven years on the force.” Setting aside for the moment that Seedman must not have been paying attention to the rash of bombings and plots that had occurred in and around New York City in the preceding three

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6 Testimony of NYPD Chief Albert Seedman, January 21st, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
7 FBI Interoffice Report on Weather Underground / Pat Swinton [Illegible / Redacted], Office of Origin: New York, Title of Case: Hanged File (Interoffice), [Redacted], January 2nd, 1975, page 11; FBI FOIPA Records Request #1315776-0
8 Seedman, Chief!, 229. The Baby Ben model of the time was the Series 8, produced between 1964 and 1981.
9 Ibid.
or four years, the Chief argues that what he found was disconcerting, and mirrored what Michele Duclos has argued prior to her arrest in the 1965 Statue of Liberty case – legally obtaining dynamite in the areas surrounding New York City was not a particularly difficult task. As Seedman explains, “[i]n New Hampshire at the time we discovered it was as easy to buy dynamite as baby food.”\(^{10}\)

As Melville and his collective discovered months earlier, though, obtaining dynamite in New York City itself was a different story. One needed a permit from the Department of Buildings’ Dynamite Division, and then even with it the explosives could only be purchased from Expo Industries in the Bronx. Seedman and his Detectives discovered, to their alarm, that Explo had been robbed at gunpoint on July 7\(^{th}\).\(^{11}\)

\textit{RAT Subterranean News and the Alternative / Movement Press}

On August 29\(^{th}\), Detective Pete Perotta walked into Chief Seedman’s office with a copy of most recent edition of \textit{RAT Subterranean News}, a colorfully illustrated and cynically humorous underground newspaper committed to the radical left protest movement. His distaste for all things “counter-culture” clear in all of his writing, Seedman’s first response was unsurprising. “What is this piece of crap?”\(^{12}\) It had been just over eight days since the bomb exploded at Marine Midland. Perotta grabbed Seedman’s attention, however, when he pointed out the contents of page three. A press release the newspaper published, dated August 20\(^{th}\) – the same day as the bomb – proclaimed the Marine Midland attack to be an act of “political sabotage” targeting the “security files and

\(^{10}\) Seedman, \textit{Chief!}, 229  
\(^{11}\) Ibid.  
\(^{12}\) Ibid., \textit{Chief!}, 230
building structure” of the W.R. Grace Company, which the author claimed exploited Latin American countries. The communiqué also took credit for the United Fruit pier bombing, marking the anniversary of the Cuban Revolution.\textsuperscript{13} The communiqué printed in \textit{RAT} was the first clue that the bombings were linked and that they were political in nature, and not the work of disgruntled employees or customers; the paper claimed that it received the following letter in the mail, a letter that the sender claimed was “for underground media only – there will be no communication with the pig media:”

“The explosive device set off at the Marine Midland Grace Trust Company on the night of August 20\textsuperscript{th} was an act of political sabotage… There was no intent to hurt anyone. The attack was directed only at property. An hour before the explosion a W.R. Grace guard was telephoned and advised to clear the building at 140 Broadway…”\textsuperscript{14}

Detective Perrota visited the small offices of \textit{RAT} in a “broken-down building” on East 14\textsuperscript{th} street across from the Palladium, a famed concert hall that hosted iconic acts through the decades like the Rolling Stones, the Clash, and Bruce Springsteen.\textsuperscript{15} Climbing the staircase to the second floor offices, Perrota came face-to-face with a surprised Jane Alpert. Months earlier – on April 16\textsuperscript{th}, just as they were planning the hijacking with the Quebecois – Alpert quit her “straight” publishing job; the work she did there, she would later claim, was increasingly becoming a part of “a world

\textsuperscript{13} \textit{RAT}, August 27 – September 9\textsuperscript{th}, 1969
\textsuperscript{14} “Wall Street Bombing,” \textit{RAT}, page 3, August 27 – September 9, 1969
\textsuperscript{15} Neither the building that housed \textit{RAT} nor the Palladium exist any longer. Palladium was demolished to make way for an NYU dormitory – also, aptly, named Palladium – and the building that housed \textit{RAT} is now a large parking lot.
of which I was no longer a part.”¹⁶ A week after the successful hijacking, she walked into the office of RAT, looking to get involved.¹⁷

Upon questioning by Detective Perrota, Alpert claimed to have received the communiqué and an accompanying “fact sheet” but that, after typing up the piece for publication, had retained neither, or the envelope they had arrived in. Perrota would leave with none of the evidence he’d hoped to retrieve, but instead with a stack of RAT back-issues. In one of those back-issues, dated August 5th, he found an earlier story that had gone unnoticed by NYPD detectives – “A pier on the Hudson River owned by the United Fruit Company was blasted by a bomb… An anonymous caller verified that the explosion… was in celebration of Cuban Independence Day.”¹⁸

On September 16th, NYPD obtained a ten-day warrant to search the offices of RAT for the Marine Midland communiqué.¹⁹ While there, they discovered a rough draft of the press release about the bombings; NYPD detectives would soon share this with the FBI, who were on the verge of getting involved in the case themselves. RAT, and the newspaper’s staff, were starting to come into focus; Alpert admits that, following the execution of the warrant, “for the first time we began to feel watched.”²⁰

¹⁶ Alpert, *Growing Up*, 163
¹⁷ In February, 1970, the female contributors of RAT staged a takeover of the paper and it became something entirely different than it had previously been. The new RAT excluded almost all of the male former employees including editor Jeff Shero, and the renamed *Women’s LibeRATion* took on an even more militant tone, absent the former paper’s trademark humor. The February 6th, 1970 issue had three sections: “sabotage,” “more sabotage,” and “Even More Sabotage” detailing various attacks on government buildings, police, and government employees. The following issue (Feb 24) included excerpts from Carlos Marighella’s mini-manual. Eventually a few men would be allowed back but a collective of women would make “all editorial decisions.” (RAT, February 24th, 1970)
¹⁸ RAT, August 5th, 1969
¹⁹ Seedman, *Chief!*, 236
²⁰ Alpert, *Letters*, 31
“I suspected (the communiqué) and commentary had originated in the offices of RAT,” Seedman claims. “[S]omewhere among RAT’s many contributors, I felt we would find our bomber.”  

Considering how readily Seedman acknowledges he hadn’t even considered political violence or terrorism before this, to believe that he could make such a logical leap at that time sounds more boisterous than believable.  

Premonitions notwithstanding, the masthead of RAT during the short life of the paper listed no less than seven individuals involved with, or indicted for, terrorist bombings in New York City and elsewhere. Weatherman Jeff Jones was a long-time employee of RAT, from at least as far back as April 1968; staffer Phoebe Hirsch, another future prominent Weather member, would be indicted for actions at what would come to known as the “Days of Rage” and participate in the December 1969 “War Council” that set Weather on its terrorist path.  

John Cohen published articles in RAT. Pat Swinton and Sharon Krebs would join the staff of the paper in 1969, along with a young man named Jonathan Grell, who would himself be indicted for involvement with the Melville collective months after the first members were arrested.  

David Hughey also previously

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21 Seedman, Chief!, 232, 234

22 It is worth taking a step back for a moment to consider sources. Chief Seedman’s recollection of the case that appear in his memoir Chief! is, along with Alpert’s, the only published accounting of the case from anyone actually involved, save an interview with Robin Palmer that appears over a few pages of Jeremy Varon’s Bringing the War Home. A collection of Melville’s prison letters, published after his death, while often compelling, do not speak about the case itself, almost certainly in part because they were written while he was still on trial and then published while others were still under threat of indictment. But just as Alpert’s account must be interrogated as a source for a bevvy of reasons, so must Seedman’s; his account contains multiple unbelievable assertions, such as the above noted, and at least a few factual inaccuracies. The Chief was known throughout his career to be self-aggrandizing, and his memoir is just the most notable example of this trend.


24 Their names can be found on numerous mastheads for the magazine in 1969 and 1970.
worked at *RAT*, and left to take a job as a layout artist at the *Guardian* in April of 1968 - it was here that he and the older Sam Melville, who also worked there for a short time, became friends.\(^{25}\)

According to historian John McMillan, other radical newspapers were linked to terrorists and terrorist groups as well: “Members of some of the most radical papers, like the *Berkley Tribe*, had ties to, and were among the chief sources of information about, clandestine groups such as the Weather Underground.”\(^{26}\) Joyce Plecha, who would be arrested for a bombing attempt in December of 1970 with Robin Palmer and other Weather Underground members, was a good friend of Melville’s, reportedly a member of his collective, and wrote for *East Village Other*.\(^{27}\)

Jeff Shero, a former SDS organizer and vice president from Austin, had just begun publishing *RAT* the year before when the Columbia University protests and mass arrests, and the publication staff’s up close and personal reporting, quickly elevated it to peer status with the long-running *Guardian* and the more mainstream-underground *East Village Other*, and of much greater importance to members of the movement who were more concerned with the issues McMillan points out. According to historian Abe Peck, the Columbia protests “made… *RAT* the underground press’s hottest publication.”\(^{28}\)

*RAT*, more than any other of the underground papers in New York City, would become part of the news they covered. In an August 1968 article titled “Has the Time for Demonstrations

\(^{25}\) Bail Hearing for John David Hughey III, November 19\(^{th}\), 1969, Trial Transcript pg. 25 – 27, U.S. v. Melville et al, No. 69 CR 811 (S.D.N.Y. 1969), Box #6, Ascension # 021-76A-0877, Location # A8629052, NARA-NYC


\(^{28}\) McMillan, *Smoking Typewriters*, 224, n145, and throughout. *The Guardian*, despite much debate about its politics within the movement, lasted in some form until 1992, making it by far the longest lasting of the New York-based national radical newspapers excepting the *Village Voice* (if that paper counts as radical, which nobody in the movement at the time believed it did).
Passed?” a *RAT* contributor proposed “There must be a more meaningful way of defying the system.” Echoing the exploits of George “Mad Bomber” Metesky whose nickname Melville himself would inherit, the contributor suggested that “[b]lowing up a con edison (sic) plant would be pretty satisfying for a start.” Sam Melville might have been thinking the same thing at the time, but *RAT* was publishing it – and Cuban Power was doing it. Two months earlier, in June of 1968, *RAT* carried an article and interview with an unidentified person who had the week before bombed Pacific Gas and Electric (PG&E, “the Con Edison of San Francisco” as the paper described it) – complete with instructions and a diagram of how to build a bomb from ammonium nitrate – fertilizer – a rifle bullet, piping and tape. A later issue (February 6th, 1970) included diagrams on how to build homemade grenades, Molotov cocktails, and exploding booby-traps.

Almost immediately upon joining the staff of *RAT* in April of 1969, Alpert began writing for the paper. The following month, a piece Alpert wrote on airline hijackings appeared in the paper: “Congress, the airlines and the media have successfully fooled the public into believing that hijacking an airplane is a chancey (sic) sort of business involving great risk and not worth considering by any sane person.” She then went on to discuss the various ways that a potential hijacker could evade the then-still nascent security paradigm at airports. She was speaking from experience.

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29 *RAT*, “Has the Time for Demonstrations Passed?” by Jennifer Wolf, page 9, August 9-22 1968
30 Marvin Garson, “PG&E Saboteur, Still at Large, Tells How He Did It,” *RAT*, page 1, June 1 – 14, 1968
31 Jane Alpert, untitled news article, *RAT*, June 12th – June 18th 1969
Foley Square is an oasis of sorts, a smallish patch of grass surrounded on all sides by imposing court buildings and other federal office towers in lower Manhattan, just a stone’s throw from City Hall and the Brooklyn Bridge. The most imposing building in a square full of them is the Federal Building at 26 Federal Plaza; just opened in 1967, the new building immediately became the tallest federal building in the United States, with more office space than any federal building short of the Pentagon. The tower housed a long list of nearly sixty federal tenant agencies.\(^\text{32}\)

At 2:00AM on the morning of September 19\(^\text{th}\), 1969, a powerful explosion ripped through the Federal Building, originating from an electrical room on the fortieth floor – a floor that housed U.S. Army offices.\(^\text{33}\) The bomb was again rigged with a Westclox Baby Ben as a timing device. The scene resembled the Marine Midland Bank bomb, excepting, importantly, the lack of any injuries. Pipes burst and tiles shattered in a men’s room near the explosion. Windows blew out and down onto the quiet street below.\(^\text{34}\)

Following the bombing, the New York Times received a communique denouncing President Nixon’s speech at the United Nations the previous day; “As Richard Nixon was talking ‘peace’ at the U.N. on Thursday, Sept. 18, and his masters of war were relentlessly dealing out death and
destruction throughout the world, a time bomb was placed in the Federal Building… an act of solidarity with our brother and sister revolutionaries all over the world.”

Traveling westward into Manhattan from his home on Long Island, Chief Seedman arrived at the Federal Building at 3:45am. This time was different, though – because of the attack on federal property, it was a federal investigation; the Melville collective was now in the FBI’s crosshairs. The cooperation between NYPD and FBI on the case began here, almost organically – even though it was clearly FBI’s scene, NYPD had capacity, most notably the Bomb Squad, that FBI did not. NYPD Bomb Squad had begun sorting the debris even before Seedman arrived.

The very same day as the bombing, the FBI New York office set up a special task force – administratively designated “Section 22A,” but commonly referred to within the New York office as “The Bomb Squad.” The Squad would quickly grow to include more than twenty FBI agents.

Three Josephs would be at the tip of the spear for the FBI. Joseph Corless, a twelve-year veteran of the FBI, and Joseph MacFarlane, a nineteen year veteran of the FBI, were put in charge of the investigation and the Bomb Squad, reporting to Special Agent in Charge Joseph Sullivan – a nearly three decade FBI veteran with a long track record of notable cases including the 1964 KKK murders of civil rights workers in Mississippi. Some agents would be culled from the bank robbery section, a section that also covered destruction of government property.

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36 Seedman, Chief!, 235
37 Testimony of FBI Special Agent Joseph Corless, January 23rd, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
38 Testimony of FBI Special Agent Joseph Corless, January 23rd, 1970; and Testimony of FBI Special Agent Joseph J. MacFarlane, December 31st, 1969; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
39 Testimony of FBI Robert D. Fox, December 31st, 1969; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
In a completely unrelated tandem investigation, by the end of September the FBI was continuing to develop information on Melville and Alpert as a result of their adventures on the U.S. – Canadian border. Agents had learned that the couple had moved from 11th street to 235 East 4th street. Melville and Alpert became aware that they were being investigated, but did not know exactly what for. By sheer coincidence, the morning after the Federal Building bomb (literally hours after the explosion), FBI Agent Dowling (who was conducting the investigation into Melville) visited the new tenants of the old 11th street apartment and asked to find the young couple who previously lived there; the new tenants called to inform Alpert and Melville. Thinking, probably correctly, that if it was related to the bombs they’d already be under arrest, Alpert suspected it was a result of the Canadian Mountie who interviewed them during their trip to aid the FLQ men.40

Soon after, Alpert engaged Henry Di Suvero, an attorney with Emergency Civil Liberties Committee. Di Suvero, seemingly an equal opportunity civil rights advocate, defended some of the Minutemen members in 1966, and would go on to represent Weather Underground members in the coming years. The attorney first called the FBI as Alpert’s representation on September 30th 1969, and eventually got in touch with Agent Dowling. The FBI man let Di Suvero know that he was looking into a matter regarding “national security” – not the bombings, but as it would soon become clear, the Canadian connection. Dowling communicated to Di Suvero that the FBI had no real interest in Alpert, but was very interested in having a conversation with Melville.41 Di Suvero advised that if Dowling could not provide any more information (he couldn’t) than he could not

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40 Alpert, Growing Up, 213
41 FBI Report; Samuel Joseph Melville, [Subject Redacted], Internal Security – Canada,” November 17th, 1969; FBI FOIPA Records Request #1315776-0
make Alpert available for an interview and to contact him if he wanted to contact his client in the future.

For the time being, the FBI went away. The Bureau was investigating both Melville and now the bombings, but at the moment they had no clue that they were linked; the two never converged until George Demmerle eventually entered the picture. Through his investigation (prior to eventually being told, just before the arrests, that Melville was a suspect in the bombings) Agent Dowling “turned up no information (that) could tie to Mr. Melville indicating that he was involved in any illegal activity.”

**BOMBS OUTSIDE NEW YORK**

At 2:05AM on September 26th, a powerful bomb exploded at the Federal Building in downtown Milwaukee causing upwards of $100,000 in damage but no injuries; an hour and a half later, an explosion blew in the steel doors to a National Guard armory in Madison, again without any injuries.

The FBI kicked off an investigation with more than twenty Agents on the case; the Bureau immediately had a strong suspicion that the explosions were linked to a bomb discovered the night before in a telephone booth on the thirtieth floor of the Chicago Civic Center. The Civic Center only escaped damage when a telephone repairman serendipitously found the hidden bomb before 2:30AM, when it was set to explode, and brought it to a bailiff. When the bailiff saw the dynamite,

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42 Testimony of FBI Thomas J. Dowling, (Dowling cross-direct), Stenographers Notes, page dha2-12, January 23rd, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC

43 “FBI Probes Explosion in Milwaukee,” *Chicago Tribune*, September 27th, 1969
he immediately alerted fire department bomb squad technicians, who defused it. The intact bomb followed the same design as in New York City, and as evidence would show, also the Wisconsin bombs – dynamite, battery, blasting cap, Westclox Baby Ben timer.\textsuperscript{44} The Midwest bombs were all driving distance from one other, each location less than a hundred miles from the other.\textsuperscript{45} Given a thousand miles of American heartland separating the bombs in New York City and the Midwest, it is perhaps forgivable that the Bureau didn’t, at the time, link all of the attacks they were investigating.

According to Alpert, Melville was in North Dakota for a two-week training session with H. Rap Brown, no stranger to bombs himself. Melville and an accomplice, a stranger to Alpert and others in the collective, carried out the Midwest bombs together.\textsuperscript{46} She wouldn’t learn about it until after his return to New York on October 8\textsuperscript{th}; but the collective had news for him when he returned, as well.

\textbf{ARMED FORCES INDUCTION CENTER October 7\textsuperscript{th}, 1969}

Thirty-nine Whitehall Street is, today, a towering black-glass skyscraper with an exclusive health club occupying the first several levels. Located barely a stone’s throw from the Staten Island Ferry and the southern tip of Manhattan, one feels as if they’re looking down directly into New York Harbor and out at the Statue of Liberty and beyond from the top floors. But in 1969, 39 Whitehall Street was the location of the Whitehall Armed Forces Induction Center, an eight-story fortress-like structure built in the 1880s which had processed millions of New Yorkers into the military

\textsuperscript{44}“FBI Called Into Civic Center Bomb Case,” \textit{Chicago Tribune}, September 27\textsuperscript{th}, 1969
\textsuperscript{45}Seedman also discusses the Midwest bombs, in brief; \textit{Chief!}, 235
\textsuperscript{46}Alpert, \textit{Growing Up}, 217
over eight decades and several wars. To those in objection to the Vietnam War, it was among the most loathed locations in New York City. Protests at the Induction Center had been ongoing for most of the decade; at one such event in 1967, 2,500 protested and 264 were arrested in a single day, including Dr. Benjamin Spock and Allen Ginsburg. Just a few months later, in March of 1968 – even before Cuban Power began their own terrorism campaign – a dynamite bomb placed at the rear entrance of the building shattered more than thirty windows. The FBI, NYPD, and armed forces investigative agencies all failed to name any suspects and the case faded away.

Late in the evening of October 7th, 1969, an intense blast ripped through 39 Whitehall and echoed through the quiet canyons of downtown Manhattan. The bomb was placed in a men’s room and exploded around 11:20PM, “devastating” the fifth floor, where the explosion occurred, according to FDNY Deputy Chief Arthur Laufer. Even though six military personnel were burning the midnight oil on the second floor, no injuries occurred – the explosion did blow out dozens of windows (many that had been replaced after the prior dynamiting of the building less than a year and a half earlier) and even blew out some bricks from the façade of the building.

The Whitehall Induction Center bombing wasn’t Melville – he was in the Midwest conducting his own bombings. According to Alpert, David Hughey “planned and carried out, virtually unaided” the Whitehall Induction Center bombing. The most successful of the collective’s bombs, Melville himself “had nothing to do with it” other than the initial bomb construction training he’d given Hughey. Within a day, the New York Times and other media

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48 “Explosion at Induction Center is Traced to Dynamite Sticks,” New York Times, March 31st, 1968  
49 “Draft Center Here Damaged by Blast,” New York Times, October 8th, 1969  
50 Alpert, Growing Up, 218  
51 Alpert, Growing Up, 222
outlets received a communiqué from the bomber: “Tonight we bombed the Whitehall Induction Center. This action was taken in support of the N.L.F. (National Liberation Front), legalized marijuana, love, Cuba, legalized abortion and all the American revolutionaries and G.I.’s who are winning the war against the Pentagon. Nixon, surrender now.”\(^{52}\)

Again, the NYPD Bomb Squad found a Westclox Baby Ben mainspring amidst the rubble. But, again, as it was at Foley Square less than a month earlier, the bombing of the Whitehall Induction Center was the FBI’s jurisdiction, and the FBI “Bomb Squad” looking for the Melville collective took up the investigation.

Moved temporarily in the wake of the 1969 bomb, in 1972 the military would finally give in to the constant lure that having an induction center on public streets posed to protestors and permanently move the function to easier-to-control ground.\(^{53}\) After more than a century and four million civilians turned into Sailors, Soldiers, Marines, and Airmen, following generations of New Yorkers entering the military (including this author) would get their immunizations and swear their oaths at the new Military Entrance Processing Station on the bucolic and secure grounds of Fort Hamilton, Brooklyn.

Melville returned to New York from his Midwest training-and-bombing trip the day after the Whitehall bombing.\(^{54}\) The morning after his return, October 9\(^{th}\), as he walked up the stairs to his and Alpert’s 4\(^{th}\) street apartment, Melville encountered Agent Thomas Dowling – who had been investigating him since April – and one other FBI man knocking on his door. Asked if he was

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\(^{52}\) “Inductions Shifted to Brooklyn After Blast at Manhattan Center,” \textit{New York Times}, October 9\(^{th}\), 1969; and “Bang? Boom!” \textit{RAT}, October 29\(^{th}\), 1969


\(^{54}\) Timing per Alpert’s account, \textit{Growing Up}, 220
Sam Melville, he lied, saying that Melville had moved out some time ago, and – unfortunately for him – told Dowling that his name was David McCurdy.\(^{55}\) McCurdy was an alias that he and Alpert had fashioned from an illegally-obtained birth certificate,\(^{56}\) and was the name that he had used to rent an apartment at 67 East 2\(^{nd}\) Street, between First and Second avenues, that was serving as the collective’s dynamite storage and bomb construction factory. The landlord of that building would ultimately identify Melville as the tenant he knew as David McCurdy.

Coincidentally enough, Robin Palmer was also contacted by the FBI that same day. On October 9\(^{th}\), Special Agent Vincent Alvino phoned Palmer at his apartment at 90 Bedford Street in the West Village. Palmer was well-known to the FBI and the NYPD because of informants (very likely Demmerle chief among them); known to be a leader in organizations like the Crazies and Yippies, and a noted protester in New York “known for his propensity for violence in participating in antiwar demonstrations” and was included on the FBI’s “Key Activists Album” that held biographical sketches and other information on persons of exceptional interest within the movement.\(^{57}\) BOSS also kept tabs on Palmer and regularly shared their information with the FBI.\(^{58}\) Special Agent Alvino, who was the primary agent who investigated Palmer as a radical protestor but who never voiced suspicions that he was involved with the bombings, wanted to speak with Palmer in regards to what would become known as the Days of Rage, which had just commenced in Chicago; Palmer expressed no interest in speaking with FBI about that or any other issue. It was at least the third time Alvino had attempted to interview Palmer, but that day must have been

\(^{55}\) Testimony of FBI Thomas J. Dowling, January 23\(^{rd}\), 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC

\(^{56}\) Alpert, Growing Up, 198


especially concerning for him; when he picked up his phone and the FBI was on the other end, just a day after the Whitehall bombing, one can only imagine that his heart rate spiked.59

**DAYS OF RAGE AND THE MOBE**

The bombing at the Whitehall Induction Center was not an insubstantial “action.” But the “Miracle” Mets were on the verge of winning their first World Series, and news from Chicago and around the country (and world) was primed to drown out attention to the bombing almost as soon as the blast reverberated through the canyons of downtown Manhattan.

The march toward more extreme political violence had been a part of the Weatherman DNA ever since the faction took over SDS in the summer of 1969. The major protest event (or at least Weatherman hoped it would be major) was the “National Action” in Chicago planned for October 8th – 11th, 1969. Weather boldly predicted that tens of thousands would appear in Chicago for what would become known as the (Four) Days of Rage.

It didn’t quite work out that way. The violence that ensued (mostly on that first night) more closely resembled wanton rioting than anything else. The few hundred protestors who actually showed up did in fact take unprecedented steps in destroying property in wealthy Chicago neighborhoods, and in directly confronting the police, but the well-prepared police dramatically outnumbered the protestors and were capable of dishing out much more violence than they were.

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subjected to. Several protestors were shot, beaten, bloodied, and arrested on serious charges, creating more a spectacle of violence than a discernable revolutionary movement.  

Just four days after the Days of Rage concluded, millions around the world took part in the October 15\textsuperscript{th} Moratorium to End the War in Vietnam, a series of peaceful marches, protests, and demonstrations at hundreds of college campuses and other places organized by the (New) National Mobilization Committee (the New Mobe). The largest of the demonstrations, at Boston Common, attracted more than 100,000 demonstrators.

\textit{SCARE CITY}

Jane Alpert claims that the Melville collective had debated whether or not to conduct bombings around the time of the planned march on Washington on November 15\textsuperscript{th}, what the \textit{New York Times} argues is “believed to be the largest antiwar protest in United States history,” and an overwhelmingly peaceful affair.\textsuperscript{62} The debate was whether or not bombings surrounding the event would help or hinder the cause, not a lack of support for the event itself.\textsuperscript{63} What the collective didn’t do, however, was take any cues from Weatherman; it doesn’t appear as if any members of the Melville collective (certainly not Melville, Alpert, Hughey, or Swinton) took part in the Days of Rage or adjusted the timing of their bombs to avoid the ‘National Action’ in Chicago, or in any way support it. Melville himself, instead of traveling to Chicago to take part in the Days of Rage,

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\textsuperscript{60} Dan Berger offers a narrative of the Days of Rage on pages 109 – 112 of \textit{Outlaws of America: The Weather Underground and the Politics of Solidarity}, one of the better works on the WUO.
\textsuperscript{63} Alpert, \textit{Growing Up}, 221
\end{flushright}
left New York City to travel to training sessions with Rap Brown and to conduct his own bombings in the Midwest weeks before the Days of Rage, completely separate from the altogether different kind of violence the Weatherman faction was initiating in the streets of the Windy City. Rather than the Melville collective taking any cues from Weatherman, it would ultimately prove to be the other way around.

In the end, despite internal differences, some members of the collective decided to conduct more bombings in advance of the November 15th March on Washington; in fact, the collective pulled off its most dramatic success after midnight when the calendar turned from November 10th to the 11th. Three bombs detonated one after another beginning just after 1:00AM – at the Manhattan offices of IBM on the nineteenth floor of the General Motors Building on 5th Avenue and 59th Street, at the Chase Manhattan Bank building at 1 Chase Manhattan Plaza, and the twentieth floor offices of Standard Oil at what was then known as the RCA Building at 30 Rockefeller Plaza.64

A warning was called into a radio station for the Standard Oil bomb, but the building hadn’t yet been evacuated by the time of the explosion – late-night revelers enjoying music by popular jazz bandleader Lester Lanin had to be evacuated from the famous Rainbow Room, forty-five stories on top of the explosion. The passenger elevators knocked out by the bomb, the well-heeled guests took freight elevators or walked down to the sounds of the band, who in Titanic fashion played until the last guest was evacuated.65

64 Francis X. Clines, “Bombs Here Linked to 4 Earlier Blasts; Letter Attacks War,” New York Times, November 12th, 1969. Also see Alpert, Growing Up, 223-224. Alpert claims it was she, Swinton, and Hughey who built and delivered the three bombs, using the technique they’d learned from Melville, who took no part in this action because it was planned while he was out of town.
Heeding the warning before the bomb went off, 1,300 clerks at the Chase Manhattan Bank building working in the eighty-story building were evacuated before the explosion, but the bomb caused an elevator to fall six floors with a building worker in it before emergency brakes arrested the drop; the twenty-six-year old man was unsurprisingly shaken, but he was luckily uninjured. The bomb had exploded one floor below the offices of David Rockefeller, the president of the bank at the time.66

Standard Oil had been one of the corporations listed in the earlier communiqué published in RAT as a “Hungry Imperialist Corporate Giant.”67 NYPD quickly set up a command center for the three bombings at the RCA Building; just a few hours later, at 8:30AM, Chief Seedman received a letter from the Associated Press, postmarked the day before and received the morning of the bombings.68 The bombs, the letter dictated, were clearly intended to be in support of the March on Washington and the other protests going on around the nation and world:

“During this week of anti-war protest, we set off explosives in the offices of Chase Manhattan, Standard Oil, and General Motors.

The Vietnam War is only the most obvious evidence of the way this country’s power destroys people. The giant corporations of America have now spread themselves all over the world, forcing entire foreign economies into total dependence on American money and goods. Spiro

67 Seedman, Chief!, 238
Agnew may be a household word, but it is the rarely seen men, like David Rockefeller of Chase Manhattan, James Roche of General Motors and Michael Haider of Standard Oil, who run the system behind the scenes.

The empire is breaking down as peoples all over the globe are rising up to challenge its power. From the inside, black people have been fighting a revolution for years.

And finally, from the heart of the empire, white Americans too are striking blows for liberation."69

New Yorkers’ nerves were rattled by the bombing spree; the NYPD Bomb Squad was overwhelmed with more than 200 false alarms on that single, busy day, including bogus threats to the Pan Am building, the New York Stock Exchange, the main Post Office near Herald Square, public libraries in Queens, high schools, and a long list of other locations.70 The New York Post covered the bombs on the front page in big, bold letters; the New York Times suggested that New York was rapidly becoming “Scare City.”71 Mayor Lindsay, phoning in his protest from his Barbados vacation home, called the bombings “acts of wanton viciousness.”72

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69 Seedman, Chief!, 239; also Alpert, Growing Up, 224
The three bombs had occurred on private business locations; it was therefore an NYPD case. Without proof it was the same bombers as the Federal Building and Whitehall Induction Center, the bombs did not fall within the jurisdiction of the FBI. But the coordination and communication between the two agencies would in fact escalate, dramatically, that same day. Just hours after the bombs exploded on November 11th, Seedman received word from FBI New York office Special Agent in Charge John Malone that an informant had identified the bombers.

DEMMERLE, MELVILLE, & BREAKING THE CASE November 8th – 11th 1969

On Saturday, November 8th, just two days before members of the collective planted their three bombs, George Demmerle received an anonymous phone call from someone who asked him to meet near his East 1st street apartment. Intrigued, Demmerle agreed. When he arrived the man he knew only as Sam, who he’d met at Woodstock, was there waiting for him. Beyond their meeting at Woodstock and their common acquaintances – most notably Robin Palmer and Sharon Krebs, who Demmerle knew intimately from the Yippies, Crazies, and the Veterans and Reservists to End the War in Vietnam (VREWV) – the little else Demmerle knew about Sam was that he had a girlfriend by the name of Jane, who he thought worked at RAT.73

That Demmerle was even in New York City on November 8th was a stroke of bad luck for Melville. The FBI informant had been in Chicago the preceding week as a potential witness in the Chicago 8 trial; if called to testify against his friends and colleagues including Jerry Rubin and Abbie Hoffman, Demmerle’s cover would have been immediately and forever blown in the most

73 Testimony of FBI Special Agent John W. Robinson (Robinson – Direct), Stenographers Notes, page eoh-46, January 21 – 23, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
public of fashion. The U.S. Attorney prosecuting the case, however, after hearing Demmerle’s background including his going AWOL while in the military, his former psychiatric therapy, and his involvement with the Minutemen, decided against putting him on the stand. Free to leave Chicago, Demmerle returned to New York City on November 6th and capitalized on his time away to give others – including, presumably, Melville – the impression that he’d been involved in “clandestine activities.”

The Melville collective had begun to splinter and fray, according to Alpert, prompting Melville to more freely engage others in his plans – just as he had done in the Midwest in September, where he conducted the bombings with an individual not even tangentially connected to the others in the collective. Unknowingly sealing his fate, Melville told Demmerle almost the whole story, not just about all of the bombs in New York City but also the bombs in the Midwest; he also indicated that he was connected to a group in Canada that was responsible for several bombings there. All of the attacks, he told Demmerle, were possible because of the dynamite they looted from the Bronx robbery, and that they had about half of it left. Fortunately for his accomplices, Melville didn’t admit the full extent of who was involved, specifically excluding Palmer and Krebs.

Demmerle, for his part, didn’t actually have any bombings to take credit for, but dropped hints that he was involved with “heavy stuff” and that his contacts were involved in bombings in Chicago and in New Jersey; it didn’t hurt that his arrest record was well known and that his

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74 “FBI Memo, From SAC NY, To Director, Subject: [Redacted],” November 7th, 1969, 36/141; FBI FOIPA Records Request #1319364-0
75 Testimony of FBI Special Agent John W. Robinson (Robinson – Direct), Stenographers Notes, page eoh-48, January 21 – 23, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
reputation in the East Village was not insubstantial.\textsuperscript{76} It also didn’t hurt that he was known to “sit at Yippie planning meetings playing with his own toy bombs… and dress up like a dead Green Beret” at anti-war rallies.\textsuperscript{77} According to Alpert, nobody “thought highly of George, though very few actually suspected him of being an agent…. No one, not even Sam, who made people nervous himself, talked up violence as much as George” who went as far as talking about blowing up the Brooklyn Bridge.\textsuperscript{78} Seizing on what he must have perceived to be an opportunity and not the trap it really was, Sam suggested that their groups could get together. It was then that Melville invited Demmerle to take part in the bombing of U.S. Army trucks with some of the remaining dynamite. They agreed to meet at Melville’s apartment on 2\textsuperscript{nd} Street – the David McCurdy apartment and bomb factory – on November 12\textsuperscript{th} to prepare the bombs for the action late that night.\textsuperscript{79}

Demmerle called into the FBI immediately after his conversation with Melville, and was soon in the office looking over photographs of individuals named “Sam” in their records; Demmerle successfully identified Melville. Prior to November 8\textsuperscript{th}, Agent Robinson had never heard of Sam Melville. Not only was he not part of the FBI “Bomb Squad” investigating the attacks, but he was not involved in the internal security investigations that had been looking into Melville that year.\textsuperscript{80} But he quickly communicated the urgent intelligence to the Bomb Squad.

\textsuperscript{76} “FBI Memorandum, SAC New York to Director FBI, Subject: Conf. Inft. [Redacted],” November 28\textsuperscript{th}, 1969; FBI FOIPA Records Request #1319364-0
\textsuperscript{77} As reported by Claudia Dreifus, “The Pig Wore a Day Glo Helmet,” \textit{East Village Other}, page 3, December 3\textsuperscript{rd}, 1969
\textsuperscript{78} Alpert, \textit{Letters}, 35, and Rubin, \textit{We Are Everywhere}, 216.
\textsuperscript{79} Testimony of FBI Special Agent John W. Robinson (Robinson – Direct), Stenographers Notes, page eoh–48, January 21 – 23, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
\textsuperscript{80} Testimony of FBI Special Agent John W. Robinson (Robinson – Cross), Stenographers Notes, page dhe-8, March 6\textsuperscript{th}, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
FBI Bomb Squad Commander Joseph Corless then called on Agent Thomas Dowling, who had been investigating Melville separately as a result of his activity on the Canadian border, and told Dowling that Melville was a suspect in the bombings. Dowling gave Corless the information he had gathered from his own separate investigation – the links to Alpert and Canada and David McCurdy and the various addresses all fell into Corless’ lap.81

The Bomb Squad had failed for more than two months to develop any leads on the bombings; the internal security investigation, including Agent Dowling, had failed to develop any clues that Melville or Alpert were involved in anything illegal, despite taking a close look at them; and beyond Demmerle, Melville and his accomplices had managed to keep their secrets from the untold number of other informants and undercover agents in and around their community. But even though the Bureau had failed for several months at linking the two cases – the Melville investigation and the bomb investigation – now that the two did finally converge, the FBI had a wealth of information on Melville to work with. The links between FBI political intelligence and the counterterrorism investigation were being put together. As had been becoming the norm, it was ultimately an infiltrator who cracked a terrorism case in New York City. The Bureau quickly developed an undercover surveillance team to monitor the suspects, bringing in a number of additional FBI agents from other divisions to round out the now-robust operation.82

81 Testimony of FBI Special Agent Thomas J. Dowling, (Dowling cross-direct), Stenographers Notes, page dha 3-7, January 23rd, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
82 Testimony of FBI Special Agent Joseph Corless, January 23rd, 1970; U.S. v. Melville et al, No. 70 CR. 28, Stenographers Notes pages joj 16-18, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
Even before the bombs were planted late on the night of November 10th, FBI surveillance had commenced. In one close call for the investigation, FBI Special Agent Richard Roberts, who had commenced his surveillance of the ‘David McCurdy’ apartment at 67 East 2nd street early on the afternoon of November 10th, was in the building foyer trying to ascertain which apartment #48 was – the apartment where the bomb factory was. While he was loitering there, a white male entered the foyer and rang the buzzer for the apartment in question. When a voice asked who it was, the white male responded “Dave.” It was Hughey, carrying a large wrapped package. He was buzzed in, barely taking note of what he thought must have been a homeless person in a neighborhood full of them. Ultimately, the surveillance dragnet was too little, too late, to catch the collective in the act of the triple bombings that night, but they felt certain they had their suspects.

The surveillance of the suspects in the East Village continued on November 11th, and in fact increased in the wake of the triple bombings and now that NYPD detectives had joined the effort; when FBI SAC Malone filled Chief Seedman in on what he knew of Sam Melville and Jane Alpert on the morning of the 11th, the two men decided to conduct a joint NYPD – FBI surveillance operation of the suspects.

Seedman had been granted authorization by NYPD Chief of Detectives Fred Lussen to increase the size of his bomb investigation team to twenty-five full time detectives in the wake of the triple bombings. This increased contingent of undercover policemen joined an equal size of

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83 Alpert claims in *Growing Up* that she, Melville, Swinton and Hughey all noticed the surveillance but that they proceeded with the operations because of what she argues must have been some subconscious desire to get caught. I find this claim dubious and impossible to prove.  
84 Testimony of FBI Special Agent Richard Roberts, (Roberts-direct), Stenographers Notes, page eoh 78, January 23rd, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC  
85 Seedman, *Chief!,* 241
undercover FBI agents in quickly fanning out across the Lower East Side in teams of two, three, and four. The surveillance teams had been instructed that morning to watch the comings and goings of the suspects, but not to make any arrests. Some loitered, dressed as drunks, near the doorways of the 2nd street bomb factory; some near the 4th street apartment; others took up perches in parked cars nearby; some roared by on Harley Davidson choppers in full East Village costume, presumably fitting in well enough with the notorious Hell’s Angels local chapter just a block away. Two FBI men took over a storefront air-conditioning repair shop directly across from entrance to 235 East 4th street, scratching out peepholes in the blacked-out windows. From their surveillance post in a parked car, two other agents kept eyes on the front door and the suspect’s apartments – even though it was November, the windows were open and the curtains drawn back, and they watched Melville, Hughey, Alpert, Swinton, and one other unidentified white male through their binoculars.

**NOVEMBER 12TH, 1969**

On the evening of November 12th, not even forty-eight hours after the triple bombing early the previous morning, Seedman received an urgent call that a bomb had exploded on the fifth floor of the Criminal Courts Building, not a half-mile in a direct line down Centre Street from NYPD

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86 Characterization of the undercover operation from Seedman, 241, and various testimonies of FBI agents who took part in the surveillance operation found in the U.S. v Melville case files.
88 Testimony of FBI Special Agent Thomas J. Barrett, (Barrett - direct), Stenographers Notes, page eoh 2-4, January 23rd, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
headquarters. The policemen calling Seedman from Headquarters told him that he’d heard the explosion himself.⁸⁹ The bomb, hidden in a men’s room, ruptured pipes and ripped steel doors from their hinges, sending gushing water and shattered windows raining down on the darkened lower Manhattan street. With only a handful of night clerks and only one session of Night Court, nobody was injured.⁹⁰ In discussion with Jeremy Varon decades later, Robin Palmer claimed to have personally carried the briefcase with the bomb into the court building.⁹¹

The choice of target was not random; as with other targets, the collective made a political statement with this one. The Criminal Courts Building was where the trial of the Panther 21 was currently ongoing. Picking up the baton of this particular bombing, Weather Underground would bomb the house of Judge Murtagh, the presiding judge of the case, just a few months later in February of 1970.

The Criminal Courts bomb was the fourth successful bombing by the collective members in less than forty-eight hours. The pace, the target selection, the atmosphere of fear and the strain placed upon police resources to respond to the chorus of false bomb threats being phoned in, had all escalated dramatically. And it all happened under the nose of the FBI and NYPD, who were pretty sure they knew who the bombers were. But despite the escalation, or perhaps because of it, the endgame was approaching.

The 69th Regiment Armory on Lexington Avenue between 25th and 26th streets was then, and is still now, a striking and notable structure in a neighborhood full of them, including the also-landmarked New York Life Building. The Armory has housed the Army National Guard regiment

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⁸⁹ Seedman, *Chief!*, 245  
⁹¹ Varon, interview with Robin Palmer, cited in *Bringing the War Home*, 149
“The Fighting 69th,” one of the most decorated National Guard units in the country – since the building was completed in 1906. The Armory has long pulled double-duty, hosting cultural and sporting events in addition to its service as a military headquarters. During the 1960s it even hosted several home games for the New York Knicks basketball team.\(^9^2\) The Armory is also distinct in its civilian neighborhood for the particular type of vehicles constantly found ringing it. Then and now, the streets along Lexington Avenue, 25\(^{th}\) street, and 26\(^{th}\) street are constantly lined with military jeeps and troop transport trucks parked bumper to bumper.

As Melville and Demmerle moved toward the Armory, the intended target for the night’s action, as many as twenty-five FBI and NYPD undercover agents shadowed and kept a close eye on the suspects, including at least one FBI agent who was looking down on the scene from the top floor of the Armory.\(^9^3\)

Agent Joseph Corless, head of the FBI “Bomb Squad,” was at HQ listening to walkie-talkie transmissions of agents keeping Melville under surveillance.\(^9^4\) Before the agents and detectives saw Melville place the explosives in the army trucks – what they knew from Demmerle to be his plan – the order to move in and arrest Melville and Demmerle came over walkie-talkie by Corless. There were so many undercover law enforcement officers that the crowd choked off 26\(^{th}\) street between Lexington and Park Avenue South when they converged on Melville to make the arrest. Agents found him carrying a loaded .38 revolver, a tear gas gun, and a knapsack with a notebook

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\(^9^2\) History of the Armory found on the website of the 69\(^{th}\) Regiment, [www.sixtynight.net](http://www.sixtynight.net), last accessed 10/16/2015

\(^9^3\) Testimony of FBI Special Agent Richard Zahn, January 21\(^{st}\), 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC

\(^9^4\) Testimony of FBI Special Agent Joseph Corless, January 23\(^{rd}\), 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
and two dynamite time bombs.\textsuperscript{95} Pressing his face against the wall, they demanded to know if there were any other bombs set to go off; Melville responded that they were not set to go off until 4:00AM, nearly six hours away. Sam Melville would never know freedom again.\textsuperscript{96}

According to Alpert, Melville was somewhat surprised to find that the trucks had been parked alongside the residential side of 26\textsuperscript{th} street between Lexington Avenue and Park Avenue South – across the narrow street from the Armory. He didn’t want to cause injury to people who lived in those buildings or who might be walking alongside the trucks, and decided to abandon the plan, and that was when the FBI and NYPD undercover men moved in on him. In any case, he was arrested with the two bombs on his person, not in the trucks. This fact might have impacted the strength of the case against him and been one of the factors that ultimately lead to the deal that he, Hughey, and Alpert would ultimately get from the federal prosecutor.

During the briefings that had been held at the FBI New York office early on the afternoon of November 12\textsuperscript{th}, the Agents were told that at least Alpert, Hughey, and Swinton were thought to be part of the conspiracy, and that there was probably a good portion of the Explo dynamite left over and it might be at any of the apartments in question – two apartments on East 4\textsuperscript{th} street, and the “David McCurdy” bomb factory apartment on East 2\textsuperscript{nd} street.\textsuperscript{97} After Demmerle and Melville were arrested, at nearly 10:00PM, FBI “Bomb Squad” leader Joseph Corless instructed his

\textsuperscript{95} Testimony of FBI Special Agent Leonard A. Steinbach, January 21\textsuperscript{st}, 1970, U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC

\textsuperscript{96} Testimony of Samuel Joseph Melville, Stenographers Notes, page jhb 15 - 18, December 31\textsuperscript{st} 1969 and January 21\textsuperscript{st}, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC

\textsuperscript{97} Testimony of FBI Special Agent Richard Zahn, January 21\textsuperscript{st}, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
subordinate agents to arrest the others and search their apartments for anything that could be a public hazard, especially the remaining dynamite or any more constructed bombs. 98 A variety of dangerous scenarios cycled through Corless’s mind as his agents prepared to move on the suspects.

By about 10:30PM enough agents and NYPD detectives had converged on East 4th street to affect the arrest, and they moved on #2D, the apartment Alpert and Melville shared. There, Alpert and Hughey were arrested without incident. 99

Swinton, as luck would have it, was on a date at the time and had been away from her fifth floor apartment in the same building all day. She evaded capture and became a fugitive when she was tipped off to the arrests. Going underground, she would not resurface until 1975, when she was arrested in Brattleboro, Vermont.

In the apartment, agents found an envelope stuffed with what they called “guerilla leaflets” and tear gas cartridges, along with wire cutters, a wallet with “David McCurdy” papers, and a 1969 Hagstrom’s New York City atlas, a popular street map of the city that, when unfolded, is several feet long and clearly illustrated all of the streets where they had placed bombs. The FBI also found a TM 5-725 Department of the Army Technical Manual for rigging explosive devices, and a binder notebook open to a diagram of the RCA building, the site of a bombing not two days prior. 100

As NYPD detectives and FBI Agents swarmed into 235 East 4th street, they also moved into Melville’s “David McCurdy” apartment on the sixth floor of 67 East 2nd street. But instead

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98 Testimony of FBI Special Agent Joseph Corless, January 23rd, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC


100 Testimony of FBI Special Agent Leonard A. Steinbach, January 21st, 1970, U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
of finding suspects like they did on 4th street, they instead found a bomb factory and armory – the remaining Explo dynamite, blasting caps, primer cord, live grenades, Westclox alarm clocks identical to the ones used in the time bombs, batteries, three rifles, and tools for building the bombs.\textsuperscript{101} They even found a recent copy of the \textit{New York Post} whose headline and lead story discussed the collective’s recent bombings.\textsuperscript{102} They evacuated the building and surrounding area and NYPD Bomb Squad detectives secured the explosives. They were having a busy day; NYPD Bomb Squad was also responsible for securing the explosives found on the suspects at the Armory.\textsuperscript{103}

Despite knowing for more than forty-eight hours of the addresses of the various apartments the conspirators lived in and used on East 2nd and East 4th streets, the FBI had failed to request, much less obtain, search warrants for the premises. Defended as an emergency search because of the danger to the public that explosives posed, this would become an issue at trial. Melville’s attorney William Crain would later attempt to have all of the evidence found at the apartments suppressed as evidence, arguing that since there was never a search warrant for the apartments, the items were the fruits of an illegal search. The court disagreed; Judge Milton Pollack found that it was “beyond a reasonable doubt that there was an emergency that fully warranted a search of this apartment on a forthwith basis and without any delay whatsoever, including a delay which would be incident to obtaining a warrant.”\textsuperscript{104}

\textsuperscript{101} “FBI Memo, FBI Lab to FBI NY, Subject: Samuel Joseph Melville,” January 26\textsuperscript{th}, 1970, 68/81; FBI FOIPA Records Request #1315776-0
\textsuperscript{102} See photograph, Seedman, \textit{Chief!}, 222
\textsuperscript{103} Testimony of NYPD Chief Albert Seedman, January 21\textsuperscript{st}, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
\textsuperscript{104} U.S. District Judge Milton Pollock, Memorandum (Melville Apartment Search), page 2, March 13\textsuperscript{th}, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
Years after the arrests, Alpert – then on the run and underground – expressed her continuing animosity for the authorities: “The pigs reported the arrest to the media as if it were the result of months of masterful sleuthing. In fact Sam couldn’t have made it simpler for them.” Her arrogance and dismissiveness are off the mark. The Bureau, like NYPD, had intentionally and extensively developed informants and infiltrators for exactly the purpose Demmerle served here; that he was in Melville’s orbit was not a mistake. Also, by following up on the previous political activist activity including the intended trip to Cuba, the Bureau had developed an interest in Melville; an interest and intelligence gathering that was usually political policing, but in this case as in others yielded them a group of terrorists.

**EXPOSING AN INFORMANT**

George Demmerle was arrested along with Melville on the night of November 12th in order to protect his cover as an FBI informant. Brought in handcuffs to a small room on the ninth floor of the FBI New York office on 69th street, the star informant met with his handler, Special Agent Robinson, as the clock approached midnight. Demmerle had performed exceptionally well and both the FBI and the NYPD were pleased. He would remain in jail another five or six nights in order to try to protect his cover (which was ultimately blown) and to perhaps gather additional information from Melville while they were incarcerated together (it didn’t work – Melville instead physically threatened him when it became apparent Demmerle had informed on him).

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105 Alpert, *Letters*, 39
106 Testimony of FBI Special Agent John W. Robinson (Robinson – Cross), Stenographers Notes, page dha 15-16, March 6th, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
Demmerle’s unmasking as an FBI informant sent waves through the New York City radical left community. His street cred in the movement was well-established, but the denunciation of Demmerle came fast and furious once his true role became apparent. Publications from RAT to the Village Voice echoed what must have been a common refrain in Manhattan’s East Village those days, that Demmerle was an disturbed lunatic and a traitor to those who trusted in him; “…crazy George Demmerle, a notably unstable human being, a police agent, and a refugee from mental institutions and the Minutemen,” as RAT not-so-lovingly referred to him as.\textsuperscript{107} In his memoir, Jerry Rubin recollected that the day after the arrests: “I read that George was released without bail on the prosecution’s motion and he was going to testify for the government. My heart stopped. I felt so shitty. George’s emergence as an FBI informer ... dealt a temporary blow to the freaky movement in New York.”\textsuperscript{108}

Demmerle might have even been the subject of more than just harsh and unkind words; not able to stay at his own home during the trial, he was put up by the Bureau at the Hotel Margarite in Brooklyn. When several suspicious fires broke out, including one in a broom closet directly across from his room, he was moved again.\textsuperscript{109} Demmerle eventually went on to quietly collect a $25,000 award from the Marine Midland Bank for aiding in Melville’s capture and conviction, and his cover permanently blown, he ceased to be a paid FBI informant by February of 1970, and by 1972 had left New York for Alabama, where he remained for most of the 1970s; he worked for a number of years as a private investigator with the Burns Detective Agency, and eventually drifted

\textsuperscript{107} RAT, Vol. 2, No. 24, December 15\textsuperscript{th}, 1969 (also found in Demmerle FBI FOIPA Records Request #1319364-0, Section 2 Serial 1 page 76/202)

\textsuperscript{108} Rubin, We Are Everywhere, 218

\textsuperscript{109} “FBI Airtel, SAC New York to Director FBI, Subject: Conf. Inft. [Redacted] (OO : New York)” March 17\textsuperscript{th}, 1970; FBI FOIPA Records Request #1319364-0
to the Dallas-Fort Worth area.\textsuperscript{110} By the time journalist David Bonner met him in 1993, Demmerle “was living the life of a small-time artist, creating weblike installations out of some sort of synthetic material, upon which he would project multicolored lights… Occasionally, he would have an art exhibit, showing up dressed as Prince Crazy… He was a regular at anti-war and other protest rallies…” Never quite sure, it seems, if Prince Crazy or FBI Informant was the real him, George Demmerle passed away in October of 2007.\textsuperscript{111}

\textit{THE COURT CASE}

The case initially went to Federal Court (Southern District of New York) before District Judge Milton Pollock. Melville’s pre-trial testimony began on December 31\textsuperscript{st}, 1969, the very last day of the decade; pointing out that the Melville collective ushered in the end of the 1960s is perhaps trite, but unmistakably true.\textsuperscript{112}

As soon as pre-trial proceedings commenced, the defendants found themselves in an exceptionally hostile environment; exceedingly more so than the Cuban Power defendants, for instance, who were then still working their way through the legal system toward a soft landing. Bail for Melville was initially set at an insurmountable half-million dollars; after it was eventually lowered to fifty-thousand dollars the amount was surprisingly raised by the New York movement,

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\textsuperscript{110} “FBI Memorandum, SAC NY to Acting Director FBI, RE: George Demmerle [Redacted],” August 15\textsuperscript{th}, 1972; FBI FOIPA Records Request #1319364-0
\textsuperscript{111} David Bonner, “Remembering George Demmerle, Portrait of a Police Informer,” CounterPunch, October 1-15\textsuperscript{th}, 2008
\textsuperscript{112} The federal case, United States of America v. Samuel Joseph Melville, George Demmerle, John David Hughey, III, and Jane Lauren Alpert, Defendants (No. 69 Cr. 811 and No 70 Cr. 28), began hearing pre-trial motions and depositions on New Year’s Eve, 1969, before District Judge Milton Pollack. State charges would eventually be filed but subsumed within the plea deal that the defendants struck.
\end{flushright}
only to be denied by the court and his bail doubled; the court ultimately demanded Melville be held in preventative detention – remanded in custody without bail as a threat to the public – a maneuver that legal observers at the time had never seen applied in a non-capital case.113 Seemingly reasonable objections and motions raised by the defense were routinely and uniformly ruled out by Judge Pollack. At one point during pre-trial proceedings in January, William Crain protested what was practically an interrogation of his client by Judge Pollack: “Your Honor, at this point I would have to ask that the prosecuting attorney, the Assistant United States Attorney, do the cross-examination of the witness and not the Judge.” Pollock did not take kindly to Crain’s objection and curtly defended his capacity to do just that. But he had no more questions for Melville, in any case.114

As the court proceedings began, mainstream publications like the New York Times, Newsweek, and TIME praised the authorities for bringing an end to the terrorist bombing campaign. The underground press, however, projected a much more complicated reaction. RAT, unsurprisingly, became intimately involved; publisher and editor Jeff Shero found himself in “the strange role of justifying” the bombings; “explaining why people might bomb the corporate headquarters of Amerikan (sic) industrial giants.” RAT went on, in a separate piece, to do just that – justify the bombing of the courthouse that “flushes away the men and women who are dysfunctional…” the induction center that “takes the men who are needed in Amerika’s wars…” and the Federal Building that is “the embodiment of Amerikan government, spreading its bureaucratic pall over

the nation” not to mention the private “office buildings and corporate headquarters where the
business of the Amerikan empire is carried out.” 115 Alpert remained on staff at RAT and was
variably given tongue-in-cheek titles on the masthead like “Headliner of the Week” and
“Publicity.” Film screenings were held to raise money, publicized by the paper – one showing
Emile de Antonio’s Vietnam War documentary In the Year of the Pig and the most heralded of all
revolutionary films, The Battle of Algiers. 116 RAT called on readers to send “anything and
everything you can” to the defense fund. 117

The East Village Other, just days after the arrests and after the massive November 15th
March on Washington, published a special issue in conjunction with RAT exploring the dramatic
news of the week. RAT, having been dropped by its city distributor in the wake of the indictments
and arrests of its staff members, could use all the help it could get, and it got considerable support
from East Village Other. In the pages of Other, Jeff Shero similarly justified the rationale behind
the bombings while still arguing that innocence of his friends and colleagues: “If the bombings are
a rational act of people morally outraged with the US government’s role in the world, then there
will be no end to the bombings until moral outrage disappears… if Jane Alpert is guilty, then the
American people are a time bomb.” 118 Even if only by publishing articles written by their
competitors, the much-more-mainstream East Village Other was going on record in support of the
bombers and their actions.

Supporters also came out in droves to the court proceedings to support the defendants, once
even protesting so loudly that Judge Pollack was forced to adjourn for several hours and threatened

116 Advertisement, RAT, January 26th, 1970
117 “Free Sam Melville!” RAT, December 25th, 1969
118 Jeff Shero, “Reports on Bomb Plot,” East Village Other, November 19th, 1969
to clear the courtroom if any further outbursts occurred.\textsuperscript{119} The radical left anti-war community, especially the core of the movement centered in and around the East Village, was squarely in support of the Melville collective. \textit{RAT} emphatically proclaimed in January of 1970 “Powerful our love, power in our will to fight, freedom in our energy. Sam Melville \textit{is} free.”\textsuperscript{120}

Melville, himself, mostly exhibited self-restraint during the proceedings, electing to not use the assembled media to make a soapbox out of the courtroom, save perhaps one notable occasion when he called Judge Pollack a “jackass” in open court.\textsuperscript{121} Other than one or two similar outbursts from Alpert – one when a motion to lower Melville’s bail was denied: “That was the decision of a wealthy fascist!” she shouted\textsuperscript{122} – it was a mostly civilized affair. Jane Alpert and David Hughey, out on bail while Melville remained in prison, became movement celebrities while waiting for the trial to commence. And it is clear that Melville himself was contemplating a way out rather than submission to the system; a surprise shake-down of his cell in the Manhattan Detention Complex (affectionately known as “The Tombs”) prior to the opening of the case revealed a dynamite blast escape plan he intended to mail to an unknown conspirator on the outside;\textsuperscript{123} Melville, it seems, had a reputation to uphold: “My French cellmate, who speaks no English, calls me ‘boom boom.’”\textsuperscript{124} In March, he overpowered, gagged, and bound (with his own

\begin{itemize}
\item \textsuperscript{119} “Backers Disrupt Arraignment of 3 in Bombing Plot Here,” \textit{New York Times}, January 16\textsuperscript{th}, 1970
\item \textsuperscript{120} \textit{RAT}, January 26, 1970
\item \textsuperscript{121} Craig R. Whitney, “Bomb Suspect Calls Judge a Jackass,” \textit{New York Times}, February 20\textsuperscript{th}, 1969
\item \textsuperscript{122} \textit{RAT}, “Sam Melville,” January 7 1970
\item \textsuperscript{123} Melville’s letter and escape plans located in FBI evidence record #52-91969 Q31 JC (page 3), FBI FOI/PA Records Request #1315776-0
\item \textsuperscript{124} Sam Melville to John Cohen, \textit{Letters}, 88, December 1969
\end{itemize}
belt and tie) the single U.S. Marshall guarding him at the courthouse, only to be recaptured at
gunpoint two floors below, just as he approached an exit door leading to the street.125

Along with the other defendants’ attorneys, Jane Alpert’s attorney Sanford Katz tried
repeatedly and vigorously to get the court to dismiss (or at the very least delay) the proceedings
because, he argued, the defendants could not receive a fair trial given the government and police
leaks to the press about the case, the tremendous coverage in the press, and certainly given the
atmosphere; “…a hysteria, a fear…” permeating New York City as 1970 continued and the
bombings in the city escalated.126 Judge Pollack did, in fact, delay the trial on March 13th 1970,
just one week before it was begin; it was impossible to deny that recent events would not have an
impact.127 Authorities were still combing through the wreckage and sorting the evidence and body
parts in the wake of the massive Weather Underground townhouse explosion on March 6th; a series
of corporate office bombings by a group calling itself “Revolutionary Force 9” – bombings
strikingly similar to those committed by the Melville collective – kept New York City on edge the
following week. Thinking the group might be linked to the Melville collective, the Bureau
conducted exhaustive handwriting, fingerprint, and typewriter analysis on the communique
received by the new group but could not develop any links.128 On March 9th, two associates of
Rap Brown were killed when a bomb they were transporting to the courthouse where Brown was
to stand trial exploded in the front seat of their car; the next day, the original venue for Brown’s
trial in Maryland was bombed, and then Brown himself went underground. Defense Attorney

125 “Bare Melville Escape Try,” New York Post, March 11th, 1970
126 Argument of Sanford Katz, Esq., Attorney for Jane Alpert, Stenographers Notes page 26, March 11th, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
128 FBI Laboratory Work Sheet, RE: Samuel Joseph Melville, File #52-91969-260, March 19th, 1070; FBI FOIAPP Records Request #1315776-0
Crain argued “[t]he Rap Brown bombing has been on the front pages for two days. The townhouse bombing has been on the front page for four days. It will indeed continue on the front page at least until Mr. Brown appears and I think probably beyond that.” John Doyle, III, the Assistant U.S. Attorney prosecuting the trial, in fact agreed that the climate was charged, but used this ‘new normal’ to argue for continuance; “I am afraid that we are living in a period when the actions of persons resulting in bombings and the trials that result from those actions are not infrequent. And it is difficult to say that the public consciousness of these trials is going to be diminished in any significant way in the near future.” The “gigantic” year of bombings, to use Police Commissioner Howard Leary’s term, was unfolding.

The new start date for the trial was set for April 29th, 1970, and Judge Pollack assured all concerned that, regardless of what bombings may occur, there would be no further delay. But the case would never make it before a jury. Alpert and John Cohen argue that the government did not want a long and costly trial and that the cases against her and Hughey were flimsy; all parties agreed to a plea deal where Melville would serve at least fifteen years and Alpert and Hughey would serve five each. The sentences, as previously discussed, were far in excess of those handed out to the Cuban Power terrorists the following year. Melville, Alpert, and Hughey plead guilty to the charges as outlined in the deal on May 4th, 1970.

Defending their decision to take a plea, a decision that some in the movement considered tantamount to surrender, Alpert argued in a piece published in RAT that “[t]here are no battles to

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129 Argument of William Crain, Esq., Attorney for Sam Melville, Stenographers Notes page 20, March 11th, 1970; U.S. v. Melville et al, No. 70 CR. 28, (S.D.N.Y. 1970), Box #6, Ascension # 021-75F-0468, Location # D4204045, NARA-NYC
be won in the courts of the enemy. It’s only a question of getting off as soon as you can, as easily as you can.”¹³²  After sticking around to plead guilty on May 4th, she immediately went underground as a fugitive, linking up with Weather Underground and eventually Pat Swinton along the way.¹³³  Melville, Alpert claims, was pleased that he could get out before being too old.¹³⁴  No matter, Melville explained to his ex-wife Ruth, because the corrupt government wouldn’t even last that long: “15 years means i could be eligible for parole in about 5 to 7 years. i’m not down about it though – the system won’t last even that long.”¹³⁵  In another letter, this one to John Cohen, Sam explained his sentence: “predicted total time: 15 yrs (they haven’t got it to give).¹³⁶

David Hughey’s bail was immediately rescinded when Alpert disappeared for fear he would also take flight; he would serve two years in prison as a Young Adult Offender before being sentenced to monitored probation, but spend several more months in prison for contempt of court for refusing to testify in the case against Pat Swinton after she was arrested in Vermont in 1975.¹³⁷  Demmerle did take the stand in her trial, claiming that he couldn’t identify Swinton as the same person he knew to have discussed violence and guns at Revolutionary Contingent meetings in 1967.¹³⁸  Tired of a life on the run, Alpert would turn herself in in 1975 and serve a twenty-seven month sentence.

¹³⁴ Alpert, Letters, 43
¹³⁵ Sam Melville to Ruth LNU, April 2nd 1970, Letters, page 107
¹³⁷ United States v. John David Hughey, III, 571 F.2d 111 (2d Cir. 1978). In front of Judge Pollack (again) on September 22, 1975, after he’d been released from prison, Hughey argued his "conscience would not permit (him) to testify against Pat Swinton…”  On September 26, 1975, a jury acquitted Swinton on all charges in the bombings, but Hughey would be found guilty of contempt for his refusal to testify.
At the sentencing proceedings on June 19th, 1970, Judge Milton Pollack read into the official court record a statement “commending the Federal Bureau of Investigation for its outstanding and efficient work;” Director Hoover himself responded to Pollack on July 1st, 1970, with a personal letter thanking “My dear judge” for his kind words, as did New York office Assistant Director in Charge John Malone. The defendants and defense counsel would exchange no such pleasantries with His Honor. Sam Melville, upon hearing Pollock announce his sentence, responded with a clenched fist “radical salute” and was taken off to the Tombs.

**FBI AND NYPD COORDINATION**

The FBI pleasantries didn’t just extend to Judge Pollack. Even before the court proceedings started – in fact just a day after the initial arrests occurred – the FBI commended the “splendid team work between the informant and the Agent (Robinson) handling him” as well as “the vast joint surveillance operation directed at the operation… the coordination and cooperation of the New York City Police and the FBI in this operation were truly of the very highest character…”

The close working relationship between FBI and NYPD in matters of political subversion and reemerging terrorist threats had been, in recent years, most closely characterized by the coordination between FBI and the NYPD Bureau of Special Services. That relationship, so evident

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139 “FBI Teletype, Urgent, New York to Director,” June 19th, 1970; FBI FOIPA Records Request #1315776-0
140 Personal Letter, FBI Director Hoover to Judge Pollack, July 1st 1970; FBI FOIPA Records Request #1315776-0
141 Personal Letter, FBI Assistant Director John F. Malone to Judge Pollack, June 24th, 1970; FBI FOIPA Records Request #1315776-0
142 “Melville Sentenced to 13 to 18 Years for Bombings Here,” *New York Times*, June 20th, 1970
143 “FBI Teletype, Urgent, New York to Director, Subject: Conf. Inft. [Redacted],” November 13th, 1969; FBI FOIPA Records Request #1319364-0
as recently as the Minutemen and Cuban Power plots, was noticeably absent in 1969; instead of with BOSS, the FBI coordinated with Chief of Detectives for Southern Manhattan Albert Seedman.

It was Seedman’s detectives who continued the investigation, even after it was discovered to be clearly political and “subversive” – the core of BOSS’s work. It was Seedman’s detectives who conducted the joint surveillance with FBI, not detectives from BOSS. Beyond the several NYPD Detectives and Bomb Squad members involved in the arrests, several, including Captain Bob McLaughlin and Seedman, were present at the FBI office that night – none, it seems, from BOSS. Seedman was invited into the interrogation room with Melville on the night of his arrest – not William Knapp, the formerly ever-present Commanding Officer of BOSS.

Given the role that BOSS played as an intelligence unit (and not criminal) first and foremost, it is certainly possible that since the Melville collective investigation actually started with a crime (i.e., the ambiguous bombing of the United Fruit Pier) the case shifted to other units in the Detective Division; it was not until August 29th, a month after the pier bombing and nine days after the Marine Midland bomb, that the political nature was discovered in the pages of RAT.

This may seem a distinction without a difference; the robust cooperation between FBI and NYPD continued, regardless of which division within NYPD this cooperation manifested within. But that the Police Department’s robust intelligence operation, tasked so recently with the political policing activities that Frank Donner discusses, a beneficiary of intelligence training from CIA, was a nonfactor in the such a high-profile and ongoing campaign of what were clearly political bombings, is worth exploration.

It must be taken into account that the highly public, and highly controversial, Panther 21 case was working its way through the justice system for the entire duration of the Melville
collective activities. The Bureau of Special Services was the lynchpin in that case – in the infiltration, investigation, and indictment of the Panther 21 defendants. BOSS undercover officers Gene Roberts, Carlos Ashwood, and Ralph White were all key to the prosecution. The indictments against the original twenty-one (later reduced to thirteen) defendants were issued in early April of 1969, just as Melville and Alpert were helping the FLQ fugitives plot their eventual hijacking.\footnote{Morris Kaplan, “Bomb Plot is Laid to 21 Panthers,” \textit{New York Times}, April 3\textsuperscript{rd}, 1969} Pretrial proceedings, arrests, leaks, press coverage, mass demonstrations at court, and other dramatics persisted all the way until the opening of the trial in January of 1970 – just as the Melville collective case was going through its own pretrial dramatics. Given the sensitivity surrounding the Panther trial, an increasingly hostile public sentiment toward the police department following episodes like the 1968 Columbia protest and the Stonewall Inn raid and riots in June 1969 – just weeks before the first Melville collective bomb – and the ongoing friction with City Hall, it is perhaps understandable that BOSS was sidelined in the Melville investigation even when it became apparent that the bombings were political in nature.\footnote{The bombings were clearly political in nature by the time of the Marine Midland bombing in late August, when NYPD Detectives discovered the letter claiming responsibility published in the pages of \textit{RAT}.} Whatever the specific reason during the Melville investigation, that BOSS would be further sidelined just as terrorism was coming into much greater focus in New York City, and ultimately done away with just as proponents such as Anthony Bouza argue they were needed most, is a historical fact that will be discussed in the coming chapters.

On the other side of this federal-municipal cooperation, and in a measure of consistency with recent cases, the centrality of George Demmerle in the capture of the Melville collective illustrates that
undercover operatives and infiltrators remained the most effective method of countering terrorism not just for NYPD but also for the FBI. And despite a vast domestic intelligence capability and robust infiltration and informant operations, there remained in 1969 no specific terrorism or counterterrorism training or organizational capacity within the Bureau to investigate bombings or clandestine terrorist groups – BOSS seemed to naturally take on that role for NYPD, but once subversion moved into the realm of terrorism the Bureau responded in a more fluid, if improvised, fashion. As discussed, agents were culled from various Bureau functions including bank robbery to work on the “Bomb Squad,” the ad-hoc task force established to investigate the Melville collective. A similar ad-hoc response to Weather Underground would soon emerge, with long lasting consequence.

CONCLUSION

The NYPD and FBI cooperation exhibited in the apprehension of the Melville collective illustrates a particular point in time that found the emerging prioritization to counter terrorists, the sidelining of NYPD’s BOSS, and the continuing emphasis and reliance by both organizations on using informants and infiltrators in combatting politically motivated violence. Despite the setbacks that both organizations would suffer throughout the 1970s – the impact of the fallout from the Panther 13 case and a number of scandals, the FBI investigation of Weather Underground, COINTELPRO, and other episodes in the history of these organizations discussed in later chapters – the counterterrorism cooperation between the two organizations would continue and in fact be further formalized just a decade later with the creation of the FBI-NYPD Joint Terrorism Task Force.
(JTTF) in 1980, the first of what are today more than 100 such JTTFs throughout the nation.\footnote{146}{Information on the emergence of the first JTTF and the current number of JTTFs around the nation found on the FBI website, \url{https://www.fbi.gov/about-us/investigate/terrorism/national-joint-terrorism-task-force}, last accessed 11/04/2015.}

Those institutions, cornerstones of the massive domestic counterterrorism infrastructure we know today, grew out of the informal, ad-hoc, but usually close cooperation between the agencies in New York City cases such as the investigation of the Melville collective.

The FBI, correctly, never believed that Melville, Alpert, Hughey, and Swinton were the entire cast of characters involved in the bombing collective; “[t]here was some indication that the aforementioned individuals did not compromise the entire group involved in the bombings as early as 1970. [Demmerle] reported that Melville described such a group, but [Demmerle] never met this group.”\footnote{147}{FBI Report on Weather Underground / Pat Swinton [Illegible / Redacted], Title of Case: Hanged File (Interoffice), [Redacted], January 2$^{nd}$, 1975, especially pages 14 and 19; FBI FOIPA Records Request #1315776-0} In the coming years, the Bureau interviewed possible candidates for the collective, and they inspected various apartments that may have been previously unknown locations of the group’s meetings, including in an apartment building on Perry Street in Manhattan’s West Village that Alpert claimed meetings had been held in. Yet, for all of their efforts, by 1975 the FBI acknowledged that “…the aforementioned investigation has failed to identify any member of the group; in fact, it has not even provided any good suspects… NY Office has all but exhausted leads concerning the 1969 bombing group.”\footnote{148}{FBI Report on Weather Underground / Pat Swinton [Illegible / Redacted], Title of Case: Hanged File (Interoffice), [Redacted], January 2$^{nd}$, 1975, page 9; FBI FOIPA Records Request #1315776-0} In the case of at least Sharon Krebs and Robin Palmer, the failure to identify, indict, and arrest members of the collective meant that these persons would go on to join groups continuing the trend of terrorism in New York City as the “gigantic” year...
rolled on, and, notably, with the group most associated with that period in American history – the Weather Underground.

Weather, the unknown members of Revolutionary Force 9, and others within the radical left movement in New York City and around the nation were certainly contemplating similar actions to what the Melville collective assertively carried out in the middle to end of 1969. And they had templates to mimic in the actions of those like Cuban Power, albeit from the opposite end of the political spectrum. But as Jeremy Varon argues, Sam Melville and his collective “…caused New York radicals to speculate about who had so boldly turned talk of revolutionary violence into action.”\(^{149}\) *Newsweek* echoed the same sentiment just weeks after the arrests, arguing that the Melville collective “became the first white ‘revolutionaries’ accused of going beyond rhetoric and confrontation to the tactics of outright terrorism…

> “New York has had its share of mad bombers before, but what made the latest series of explosions all the more ominous was the message that accompanied them… letters to the press followed, linking the sabotage to the whole current catalogue of radical causes from the war in Vietnam and corporate “imperialism” to free love and legalized marijuana.”\(^{150}\)

*Newsweek* makes an important point here. Instances of terrorist plots and even attacks had alarmingly reemerged in New York City over the past few years, including most prominently those discussed in this study. But that the loud and highly visible radical left protest movement – largely,

\(^{149}\) Varon, *Bringing the War Home*, 118

\(^{150}\) “Terrorism: The House on Fourth Street,” *Newsweek*, November 24\(^{th}\), 1969
the “white” kids that Newsweek points out – had turned to terrorism was a disconcerting development. Cumulatively, it would make for the most prolific space and time of terrorism in American history.

Weatherman was discussing, debating, and considering an approach while Sam Melville more simply saw in the FLQ (and perhaps Cuban Power) a model and a path he appreciated, and he adopted it. While those in the movement fiercely debated the openly-confrontational direction that Weatherman was taking SDS – leaving many former supporters, SDS members, and even Weather faction members. on the outside disdainfully looking in – there is very little contemporary internal criticism of the Melville collective to point to. There is, in fact, a great deal of admiration that precedes the emulation that would soon follow. In one of the final issues of RAT to be published, a staff writer would recall:

“Our first reactions to the early bombings by Jane Alpert, Sam Melville and David Hughey was RIGHT ON. We were exhilarated. It had finally happened. The war had come home and reality had been altered for the entire country. Revolution was no longer an exotic word or thing that occurred abroad, but was happening right here – at home. People, in and out of the movement, had to deal with the fact that the children of white middle class Amerika (sic) had crossed that line – irrevocably.”

151 “Wither Weatherman? (all power to the imagination!),” RAT Subterranean News, September 1970
The Melville collective, in emulation of the Canadian fugitives it had learned a great deal from, offered an approach that others, many who knew them personally, would soon follow. As Varon observes, while Weatherman was “talking boldly of its desire to wage an all-out guerrilla war, the New York collective engaged strictly in what it dubbed ‘pacifist bombings.’ Attacking property only, and, after the Marine Midland explosion, issuing warnings to prevent injury, it pioneered a style of attack that would only later become Weatherman’s signature.”152

152 Varon, *Bringing the War Home*, 121
PART III: A DECADE OF TERROR

Chapter 8 : The Weather Underground
Today, it might be easy to walk down West 11th street between Fifth and Sixth avenues and not take note of the fact that one townhouse – number 18 – is considerably more modern than the row of nineteenth century townhouses that flank it on both sides. Where the others have cornices, graceful wood window frames, and other Federal-style exterior details tightly governed by the New York City Landmarks Preservation Commission, number 18 is sleek, angular and minimalist; distinctly mid-late twentieth century. Barely notable today as an architectural oddity on the beautiful Greenwich Village block, 18 West 11th street is perhaps the most distinct of the non-distinct markers that New York City and the nation entered into a new era of terrorism as the long Sixties progressed.¹

At just about noon on March 6th, 1970, a massive explosion burst from the basement of the townhouse, blowing out the façade of the building and even walls of adjoining buildings – one which actor Dustin Hoffman and his then-wife lived in – and shattering windows up and down the block. A virtual army of firefighters and police officers arrived within minutes to find rubble and debris spread across the street and flames higher than the adjoining roofs; gas lines ruptured by the first massive explosion soon caused at least two smaller explosions.²

As the dust began to settle and the fire was finally extinguished, the human cost of the explosion began to come into focus. The bodies of three members of a New York City collective of the Weather Underground – Ted Gold, Diana Oughton, and Terry Robins – were found and identified in coming weeks. At first, before the identities of the badly-mangled bodies, or of the

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¹ Bernadine Dohrn, a Weather Underground leader, acknowledged “[t]he story of what happened there [at the townhouse] really is the history of the whole organization,” when speaking to filmmaker Emile de Antonio in the documentary *Underground* in 1975.

two young women who escaped the explosion injured and in tatters (later discovered to be Kathy Boudin and Cathy Wilkerson, whose father owned the townhouse) were discovered, authorities believed that Melville collective member Pat Swinton, then underground and on the run, had perhaps been one of the dead victims or young women who disappeared. The source of the explosion that killed the three young Weathermen, it was quickly discovered, caused great alarm to the authorities responsible for investigating the explosion, including NYPD Chief Albert Seedman. A massive cache of dynamite and partially-constructed bombs packed with roofing nails was found in the rubble, complicating the long cleanup and razing of the demolished townhouse. “The people in the house were obviously putting together components of a bomb,” Seedman told the press, “and they did something wrong.”

Barely a year and a half earlier, in the midst of the Cuban Power investigation, an NYPD Bomb Squad member had speculated that, if terrorists keep “setting [bombs] off, somebody’s eventually going to be killed and very often it’s the people who are making the bombs.” His prediction had come true in grisly fashion.

Years after the explosion, it was revealed that a dance for non-commissioned officers and their dates at the nearby Army base at Fort Dix, New Jersey, the night after the explosion, was the intended target. Fort Dix, not coincidentally, was a hub of GI resistance to the war, and happened to be by far the largest military installation in close proximity (about seventy miles) to New York

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6 Now openly admitted by several Weather members including Mark Rudd in memoirs and elsewhere, that the target of the bomb was the dance at Fort Dix was first mentioned, according to Arthur Eckstein, by Peter Collier and David Horowitz, editors, in “Doing It: The Rise and Fall of the Weather Underground,” in *Destructive Generation: Second Thoughts about the Sixties* (New York: Free Press, 1987)
City. More than a hundred GI’s, many imprisoned for refusal to take part in the war effort, had rioted in June and the key figures, the “Fort Dix 38” as they would become known, emerged as an anti-war movement cause célèbre. Civilian protestors numbering as many as four to six thousand, including Columbia University student veterans of the protests there, Young Lords, and Black Panthers, marched onto the base on October 12th, 1969, just five days after the Melville collective bombed the Whitehall Armed Forces Induction Center in lower Manhattan. Members of the Weather Townhouse collective had been actively involved in the planning for the Fort Dix protest march, and strongly advocated for a militant East Coast Days of Rage-like action at the Army base, but after that event in Chicago (that ended the day before the Fort Dix protest) they were precluded from taking part in what ended up being an overwhelmingly peaceful event at the base.

The Fort Dix protest march was arranged by movement organizers who opened a pop-up coffeehouse just outside the base gates in Wrightstown, New Jersey, that despite constant harassment from local and military police, became something of an oasis for soldiers to get away from base and relax, listen to music, and read Shakedown and other anti-war GI publications they might get in trouble for possessing just a few feet away on base. Less than a month before the Townhouse explosion, the coffeehouse was bombed (presumably by someone opposed to the anti-

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8 Weatherman Shin’ya Ono discusses, at great length, the schism that emerged between Fort Dix Coffeehouse leaders, organizing the protest action, and the New York Weather collective; Ono explains that “[t]he coffeehouse people called our suggested plans for a fighting action and our stress on the need to break through the weak links in the [Military Police] lines ‘suicidal.’” See Ono, "You Do Need a Weatherman to Know Which Way the Wind Blows," in Harold Jacobs, ed., Weatherman, page 230 (Ramparts Press, 1970)

war message and activity it supported) while full of soldiers and their dates. Three soldiers were injured, one hospitalized.¹⁰ That the Townhouse collective planned the bombing at the dance as some kind of retaliation is highly possible – and even that it is possible (and maybe probable) that a terrorist bombing was intended as a retaliation for another terrorist bombing illustrates just how widespread across the political spectrum the phenomena had become during the tumultuous era.

The Townhouse collective, as the Weather Underground members who died and were injured in the explosion are often referred to as, were building a powerful bomb to not just broadcast their political message – they were building a powerful device intended to kill and maim. That much was alarmingly clear to the NYPD and FBI officials who sifted through the wreckage; it was a disquieting departure from the bombs placed by the Melville collective, Cuban Power, and most others involved in terrorism in New York City the previous few years. The vast majority of those devices were intentionally set to explode in symbolic locations, but late at night when injury or death could be avoided. In the case of both Cuban Power and the Melville collective, phoned-in warnings were an additional failsafe intended to avoid doing harm to people and not just property. Even before the exact target of the Townhouse collective bomb was known, the powerful bomb laced with nails was obviously intended to do more than send a message.¹¹ And even though the previous two years had brought a number of bombings to New York’s front pages, the deadly

¹¹ The critical moment in the history of Weather Underground, as well central to radical politics more generally in the 1970s, the townhouse explosion is discussed at great length in the historiography of Weatherman especially, but also in scholarship exploring the tumult of the 1970s. See, especially, Varon, *Bringing the War Home*. Former Weathermen such as Bill Ayers have spoken, much more in recent years, about the tremendous impact of the townhouse; and most recently, Burrough’s *Days of Rage* argues that the New York Collective was by far the most violent of all Weather Collectives and could have had a dramatic impact on the direction of the organization if it successfully raised the stakes with by killing U.S. Service-members and their civilian dates.
and powerful blast on 11th street upped the ante; Jeremy Varon argues that “[t]he media and public reacted with shock and outrage” to the dramatic escalation. 12 A new page had been turned. 13

In July, not four months after the townhouse – following the end of the Melville trial, the opening of the Panther 13 trial, and a host of other notable bombings (some to be discussed in this and following chapters), NYPD Commissioner Howard Leary and several police officials testified before a U.S. Senate Subcommittee commission brought together to investigate the epidemic of terrorist bombings in New York City and elsewhere throughout the United States. “The increased incidence of bombings and arson which have plagued the Nation during the last year and a half clearly indicates that the United States is experiencing a phenomenon unparalleled in our history,” argued Senator John McClellan, the Committee Chairman. “Bombings, terrorism, and sabotage are not subjects which have been historically and traditionally familiar to the American people.” 14

As this dissertation argues, the Chairman’s assertion that terrorism was not historically familiar to the United States is false; 15 the previous year and a half was, however, a dramatic and unprecedented time, at least in New York City. Commissioner Leary argued that there was just as

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12 Varon, Bringing the War Home, 175
13 Elsewhere around the nation, similar if marginally less dramatic signals of a new direction for Weather sprung up that winter and spring. In February, a San Francisco police station was bombed, killing one officer and wounding several. A Weather Underground collective was and is still suspected. See N 71, this chapter. In Detroit, informant Larry Grathwohl claimed to have alerted his FBI handlers of two bombs located at Detroit Police Department targets on March 6th, 1970 – the same day as the Townhouse explosion. See Arthur Eckstein, Bad Moon Rising, 27 – 31
14 U.S. Senate, Permanent Subcommittee on Investigations, Hearings on Riots, Civil and Criminal Disorders, July 1970. page 5313
15 The Committee did, at least, acknowledge that groups from across the political spectrum had been involved in this wave of terrorism, or at least in promoting it in speech and writing, including the Black Panther Party, SNCC, SDS, the KKK and the Minutemen. See page 5314
much a likelihood that bombings would emerge from the political right as from the left, and when asked to characterize the period in Gotham, explained that the spike in bombings had “reached gigantic proportions and… I look for it to accelerate to a greater degree.”

Commissioner Leary wasn’t far off the mark; even if the actual number of bombings might never quite exceed the historic level that it reached between 1969 and 1970, what he speculated in the summer of 1970 was close to the truth – the pace of bombings would barely let up for the entire coming decade. In a letter to his ex-wife Ruth in April of 1970, Melville made his own observation; “apparently there is now an official, revolutionary underground in the mother country and folks are getting things together at last.” Jeremy Varon argues that if the New York collective successfully pulled off the attack on Fort Dix, Americans might well remember the 1970s as a “decade of terrorism” much like those in Germany and Italy do because of deadly Red Army Faction bombings; “[t]he townhouse explosion was one of the crucial junctures in an era full of dramatic turning points… One can begin to assess its importance by speculating on what might have unfolded had it not occurred.” What I argue in the following chapters is that these waning years of the long Sixties were, in fact, a ‘decade of terrorism’ in New York City and throughout the nation, even though Varon is correct that Americans, perhaps because of the relatively low death toll and the noise of a chaotic era more generally, don’t overwhelmingly remember it as

16 Page 5395: The Chairman: “As I understand your testimony, there is probably just as much trouble coming from the extreme right as there is from the radical left, using those terms in the context in which they are generally accepted.” Mr. Leary: “That is right.”
17 Testimony of NYPD Commissioner Howard Leary, U.S. Senate, Permanent Subcommittee on Investigations, Hearings on Riots, Civil and Criminal Disorders, July 1970. Page 5396
18 Leary argued that since January of 1969, there had been “368 bombing incidents of the explosive and incendiary type,” an exponential increase over similar attacks just a few years earlier (page 5371)
19 Sam Melville to Ruth, Letters From Attica, 107
20 Varon, Bringing the War Home, 175
such. Terrorism certainly was on the mind of Americans at the time – even speculating that it was terrorism they contended with when it wasn’t. In 1972, for instance, an explosion on an American Airlines flight from Los Angeles to New York’s La Guardia Airport that injured nearly a dozen and forced a harrowing emergency landing was immediately deemed a bomb blast – until it was discovered, just a day later, to have been the result of faulty cargo-bay doors.21

**THE WEATHER UNDERGROUND**

What would eventually become the Weather Underground first emerged in 1969 as a militant faction – Weatherman – within Students for a Democratic Society (SDS), the most notable and impactful student organization in U.S. history and a key campus political force during the long Sixties. "You Don't Need a Weatherman to Know Which Way the Wind Blows," the same Bob Dylan lyric that would beget the name of the Weatherman faction and then Weather Underground, was the title of a position paper distributed by the faction at the Chicago SDS National Convention in June, 1969.22 The position paper, akin to a Weatherman manifesto, urged SDS toward a much more militant approach to protest than had characterized SDS up to that point; it uncompromisingly implored “militant revolutionary struggle” and, at least implicitly, direct action – but without much detail on exactly what that would look like. The manifesto advocated propaganda, newsreels, and leaflets, but more importantly large demonstrations and taking the fight to the ‘pigs’ – “[o]ur beginnings should stress self-defense—building defense groups around karate classes, learning how to move on the street and around the neighborhood, medical training,

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22 Bob Dylan, "Subterranean Homesick Blues," 1965
popularizing and moving toward (according to necessity) armed self-defense, all the time honoring and putting forth the principle that political power comes out of the barrel of a gun.”

Yet, what the manifesto was really lacking was any kind of fleshed out plan, anything resembling details of how Weatherman, at the vanguard, would propel the youth of America toward revolution.

Weatherman leaders and manifesto authors – including but not limited to Columbia protest leader Mark Rudd, former SDS organizer and RAT Subterranean News staffer Jeff Jones, and Townhouse collective members Terry Robbins, Cathy Wilkerson and Kathy Boudin – argued that SDS must be a “movement that fights, not just talks about fighting” in an effort to galvanize support among the youth of the nation, both black and white.

The major preoccupation for the Weatherman faction at the time was preparation for what would become the Days of Rage in Chicago. But it was clear that in the wake of the national convention SDS was fatally fractured more than controlled by Weatherman; as the fall and winter of 1969 approached, Weatherman/SDS began to dismantle the national infrastructure and build what David Gilbert, another Weather leader, would later call “an unprecedented, if seriously flawed group that carried out six years of armed actions in solidarity with national liberation struggles.”

As Dan Berger argues, “[i]n June ’69… those who had assumed control of SDS weren’t quite sure what direction they would go in – or at least, how far they would go. But they were

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24 Dan Berger offers a good narrative of the twists and turns of the last SDS National Convention – that brought the Weatherman faction to power and splintered SDS irrevocably – on pages 84 and 85 of Outlaws of America.

25 “Bring the War Home,” New Left Notes, July 23, 1969

26 As quoted in Berger, Outlaws of America, 105
excited, even optimistic about what lay ahead.” Various collectives around the nation engaged in violent forms of protest during the fall of 1969; forcibly taking over classrooms in Detroit and elsewhere, raiding government-funded think tanks like the Center for International Affairs at Harvard and assaulting the staff.\(^{27}\) Some collectives engaged in “minor acts of property destruction (largely graffiti).”\(^{28}\) Yet, while the leaders of the Weatherman faction of SDS were still developing and refining their approach to revolutionary protest, planning for the Days of Rage, and traveling to Cuba to meet the revolutionaries they idolized,\(^{29}\) Sam Melville and the collective around him had already initiated their own bombing campaign; a campaign that Weather Underground’s would ultimately bear a striking resemblance to.

The days surrounding the Days of Rage include an often-overlooked but quite important marker in the evolution of Weatherman; in Chicago on the night of October 6\(^{th}\), a short walk from where the Days of Rage would soon begin, a bomb largely destroyed the statue commemorating the seven policemen killed in the 1886 Haymarket affair (the affair resulted in a hugely publicized and politicized show-trial that saw eight anarchists convicted and four executed – none of whom was actually accused of throwing the bomb that killed the policemen).\(^{30}\) The bombing of the Haymarket Statue marks the first Weather bombing attack. The chaotic approach to violent protest exhibited by Days of Rage was still, clearly, more of a priority for Weatherman at the time, and

\(^{28}\) Berger, *Outlaws of America*, 95
\(^{29}\) In the summer of 1969, several Weathermen and women – including Weatherman Manifesto co-signer Terry Robbins, Ted Gold and Diana Oughton, who would all die in the Townhouse explosion – went to Cuba to meet Vietnamese and Cuban revolutionaries.
\(^{30}\) See James Green, *Death in the Haymarket: A Story of Chicago, the First Labor Movement and the Bombing that Divided Gilded Age America* (New York: Random House, 2007), an exceptional work on the Haymarket affair and the social, political, and historical context surrounding it.
bombings clearly lesser so. Almost immediately, the press and the public linked the bombing with the planned Days of Rage that was about to commence; they were right, even though Weather would not take responsibility for the bomb until 1974.\textsuperscript{31} Ironically enough, the \textit{Chicago Tribune} included the discussion of the Haymarket bombing with three other nearby “bombing attack[s] on symbols of government authority” – the bombings in Chicago, Milwaukee, and Madison, committed weeks earlier by Sam Melville.\textsuperscript{32}

Neither the Haymarket bomb nor the firebombing of police cars on December 6\textsuperscript{th}, almost a month after Melville’s arrest, exhibits the technical acumen of the Melville collective; technical acumen that perhaps could have saved the members of the Townhouse collective from a violent death, technical acumen that Weather Underground would embrace after that tragedy.

As has been discussed, the Days of Rage itself did not go as Weather had planned. “Voting with their feet,” as Dan Berger puts it, and showing disinterest in the planned National Action, only a few hundred instead of the “tens of thousands” Weatherman had hoped would show actually did.\textsuperscript{33} Even Black Panther leader Fred Hampton, perhaps the most respected man in America to the Weatherman faction, denounced the National Action as “anarchistic, opportunistic, and Custeristic” in reference to Lieutenant Colonel George Custer’s ill-advised and suicidal engagement at Little Big Horn.\textsuperscript{34} Hampton firmly believed it would invite useless arrests and injuries and bring about greater repression of activists both black and white. During the heated debate about it, Hampton even knocked Mard Rudd to the ground with a punch.\textsuperscript{35} The beatings,

\textsuperscript{31} Not until the publication of \textit{Prairie Fire} in July of 1974 would Weather Underground take responsibility for this, their first bomb attack.
\textsuperscript{32} “The Haymarket Bomb,” \textit{Chicago Tribune}, October 8\textsuperscript{th}, 1969
\textsuperscript{33} Berger, \textit{Outlaws}, 109
\textsuperscript{34} John Kifner, “Guard Called in Chicago as S.D.S. Roams Streets,” \textit{New York Times}, October 10\textsuperscript{th}, 1969
\textsuperscript{35} See Varon, \textit{Bringing the War Home}, 77
arrests, shootings, and indictments that Weathermen were subject to – and the lukewarm to
negative response it received from even within the movement – made it a strategy unlikely to be
repeated; “[d]eep down, I knew that the Days of Rage had been a terrible failure,” Rudd admitted
years later. 36

The Haymarket Statue bombing, at the time, seemed a precursor of sorts to the main event.
It wasn’t until taking to the streets in Chicago two days later, finding their numbers severely
lacking, and being beaten bloody by the police, that Weatherman eschewed provocative frontal
confrontations with authority like the Days of Rage and instead embraced the terrorist bombing
campaign that continues to define them.

The final meeting of what was nominally still SDS took place in Flint, Michigan, between
the Christmas and New Year’s holidays that concluded the 1960s. The SDS National War Council,
as it was called, was an SDS meeting in name only; it was a Weatherman guerilla warfare planning
meeting. Fred Hampton had just been killed in a highly controversial joint Chicago Police
Department–FBI raid, the Melville collective members had recently been uncovered and arrested,
and their public court proceedings were just beginning in New York City. 37

The Flint War Council was “a point of no return” for the approximately 300 Weathermen
and women who attended. The organization, long preparing to take its fight underground,
officially did so, closing the SDS office and essentially putting the last nail in the coffin of that

36 Rudd, Underground, 83
37 Killed on December 4th in his bed, many observers claim Hampton’s death was nothing more
than a political assassination. Weather Underground members, especially Bill Ayers and David
Gilbert, would argue that the murder of Fred Hampton was a seminal event in their turn to
radical militantism. This claim is questionable. The organization had been on the radical and
violent path for some time, at least as early as the Summer 1969 SDS National Convention. See
Berger, page 121, second paragraph, and Gilbert quoted by Varon; “And probably, if there’s one
moment that the [Weather Underground] was born, it was that moment.” Varon, page 156
organization. The few Weathermen who had survived organizational purges and accepted the vastly increased militantism were organized into underground collectives (sometimes referred to as ‘tribes’ by the members). One such collective – the most militant of them all, led by Terry Robbins – was the Townhouse collective.

By the time the townhouse exploded in March 1970, Weather had moved underground and had embraced a program of bombings as its chief strategy. But the townhouse profoundly changed the approach; what the organization ultimately embraced was, essentially, what the Melville collective had been doing all along: bombings that targeted property and symbolic locations, but that put substantial effort into at least trying to avoid injuring anyone. “In their early days,” Jeremy Varon argues, “the Weathermen spun grisly fantasies of limitless destruction and planned attacks that would almost certainly harm “civilians.”” But this changed after the Townhouse explosion, which deeply impacted the key members of the organization; “we referred to the explosion as the Townhouse with a capital T,” recalls Bill Ayers. “The group’s challenge… was to develop an internally constrained practice,” Varon argues. “Weathermen responded to the 1970 townhouse explosion by imposing limits on their violence. In short, they made the conscious decision not to be killers.”

Like the Melville collective and the New York Cuban Power bombers in the two preceding years, the “conscious decision” made by Weather Underground leaders in 1970 illustrates an important characteristic of terrorism – the political message could be delivered without a body

38 See Rudd, Underground, 189-191
39 See Rudd, Underground, 197-198
40 Berger, Outlaws of America, 130-131
41 Varon, Bringing the War Home, 13
42 Bill Ayers, Fugitive Days: Memoirs of an Antiwar Activist (Boston: Beacon Press, 2009), 203
43 Varon, Bringing the War Home, 13
count. The essential aspect of terrorism is this communication of the political message, and that could be delivered without killing or even injuring civilians; and delivered, incidentally, without bringing the moral outrage, law enforcement wrath, and lengthy prison sentences that dead bodies brought. Of course, other terrorists of the era would come to a different conclusion; that their message was delivered louder, clearer, cut through the noise more sharply, when dead were used to broadcast it.44

The conscious decision to avoid casualties wasn’t the only way Weather Underground mirrored the Melville collective. On March 26th, 1970, FBI agents examined material discarded in an abandoned Weather Underground safe house in the Bronx, and found a map with two specific locations circled – the Chase Manhattan building and Federal Courts building. Both were standard types of targets of leftist radicals of the time, but the FBI debated the possible linkage between Weather and the Melville collective, as both of those targets had been bombed just months earlier by them.45

Despite the internal debate and non-lethal direction that Weather Underground embarked on in the aftermath of the townhouse, the organization released its first official communiqué in May, titled “Declaration of a State of War,” making explicit what was already abundantly clear in the wake of the deadly explosion on 11th street. “Tens of thousands have learned that protest and

44 For discussion and debate surrounding this evolution of terrorism from an “old” paradigm that emphasized the message and minimized or avoided death, to a “new” apocalyptic paradigm especially characterized by religious, mostly radical Islamic-inspired terrorism, see Martha Crenshaw, “The Debate over ‘New’ vs. ‘Old’ Terrorism,” The American Political Science Association, Chicago, August 30th – September 2nd, 2007, and Rapoport, “The Four Waves of Rebel Terror and September 11th”
45 “FBI Airtel, SAC NY to Director (Attn: FBI Laboratory – Latent Fingerprint Section), FBI, Subject: SDS (Weatherman), Explosions 18 West 11th Street, New York City, March 6, 1970 [Redacted – Swinton] – Fugitive, Samuel Joseph Melville, etc.,” March 30th, 1970; FBI FOIPA Records Request #1315776-0
marches don't do it. Revolutionary violence is the only way… We will never live peaceably under this system.” More than just violence, though, that Weather was moving to bombs was made explicit - the communiqué warned that it would soon begin its campaign by attacking “a symbol or institution of Amerikan (sic) injustice.” Two weeks later it successfully bombed NYPD headquarters.46

The Senate testimony by NYPD Commissioner Leary the month after the attack on police headquarters shows, almost certainly unintentionally on the Commissioner’s part, how Weather had embraced an approach intended to avoid casualties:

“At 6:43pm, on June 9, 1970, the police headquarters communications center received the following telephone message from a male, presently unknown: ‘Listen closely… This is Weatherman… There is a bomb at [NYPD Headquarters]… You have just enough time to get out if you leave now . . . Make sure everybody gets out… Do not try to find it… This is for real… We're dead serious.’ Two minutes later, at approximately 6:45 p.m., a second call was received in the Chief Inspector's office… ‘A bomb was placed in police headquarters and scheduled to go off. This is a warning so that the building can be evacuated so that no one will be hurt…” At 6:57 p.m., 14 minutes after the first call was received, the bomb exploded in the second floor men's room. The explosion demolished the men's room, knocked out two adjoining walls and resulted in the injury of three police officers and a female

46 Originally released in May of 1970, the Declaration was the organizations first use of the name Weather Underground and dictated its more militant direction. The Declaration was released widely, and can be seen at http://www.lib.berkeley.edu/MRC/pacificaviet/scheertranscript.html (last accessed 10/12/2014). For an account of the NYPD HQ bomb, see Frank Prial, "Bomb at Police Headquarters Injures 7 and Damages Offices." New York Times, June 10th, 1970
civilian elevator operator… Despite the severity of the blast, no one was killed and those who were injured, though serious, were not critical.\textsuperscript{47}

That an organization that had, not three months earlier, shown such deadly plans with the massive bomb intended to kill and maim that exploded on 11\textsuperscript{th} street, was now placing far-less deadly bombs in bathrooms and making multiple warning calls, is worthy of note.

By the time of the NYPD Headquarters bombing, not only had Weather Underground come to, even if subconsciously, adopt the modus operandi of the Melville collective, it had even adopted some of the members of the collective itself. Jane Alpert claims to have visited the 11\textsuperscript{th} street townhouse before the explosion, meaning she was there sometime between the establishment of the Townhouse collective at the turn of the New Year and that fateful day in early March – a narrow timeframe when she was out on bail for her own bombing activities. Further, she would go on, as a fugitive, to have an affair with Weatherman Mark Rudd and to connect with Bernadine Dohrn and Jeff Jones in San Francisco while they were all underground.\textsuperscript{48}

Robin Palmer, never indicted (nor, after reviewing his FBI records, seemingly ever suspected) as part of the Melville collective, joined the Weather Underground in the summer of 1970.\textsuperscript{49} In December of that year, Palmer – along with former Melville collective member Sharon Krebs, and Joyce Plecha, another probable member of that earlier organization, were arrested as the result of an NYPD infiltrator, Steve Weiner, as they embarked upon a bombing spree that was

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\textsuperscript{47} Testimony of NYPD Commissioner Howard Leary, Senate, Riots, Civil and Criminal Disorder, page 5371
\textsuperscript{48} Alpert, \textit{Growing Up Underground}, pages 234, 240, and 244.
\textsuperscript{49} Per conversations Palmer had later in life with Jeremy Varon, detailed in \textit{Bringing the War Home}, 91.
supposed to include a number of targets including a bank and an NYPD police station under
construction.\textsuperscript{50} Even before joining Weather in the summer of 1970, the Townhouse collective
made an attempt to recruit Palmer – his turning them down may well have prolonged his life by
decades. After pleading guilty in 1971, Weatherman Robin Palmer eventually found himself at
Attica alongside Sam Melville. As fate would have it, Melville died in his friend and former
colleague’s arms.\textsuperscript{51}

\textit{INFILTRATING THE WEATHER UNDERGROUND}

As Varon explains, after the Days of Rage, the FBI had become convinced that, “Weatherman
represented a significant threat to the nation’s security… The Weathermen… became the objects
of intensive federal investigations and harassment by local police.”\textsuperscript{52} That same month – in the
wake of the Days of Rage in Chicago and the continuing Melville collective bombings in Gotham
– the FBI alerted its field offices that the New York City Weathermen collective was “going
underground and forming commando-type units which will engage in terroristic acts, including
bombings, arson, and assassinations.”\textsuperscript{53} The FBI’s information was startlingly accurate.

\textsuperscript{50} Paul L. Montgomery, “Six Identified as Weathermen Seized in Plot to Bomb Bank Here,” \textit{New
York Times}, December 5\textsuperscript{th}, 1970; also see The Weather Underground: Report of the
Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal
Security Laws of the Committee on the Judiciary, United States Senate, Ninety-Fourth Congress,
First Session (Government Printing Office, 1975), pages 37–38. (Hereafter referred to as “The
Weather Underground: Report of the Subcommittee.”) Finally, the arrest and the role of the
\textsuperscript{51} As told to Varon; see \textit{Bringing the War Home}, 149
\textsuperscript{52} Varon, \textit{Bringing the War Home}, 153
\textsuperscript{53} FBI Airtel, FBI director to SAC offices, October 23\textsuperscript{rd}, 1969. \textit{FBI-WUO} files; described in
Varon, 152-153
By the time Weather Underground elected to go underground in 1970, the methods that law enforcement had used to break up those like the Melville collective and even non-politically aligned groups like Cuban Power were well known to radicals. After NYPD infiltrator Steve Weiner was instrumental in the arrest and indictment of Robin Palmer, Sharon Krebs, and others in December of 1970, RAT published an article on the bust compelling those in the movement to take greater security against informants and infiltrators. The “growing awareness of how infiltrators work [has] brought us all closer together,” the author argued. “We must follow through efficiently with security checks [the magazine gave detailed instructions for doing so], and learn to develop that heightened consciousness and awareness of each other…”54

Despite substantial activity in the city, though, NYPD never infiltrated Weather Underground after the initial success by Steve Weiner. Crucially, by the time Weather released its first communique and bombed NYPD Headquarters in June of 1970, NYPD was going through substantially difficult times – the Knapp Commission looking into police corruption had just begun highly public (and demoralizing for the police department) investigations that same month, and BOSS, so critical in previous infiltration and counterterrorism successes, was mere months away from being permanently neutralized – just as it was perhaps needed most.

To counter this method that law enforcement had found so useful in previous years, Weather initiated purges of its membership; the harsh strategy severely reduced Weather’s ranks and its abilities, but did mostly achieve the goal of keeping infiltrators and informants out of its ranks.55 The lone FBI informant to successfully penetrate the group’s ranks and survive the purges,

55 The purges were meant to weed out informants as well as those unprepared or uncommitted to the next stage of violence. On the purges, see Varon, Bringing the War Home, 171; also see, as noted in Varon, Larry Grathwohl, Bringing Down America, 112-122 and Susan Stern, With the Weatherman, 207-248
Larry Grathwohl, was central in the arrest of Weather leader Linda Sue Evans in April of 1970 – less than a month after the townhouse explosion – but that arrest placed suspicion on him that he was unable to shake despite taking part in a number of illegal activities before finally emerging from the underground as an informer in 1973.\(^{56}\)

Eckstein argues that the drive for more intelligence on Weather Underground came all the way from the top; in October of 1969, as the Days of Rage approached, Director Hoover had assured President Nixon that he had the organization under control. A half-year later, after the Townhouse and then the Declaration of the State of War and the disappearance of the key members into the underground, that assessment of the situation was looking clearly mistaken, and the President leaned heavily on the Bureau to “provide better and more information on the radicals [a]nd from the start… made it clear that he did not care how the FBI got this information.”\(^{57}\) That determined insistence would ultimately bring nothing but trouble for the Bureau.

In June of 1970, President Nixon called on the heads of the nation’s intelligence agencies, including Hoover. The President charged the intelligence chiefs “with getting better information on domestic dissenters.” In a proposal drafted by Nixon aide Thomas Huston, the “dissenters” identified were the radicals of the New Left (primarily the Weather Underground) and the groups of the “Black Extremist Movement.” In both cases, what became known as the Huston Plan identified the key intelligence gathering tactic as the use of informants; in the case of the groups in the Black Extremist Movement, informant “coverage” was generally deemed to be sufficient.

\(^{56}\) See Larry Grathwohl as told to Frank Reagan, *Bringing Down America – An FBI Informer with the Weatherman*, (New York: Arlington House, 1976). Also see Seymour M. Hersh, "F.B.I. Informer Is Linked to Bombings And Protests by Weatherman Groups," *New York Times*, May 20\(^{th}\), 1973. Grathwohl was “a working-class Vietnam veteran from the Midwest. The Weathermen seemed so enamored with his ‘authenticity’ that they looked past clues to his actual identity.” (Varon, 78)

\(^{57}\) Eckstein, *Bad Moon Rising*, 163
In the case of the Nation of Islam, for instance, informant penetration was deemed to be “substantial, enabling [the group’s] activities to be followed on a current basis.

Informant coverage in the case of the New Left was an entirely different matter. Coverage of “the Weatherman group, in particular, is negligible…” Because of the Weather purges, their insular nature, and their movement to the underground, the Huston plan argued, “penetration of these units through live informants [is] extremely difficult.” The federal authorities hit the same wall that NYPD had; after both the NYPD and FBI’s sole infiltrators were exposed during an arrest, further penetration proved impossible.

To counter the intelligence insufficiency, the Huston Plan proposed a number of aggressive intelligence gathering practices including resumption of the “black bag” operations largely shelved by the FBI in 1966, covert opening of mail (openly acknowledged to be illegal), and broader recruitment of informants to include teenagers and members of the military. It was a startling plan to knowingly violate both the constitution as well as a number of federal statutes.\(^{58}\)

President Nixon approved the plan.

Director Hoover, however, was blunt and vocal in his objection, even attaching his objections in the final draft sent to the President for review. At the urging of Hoover and Attorney General John Mitchell, Nixon rescinded his approval just five days after granting it. For whatever his motives, the Huston Plan lay dead for only the efforts of an individual today widely regarded as himself a great twentieth century violator of American civil liberties.\(^{59}\) And for the time being, at least, the decision to forego the most egregious tactics kept the Bureau (and the rest of the federal

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\(^{58}\) For all of the above references to the Huston Plan, see Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, Volume 2, Huston Plan, September 23, 24, and 25, 1975, page 1-5, and Hearing Exhibit #1, “Huston plan”

\(^{59}\) See Eckstein, *Bad Moon Rising*, especially pages 111-113, for a discussion of the internal debate over the Huston Plan.
government) out of trouble, but also kept Weather Underground safe in the underground (not that there would be any corollary between illegal intelligence practices and effectively countering the organization, as would later be seen). That would all change in the wake of Hoover’s death in 1972 and in the fallout of the Watergate scandal that emerged that same year. As Chapter 10 explores, the special task force established to investigate the organization – Squad 47 – and the methods used against the radicals before and especially after Hoover’s death, would become central components of the severe criticism, lawsuits, and new restraints placed upon the Bureau in the coming years.

CONCLUSION

The townhouse explosion is the most memorable of many events in the year of “gigantic” proportions in New York, just as Weather Underground is the most remembered organization engaging in terrorism during the decade. The Bank of America building in Manhattan was bombed just eleven days after Commissioner Leary and other members of the NYPD delivered their testimony to members of the U.S. Senate.60 A courthouse in Long Island City, just a short walk straight to the water in the same Queens neighborhood from where Cuban Power launched the bazooka at the United Nations five years earlier, was bombed just days after the Haymarket Statue in Chicago, 800 miles away, was bombed for the second time.61 That same month, Weather bomb threats would shut down or cause evacuations of “hospitals in Boston, of airports in New York and

St. Louis, and a subway station in Harvard Square...”

In March of 1971, they brazenly bombed the U.S. Capitol Building; the late-night bomb caused extensive damage but no injuries; the next year they would follow up with a bomb somehow smuggled into a secure area of the Pentagon.

Months later, the organization bombed the offices of the New York State Department of Corrections in Albany in solidarity with “the courageous prisoners of Attica,” including of course Robin Palmer and Sam Melville. In May of 1973, NYPD was once again a Weather target; several patrol cars in Queens were bombed, causing substantial damage and one injury.

In the spring of 1974, the leaders of the organization released *Prairie Fire - The Politics of Revolutionary Anti-Imperialism*, a collaborative statement on the trajectory of Weather Underground, in which they took credit for no less than eighteen bombings between October 1969 (the first Haymarket Statue bombing) and federal offices in San Francisco in March 1974. “Inspired by the Black Panthers and other Black fighters,” the writers explained, “many whites such as Sam Melville, Cameron Bishop, the New Year's Gang in Madison, and ourselves began building armed struggle.”

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64 The Weather Underground: Report of the Subcommittee, page 40
65 The bombing occurred on September 18th, 1971, five days after the prison was violently retaken. The Weather Underground: Report of the Subcommittee, page 40
67 *Prairie Fire - The Politics of Revolutionary Anti-Imperialism* (Communications Co., 1974), 4 – 5
68 *Prairie Fire*, 30. Cameron David Bishop, a former SDS activist and student at Colorado State University, in January of 1969 blew up four high-voltage towers supplying power to companies building material supporting the war effort in Vietnam. He was indicted on February 15th, only the second American indicted for sabotage under a World War I-era law – a week after the first, Michael Siskind, also an SDS activist, plead guilty to attempting to firebomb a ROTC building on the Washington University campus in St. Louis. (“Jury Indicts Colorado Man For Sabotaging Utility Lines,” *New York Times*, February 15th, 1969; and “5 Years in Attempted Bombing,” *New York Times*, February 21st, 1969). Bishop was placed on the FBI’s Ten Most Wanted Fugitives
In addition to citing Melville here, they also included a prominent photo and dedication to the man – “murdered by (Governor) Rockefeller, Attica, September 13 1971” on the bottom of the contents page. The publication includes a long list of others in the struggle on separate pages, but Melville stands out alone and with a photo – second only in prominence to the slightly larger photo of Che Guevara that appears a few pages later. The importance of the Melville collective and their actions is not in doubt.69

The bombings across the country continued after Prairie Fire was published; the offices of the California Attorney General, offices of corporations like Gulf Oil and Banco de Ponce; the State Department itself in Washington.70 But not a single fatality had occurred since the devastating explosion on West 11th street.71 That year, for a host of reasons including the war in Vietnam beginning to wind down in earnest, and a window of legal opportunity presented by exposed excesses in investigating the organization that were increasingly coming to light, the

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69 See Prairie Fire, Table of Contents.
71 Weather has also long been suspected by law enforcement officials to be responsible for another death prior to the Townhouse, that of San Francisco Police Department Sergeant Brian McDonnell in February of 1970; more than a dozen other police officers were wounded, one blinded, in the same attack. Much circumstantial evidence points to Weather’s involvement, including the testimony of one former member, Karen Latimer. A Grand Jury continued to investigate Weather’s involvement for more than forty years. See Burrough, Days of Rage, 542; Eckstein, Bad Moon Rising, pages 28-29, and Jim Zamora, “Plaque Honors Slain Police Officer,” San Francisco Chronicle, February 17th, 2007
organization dissipated and several Weathermen began to emerge from the underground to do sometimes little (but usually no) jail time for their crimes.\textsuperscript{72}

The Weather Underground campaign of terrorist bombings in the United States lasted, generally, from October 1969 until 1976. And while it spanned the United States from San Francisco on the West Coast to New York City and Boston on the East Coast, the singular event in the history of Weather Underground is the townhouse explosion on West 11\textsuperscript{th} street. Beyond that, the similarities and linkages between the Melville collective and the Weather Underground are impossible to ignore, as are the more general New York roots of important Weather Underground members like Jeff Jones, Mark Rudd, John Jacobs, and others, thus bringing New York City further into focus as \textit{a}, if not \textit{the}, center of Weather Underground terrorism.

The tactics brought to bear by the FBI and NYPD in countering Weather Underground in New York City included what by now had become the most effective method, informants and infiltrators like NYPD undercover Steve Weiner and FBI informant Larry Grathwohl. The organization and the movement more broadly though, as seen in the pages of \textit{RAT}, was fully aware of this method and very actively countered it. When informants and infiltrators were unable to penetrate the organization, the FBI utilized other methods that would have dramatic legal impacts on the Bureau itself.

\textsuperscript{72} See Varon, \textit{Bringing the War Home}, 290 – 297 on the decline of Weather Underground and the eventual capture or surrender of the members remaining underground.
PART III: A DECADE OF TERROR

Chapter 9: The Jewish Defense League
The Jewish Defense League (JDL) emerged in New York City in the late 1960s and quickly earned a name for itself; equally as quickly, it moved past its initial focus on local issues and vocal activism to take up the mantle of anti-Soviet advocacy on the behalf of international (largely Soviet) Jews by use of a variety of terrorist tactics including the all-too-ubiquitous dynamite bombings of the early 1970s in New York City.

In 1968, three Orthodox Jewish New Yorkers, all men in their thirties, formed the JDL. None of the men were new to activist Judaism, at the time somewhat uncommon in the United States; they knew each other through membership and active participation in Betar, a militant right-wing Zionist youth movement. Meir Kahane, a passionate, articulate, educated and pugnacious ordained rabbi, was the most prominent of the men and would lead the JDL through the turbulent half-decade ahead.¹

The smoke of Israel’s Six Day War with her Arab neighbors had just begun to clear in 1968; brought to the brink of destruction by the combined militaries of Egypt, Jordan, and Syria, Israel turned the tables in what many in the world Jewish community feared could become a second Holocaust when the first was still fresh in many memories. Many like Kahane vocally pronounced “Never Again!” – what would become the rallying cry of the JDL. Despite a global perspective,

¹ First called the Jewish Defense Corps, the name was, perhaps ironically, changed to the Jewish Defense League to project a less-militaristic image. The following pages on JDL and Kahane have benefited immeasurably from a lengthy, meticulous, and engaging unpublished dissertation titled “The Zionist Hooligans: The Jewish Defense League,” by Shlomo Russ (CUNY Graduate Center, 1981). The dissertation, drawing heavily on dozens of oral histories performed by Dr. Russ with key and peripheral figures in the history of JDL within just a few years of the period under review, is by far and without comparison the most accomplished, complete, and interesting history of the organization in existence.
issues close to home initially drove the JDL, from the long and volatile standoff precipitated by
the firing of largely white (and Jewish) teachers in the mostly African American Ocean Hill–
Brownsville section of Brooklyn and the resultant teachers’ strike, to perceived anti-Semitic
violence in neighborhoods shared precariously with African American and Puerto Rican
communities. These issues at first found the emergent JDL working as community activists
utilizing the legal process – advocating for Jewish interests through the New York City court
system, establishing neighborhood security patrols, and the like. In an era rife with such activity,
JDL scholar Shlomo Russ argues “[t]he JDL adopted the tactics of the other activist movements,
using those methods for ethnic Jewish interests.” Russ quite interestingly argues how the JDL “is
often a study in paradox: their tactics… were avowedly those of the left, while their ideology
seemingly was of the right.”2 As we’ve seen with other organizations, the JDL would not be easily
shoehorned into overly-simplified categories.

By early 1969 the JDL had begun publically demonstrating and protesting in
neighborhoods and at events they deemed to be anti-Semitic; they trained in karate and had begun
neighborhood patrols; they projected an image of vocal, vigorous, and tough Judaism more
common to Israel than New York City at the time. In June of 1969, for instance, the JDL ran an
ad in the New York Times after the organization had begun getting press for its activities. The ad
posed a question: "Is This Any Way for Nice Jewish Boys to Behave?" Below the text appeared
six intimidating young men brandishing clubs and dark sunglasses, and an answer to the question:
“Answer: Maybe. Maybe there are times when there is no other way to get across to the extremist

2 Russ, “The Zionist Hooligans,” preface, viii
that the Jew is not quite the patsy some think he is.”³ But despite their tough stance, at the time their activities were by and large legal and non-violent, even if sometimes threatening.

By the second year of its existence, JDL leaders began focusing on Jewish issues in foreign affairs: American support for Israel, Arab terrorism, Soviet Jewry, and the welfare of Jewish communities in Arab and Muslim nations.

In August of 1969, the Popular Front for the Liberation of Palestine (PFLP) hijacked a TWA flight and diverted it to Damascus, Syria, where the hijackers destroyed the airplane with a bomb. More than 100 passengers and crew were returned to their respective countries by Syrian authorities, but six Israeli citizens – including women and children – were detained. Even after the women and children were released, two Israeli men remained in Syrian custody, despite international condemnation.⁴ In response, the JDL stormed the Palestinian Liberation Organization (PLO) office in New York City, beat the few staff members, took their personal information, and threatened that if any harm came to the Israelis in Syrian custody, they would suffer the same fate. As Shlomo Russ explains, they also “liberated” sensitive files about Arab student leaders of left-leaning college clubs and delivered them to the Israeli Mission to the U.N. and to FBI.⁵

The JDL had given the police little substantial trouble up until this point, particularly in comparison to the wide variety of other protest activities causing untold numbers of NYPD overtime hours in 1969; the NYPD was, regardless, growing concerned about the activities of JDL,

³ As described in Russ, 31
⁵ Russ, “The Zionist Hooligans,” 249
especially in the wake of the PLO office raid and Kahane’s increasingly belligerent language – a “black cloud on the horizon,” as one BOSS Lieutenant put it.  

In 1969, BOSS, realizing they had very little information on the League, moved forward as they had on previous occasions – they took an individual, not yet a police officer, with a demographic composition that made him capable of fitting in with the organization, and attempted to penetrate the JDL with an undercover agent. In contrast to the investigation into the Melville collective – which was commenced after a crime was committed (the bombing of the United Fruit Pier) but before it was known to be political, the investigation and infiltration of JDL was an intelligence (not criminal) investigation, and began just a few months after the Melville investigation (in fact, it began in earnest with the successful infiltration just as the Melville collective investigation was coming to a climax). By the end of 1969 investigating terrorist bombings was an all-hands-on-deck affair for the NYPD. Clearly, then, while the Bureau of Special Services had been sidelined during the Melville investigation, initially at least BOSS took the lead role in investigating the JDL using the approach that had yielded significant results over the past years.

A Brooklyn native just returned from four years of active duty as an Air Force intelligence analyst, Richard Rosenthal was once again living in Brooklyn and enrolled in junior college, and took the NYPD written exam in February of 1969. Soon after scoring well on the test, Rosenthal’s recruitment into BOSS began. A series of secret meetings, stealthy phone-calls, and seemingly strange instructions – including being instructed to tell everyone that knew he was going to join

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the NYPD that he’d changed his mind – and Rosenthal was secretly sworn into the department on October 24th, 1969, just weeks before the culmination of the Melville investigation. Like Raymond Wood, who infiltrated the Statue of Liberty plotters four years earlier, Rosenthal became a police officer never having attended a single day of the academy, and was only shown his badge for only a moment before it was taken away from him.7

Rosenthal hadn’t been in NYPD so he used his real name; he took a half-hearted job as a taxi driver and registered for courses at Brooklyn College to build a plausible cover. Then, in November of 1969, he attended a rally protesting Mayor Lindsay – who Kahane opposed until the end of the rabbi’s life – and obtained some JDL literature and a membership application. He was soon part of the JDL chapter closest to his home in the Midwood neighborhood of Brooklyn and quickly began working his way into and up through the organization.

Another police department applicant who had never been to the academy nor received any training – twenty-two year old Richard Eisner – was also sent to infiltrate the JDL some months later.8 But neither Eisner nor Rosenthal were told the other's true identity. "It was often amusing to compare what they wrote about each other,” Joseph Jaffe, a U.S. Attorney, later commented. "If you read both sets of their reports, you'd think the other was a pretty suspicious character. Eisner wrote about Rosenthal and Rosenthal reported back on Eisner."9

Eventually, federal authorities tried the same tactic. In September of 1970 the Treasury Department’s Bureau of Alcohol, Tobacco and Firearms (ATF) planted an undercover agent within the organization using the assumed name of Mark Gold; the ATF, responsible for enforcing the

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7 Rosenthal, *Rookie Cop*, 3 – 9, offers a detailed first-hand narrative of the BOSS recruitment process.
8 Ibid., 22
9 Jaffe as quoted in Russ, “The Zionist Hooligans,” 210
Gun Control Act of 1968, was increasingly concerned about what they believed to be serious violations of arms trafficking. “Gold” was never as successful as the NYPD undercovers; Rosenthal describes how the ATF man was almost immediately suspected as a police officer by everyone, and Rosenthal himself was convinced he was law enforcement as soon as he met him.10

In hindsight, it is clear that the NYPD infiltration of JDL was serendipitously timed. Just as Rosenthal was getting situated in the organization at the end of 1969, in what Shlomo Russ describes as “a sudden move that no one in JDL was prepared for,” Kahane announced that the League was going to protest the conditions of Jews in the Soviet Union. No one opposed the new direction.11 The JDL’s Soviet opposition, much like Cuban Power’s opposition of another communist adversary of the United States, would be what drew them into terrorism. As Russ astutely observes, “Kahane's problem was that when he switched from local events to Soviet Jewry, he gave up the ability to influence events through direct action.”12 The shift would be toward symbolic acts – the province of terrorism. As JDL's direction shifted, so did its constituency: less militant members dropped out; other more hardcore individuals joined.

JDL’s anti-Soviet activities had started, innocuously enough, during the final days of 1969, just as court proceedings for Sam Melville were commencing. On December 27th, twenty-five members (including BOSS undercover Richard Rosenthal) protested across from the Soviet Mission to the United Nations on East 67th street;13 the Mission would become the site of many chaotic protests over the next few years. The Park East Synagogue, fortuitously situated directly

10 Rosenthal, Rookie Cop, 141
11 See Russ, “The Zionist Hooligans,” 149
12 Ibid., 45. Also see pages 33, 39-41
13 Ibid., 150 – 159
across the street from the Soviet Mission, gave the JDL an ostensibly legitimate reason for a presence on the block, even if proximity to NYPD’s 19th precinct (directly next door to the Synagogue) ensured recurring and often violent clashes with the police.

As the JDL shifted its focus to the Soviet Union, famed concert promoter Sol Hurok was one of those singled out for condemnation. Hurok, a Russian born Jew, owed his fame and a considerable part of his profits to booking high-profile Soviet artists like the Moscow Philharmonic Orchestra and the Bolshoi Ballet. In January of 1970, Kahane sent Hurok a telegram: "Insist you cancel future Soviet troupes. Your activities give aid and comfort to oppressors of Soviet Jewry. Immediate reply requested." Regular protesting, often violent, commenced at Hurok’s Manhattan offices and Hurok events, including at Carnegie Hall.

In the midst of what would become known as “Black September” in 1970 – a dramatic month when Palestinian issues ruled the headlines – Palestinian terrorists conducted perhaps the most dramatic hijacking operation of the decade. Four jets were hijacked; one blown up on the tarmac in Egypt, one retaken by authorities and a female hijacker was captured only to become a minor celebrity, and two others forced to land at Dawson’s Field in Jordan with hundreds of passengers onboard. The JDL decided to retaliate with a hijacking of its own; twenty-six-year-old Israeli Defense Force (IDF) veteran Avraham Hershkovitz and his nineteen-year old wife, Nancy, were selected for the operation. On September 27th 1970, the Hershkovitzs embarked on a plan to fly to London armed, and there hijack a flight to Cairo and divert it to Israel. The plan

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did not go as planned. After Nancy was cleared to board, authorities found a loaded pistol on Avraham and searched his wife again, finding another loaded pistol and a live grenade on her.\textsuperscript{16}

But the failed hijacking did not derail JDL’s plan to retaliate in response to Arab hijackings. On October 6\textsuperscript{th} 1970, an hour before midnight, a bomb exploded in the PLO’s midtown Manhattan office; ten minutes before the explosion, a cleaning lady had noticed an agitated young man nervously trying to leave the third-floor offices, but he’d left his attaché case near the closed PLO front door.

The bomb blast caused extensive damage, knocking holes in the walls and blowing out windows and doors. No one was hurt although the fifteen cleaning women in the building at the time of the explosion were treated for shock and sent home. A woman telephoned UPI and announced: "The PLO office at 101 Park Avenue has been bombed. Please take down the following message – Hijack blackmail freed seven terrorists. Never again!"\textsuperscript{17}

It was JDL’s first bomb attack. It was not three months since NYPD Commissioner Leary discussed the year of bombings in “gigantic proportions” in New York City, and one more actor was joining in the parade of terrorists making use of explosives in Gotham.

Just eleven days after the PLO office bombing, on October 17\textsuperscript{th}, police were called to investigate after a building superintendent, inspecting a water leak, found a massive cache of weapons in an apartment on 15th Avenue in the Borough Park neighborhood of Brooklyn, one of the most

\textsuperscript{16} “Anti-Arab Plane Hijacking Plot Laid to Seized Pair,” \textit{New York Times}, September 29\textsuperscript{th}, 1970; and Russ, 251 – 262
\textsuperscript{17} Michael Knight, "Bomb Wrecks Office of Palestine Group," \textit{New York Times}, October 7\textsuperscript{th}, 1970
thoroughly Jewish neighborhoods, per capita, outside of Israel, and the epicenter of JDL activities. Officers found fifty-seven rifles, sixteen handguns, more than ten thousand rounds of ammunition, six pipes for making bombs, one hundred and ninety pounds of gunpowder, a blasting cap, and five yards of fuse. They also found a contact list of JDL members, anti-Arab and anti-Black Panther literature, and floor plans of a number of United Nations Missions.\textsuperscript{18} BOSS set up a stakeout, but after three days and nobody appearing to enter the apartment that was rented under an assumed name, the Detectives gave up. When news of the arms cache hit the public, given no hard evidence of JDL links, it was noted just that the weapons were linked to a “terrorist gang.”\textsuperscript{19} Despite any arrests, BOSS was both pleased to get the weapons off the street and at the same time alarmed, when coupled with the recent bomb attack, at the definitively more violent direction that the JDL was moving in.

The JDL campaign against Soviet interests continued in the midst of a highly controversial trial of Jewish men and women whom the Soviet government accused of attempting to hijack an airliner in order to flee to Israel; on November 25\textsuperscript{th}, a pipe bomb hidden in an attaché case was placed against the front door of a building on East 49th Street. The two-story building housed only two tenants – Aeroflot, the national Soviet airliner, on the first floor, and Intourist, a Soviet travel agency, on the second. The bomb exploded at 3:20 in the morning, causing damage to the façade and shattering windows, but the NYPD Bomb Squad found only minor damage inside the building. About twenty minutes after the explosion, the Associated Press received a telephone

\textsuperscript{18} “Explosives Cache Mystifies Police,” \textit{New York Times}, October 22\textsuperscript{nd}, 1970; also see Russ, “The Zionist Hooligans,” 301
\textsuperscript{19} William Federici and William McFadden, “Bare Terrorist Bomb Plot,” \textit{New York Daily News}, October 21\textsuperscript{st}, 1970. Shlomo Russ argues that JDL member Josh Joffe did in fact approach the apartment, but noticed the stakeout and JDL abandoned the stash. It is self-serving, of course, for Joffe to argue this alertness, but probably impossible to prove. See Russ, “The Zionist Hooligans,” 301 – 303
call: "Let the world know," the caller said, "that while Jews are on trial in Russia, the Soviet Union will be on trial. Never again."20 Leverage the publicity, JDL held a press conference the next day: “The has no idea who bombed those offices, but it applauds the people who bombed them,” Kahane told the assembled reporters. “When there is no resources to democratic protest allowed, then other protests to free people who are enslaved is a legitimate form of protest, including bombing and other acts of violence.”21

Despite investigation by FBI and NYPD, no one was ever charged with the bombing. As Shlomo Russ illustrates, BOSS undercover operatives Rosenthal and Eisner, both by then at least partially suspected of being policemen or informers, were outside the loop of those planning and carrying the bomb attacks out, and thus couldn’t offer any clues.22

JDL bombs continued to explode as 1970 turned into 1971. At 4:30 in the morning of March 30th, a pipe bomb exploded outside the national offices of the Communist Party at 23 West 26th Street, blowing in the building's door and shattering windows. Gus Hall, the chairman of the United States Communist Party, had flown to Russia to attend the 24th Congress of the Communist Party that had commenced that day. Moments after the blast, an anonymous male called United Press International and the Associated Press: "The Communist Party building has just been bombed. Let the tools and lackeys who throw our brethren into jail know that they too are responsible for the actions of those who they support. Let our people go! Never again!”23

23 JDL had even recently expanded its bombing campaign to other cities, most notably to Washington, D.C., where bombs were causing a great deal of international tension between the U.S. and the U.S.S.R. See Harry Schwartz, "Threats and Bombs – A Nasty Phase For The Two Nations," *New York Times*, January 10th, 1971; Bernard Gwertzman, "Gromyko Gives Beam
Just a few hours later, a bomb planted by Cuban exiles exploded at offices of the United States Cuban Health Exchange in Union Square, just a half-mile away. It was a busy day for right-wing terrorism in New York City.24

On April 22 1971, four JDL members – including Sheldon Seigel, who had joined the JDL in 1969 and rose to prominence quickly for his aptitude with electronics and bomb design – carried two imitation leather briefcases containing timed dynamite bombs to the Amtorg Trading Corporation, the Soviet trade representative to the U.S. They placed the first briefcase in Amtorg's nineteenth floor stairwell; the other was put on the twentieth floor. They slipped unnoticed past the two policemen stationed in the building.25

At 5:15PM, the United Press International and the Associated Press received calls from an unidentified man: “There have been several time bombs placed in the office of Amtorg… They will go off in less than fifteen minutes. Free all Soviet Jewish prisoners. Let my people go. Never again!”26

Twenty minutes later, the bomb on the nineteenth floor went off. The blast blew out windows and doors, pounded a hole in the cement stairwell and in part of the ceiling, and touched off small fires. The other device, one floor above, failed to detonate.

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JDL INDICTMENTS AND FBI WIRETAPS – MAY 1971

In the midst of the anti-Soviet attacks, in May of 1971 thirteen members of the JDL were indicted on federal weapons charges including Title II of the Gun Control Act – the charges ranged from illegally buying and transporting guns to illegally constructing and detonating explosives at the JDL’s camp in upstate New York. The JDL members were not, however, indicted for any actual bombings, including the most recent one at the Amtorg office just two weeks earlier.²⁷

The indictments were largely a result of Rosenthal’s submitted intelligence reports and testimony before a federal grand jury. The undercover policeman’s superiors, knowing his reports and testimony were soon to become part of the public record and his true identity (long suspected by some in JDL) would become known to all and concerned about retaliation, finally got Rosenthal an NYPD badge, had his official NYPD ID photo taken, and instructed him to wear his service weapon at all times and take his wife and go into hiding. They young couple stayed in her family’s home in New Jersey for four months.²⁸

In any case, by the time Rosenthal testified before the grand jury and the indictments came down, in a significantly impactful development that will be discussed at greater length in the following chapter, BOSS – the organization that recruited and placed Rosenthal in the JDL – no longer existed as a result of a far-reaching reorganization of the Detective Division that had occurred just months earlier. BOSS, which had commenced the investigations into the JDL in October of 1969, would be a complete nonfactor as the case progressed in 1971 and beyond.

²⁸ As detailed by Rosenthal to Russ; see Russ, pages 459 – 490 for a highly detailed narrative of the lead up to the operation and the actual arrests. Also see Rosenthal, Rookie Cop, 167 - 169
On May 12th, a dozen NYPD Detectives and ATF Agents stormed the JDL offices on 42nd street. Undercover ATF Agent Mark Gold, his cover also hanging on by a thread, took part in other arrests in Brooklyn. Kahane was one of those taken into custody.

The resulting trial was the most serious legal trouble the JDL had faced so far. They had previously been subject to mostly minor charges such as disturbing the peace; now Kahane and the other indictees found themselves charged with charges including conspiracy to make explosives and to transport firearms across state lines. Immediately, however, their team of experienced and respected defense attorneys put the government itself on the defensive; the Nixon Administration and the Justice Department were, at that time, already dealing with what would be the first rounds of challenges to wiretapping and other intelligence and surveillance practices throughout the nation.

The government would later admit at trial that “acting solely under a direction of then Attorney General John Mitchell,” in October of 1970, “the FBI installed a so-called domestic security wiretap on the New York office of the Jewish Defense League. The surveillance, conducted without judicial sanction, continued until July 2, 1971. The government concedes that these taps were unlawful.” The JDL defense team made this a central part of their strategy; Nathan Lewin, part of the defense team, was shocked when the government admitted the warrantless wiretapping. “In all other cases, rather than disclosing the wiretaps, they dropped the charges. This was the first admitted warrantless wiretapping.”

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31 Lewin, as quoted in Russ, 492. Fuller narrative of the case appears in Russ, “The Zionist Hooligans,” 485-492
Since the administration of Franklin D. Roosevelt, the Executive had claimed that warrantless wiretaps not used in criminal prosecution but rather for intelligence and national security were not explicitly disallowed, and that practiced continued for a quarter-century.\textsuperscript{32} Further, following Attorney General Robert Kennedy’s efforts, the Omnibus Crime Control and Safe Streets (OCCSS) Act was adopted in 1968, more explicitly allowing for “national security” wiretap usage in this manner.\textsuperscript{33} Seen in this light, then, the FBI’s usage of them as such is far from being unilateral and unsupported by other aspects of government.

All of that changed in early 1971. In Michigan, California, and New York, the practice of so-called “national security wiretaps” without judicial approval were being struck down by the courts.\textsuperscript{34} And in what became known as the “Keith Case,” a Federal Judge found that all domestic wiretaps, even those that the government asserted were relevant to national security and required only the authorization of the president, in fact required the authorization of the courts. The U.S. Supreme Court upheld the decision in \textit{United States v. U.S. District Court} the following year.\textsuperscript{35}

\begin{footnotes}
\item[33] Omnibus Crime Control and Safe Streets (OCCSS) Act of 1968, 42 U.S.C. § 3789D; see Title III of the act, including pages 214 and 223, for discussion of national security communication intercepts. Page 214 states that in an “emergency situation” with “respect to conspiratorial activities threatening the national security… wire or oral communication [are authorized to] be intercepted before an order authorizing such interception can with due diligence be obtained…”
\item[34] In San Francisco, for example, an indictment against noted Black Panther leader David Hilliard was thrown out because of wiretap issues in May; see Earl Caldwell, "Panther is Released Because of Wiretap," \textit{New York Times}, May 5\textsuperscript{th}, 1971.
\item[35] See Steven V. Roberts, "Court Requires A Warrant For Domestic Wiretaps," \textit{New York Times}, January 13\textsuperscript{th}, 1971. For the SCOTUS case, see \textit{United States v. U.S. District Court}, 407 U.S. 297 (1972). The use of even court-approved wiretaps in 1970 had doubled over the previous year (see Congressional Report cited by Fred Graham, "Court-Approved Wiretaps By Police Doubled In 1970," \textit{New York Times}, May 3\textsuperscript{rd}, 1971); how many additional wiretaps that were NOT approved, such as in the case of Hilliard (see previous note) and in the JDL, is another question entirely. New York was by far the jurisdiction that found considerably more wiretaps filed (and unfiled) than any other throughout the nation, due almost entirely to the vastly increased surveillance surrounding the events described in this dissertation and the atmosphere of domestic protest move broadly.
\end{footnotes}
It certainly didn’t help the prosecution that just as the question was being considered by the court, the *New York Times* released the Pentagon Papers, casting further shadows and doubts on government conduct.\(^{36}\)

Ultimately, the question of the wiretaps for the government, and defense concerns about some indictees or witnesses eventually cooperating with the government, brought both sides to a draw. The prosecution offered a deal; three of the defendants including Kahane would plead guilty to which they expected some leniency in sentencing; the JDL would turn in all weapons and dynamite they possessed with no repercussions.\(^{37}\) Soon after, nearly 200 sticks of dynamite showed up on the side of the Palisades Parkway overlooking the western bank of the Hudson River. It was too much dynamite for the NYPD to handle; the U.S. Army had to retrieve the explosives and transport it to Fort Dix (targeted for dynamite bombing just over a year earlier by Weather Underground) by truck.\(^{38}\) A number of guns were transferred by a JDL member to an ATF agent on the Cross Island Expressway in Brooklyn; and then the JDL left nearly 20 pounds of smokeless powder, five pounds of blasting powder, and a half-dozen blasting caps for authorities at the East Side Airlines terminal on 37th street and First Avenue.\(^{39}\)

On July 23rd 1971, Judge Weinstein sentenced the three members – eighteen-year-old Stewart Cohen to three years of probation and a fine, Chaim Bieber to three years in prison and a

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\(^{36}\) The Pentagon Papers was a secret Department of Defense study of the U.S. involvement in Vietnam spanning more than two decades, from 1945 to 1967; beginning on June 13th, 1971, *The New York Times* began publishing articles based on the nearly 7,000 pages of documents leaked by Daniel Ellsburg, revealing American leaders’ deception and mischaracterization of the war, magnifying what was already an atmosphere of great opposition to the continuing war.

\(^{37}\) See Russ, “The Zionist Hooligans,” 509 - 513

\(^{38}\) Emmanuel Perlmutter, "Dynamite is Left for Authorities," *New York Times*, July 12th, 1971

\(^{39}\) Russ, “The Zionist Hooligans,” 511
fine, and Kahane to five years in prison and a fine – but suspended all the jail time imposed under the condition that none of the men were to have anything to do with “guns, bombs, dynamite, gunpowder, fuses, Molotov cocktails, clubs, or any other weapons.” That the JDL was getting off with barely a slap on the wrist, and for charges not even related to any of the bombings in New York City, infuriated the prosecution. But given the facts of the case, they took token convictions rather than risk none at all. The sentences certainly stand in stark contrast to those handed down to the Melville collective the previous year.

Just outside the courthouse after the JDL sentences were announced, a large triumphant crowd celebrating with him, Kahane told the gathered supporters that, pursuant to his sentence, he couldn’t “talk about guns.” However, raising his hands mimicking a gun with an extended thumb and forefinger, he told them “But I want you to have this.” Raising his other hand similarly, he told them “And not only this, but that.” He told reporters at the gathering that “[o]ur campaign motto will be ‘Every Jew a .22’… Some time or other, there is no other way than violence. I am not against the use of violence if necessary.”

THE AMTORG ARRESTS

Since no JDL members had been indicted for the bombing in the case that proceeded from May 1971, any new evidence collected on the March Amtorg bomb case could be considered without double jeopardy ramifications. Investigation of the Amtorg bombing remained a priority for

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41 Morris Kaplan, “Kahane Gets 5-Year Suspended Sentence in Bomb Plot,” *New York Times*, July 24th, 1971,
NYPD, although that responsibility shifted from BOSS to the newly created Arson and Explosives Squad. Chief of Detectives Albert Seedman had appointed Detectives Joe Gibney and Santo (Sam) Parola from that new Squad as the lead detectives on the JDL / Amtorg case. Parola would emerge as NYPD’s key investigator on the case after BOSS receded from the picture.

The FBI had also set up a special squad – Squad 312 – to investigate the JDL. Special Agent Robert Nixon was a key member of the squad and liaised at great length with NYPD Arson of Explosives Detective Parola; Nixon later testified in court that Squad 312 indeed received a great deal of its information from the Detective.\footnote{See Russ, “The Zionist Hooligans,” 679 and 718}

Serendipitously, just as the NYPD lost its key undercover asset in JDL – Rosenthal, after his true identity became public after the May 1971 indictments were announced – the department successfully developed an important informant from within the organization.

In early August of 1971, NYPD Arson and Explosives Detective Parola successfully coerced JDL’s Sheldon Seigel into acting as an informant. During the investigation of the Amtorg bombing, NYPD had seized Seigel’s car and found “fragments of wire, several pieces of plastic, a can of mace, a small film capsule filled with gunpowder, a cardboard tube with an attached fuse and ten empty alarm clock boxes”\footnote{482 F.2d 38 - United States of America, Appellee, v. Richard Huss, Appellant. United States of America, Appellee, v. Sheldon Seigel, Appellant. United States of America, Appellee, v. Jeffrey H. Smilow, Appellant, 2d Cir. 1973, page 3} – bomb-making components that greatly put him in a precarious position. In an effort to extricate himself from trouble he found himself in stemming from the search of his car (a search later found to be illegal, which would take on great importance down the road), Seigel gave up details about the Amtorg bombing and other JDL attacks over the previous year.\footnote{Russ, “The Zionist Hooligans,” page 611}
The information NYPD acquired through their investigation – and their inside man – was routinely passed along to federal authorities including the FBI and the ATF, continuing the NYPD – FBI relationship most closely characterized in the past by NYPD BOSS’s liaisons with the Bureau. Seigel was also convinced to testify for the grand jury in what was to be a second federal trial following the first that grew largely out of NYPD Officer Rosenthal’s testimony and the Bureau’s wiretaps; the grand jury indicted seven JDL members after Seigel’s then-secret testimony. In reporting the September 1971 arrests in the media, the NYPD misdirected attention from their secret informant by crediting the “technical investigation” with yielding the evidence the indictments relied upon, and not the testimony of a witness. Ultimately, only two JDL members (in addition to Seigel, still maintaining his secret status) would plead guilty in relation to the Amtorg bomb.

THE HUROK BOMB

Even before the Amtorg indictments, the JDL began planning for what would become the act of terrorism it is most widely remembered for. Eschewing dynamite, at least temporarily, after turning in nearly 200 pounds of it as part of the plea bargain with the government in the 1971 case, members of the organization began constructing a massive smoke bomb in January of 1972. The group targeted the offices of Sol Hurok, the concert promoter that had been the target of JDL

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rhetoric and protests in the past, and Columbia Artists, who were together promoting the U.S. tour of the Soviet Union’s Osipov Balalaika Orchestra. On the morning of January 26th, 1972, a team of high school-aged JDL members unleashed the smoke bombs on the Columbia and Hurok offices on 57th street and 56th street, respectively, in midtown Manhattan. But in the Hurok offices, the intense heat from the smoke bomb caused fire to break out, quickly engulfing the nearby office furniture and trapping several employees in interior offices where they couldn’t smash windows to call for help and ventilate the rooms like those in exterior offices were able to do; firemen had to battle an intense inferno and deadly smoke conditions to reach those trapped. All told, thirteen members of the Hurok staff including Sol Hurok himself were taken to the hospital for serious smoke inhalation, some only after being revived on the scene by firemen. A well-liked twenty-seven year old secretary, Iris Kones, died at the scene. 48 The only death the JDL was ever directly linked to in the U.S. was a devout, practicing young Jewish woman from Long Island. 49

Shlomo Russ argues that everyone in the JDL was “stunned” by the death of Kones; those involved were rightfully fearful of the fallout; those not involved were demoralized and even disgusted. “The (earlier) bombings were difficult for some to accept, but murder was inconceivable,” Russ argues. “People left the League in droves and the hard-core either dropped out, or shifted direction, devoting their energies to self-preservation. Avoiding arrest became even more important than attacking Russians. The strident tone of the League was gone.” 50

49 As will be discussed in this chapter, JDL is thought by the FBI to be responsible for the death of a Palestinian-American activist in 1985, and Baruch Goldstein – a Brooklyn-born man, and avowed follower of Meir Kahane, who emigrated to Israel – was responsible for the massacre of 29 Palestinians and wounding of more than 100 others in an attack on the Cave of the Patriarchs in Hebron, in the occupied West Bank of Israel / Palestine, in 1994.
50 Russ, “The Zionist Hooligans,” page 565
On May 7th 1972, more than three months after the death of Kones, and after intense pressure, Seigel told Detective Parola everything he knew about the Hurok smoke bomb attack; the participants, how it was done, where they got the materials, who made it, etc. Seigel was panicked; he had built the bombs himself, and had even instructed the young JDL high-schoolers what to do in placing them. The bomb, Seigal claimed, was intended to cause a disturbance, but not injury and certainly not death.51

On June 19, 1972, Seigel and two of the high school students who delivered the bombs – Stuart Cohen and Sheldon Davis – were indicted in federal court for the Hurok bombing. On May 2nd of the following year, just three days before the trial was to begin, prosecutors moved to sever Seigel from the other defendants on the grounds that he was “a government informer who had provided information leading to the indictments, that he had testified before the grand jury, and that he would be called as a witness at trial, under a grant of immunity.”52 Seigel was outed as an informer to his compatriots; Seigel, though, had long told Detectives and prosecutors that he never had an intention to testify in court, and would not be compelled to do so. Other than stating his name and date of birth when taking the stand, he said nothing. Beside that obstacle in the prosecution’s path, the hearings revealed the existence of two sets of FBI wiretaps; more wiretaps, these that even the prosecution itself conceded lacked “any legal authorization.”53 The presiding District Judge, Arnold Bauman, also concluded that an automobile search central to the case, conducted by NYPD, violated the Fourth Amendment – the search and seizure of the car being of

51 See Russ, “The Zionist Hooligans,” Chapter XIII, for a detailed narrative of the recruitment of Seigel and his testimony regarding what he learned from the informant.
53 Discussed in this chapter; see 482 F.2d 38 - United States of America, Appellee, v. Richard Huss, Appellant, et al.
fundamental importance to the case because the automobile belonged to Seigel and was the linchpin in how NYPD compelled Seigel into being an informer. “In sum, [Seigel’s] contention [was] that, in one way or another, he was coerced or pressured into cooperation with government officials, that such pressure stemmed directly from illegal wiretapping and ancillary constitutional violations, and that all prosecution questions asked at trial are tainted and, therefore, subject to suppression.”54 Once again, as with the case brought against them in May of 1971, the government’s new case against the JDL was on the ropes because of aggressive, illegal investigatory methods.

The case wouldn’t recover. In June of 1973, after a complex and ultimately highly compelling argument made by a young Alan Dershowitz, the U.S. Court of Appeals found the wiretaps illegal and inadmissible, and Seigel won the right to not testify and retained the immunity he had been granted in the case.55 The court was unhappy letting the defendants off the hook; “Of course, we all suffer when, in [former U.S. Supreme Court Justice Benjamin] Cardozo’s classic phrase, the criminal goes free because the constable has blundered. The remedy, however, is to help the constable not to blunder.”56 Despite angry threats from Judge Bauman in the bombing case, two witnesses – Richard Huss and Jeffrey Smilow, the other, unindicted high school students involved in delivering the Hurok bomb – also refused to testify. Charges against high schoolers Sheldon Davis and Stuart Cohen were dismissed due to lack of evidence.57 The following August,

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55 Russ, “The Zionist Hooligans,” includes a compelling narrative of the intricacies of the defense mounted by Dershowitz, especially see page 714 – 719
the two witnesses were sentenced to a year each in prison for refusing to testify. They would be the only JDL members convicted of anything in relation to the Hurok bombing and death of Iris Kones.\textsuperscript{58}

Shlomo Russ argues that JDL lost its ability to attract newcomers after the Hurok bombing. Instead of building JDL, members concentrated on saving themselves from the legal fallout.\textsuperscript{59} But in reality that wasn’t the end of JDL terrorism; following the deadly January attack on the Hurok office, 1972 was in fact a busy year for the JDL. Some members, unassociated with the Hurok attack, moved on to bombing American Nazis, members of the National Renaissance Party, and even accidentally bombed the house of a young Queens couple with their small children inside, mistaking it for the home of an elderly woman, Hermine Braunsteiner Ryan, who was a WWII German concentration camp supervisor.\textsuperscript{60} In May of 1972, four JDL members were arrested with plotting to bomb the residence of the Soviet Mission to the U.N. in Long Island;\textsuperscript{61} two years later, other members would be arrested for plotting to assassinate Palestinian leader Yasser Arafat.\textsuperscript{62}

\textit{JDL AND RIGHT WING TERROR IN PERSPECTIVE}

Russ makes a compelling argument that the JDL was never subject to the kind of belligerent investigation and prosecution that other terrorists in New York City and the U.S. of the time were

\textsuperscript{58} "2 In J.D.L. Sentenced In Hurok Bomb Case," \textit{New York Times}, August 1\textsuperscript{st}, 1974

\textsuperscript{59} See Russ, "The Zionist Hooligans," page 1044

\textsuperscript{60} "Fire Bombers Said to Pick Wrong Home," \textit{New York Times}, March 12\textsuperscript{th}, 1972


\textsuperscript{62} Peter Kihss, "J.D.L. Aide Held In Threat To Kill Palestinian Leader," \textit{New York Times}, November 13\textsuperscript{th}, 1974
subject to: similar to the argument posed (successfully, it seems) by the attorneys then recently defending the Cuban Power terrorists, Russ argues there was a “value congruency” with the ruling institutions of American society, “whereby JDL attacked the ideological enemy of the United States (communism)... [and] never posed a threat to the social order of American society.” Nowhere is this more evident than in considering JDL’s original strategy, clearly stated in the organization’s manifesto, which states “The Jewish Defense League was created because we think that the American dream is worth saving and can be saved”63 – words that could have been echoed by other right-wing organizations that had turned to terror to defend their version of the American Dream, such as the Minutemen. This “value congruency” resulted in a degree of tolerance that JDL (and other right wing organizations like Cuban Power) enjoyed that other (mostly leftist) organizations that attacked the core of the American social and political structure (like the Melville collective) did not.64 In furthering Russ’s case, this scholar also argues that JDL as an organization, or it’s individual members including Kahane, were never targets of the most robust tool used by law enforcement authorities against terrorists and other (mostly law-abiding citizen) perceived enemies of the government – the FBI COINTEL Programs.

It is, however, important to point out what has been shown in these pages, that both NYPD and FBI (and others like the ATF) did bring to bear the most potent tools they used against leftists, short of the COINTEL Programs (i.e., infiltrators, informants, and electronic forms of surveillance later found to be illegal) against the JDL. As has been argued throughout this dissertation, while all counterterrorism efforts of the time were not created equal – those on the political left most

63 “…the American Dream…” from JDL Manifesto, quoted in Russ, “The Zionist Hooligans,” 1013
64 Ibid., 50 – 52
certainly bore the brunt of law enforcement efforts across the board – local and federal authorities didn’t turn a completely blind eye to those on the right.

**CONCLUSION**

In delivering his dissertation to the CUNY Graduate Center in 1981, Shlomo Russ argued that the JDL had virtually disappeared by that point in time. Russ’s obituary of the JDL turned out to be, unfortunately, premature. Although it would never regain the wider recognition, publicity, or support that it did in its first two or three years of existence, JDL meandered on and went on to be linked with a number of terrorist plots and assassinations in New York City and elsewhere for more than a decade. In 1985, Alex Odeh, a prominent Palestinian-American civil rights activist and Regional Director for the American-Arab Anti-Discrimination Committee (ADC), was killed by a pipe bomb in his California office the day after engaging in a heated back-and-forth with a JDL member on the television program *Nightline*. His death, long suspected by authorities to have been perpetrated by JDL members, remains officially unsolved to this day.65 Odeh’s death came less than one year after Kahane, under his Kach Party banner, was elected to the Israeli Knesset; in 1988, however, the Israeli Supreme Court ruled that both Kahane as an individual and Kach as a party were barred from Knesset for good. And two years after that, Kahane himself was assassinated by a terrorist, gunned down in midtown Manhattan by El Sayyid Nosair, who would later be linked to 1993 World Trade Center plot mastermind Omar Abdel-Rahman, the "Blind  

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And in the wake of September 11th, the FBI arrested and charged the then-chairman of the JDL and another member with a plot to blow up Los Angeles-area mosques and assassinate Daniel Issa, a California Republican member of the U.S. House of Representatives of Lebanese descent. The JDL chairman, Irving David Rubin, committed suicide while awaiting trial the following year. After being convicted and sentenced for the conspiracy, Rubin’s accomplice, Earl Leslie Krugel, was killed in prison in 2005 by a fellow inmate.

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68 David Pierson and Greg Krikorian, "Former JDL Activist Slain in Federal Prison," The Los Angeles Times, November 6th, 2005
PART III: A DECADE OF TERROR

Chapter 10: A Retreating Response
As the new era of terrorism dawned in New York City during the latter part of the long Sixties, both the FBI and the NYPD were poised to respond to it. As previously discussed, scholars of terrorism and counterterrorism have long posited that intelligence was then, and continues to be, the most effective tool in countering terrorist threats; future CIA Director Michael Hayden argued soon after the 9/11 attacks that “[i]ntelligence – and how we use it – is our first line of defense against terrorists…” And in the long Sixties, both the FBI and NYPD had robust intelligence operations in New York City, operations that among other things allowed them to infiltrate, through undercover operatives and informants, many of the movements and organizations that would turn to terrorism during the era. Of course, as Frank Donner explores, they also infiltrated, coerced, and intimidated a long list of persons and groups that were not charged or even suspected of any illegal activity, but purely for their constitutionally protected political activity. These extra-legal practices, and the many civil rights violations that came along with them, would result in increasing public and political hostility to the types of intelligence operations that had been used by those organizations (and others) with good effect in previous years.

In May of 1970, notable New York Post columnist James A. Wechsler wrote a piece considering George Demmerle’s undercover work against the Melville collective: “Before some indignant hard-head apoplectically construes these remarks as an apologia for terrorism, it is necessary to state that I concede the need for democratic self defense from mad bombers. This will involve some degree of underground agentry (sic) as well as usual police procedures…” However, Wechsler argues, “both the scope and character of such secret exercises have too long

been unquestioned and unexplored by any congressional committee.” Wechsler’s voice was not alone in calling for greater questioning and exploration of these tactics, regardless of how effective they may have been. The next several years would be rife with penetrating investigations and often harsh criticism of both the FBI and NYPD (among other law enforcement and intelligence agencies) that resulted in a receding response to terrorism in New York City.

**CHANGES – NYPD**

Just as the year of bombings in “gigantic proportions” was breaking out in New York City, the NYPD was on the verge of a long period of scandal, public scrutiny, and reorganization that would dramatically alter the way in which it had conducted intelligence and nascent counterterrorism operations from the preceding years.

The relationship between City Hall and the police department – overwhelmingly positive during the Wagner administration – had been antagonistic since before John Lindsay even took office in January 1966. Lindsay’s full-throated advocacy of the CCRB was supplemented by his appointment of a succession of more progressive, reform-minded Police Commissioners – Howard Leary and then, especially, Patrick Murphy – who would themselves have a dramatic impact on the department.

In perhaps the highest profile scandal of his administration, Mayor Lindsay established the Knapp Commission in April of 1970 – was compelled by circumstances to do so, really – in order to investigate deep and systematic police corruption after allegations by Frank Serpico, an eleven-

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2 James A. Wechsler, “Prince Crazy,” *New York Post*, 27, May 28\(^{th}\), 1970 (Also found in Demmerle FOIPA file 1319364-0 Section 2 Serial 1, page 123/202)
year veteran of the department, were brought to public attention on the front page of the *New York Times*. Stories of pervasive and alarming corruption – graft, protection rackets, collusion with drug dealers – and the investigations of it would litter local and national papers for at least the next two and a half years. As the *Times* argued when first breaking the story that spring, corruption which was even by then generally suspected by many had “undermine[d] the public faith in justice.”³ It was the worst possible timing for the department, as far as countering terrorism was concerned – the Melville collective had yet to plead guilty to their bombing campaign; new organizations like the Jewish Defense League were coming into focus; the Weather Underground townhouse investigation was ongoing and they would bomb NYPD Headquarters just as the Commission was beginning its wide-ranging inquiry less than two months later. In what may have been a welcome respite from criticism at home, Commissioner Leary would go before the U.S. Senate and talk about terrorism just as Knapp investigations were beginning.⁴

Ultimately, in their final report in 1972 the Knapp Commission found what many by that time expected they would – staggering levels of corruption within the department. More than half of all members of the department, the report would argue, were tainted by some degree of corruption. Even the Mayor and his aides, never accused of being great friends to the police, were accused of failing to do more to resolve a problem they knew existed with the department.⁵

Intelligence operations and excesses were outside the scope of the Commission’s investigation and the final report did not take a position on what was, by then, a heated

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conversation about civil liberties violations by law enforcement and intelligence not only in New York City but throughout the nation. Even without commenting on it, though, the Commission Report added weight to what was by the end of 1972 a police department intensely suspect by a city that had lost faith in its police.

Named by Lindsay as the new NYPD Commissioner in October of 1970 – just three months after Leary and other police officials testified before Congress – Patrick V. Murphy had himself earned a long reputation as a reformer, and one of his immediate initiatives would dramatically impact the department’s efforts at countering terrorism through the remaining years of the long Sixties.

Murphy believed that the Detective Bureau – where the Bureau of Special Services had been ensconced since its creation – was “a scary skeleton in the closet of the department… for decades the Detective Bureau had gone its own way, lived by its own rules. The Chief of Detectives,” the Commissioner himself argued “rarely had to answer to the Police Commissioner… Only on a neat organization chart was the Detective Bureau a province of the larger jungle that was the NYPD. In reality the bureau was an independent breakaway entity, with its own laws, customs, and marching orders.” Beyond living outside of the department’s chain of command, Murphy just plainly didn’t think that detectives were very effective police officers.⁶

In a move designed to rein in control of the Detective Bureau and, as importantly, the rampant corruption that Murphy believed the Knapp Commission would find there, the

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Commissioner embarked on a wide-ranging reorganization of the Detective Bureau (or Detective Division) that would put BOSS on the road to extinction.\(^7\)

The Mayor’s office, Murphy argued, was somewhat incensed at not being kept informed of the dramatic reorganization plan, but realizing the potential cost of taking on the powerful and influential Detective Bureau, allowed Murphy to proceed with the plan and to own it – along with any political cost that the move invited. Despite his belief that Lindsay didn’t understand police, was resentful of them, and often seemed to harbor a personal vendetta against the department after the failure of the CCRB plan, Murphy argued that the Mayor’s decision to defer to the Commissioner and support him on the Detective Bureau reorganization was “one of the best mayoral decisions John Lindsay had ever made. I was very thankful.”\(^8\)

One of the first moves in the reorganization was specifically aimed at BOSS, just as it continued to investigate the Jewish Defense League, the Weather Underground, and the litany of other groups and individuals turning to terrorism at the time. In early December of 1970, Commissioner Murphy announced a restructuring of the “fragmented” police department intelligence functions, combining the subversive and political policing that BOSS focused on with narcotics and organized crime intelligence. Less independence, more visibility, and much greater oversight by the Chief of Detectives, and especially by the Commissioner, were the intended and immediate results.\(^9\)

\(^7\) Murphy and Plate, *Commissioner*, 209. Murphy refers to it as the Detective Bureau, but in other places including official NYPD organizational charts it is referred to as the Detective Division.

\(^8\) Murphy and Plate, *Commissioner*, 209, and all of Chapter 8, “The Detective Mystique,” in general.

\(^9\) David Burnham, "Police Will Unify Intelligence Arm,” New York Times, December 1\(^{st}\), 1970
Even before the reorganization announcement, Murphy later explained, “[w]e had moved quietly to remove from the [Detective] Bureau the famed Bureau of Special Services… for what [BOSS] was involved with (intelligence and subversive investigations), the loose supervision of the Detective Bureau seemed the worst possible place for it.”¹⁰ That “loose supervision” – control not by the Mayor, not even by the Police Commissioner – had allowed BOSS to operate in a way, for years, that may not have been stopped by men in either office had they had direct control, but had most certainly operated in a way that was coming under vastly increasing criticism and legal challenge.

As former BOSS Detective Anthony Bouza tells it, BOSS had undergone a period of decline and marginalization as early as 1966 when “liberal mayor” John Lindsay ascended to power; the appointment of “tough-minded, liberal police commissioner” Murphy accelerated the decline of the special unit. “Neither man had any previous experience with BOSS,” Bouza argues “and the unit was left alone to lapse into a period of decline, confusion, obscurity, and ineffectualness.”¹¹ But Bouza mischaracterizes, to a degree, what Murphy – with Lindsay’s tacit approval – effected upon BOSS. The unit wasn’t “left alone” at all – it was intentionally relegated to the position it found itself in by the end of 1970.

The changes essentially meant the end of BOSS as an independent unit within the department and a massive de-emphasizing of the kind of work the unit excelled at.

A related development was the emergence of Arson and Explosives Squad in the spring of 1971; at the time, as previously discussed, the NYPD Bomb Squad had responsibility for the technical aspects of bombing investigations – securing scenes and evidence, subject matter and

¹⁰ Murphy and Plate, Commissioner, 209 – 210
¹¹ Bouza, Police Intelligence, 6-7
technical expertise on explosive material and bomb design, and the like. But individual NYPD precincts handled the investigations of bombings that occurred in their jurisdiction. Investigations got complicated when the same person or group was suspected of multiple attacks throughout the city, drawing many precincts into looking for the same bomber or group. This was more of a theoretical than practical issue with BOSS in the picture; a unit within the Detective Division, BOSS had a jurisdictional mandate over the entire city. But that was no longer the case.

The new Arson and Explosives Squad, central to the latter part of the JDL case, unified investigations involving these types of crimes in one unit under the Detective Division. The Arson and Explosives Squad was an additional aspect of NYPD reorganization that further divvied out functions formerly performed by BOSS. The new Squad even had an FDNY Fire Marshal attached – the first standing joint unit to incorporate New York police and fire investigators, something that wouldn’t happen again until the reorganization of the FBI Joint Terrorism Task Force after the 1993 World Trade Center attack. But the Arson and Explosives Squad was decidedly not what BOSS was – a political intelligence unit. And as seen in the collapse of the case against the JDL that detectives from the case helped usher in with what the court found to be violations of JDL member Sheldon Seigel’s constitutional rights, Arson and Explosives would start off with no better of a track record than the one that BOSS ended with.12

Despite what was by the time Murphy took over an escalating importance surrounding the work done by BOSS – the “undercover men... who really have a sense of what might be happening,” as even Lindsay aide Jay Kriegel had suggested not two years earlier13 – the new

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12 See this dissertation, Chapter 9, and Russ, “The Zionist Hooligans,” 608, for description of the emergence of the NYPD Arson and Explosives Squad.
13 See this dissertation, Chapter 5, N. 44; “Jay L. Kriegel to Mayor John V. Lindsay, RE: Police briefing on the summer,” April 30th, 1969 - Box 15 Folder 176.1, JVL Papers, NYMA/LWA
Commissioner essentially closed down the unit. It is impossible, I argue, to see the move exclusively in the context of BOSS’s work to infiltrate and disrupt threats like the Statue of Liberty plot and the JDL’s campaign of bombings; in that context, even Lindsay and his close aide seem to have acknowledged that BOSS was genuinely capable. But Murphy was a reformer through-and-through; over the past eight years he had been brought on to fight corruption in Syracuse, and then in Detroit, and done a capable job of effecting change.14 And the winds of change were already blowing hard in New York city; the Knapp Commission had commenced what nobody doubted would be an eviscerating report on the police department; the same trajectory was increasingly evident of the ongoing trial of the Panther 13, and what that case would illuminate in regards to BOSS’s “undercover agentry,” as New York Post columnist James A. Wechsler had referred to it as.

Just six months after the Detective Division reorganization commenced, the acquittal on all charges for the remaining Panther 13 defendants – a terrorism case built entirely on the work of BOSS undercover operatives Ralph White, Carlos Ashwood, and Eugene Roberts – was unambiguously illustrative of the unprecedented criticism and legal challenges facing BOSS. “I don’t fault the undercover agents,” one juror explained. “[T]hey were doing their job where society put them, but nobody really saw [the defendants] do the things [i.e., the charges] the [undercovers] talked about.” Defense counsel, reflecting a growing opinion of those concerned with civil liberties, was far harsher; denouncing the BOSS agents as “spies,” attorney Charles T. McKinney exclaimed that “[n]othing testified to by the three agents was corroborated by a single

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Defense attorney Gerald Lefcourt actually believed that the jurors knew that his clients were guilty of something – that there was indeed some terrorist plotting involved – but that some jurors “believed the undercovers had lied,” and that the acquittal was a political statement. Ingram Fox, the fifty-three-year old jury foreman, believed the Grand Jury itself should have been investigated for bringing charges in the first place.16

Only six months after Murphy’s dramatic changes to the Detective Division, the decision to push BOSS into the background seemed incredibly prescient. Within days of the Panther 13 acquittal, a class action suit was filed against the now-defunct BOSS, its leadership including the former Commanding Officer, William Knapp, the Mayor, Commissioner Murphy, and “various unknown employees of the Police Department acting as undercover operators and informers.” The federal suit – filed on behalf of sixteen original plaintiffs but inviting all New Yorkers who had been similarly affected to join – included three of the recently acquitted Panthers, Abbie Hoffman, and an activist and attorney by the name of Barbara Handschu whose surname would become synonymous with the case and the impactful decisions that would flow from it. The case would ultimately result in what has become known as the “Handschu Decree,” and has had a more lasting impact on the way that NYPD conducts counterterrorism than any other policy or court proceeding in the history of the police department.17

The Handschu complaint alleged that BOSS epitomized a long history of illegal police surveillance, infiltration, disruption and stifling of constitutionally-protected rights of political

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expression in New York City. The plaintiffs alleged seven specific areas of illegal or improper police conduct: the use of informers; infiltration; interrogation; overt surveillance; summary punishment; intelligence gathering; and electronic surveillance.\(^{18}\)

District Judge Charles S. Haight, Jr., who took over the case as it wound its long way through the system, would later characterize the complaint as alleging “constitutional violations of NYPD information gathering and surveillance conducted on a whim, in secrecy, without any civilian or judicial oversight, whose poisoned fruits were indiscriminately disseminated” to organizations like the FBI.\(^{19}\)

Essentially, the suit alleged what Donner argues in *Protectors of Privilege*. The intent of the case was not to impact how the police department countered terrorism, per se, but to protect the civil liberties of New Yorkers from the types of unconstitutional violations the suit alleged that were sometimes, and sometimes effectively, brought to bear in countering terrorism.

In a long, detailed affidavit, Commissioner Murphy acknowledged that NYPD traced the roots of the Bureau of Special Services (by the time of the case renamed the Public Security Section) all the way back to the NYPD Italian Squad, as this dissertation argues, and that the “political unrest” of the era had prompted vastly increased investigations, surveillance, undercovers, and infiltrators of "groups that because of their conduct or rhetoric may pose a threat to life, property, or governmental administration."\(^{20}\)

\(^{18}\) See Barbara HANDSCHU et al., Plaintiffs, v. SPECIAL SERVICES DIVISION a/k/a Bureau of Special Services et al., Defendants; No. 71 Civ. 2203; United States District Court, Southern District, New York; October 24\(^{th}\), 1972


\(^{20}\) Ibid.
Essentially, what Murphy argued is that political activity was increasingly monitored for fear it would turn into political violence including terrorism.

In response to Murphy’s affidavit, the counsel for the plaintiffs argued that "Commissioner Murphy conceded that the Police Department was engaged in the vast bulk of activities described in the complaint, including surreptitious surveillance and undercover infiltration of the political activities of individuals and groups." Judge Haight agreed – the Commissioner had, indeed, admitted that the practices BOSS was accused of had occurred. The constitutionality of those practices was the only issue at hand.\textsuperscript{21}

In February of 1973 – just as emergent actors like Omega 7 and FALN were preparing to commence their terrorism campaigns in New York City – Commissioner Murphy announced two moves that would further degrade the capabilities brought to bear against terrorism in New York City. Both moves, plaintiff’s counsel observed and the court agreed, were clearly “NYPD's self-serving declaration(s) with an eye toward pending litigation.”\textsuperscript{22}

NYPD officials understood that their practices stood so far outside evolving standards of acceptability, their relationship with City Hall so soured, that even in a time when the threat of terrorism was escalating so dramatically, even before the courts forced them to do anything, they made the difficult decision to self-impose restrictions on their own operations that had for some time been effective, if not entirely in line with the letter of the law, at countering terrorists.

The Commissioner announced that more than one million files of individuals and organizations had been purged from the police department records – those collected over decades

\textsuperscript{21} See Handschu v. Special Services Div. /605 F. Supp. 1384/ New York Southern District Court, 605 F. Supp. 1384, March 7\textsuperscript{th}, 1985

\textsuperscript{22} Ibid.
by BOSS and its predecessor units. The index of individuals was reduced 980,000 names (from 1,220,000 to 240,000), and the organizational listings to 25,000 from 125,000.23

The records, almost certainly representative of illegal practices and unconstitutional invasions of political expression, did nonetheless represent an intimate institutional knowledge of the many communities BOSS monitored in the city that had been helpful in breaking up terrorist plans like the Cuban exile bazooka attack on the United Nations, the Statue of Liberty plot, and the Minutemen plot. The records had been freely shared – more freely shared than even NYPD acknowledged at the time, declassified FBI documents now show – with intelligence partners at the FBI and elsewhere, and had on a number of occasions in the past resulted in quick identification of suspects and often arrests after bombings and other attacks occurred. The record sharing, however, was not limited to intelligence investigations of crimes – it also included purely political investigations as Donner has illustrated, as well as information shared with licensing agencies including bar admissions committees, which, the court found, “used such information to evaluate the politics of those seeking government licensure.” Numerous applicants had been turned down for important licenses such as state bar association accreditation over a period of decades as a result of entirely legal and protected political expressions, such as membership in the communist party.24

At the same time, Murphy also announced a new set of guidelines for intelligence gathering and dissemination by the police department – clearly and unambiguously articulating standards that may have been generally implied in the past, but came with precious little practical guidance or oversight. As discussed in previous chapters, the actual direction guiding BOSS operations

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24 Ibid.; see also Handschu v. Special Services Div. /605 F. Supp. 1384/ New York Southern District Court, 605 F. Supp. 1384, March 7th, 1985
seems to be limited to a few scant passages in general NYPD Rules and Procedures manuals, and as Commissioner Murphy observed and even as Lindsay aide Jay Krieger had suggested in his April 1969 letter to the Mayor, oversight and direction of BOSS was not, as a practical matter, in the hands of the Mayor or even the Commissioner, but in the Chief of Detectives and more realistically in BOSS leadership’s own unrestrained hands.  

The new procedures specifically lay out a mission – to “provide the police department with the intelligence necessary to discharge of its duties to maintain the public order, protect life and property, and insure the orderly functioning of the city and its public agencies” – while detailing the boundaries within which officers must do so. “Public Security Activities are to be conducted in such a manner that no infringement upon the statutory and constitutional rights of any individual or organization is occasioned,” the guidelines specifically stipulate.  

In what is close to being a frank acknowledgement of the history of BOSS, the guidelines explain:

“Procedures, priorities, and attitudes which in the past were publicly acceptable are now being re-examined and re-defined by society at large, as well as by its governmental agencies, and will in a free society continuously be redefined. Law enforcement must strive to keep pace with these developments and to ensure that police activities reflect them. In the operation of an intelligence system, there must be special care to avoid interference with constitutionally protected rights of freedom to speak and dissent, to write and publish, and to associate for peaceful

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25 Again, see this dissertation, Chapter 5, N. 44; “Jay L. Kriegel to Mayor John V. Lindsay, RE: Police briefing on the summer,” April 30th, 1969 - Box 15 Folder 176.1, JVL Papers, NYMA/LWA

26 NYPD - Procedures, Public Security Activities of the Intelligence Division, 1973, page 8 - Box 15 Folder 177, JVL Papers, NYMA/LWA
purposes, while developing the intelligence necessary for public officials to safeguard life and property.”  

In a departure from many of the practices seen in previous cases – most notably Ray Wood’s infiltration of CORE and the Statue of Liberty plotters, and Richard Rosenthal’s infiltration of the Jewish Defense League – the 1973 guidelines explicitly directed that all intelligence officers “including undercover agents… will receive intensive training in relevant constitutional principles, especially those embodied in the First and Fourth and Fourteenth Amendments to the United States Constitution, upon initial assignment to the Section and periodically thereafter.”  

In those earlier cases, and perhaps in many others that never became known to the public, there was no such training whatsoever before the undercover agents were tasked with what was almost certainly infringement of constitutionally protected activity – there was no police or legal training at all, in fact, before these particular infiltrators were tasked with their assignments.

The use of police infiltrators and informants, more broadly, though, was actually defended by the court – in principal, and if done without violation of constitutional protections. "The use of secret informers or undercover agents is a legitimate and proper practice of law enforcement and justified in the public interest,” argued Judge Edward Weinfeld. “Indeed, without the use of such agents many crimes would go unpunished and wrongdoers escape prosecution. It is a technique that has frequently been used to prevent serious crimes of a cataclysmic nature. The use of

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27 NYPD - Procedures, Public Security Activities of the Intelligence Division, 1973, page 6 - Box 15 Folder 177, JVL Papers, NYMA/LWA,  
28 Ibid., page 9
informers and infiltrators by itself does not give rise to any claim of violation of constitutional rights.”

The new guidelines also attempted to separate purely political policing as Donner argues was the function of BOSS – and which BOSS was certainly guilty of having conducted in the past – from legitimate concerns about political violence including terrorism; “the political beliefs or preferences of any individual, group or organization are not, per se, of concern to the Public Security function. However,” the guidelines continued, “the activities of various groups and individuals are of legitimate interest when there is a substantial possibility that they will result in personal injury, property damage, crowd control problems, or disruption of vital municipal functions.”

The 1973 guidelines, then, are illustrative of the department acknowledging – even if only when under the scrutiny that the ongoing federal case brought upon it – that the practices of the past were no longer acceptable, not in the public view that police department intelligence now stood, regardless of how effective they may have been.

The City and plaintiff’s counsel of the 1971 federal case finalized a compromise, what has since then been known as the “Handschu Decree,” in 1985 – fourteen years after the case was brought and nearly five years after the terms of the settlement were initially reached. Judge Haight,

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30 NYPD - Procedures, Public Security Activities of the Intelligence Division, 1973, page 10 - Box 15 Folder 177, JVL Papers, NYMA/LWA
pleased with the compromise, argued that “The [Handschu Decree] Guidelines prohibit police intrusions into constitutionally protected activities. The NYPD can no longer commence or continue investigations and surveillance secretly and in silence…”  

Under the agreement, investigations of political activity could only be conducted when "specific information has been received by the Police Department that a person or group engaged in political activity is engaged in, about to engage in or has threatened to engage in conduct which constitutes a crime…” There would be no proactive investigations of legal, purely political nature – such as the ones that BOSS conducted to investigate CORE, the investigation that ultimately yielded the Statue of Liberty plot. The 1973 self-generated police department intelligence guidelines – even though far more restrictive than historical BOSS practice had been – established a much lower bar than the Handschu agreement’s need for “specific information” in regards to the perpetration of a crime. The 1973 guidelines, for instance, enabled intelligence collection operations for situations that might simply “adversely affect the availability of important goods and services to the public.”

The Handschu agreement also established a governing “Authority” made up of the First Deputy Commissioner of the Police Department, the Deputy Commissioner for Legal Matters of the Police Department, and, importantly (harkening back to the CCRB debate of the mid 1960s), a civilian appointed by the Mayor, to provide oversight for NYPD intelligence operations. The Handschu Authority had substantial oversight ability, contrasting to BOSS – which was subject to virtually none. Among those oversight powers was that of the use of undercovers, which was use

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33 Ibid.
34 NYPD - Procedures, Public Security Activities of the Intelligence Division, 1973, page 3 - Box 15 Folder 177, JVL Papers, NYMA/LWA
permitted "only after approval by the Authority," which the Commanding Officer of the Intelligence Division him or herself had to request after setting forth "all the salient facts of the case."  

Police Commissioner Robert McGuire, who took over the post in January of 1978, said at the time of initial settlement in 1980 that the police department had discontinued the allegedly illegal surveillance activities (there was never an actual trial or finding of any wrongdoing) in 1971 and had been operating on internal restraints very similar to those imposed by the agreement. “The new guidelines,” the Commissioner said in a statement, “represent an enlightened approach to balancing the rights of political activists and the police responsibility for maintaining public order and investigating crime.”

The Handschu Decree represented the culmination of a long, drawn out roll-back of the ability of the NYPD to conduct political policing, and as an unintended consequence, to respond to terrorism. The process had begun as early as 1969 when Bureau of Special Services practices during the long Sixties – most evidently on display during the highly public trial of the Panther 13 – came into increasingly critical public view. The long series of scandals, external as well as internal pressures, from the Panther case to the Knapp Commission to Commissioner Murphy’s initiatives and, finally, the Handschu case – coupled with a similar series of events on the national level – made NYPD officials less able to rely on previously used effective (if not always legal) practices in

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countering terrorism just as the year of bombings in “gigantic” proportions gave way to a decade rife with terrorism in Gotham.

**CHANGES – FBI**

The final years of the long Sixties were for the FBI even more dramatic a time of change than they were for the NYPD. FBI Director J. Edgar Hoover exercised as much political influence, over as long a period of time, as just about any other twentieth century American government official, and under his leadership the bureau was largely shielded from public pressures, investigations, restraints, and criticism more generally. But by the time Hoover passed away in May of 1972, the era of FBI invulnerability from censure and public condemnation was fast coming to a close. Of course, the Watergate scandal and the FBI’s involvement in it, unfolding after the June 1972 arrest of five men for breaking into the Democratic National Committee headquarters in Washington, D.C – just a month and a half after Hoover’s death – cannot be overemphasized in its impact on the withering criticism and condemnation soon heaped upon the Bureau. But even before the Watergate break-in, the Bureau had emerged as perhaps the single most reviled adversary of those in the left wing protest and anti-Vietnam War movement, most of whom believed, with good reason, that the FBI used what seemed to be excessive and illegal surveillance

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37 According to Theoharis, Powers et al, Hoover had enjoyed “virtual immunity from criticism and congressional scrutiny. There were some exceptions: the Abraham Lincoln Brigade arrests, the Judith Coplon case, the Apalachin incident, the harassment of Martin Luther King Jr., and the Fred Black case. But these controversies proved short lived and did not precipitate any kind of in-depth inquiry into the FBI’s operations and objectives.” Theoharis, Powers et al, *The FBI: A Comprehensive Reference Guide*, 125.
and intelligence methods (such as the rampant use of so-called domestic security wiretaps the courts found to be illegal)\(^{38}\) to counter their activities.

The COINTEL Programs are the most well-known, and perhaps most egregious, of what was a vast range of FBI “domestic intelligence” operations during the long Sixties. Hoover had cancelled the last of the COINTELPROs shortly before his death, in the wake of the March 1971 burglary of an FBI office in Media, Pennsylvania, by a group of left wing activists that threatened to (and ultimately did) expose the programs to the public.\(^{39}\) But after Hoover’s death – the moment when the “dark ages of the FBI” began, according to Tim Weiner\(^{40}\) – the public spotlight began to fall increasingly not only on COINTELPRO operations but all facets of domestic intelligence operations.

On January 27\(^{th}\), 1975 – in the wake of the COINTELPRO revelations and the continuing fallout from Watergate, and after explosive allegations of CIA operations by journalist Seymour Hersh were published in the \textit{New York Times} – the U.S. Senate voted overwhelmingly by a count of 82-4 to establish a committee to investigate not only illegal intelligence operations directed

\[^{38}\text{See Chapter 9}\]
\[^{39}\text{Beyond other embarrassing revelations, a single stolen document referenced, briefly, the previously undisclosed COINTELPRO designation, and a curious NBC News Correspondent, Carl Stern, waged a long Freedom of Information Act (FOIA) legal battle to reveal the details of the program. He eventually won, and COINTELPRO information began flooding into the public realm. The Media case and the identity of the burglars remained unsolved, and the case was closed by the FBI after the statute of limitations had run out. Betty Medsger’s 2014 book, \textit{The Burglary: The Discovery of J. Edgar Hoover’s Secret FBI}, and the documentary film that was largely based on it – “1971” directed by Johanna Hamilton (2014) – revealed the identity of the burglars and their stories, as well as Stern’s discussion of the legal path to disclosure of COINTELPRO through the FOIA process.}\]
\[^{40}\text{Weiner, \textit{Enemies}, 308}\]
against American citizens, but also allegations of intelligence community (mostly CIA) efforts to destabilize foreign governments and even assassinate foreign leaders.\textsuperscript{41}

What would become known as the Church Committee (named for its Chairman, Senator Frank Church, Democrat from Idaho) was mandated to “investigate the full range of governmental intelligence activities and the extent, if any, to which such activities were illegal, improper or unethical…” and to investigate and make recommendations in regards to “the need for improved, strengthened, or consolidated oversight of United States intelligence activities by the Congress and the need for new legislation.”\textsuperscript{42} The final reports, released over a year later after public, televised, and often contentious hearings, firmly concluded among other things that intelligence agencies had vastly overstepped their boundaries in collecting a tremendous amount of information “about the intimate details of citizens’ lives and about their participation in legal and peaceful political activity.”\textsuperscript{43}

It was the single largest inquiry into U.S. intelligence practices until the 9/11 Commission was established in the wake of the September 11\textsuperscript{th} attacks.\textsuperscript{44} “The conclusion to be drawn,” the

\textsuperscript{42} Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, An Interim Report, November 20\textsuperscript{th}, 1975, page 1; Church Committee Investigation Reports available on the website of the U.S. Senate Select Committee on Intelligence: http://www.intelligence.senate.gov/resources/intelligence-related-commissions (last accessed July 26\textsuperscript{th}, 2016)
\textsuperscript{44} The Church Committee conducted 800 interviews and reviewed 110,000 documents. The 9/11 Commission conducted 1,200 interviews and reviewed over 2.5 million pages of information before concluding and publishing its own report in July of 2004. See \textit{United States Senate, A History of Notable Investigations prepared by the United States Senate Historical Office}. Available at:
report argued, was that “no longer can the intelligence agencies be exempted from the law or from lines of higher authority.” The nearly 200 recommendations the final reports offer proposed nothing less than a sea change in intelligence practices in efforts to bring them in line with both American law and ideals.

Leaving aside the recommendations that speak to international intelligence operations largely directed at CIA and NSA, the dozens of domestic recommendations included serious curtailment of intelligence operations within the United States by all the members of the intelligence community, including several recommendations curtailing the use of covert human sources against U.S. citizens, such as those that had been regularly used in countering terrorism in New York City.

As a sign of the changing times, the reports and the recommendations generally paid considerably more direct attention to the issue of terrorism than had been explicitly discussed by either NYPD or FBI when commencing or conducting many of the operations that intentionally or (more often) inadvertently disrupted terrorist plots of the era. The Church Committee final reports discuss the subject of terrorism several times, acknowledging what by then had become abundantly clear – that by 1975, terrorism had become a major concern for intelligence officials in the United States. The committee found that “terrorists have engaged in serious acts of violence which have brought death and injury to Americans and threaten further such acts.” However, the committee’s


45 Church Committee, Final Report, Book III, Supplementary Detailed Staff Reports on Intelligence Activities and the Rights of Americans, page 981
report continues, “[t]hese [terrorist acts], not the politics or beliefs of those who would commit them, are the proper focus for investigations to anticipate terrorist violence.”47

Here, the final report confronts both sides of the matter – both the invasion of civil liberties by intelligence and law enforcement officials on one hand, as well as, on the other, that those illegal activities were sometimes utilized to counter actual terrorist acts or uncovered the same, and were not always just policing and suppression of benign political beliefs. Scholars such as Donner often focus on one side of this equation without acknowledging the reality of the other.

The Church Committee wasn’t the only body investigating the activities of the intelligence community. Both the volume as well as the legality of FBI operations was under fire from several sides. Between 1965 and 1975, according to a 1976 Government Accounting Office (GAO) study, intelligence investigations constituted a massive portion of the Bureau’s workload – approximately 20%.48 The same GAO study found that, alarmingly, “FBI's authority to carry out domestic intelligence operations is unclear.”49

A Presidential commission headed by Vice President Rockefeller had released its own report on domestic intelligence activities in June of 1975, and the House Select Committee on Intelligence (known as the Pike Committee, after Chairman Representative Otis G. Pike of New York) concluded another report in January of 1976. All of the reports found great fault in the

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47 Church Committee, Final Report, Book II, Intelligence Activities and the Rights of Americans, page 20
48 “FBI Domestic Intelligence Operations – Their Purpose And Scope : Issues That Need To Be Resolved,” Report to the House Committee of the Judiciary, February 24th, 1976
49 Ibid.
practices of the various agencies in the intelligence community, both in their actions abroad as well as at home.\textsuperscript{50}

The FBI was the largest domestic target of these investigations; the CIA and military intelligence agencies were ostensibly tasked with overseas responsibilities, although each of the committees scolded these agencies at length for their domestic operations and offered recommendations to prevent reoccurrence.

The Church Committee report included a lengthy review of the FBI’s history of domestic intelligence from the earliest days of the Bureau of Intelligence to the Nixon administration and a penetrating discussion of the COINTEL Programs; the committee’s revelations, argue FBI scholars Theoharis, Powers, et al, “precipitated a policy debate over whether the FBI’s domestic intelligence function should be terminated entirely or limited in scope…”\textsuperscript{51} Ultimately, the major overarching recommendation for the FBI offered by the Church Committee was that Congress supply a statutory charter for the FBI – something it had never had – thereby specifically delineating as well as limiting the roles and responsibilities of the Bureau. That recommendation was not adopted by Congress.

However, many of the specific recommendations did find their way, in spirit or letter, into Attorney General Edward H. Levi’s impactful guidelines for oversight of the Bureau and for FBI domestic security investigations, released a month before the committee reports, in March of 1976.

\textsuperscript{50} The Pike Committee’s final report, uncensored by the White House, was suppressed from public distribution by an act of congress, following the congressional belief that the report should first be reviewed by the Executive prior to release. It has since been released in part by the U.S., and has been leaked and released in full by foreign journalists.

The so-called Levi Guidelines had two objectives, according to Theoharis, Powers, et al.; “to provide some latitude to permit the initiation of FBI investigations based on political advocacy and not criminal conduct, but to limit their scope and duration to a provable intent to commit violence or crime, and to subject such potentially noncriminal investigations to the supervision of the attorney general.” Among other things, considerable FBI oversight by the Attorney General was formalized, and substantial restrictions were placed on the use of infiltrators and informants. The Levi Guidelines, in practice, significantly reined in the ability for the Bureau to conduct the kinds of domestic security operations it had used, and abused, in both political policing and countering terrorism during the previous decades under Hoover.

Noted liberal Pulitzer Prize winning journalist Anthony Lewis argued, in the New York Times, that “[f]rom here on, such abuses will be much less likely,” because of the Levi Guidelines; “not only the guidelines themselves, but the spirit that informs them. It seems right to note a genuinely reassuring development in Washington.”52

*SQUAD 47*

Months after Attorney General Levi announced the new guidelines and after the Church Committee released its findings and recommendations, a scandal infrequently discussed in scholarship, but that had perhaps as dramatic an impact on the FBI as either of these other events,

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became public. The scandal involved the actions of Squad 47, the special unit established within the FBI’s New York office to hunt the Weather Underground.\textsuperscript{53}

The Squad, commanded by veteran FBI Special Agent John Kearney, consisted of more than sixty agents and, in their efforts to hunt down the Weather fugitives, had conducted several “black bag” operations including breaking into the residences and opening the mail of friends and family of Weather Underground members like Bernadine Dohrn, whose sister Jennifer’s apartment in Manhattan was broken into and bugged; after she moved to Brooklyn in 1972 her new apartment was also broken into at least three times.\textsuperscript{54}

According to FBI third-in-command William C. Sullivan, as told to the \textit{New York Times} in 1977, Hoover, despite having (ostensibly) explicitly called for an end to the widespread use of these practices in 1966 as the political climate changed to an environment less permissible of such tactics, had, in 1970, directed agents to use “any means necessary” to hunt down Weather Underground. It was from this directive – communicated to John Kearney – that spawned the use of such tactics.\textsuperscript{55} As Arthur Eckstein argues, Hoover was aware of the black bag practices being used again Jennifer Dohrn (and most likely other Weather Underground-related subjects), but there was at least a “conceit of legality” since both Hoover and Attorney General Mitchell signed off on the operations and, relying on the long precedent established in FDR’s administration and then held up in the Omnibus Crime Control and Safe Streets Act of 1968, it was generally felt the Attorney General had the authority to approve, even without warrant, such practices in national

\textsuperscript{53} Eckstein’s recent \textit{Bad Moon Rising: How the Weather Underground Beat the FBI and Lost the Revolution} is an in-depth scholarly study of the excesses of Squad 47 and the FBI more generally in the context of the WUO. Bryan Burrough’s \textit{Days of Rage} also offers a colorful account.


\textsuperscript{55} Anthony Marro, "Former Aide Says Hoover Order to Find Radicals By 'Any Means' Was Relayed to Indicted Agent," \textit{New York Times}, August 12\textsuperscript{th}, 1977
security cases.\textsuperscript{56} This was especially so in the time before the June 1972 Supreme Court unanimous decision in the “Keith case” discussed in Chapter 10.

In the wake of Hoover’s death, however, whatever restraints (and for whatever reason) that the long-time Director had placed upon FBI Special Agents were loosened almost immediately; the compulsion to loosen the leash on practices like warrantless wiretaps and black bag jobs came from as high as Acting Director L. Patrick Gray and / or Associate Director Mark Felt.\textsuperscript{57}

Both Hoover and then Gray authorized these practices; Hoover with less frequency as time went on and the political climate changed, and even, Eckstein argues, less so than the Nixon administration (including Nixon aide Tom Huston) desired. Hoover, in fact, exhibited a sense of the changing times better than almost any other major powerbroker in Washington, one that quite resembled that of the NYPD when they proposed their own limitations on intelligence, in order to get out ahead of, and control, the restrictions they knew would be forthcoming. As early as 1965 Hoover had begun to pull the FBI back from the intelligence and other excesses most clearly seen in the COINTELPROs; for instance, to reduce, even dramatically reduce, the number of “black bag” operations and warrantless wiretaps – the “Hoover cutoff” as Eckstein explains it was referred to within the Bureau in 1966 when it was instituted. It was a sign of the times that, in vocally registering his disapproval of the Huston Plan, Hoover was registering his disapproval of practices that not many years before the FBI, under his guidance, had so thoroughly embraced.\textsuperscript{58}

Gray authorized the tactics, even after the Supreme Court “Keith case” findings that specifically forbade the practices that were in much more of a legal gray area (or actually permitted) under Hoover. The FBI, after Hoover, became more aggressive (and less legally

\textsuperscript{56} Eckstein, \textit{Bad Moon Rising}, 162
\textsuperscript{57} Ibid., 192-193, and 200-201
\textsuperscript{58} Ibid., 166-176, 181
protected) in countering the terrorist threat that Weather posed just as the social, political, and judicial climate became much less accepting of such practices. Despite that clarity, in October of 1972, Acting Director Gray ordered “black bag jobs reinstituted. So, too, mail coverage against possible domestic subversives.” Gray long denied giving permission for the black bag job and surreptitious entry campaign against Weathermen and their aboveground supporters, but Eckstein, seeing newly-available evidence, finds his denial wholly unconvincing.59

The FBI knew they were playing with fire in their renewed use of black bag and other extra-legal practices, especially in the wake of the Keith case; as Eckstein illustrates, Assistant Director Edward S. Miller (who would be indicted along with Felt and Gray) received a memo from an FBI Inspector arguing that “[t]he legality of wiretaps against revolutionaries where no foreign influence can be shown is highly dubious. However, we are and will continue using innovative investigative techniques [a common FBI euphemism for exactly the kinds of practices found to be illegal] to attempt to apprehend Weatherman fugitives and locate other Weatherman members.”60

The Squad 47 black bag operations first came to light in 1976 after an internal Department of Justice investigation headed by Assistant Attorney General J. Stanley Pottinger discovered files detailing the operations in an unannounced visit to the New York office in the wake of the ongoing Media, Pennsylvania break-in and Church Committee investigation fallout.61 Less than a year later, in April of 1977, Agent Kearney, who had retired in 1972, became the first-ever FBI Agent indicted on charges relating to the aggressive and illegal types of tactics discussed in this dissertation; but the tactics were not in service of the long history of purely political policing that

59 See Eckstein, Bad Moon Rising, 193
60 Eckstein, quoting FBI internal memo, Bad Moon Rising, 209
Donner has discussed. These overly-aggressive and clearly illegal tactics were brought to bear in countering a terrorist organization in New York City during the long Sixties.\footnote{See Anthony Marro, "Aides to Bell Call for Indictments Of F.B.I. Officials Over Break-ins," \textit{New York Times}, April 1\textsuperscript{st}, 1977; and "Ex-Agent Seeking Data on Radicals," \textit{New York Times}, May 21\textsuperscript{st}, 1977}

Most of the dozens of members of Squad 47 were granted immunity in exchange for their testimony; Attorney General Griffin Bell focused on looking up the chain of command rather than down it. The investigation eventually uncovered illegal activity by a wider and more senior range of FBI officials; the Squad’s actions had been authorized by FBI officials at the highest level, including Acting FBI Director L. Patrick Gray, Acting FBI Associate Director W. Mark Felt, and FBI Assistant Director Edward Miller. In April of 1978, a federal grand jury indicted Gray, Felt, and Miller for conspiring to violate the rights of citizens, and dismissed the charges against Kearney after finding that he was acting on orders from superiors.

It was the first time in FBI history that a Director or senior official was charged with a crime – \textit{any} crime – for actions in the pursuance of their official duties.\footnote{Nicholas M. Horrock, "Gray and 2 Ex-F.B.I. Aides Indicted on Conspiracy in Search for Radicals," \textit{New York Times}, April 11\textsuperscript{th}, 1978}

Ultimately, in November of 1980, Felt and Miller were convicted of the federal crime of conspiring to violate the civil rights of American citizens; new President Ronald Reagan granted them both full and unconditional pardons only four months later, in March of 1981.\footnote{See Robert Pear, "President Pardons 2 Ex-F.B.I. Officials in 1970s Break-Ins," \textit{New York Times}, April 16\textsuperscript{th}, 1981; also Theoharis et al, \textit{FBI: A Reference Guide}, 131}

When he pardoned the two men, President Reagan recalled that Carter had pardoned thousands of Vietnam draft dodgers; “We can be no less generous to two men,” the President argued, “who acted on high principle to bring an end to the terrorism that was threatening our nation.” Reagan’s statement is disconcerting, to say the least – equating the leniency applied to

\footnotetext[63]{Nicholas M. Horrock, "Gray and 2 Ex-F.B.I. Aides Indicted on Conspiracy in Search for Radicals," \textit{New York Times}, April 11\textsuperscript{th}, 1978}
young men, many only teenagers, who refused to fight in a war they morally opposed, to senior law enforcement officials who not only violated their oath of office to uphold the law but also the constitution itself.\textsuperscript{65}

Both the FBI and the NYPD, the central counterterrorist actors in New York City during a period of unprecedented terrorist activity, thus found themselves less capable of countering terrorism just as terrorism was reaching new levels in Gotham as the long Sixties ended. But new counterterrorism paradigms were not far off on the horizon and the FBI and NYPD would, characteristically, be at the center of them.

CONCLUSION
The latter part of the long Sixties was an era of terrorism not just in New York City, but throughout the nation and the world. The Olympics in Munich and “Bloody Sunday” in Northern Ireland, both in 1972. The near-celebrity status of Popular Front for the Liberation of Palestine (PFLP) terrorists Ilich Ramírez Sánchez (“Carlos the Jackal”) and female hijacker Leila Khaled. Germany’s Red Army Faction; Spain’s ETA; Canada’s FLQ. The list goes on.

It is New York City, though, that serves as a microcosm of terrorism of the era. A vastly diverse range of actors from across the political spectrum engaged in terrorism in the same physical space, in the same narrow window of time. This dissertation argues that the reality is more complicated than the historiography or popular narrative of radicalism and terrorism of the time portrays it to be. It wasn’t just left wing radicals resorting to terrorism at the time in the United State; it wasn’t even they who turned to terrorism first. Characterized by actors as different as the Weather Underground and the Minutemen, the Melville collective and the JDL, it was the time and place of the most, and the most diverse, terrorism in the history of the United States. During the long Sixties terrorism was embraced by an expansive and inclusive range of actors along the entire political spectrum, and they were all active in New York City.¹

Even within scholarship on left radicalism and terrorism itself, there exists an imbalance toward Weather Underground. As Arthur Eckstein compellingly shows, the near-obsession that

¹ Despite the imbalance, some notable studies putting left and right radical politics of the era in conversation – if not the terrorism that emerged from them – are worth recognizing; see Rebecca Klatch, A Generation Divided: The New Left, the New Right, and the 1960s (Berkeley: University of California Press, 1999), and Michael W. Flamm and David Steigerwald’s Debating the 1960s: Liberal, Conservative, and Radical Perspectives (Maryland: Rowman & Littlefield Publishers, 2007). Sara Diamond’s Roads to Dominion: Right-Wing Movements and Political Power in the United States (New York: Guilford Publications, 1995), is of particular relevance to this work, taking a longer view of right wing movements – from the postwar period through the 1980s – and delving deeper into the radicalism of the John Birch Society and Minutemen than almost all other scholarship.
the FBI under the leadership of long-time Director J. Edgar Hoover, followed by Acting Director L. Patrick Gray after Hoover’s death, as well as President Nixon himself, had with Weather Underground is at the root of the preponderance of attention being directed Weather’s way. The Bureau even, for a time in 1970, classified all bombings from the political left as “Weatherman-type.”

Within left terrorism, this dissertation instead emphasizes the actions of the Melville collective; it is these young radicals that serve as a nexus between international influence and the first manifestation of a major left wing campaign of terrorism in New York City and the U.S. during the era. As Jeremy Varon and Bryan Burrough have previously argued, but didn’t expand on in any great detail, despite little real historiography on the Melville collective, there is outweighed historical relevance to the bombing campaign they conducted in New York City in 1969. It was Melville who was the “Patient Zero” of political left terrorism in the United States during the era, even if the political right had long before adopted terrorism.

The authorities (and then scholars’) focus on the broader political left is not completely without basis; despite the violence and even deaths caused by terrorism from the political right, it was terrorism from the left that attacked and threatened the very bedrock of both federal and local government and American political society – from Melville and Weather Underground bombings of military and police installations, to the Pentagon in 1972 (on Malcolm X and Ho Chi Minh’s birthday) to the U.S. Capitol building itself (in 1971) and then the headquarters of the U.S.

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2 Eckstein, Bad Moon Rising; see especially pages 131 and 182 for this conflation of all bombings from the political left as linked to Weather Underground; as Eckstein explains, “On October 1, 1970, Hoover rescinded the May 13th directive under which the FBI was to consider all bombings by leftist radicals as ‘Weatherman-type.’ It was now recognized that radical bombers might not have an organizational affiliation with Weather. Such bombings would now be categorized not as ‘Weatherman’ but merely as ‘extremist.’”
Department of State in 1975. Those on the left vocally advocated for dramatic changes to U.S. society – to an end to the U.S. political structure as it was then known. Those on the political right, for all the danger they posed to life and property, never posed a threat to the foundation of the U.S. political structure. If anything, their violence emanated from a militant support of that status quo – they were terrorists, but not revolutionary terrorists, like those on the left were perceived to be (and perceived themselves to be). That so many on the left, like Weather Underground and FALN, remained so elusive despite robust FBI efforts to capture them – or even identify them – during the first years of the decade only added to their mystique and their centrality in the historical narrative.3

Equally as important as a more complicated understanding of terrorism of the era (from both the right as well as within the left), what is revealed by this dissertation is a dynamic link between the authorities and the terrorists they hunted, each substantially impacted by the actions of the other. A new age of terrorism in New York City was paralleled by a new age of counterterrorism, most significantly seen in the efforts of the FBI and the NYPD. But the seismic shifts in domestic intelligence during the 1970s impacted not only the practice of intelligence collection and harassment of American citizens’ lawful political activity, they also had a substantial impact on the way that these two organizations responded to terrorism in Gotham.

The NYPD, in the wake of debilitating scandal, a loss of public confidence, an administration in City Hall substantially less friendly than the previous one, investigative commissions, internal reorganization, and legal challenges, found itself in a much different

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3 FALN - the Fuerzas Armadas de Liberación Nacional (in English, Armed Forces of National Liberation), the Puerto Rican nationalist terrorist group and “the most determined bombers in U.S. history,” according to Bryan Burrough (Days of Rage, 4)
position in regards to fighting terrorism (and the political policing it came along with) just as the
year of bombings in “gigantic proportions” segued into a continuing era of terrorism in New York
City. The specialized unit and methods that NYPD had found most effective as terrorism emerged
during the long Sixties – Bureau of Special Services’ (BOSS) political policing, informants,
dercover infiltrators, and liaisons with the FBI – went through dramatic changes as the long
Sixties progressed that pulled NYPD back from the line of illegal activity that it had most certainly
crossed, but at the same time made it less effective at countering this growing threat.

The FBI went through even more substantial changes. Similar to NYPD’s predicament,
the public and political criticism levied against the Bureau (and all of the nation’s intelligence
community) during the era for its violations of civil liberties in the process of political policing
and intelligence gathering, among other things, resulted in not just a rollback of the domestic
intelligence operations of the FBI and new, restrictive guidelines, but also found senior FBI
leadership convicted of federal crimes for the methods used in combating terrorism.

That both the FBI and NYPD were compelled toward dramatic change is a matter of fact;
what is more debated is if the compelled changes had a negative impact on their efforts to counter
terrorism. The disconcerting answer is that, yes, the restrictions on both NYPD and FBI probably
did a negative impact on those efforts. That is certainly not to say that it was wrong to compel
authorities to follow the law they are supposed to uphold, just that an honest analysis of the
situation suggests there was very likely a tradeoff between civil liberties and effectively countering
the ongoing threat of terrorism.

Nixon aide Tom Huston and the drafters of what became known as the Huston Plan were
correct – human infiltration, informers and undercover operatives, were the methods by which
both FBI and NYPD garnered the most utility in countering terrorists. Informers and undercover
agents were responsible for disrupting plots by the range of actors in New York City during the era, from the Melville collective to Cuban Power to the Jewish Defense League to the Statue of Liberty plotters.  

But was there anything inherently illegal or immoral in the use of informants or undercover agents? No, there was and is not. The federal judge deliberating the Handschu case acknowledged as much; “[t]he use of secret informers or undercover agents is a legitimate and proper practice of law enforcement and justified in the public interest,” argued Judge Edward Weinfeld. Even liberal New York Post columnist James A. Wechsler, in considering George Demmerle’s centrality in breaking up the Melville collective, acknowledged the necessity of “underground agentry” in “democratic self defense from mad bombers.”

That is only half of the story, however. The informants and undercover operatives who broke up the Statue of Liberty plot, the Melville Collective, even the Panther 13 and the Jewish Defense League, were not investigating or informing on illegal activity. They were often investigating and informing on what almost certainly should have been protected speech and political activity – lacking oversight, it is impossible to tell for sure. NYPD Officer Raymond Wood infiltrated CORE, and found himself in Statue of Liberty plotter Robert Collier’s orbit,

4 The historical exploration of the Melville collective allows, also because of the available sources, substantial insights into the use of undercover informants and infiltrators during this era. A case study of the Melville infiltrator, George Demmerle, holds lessons that can be used as a lens with which to view the practice more broadly. Similarly, Gary May’s study of another FBI informant, Gary Thomas Rowe, who was central in breaking the case of the murder of white Civil Rights worker Viola Liuzzo - The Informant: The FBI, the Ku Klux Klan, and the Murder of Viola Liuzzo (New Haven: Yale University Press, 2011) – illustrates the sometimes very precarious balancing act the Bureau attempted in ignoring, condoning, and perhaps even sometimes supporting violent criminal acts including terrorism on the part of those that worked for them in the shadows.


6 James A. Wechsler, “Prince Crazy,” New York Post, 27, May 28th, 1970 (Also found in Demmerle FOIPA file 1319364-0 Section 2 Serial 1, page 123/202)
without any real legal justification; not that he would have had an informed opinion on legal justifications, in any case, considering he had never had any legal, constitutional, or even general police training prior to his actions as an undercover infiltrator. Likewise, George Demmerle, in his actions as an FBI informant, most certainly crossed the line into protected speech and actions of a number of individuals and groups as he gravitated toward the Melville collective. The same could be said of practically any case one chooses to examine during the era – the actions of informants and undercovers had a quantifiable impact, but they may have often acted in a quasi-legal or wholly illegal fashion in order to put themselves in a position to make that impact. In the wake of the changes and restrictions brought by the censures of both agencies during the 1970s, it is unlikely that NYPD Officer Ray Wood or FBI informant George Demmerle would have had similar opportunities to insert themselves into the positions they did. The civil liberties violations they were probably guilty of would not have been committed; but the terrorism plots they helped break up may have continued. The modern debate of a tradeoff between civil liberties and safety from terrorism was just as pertinent to the context of the long Sixties as it is today.

Tim Weiner, in his scholarship, comes too close to enveloping peaceful and legal, and even illegal and violent, political dissidence, with the unique form of violence or threatened violence that is terrorism. Frank Donner, on the other end of the binary, whitewashes the sometimes violent, illegal, and terroristic actions of some anti-status quo actors on the political left that law enforcement authorities were legitimately and rightfully investigating. This work contributes a
very tempered agreement with those like Donner: yes, NYPD did engage in political policing and, as the historical record clearly shows, otherwise engaged in highly questionable practices that exceeded the boundaries of social acceptability and probably legality. However, again, a fairer view of the sources shows that it wasn’t only political policing that NYPD (like FBI) was engaging in, but also a response to the real and reemerging threat of political violence and terrorism, from both the political left and the right, that law enforcement practices were evolving alongside. What Donner seems to posit as a binary – only political policing in support of the status quo, and never legitimate law enforcement concerns of terrorism, and only against the political left – I argue was instead a severe imbalance, that there were indeed sometimes legitimate concerns to investigate, and that actors the political right was sometimes also the authorities’ target.

In furtherance of this qualified agreement with Donner’s argument, the record reflects a far less tolerant judicial system in trials and sentences for those on the political left than those on the right, and public officials, the press, and the public largely raised much greater alarm when those on the left turned to terrorism (and celebrated the convictions of those on the left much more). However, just as those terrorists emerging from the political right were not completely immune to law enforcement and intelligence operations, nor were they (always) immune to the judicial punishment that followed.

An important distinction between FBI and NYPD as the leash was tightened on both is the different reaction to the restrictions. The changes at NYPD were not just accepted by leadership – they were even, in the case of the reorganization of the Detective Bureau and the sidelining of BOSS, driven by NYPD leadership (reformist Commissioner Patrick Murphy). Rather than resist

and attempt an end-run around the changing times and greater restrictions, by all accounts it seems that the men and women of the NYPD, like Detective Anthony Bouza, accepted the changes, even if only grudgingly so.

It was a different case at FBI. Director Hoover saw the writing on the wall and had cancelled the COINTELPROs and curtailed the use of “black bag” jobs and other aggressive intelligence practices; he even objected to the Huston Plan when it was approved by President Nixon himself.

It was in the wake of Hoover’s death, though, and the continuing, frustrating inability for the Bureau to penetrate the Weather Underground with informants and infiltrators, as they had in the past, that drove FBI leaders L. Patrick Gray and Mark Felt to disregard the sentiment of the public, the pronouncements of the court (the “Keith case”), and even their own internal opinions, about continuing or restarting these practices. Ultimately, that is why leaders of the FBI, and not NYPD officials or even Weather Underground terrorists, found themselves convicted of serious crimes.

A LONG LIST OF ACTORS AND EVOLVING COUNTERTERRORISM

Despite the argument that the organizations, individuals, and movements discussed in this dissertation are central to the study of terrorism in New York City during the long Sixties and beyond, it is not meant to be an exhaustive list.
Puerto Rican nationalist terrorism emerged with force during the era; a group called MIRA\(^9\) conducted a series of relatively minor bombings commencing in December of 1969 before leader Carlos Feliciano was arrested in a BOSS sting.\(^10\) The jail cells filling up with bombers by mid-1970, Feliciano was held in the Tombs just three cells away from Sam Melville, who was then awaiting transfer to prison upstate.\(^11\)

And Puerto Rican nationalist terrorists FALN – what Bryan Burrough argues are “the most determined bombers in U.S. history” – emerged in 1974.\(^12\) The FBI credits the organization with well in excess of a hundred bombings into the first years of the 1980s, including one in early 1975 that is rightfully remembered as one of the most vicious of the era.

On January 24, 1975, an explosion ripped through Fraunces Tavern in lower Manhattan. A favorite of the Wall Street crowd, the tavern was a historic landmarked establishment that had long ago often been frequented by George Washington. Four men were killed – one decapitated

\(9\) Movimiento Independentista Revolucionario en Armas, or in English, Armed Revolutionary Independence Movement

\(10\) “Suspect Charged With 35 Bombings,” *New York Times*, May 18\(^{th}\), 1970. One of the detectives who had been trailing Feliciano and who effected his arrest was Eddie Rodriguez, the same BOSS detective who had infiltrated Cuban Power in 1968 and precipitated their arrests.

\(11\) Melville discusses Feliciano in a letter, found *Letters*, 113-114. Feliciano would, like Melville, become something of a militant left cause célèbre. Various fundraisers and demonstrations would be held around the country in support of his defense fund, the Weather Underground would invoke his name on occasion, and William Kunstler would go on to defend him in court. He was ultimately found guilty on only one charge, and unconditionally released by a judge’s order after serving less than 24 months in prison. See Marcia Chambers, “Judge Frees Man Convicted on a Bomb Charge,” *New York Times*, July 10\(^{th}\), 1975

\(12\) Fuerzas Armadas de Liberación Nacional, or in English, Armed Forces of National Liberation. “The most determined…,” Burrough, *Days of Rage*, 4. In comparing the statistics available in the Global Terrorism Database (GTD) at the University of Maryland’s terrorism research center, START, FALN was responsible for 133 bombs during the era, compared to, for instance, the 40 by Weather Underground. (GTD available at https://www.start.umd.edu/gtd/, last accessed on December 1\(^{st}\), 2016). The exploits, motivations, and investigation of FALN – as well as then-President Bill Clinton’s commutation of the sentences of more than a dozen key members in 1999 – remains ripe ground for historical research.
– and fifty-three injured, some severely.\textsuperscript{13} The FALN bombing was the deadliest such attack in the city since the 1920 Wall Street bombing only a quarter-mile away.

Despite their relentless pace of bombings, authorities in both the NYPD and FBI found it difficult to counter FALN even after the deadly Fraunces Tavern bombing. Former BOSS Detective Anthony Bouza argues that this might not have been the case if BOSS was operating as it had before; Bouza tells how he and former colleagues lamented that that the proactive efforts of BOSS during the first years of the long Sixties – when they successfully prevented terrorist plots like the Statue of Liberty plot – would have been capable of infiltrating and stopping FALN.\textsuperscript{14}

The macabre record set by FALN at Fraunces Tavern would not stand for long, unfortunately.

In an international campaign that spanned the 1970s, Croatian nationalists conducted a number of terrorist attacks in support of their desire for independence from the (now-disintegrated) Federal Republic of Yugoslavia. In New York City, Croatian nationalists conducted at least two attacks at the Yugoslav Mission to the United Nations, bombed business interests like banks and travel agencies associated with Yugoslavia, and in 1975, were almost certainly responsible for the deadliest terrorist attack of the era in New York City and indeed the nation. On December 29\textsuperscript{th}, 1975, a massive bomb of at least twenty-five sticks of dynamite detonated at a crowded baggage claim area near LaGuardia Airport’s Gate 22; after nearly an hour battling the blaze, firemen, police, and federal authorities tallied eleven people killed and seventy-five wounded. It was the


\textsuperscript{14} Anthony Bouza, \textit{Police Intelligence}, 7-8

This middle year of the decade – with FALN’s Fraunces Tavern bomb on one end and bracketed on the other by the LaGuardia bombing – was certainly a most fearful end to the long Sixties.

Finally, terrorism by Cuban exiles didn’t abate after the Cuban Power arrests in 1968 and as New Left groups like the Melville collective and the Weather Underground took center stage; in fact, right-wing Cuban exile terrorism not only predated New Left terrorism in New York and throughout the U.S., but it also outlasted and was consistently deadlier. The most prominent Cuban exile terror organization of the time in New York City was undoubtedly Omega 7, established in 1974 by thirty-three-year-old Eduardo Arocena and six other Cuban exiles.\footnote{United States of America, Appellee, v. Eduardo Arocena, 778 F.2d 943, Federal Circuits, 2nd Circuit, December 3rd, 1985}

On December 7th, 1979, Omega 7 bombed the Cuban Mission to the U.N. – it was their \textit{fifth} bombing of the mission (either at the old location on 67th street or the new one on Lexington Avenue) since June of 1976, in a span of not even three and a half years. Two NYPD police officers were injured in the attack.\footnote{“Bomb At Cuba Mission Injures Two Policemen,” \textit{New York Times}, December 8th, 1979} Just days later, a massive bomb exploded in the garage of the Soviet Mission to the U.N. just three blocks east and a five-minute walk from the Cuban Mission. The latest attack blew out hundreds of windows up and down East 67th street and injured more
than a half-dozen people, including three NYPD officers who were walking out of the 19th Precinct just across the street from the 12-story diplomatic building.\(^{18}\)

**THE EMERGENCE OF THE JOINT TERRORISM TASK FORCE (JTTF)**

The 1979 bombing of the Soviet Mission by Omega 7 is especially notable for one fact in particular. The following spring, the FBI proclaimed Omega 7 the most dangerous terrorist organization in the United States and attached the “highest priority” to shutting them down.\(^{19}\) In a move with considerable long-lasting impact, NYPD Commissioner Robert McGuire publically proposed a standing joint NYPD – FBI investigatory task force to investigate terrorism; what would become the FBI-NYPD Joint Terrorism Task Force (JTTF).

Organizations such as Omega 7, often operating across city and state lines, complicated the ability for a municipal police force to investigate, given their limited jurisdiction. In New York City, bombings carried out by groups like the Melville collective and the JDL crossed jurisdictional lines of various NYPD precincts, but police units in the Detective Division (like BOSS and the Arson and Explosives Squad) had citywide jurisdiction.\(^{20}\) However, by 1979, the Cuban exile terrorist groups (like the Weather Underground before them) were based in the New York City area but crossed well beyond city lines into New Jersey, south to Florida, and clear across the country to California. The new joint initiative by the FBI and NYPD would be more capable of

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\(^{20}\) There of course was a unit within the Detective Division – the Bureau of Special Services – that had a citywide mandate, but as discussed, with the dissolution of BOSS this expansive jurisdictional capability disappeared.
responding to that nationwide threat. Beyond an obvious need, there was even precedent for such a task force – the year before, NYPD and FBI established a standing joint bank robbery task force.21

The FBI–NYPD Joint Terrorism Task Force would become the backbone of counterterrorism in the United States, the first and most important of more than a hundred such JTTFs that exist nationwide today. By September 11th, 1980 – when Omega 7 assassinated a Cuban diplomat as he drove along a busy Queens street – there were twenty-two combined FBI agents and NYPD detectives working on the Joint Terrorism Task Force, with rounding up Omega 7 as one of their prime objectives.22 By the following September, the task force had grown to sixteen FBI agents and fourteen NYPD detectives.23 In the wake of the 1993 bombing of the World Trade Center there were a number of other federal and local agencies also present on the New York City JTTF, including FDNY fire marshals.24

THE RETURN TO COUNTERTERRORISM

The emergence of the Joint Terrorism Task Forces is not just a coda to the story of terrorism and counterterrorism in New York City during and after the long Sixties. Instead, the emergence of

24 See Peter Lance, 1000 Years for Revenge: International Terrorism and the FBI (New York: William Morrow & Co., 2003). FDNY Fire Marshal Ronald “Ronnie” Bucca, a former member of Army Special Forces and Military Intelligence, was among the first members of FDNY on the JTTF; Fire Marshal Bucca died in the line of duty at the World Trade Center on September 11th. In 2003, the Department of Defense named the primary detainee facility in Iraq “Camp Bucca” in his honor.
the JTTF is one important aspect of a resurgent response to terrorism both at the local and national level as the era of terrorism ended and another began to eventually emerge.

The dramatic levels of terrorist violence in Gotham eventually receded. The end of the war in Vietnam, the resignation of President Nixon, the Church and Pike Committees – a great many developments cooled the heated protest that spawned much of the left wing violence. The relative cooling of anti-communist and anti-Castro rhetoric dampened those movements. New laws governing the sale of explosives like dynamite impacted the ability of even those who continued to want to engage in terrorism. New security paradigms at airports and state and federal buildings, still in place today, hardened potential targets and further eroded terrorism as a possible tactic.

But throughout the 1980s, despite the recession of the long Sixties wave of terrorism in the United States, the Iranian Revolution and the rise of political Islam, and international acts of terror such as the bombing of the U.S. Marine barracks in Beirut in 1983 – resulting in the death of more than 300 and compelling a retreat from that nation by the Reagan administration – elevated terrorism to an even higher priority for policymakers than it had previously been. Scholar David Wills has explored counterterrorism policy under the Reagan Administration and argues that it was actually after the long Sixties ended that the first explicit and comprehensive national counterterrorism policy emerged.\(^{25}\)

By the mid 1980s, in fact, much of the restraint that had been placed on law enforcement and intelligence organizations during the era of public criticism that characterized the end of the long Sixties was starting to be reversed.

In 1983, Congress reexamined what critics argued unduly restricted the FBI’s ability to monitor and counter terrorism in the United States. The Senate Subcommittee on Security and Terrorism concluded that while the FBI still needed guidelines from the Attorney General, those guidelines should be revised to do without the standard that required a criminal act for starting a domestic security investigation, and to “relax restrictions on the recruitment and use of new informants; and authorize investigations of systematic advocacy of violence, alleged anarchists, or other activities calculated to weaken or undermine federal or state governments.” The so-called Smith Guidelines that emerged (named for then-Attorney General French Smith) also provided for a new category of investigation – the "domestic security/terrorism investigation," that allowed for "a view to the longer range objective of detection, prevention, and prosecution of the criminal activities of the enterprise” – preventative policing of terrorism, in other words. Intelligence and law enforcement actions before there was a crime to investigate, and in the terms of terrorism investigations, directly linked to political action.26

By 1983, then, much of the restraint that had been placed upon the FBI by the Levi Guidelines was loosened when the Smith Guidelines were released. And as higher profile investigations now explicitly designated as terrorism investigations emerged in the 1980s and 1990s – such as the Unabomber case, and then the 1993 World Trade Center attack and the 1995 Oklahoma City bombing – counterterrorism became a higher priority for agents of the Bureau and there was an increasingly codified system of guidelines to apply to these kinds of investigations. Gone were the days of ad-hoc task forces, bringing together criminal investigation agents and bank robbery agents, to investigate terrorism cases like the Melville collective. And, with the JTTF now

formalized, gone were the days of ad-hoc liaisons with NYPD and other law enforcement and intelligence organizations tasked with countering terrorism.

As the era of terrorism in New York City receded in the late 1970s and especially into the 1980s, NYPD counterterrorism efforts – previously so robust with the existence of the Bureau of Special Services and the political policing that came along with it – withdrew to the point of being, in a practical sense, exclusively characterized by the police department’s involvement with the JTTF. The framework of what would eventually become the Handschu Guidelines was in place by as early as 1973, and certainly by 1980. By 1985, when the city and plaintiff’s counsel finally settled the Handschu Decree, the political policing and aggressive intelligence operations that had at first unintentionally enabled NYPD counterterrorism, had become nearly nonexistent. NYPD terrorism investigations, even in the wake of first attack on the World Trade Center in 1993, were practically the exclusive prerogative of those members serving on the JTTF.

That would change dramatically in the wake of the September 11th attacks. Former federal prosecutor-turned-mayor, Rudolph Guiliani, and NYPD Commissioner Raymond Kelly, embarked upon a post-9/11 reinvention of NYPD intelligence and counterterrorism operations that would exceed those in practice even during the heyday of BOSS. The skeletal NYPD Intelligence Division would be rebuilt into a modern, technically savvy, proactive counterterrorism unit utilizing informers and undercover policemen, with liaisons with federal agencies, poaching civilian experts from organizations like CIA and NSA, with members stationed in foreign countries, and – after 2003 – with their Handschu leash substantially loosened. That year, Judge Charles S. Haight, Jr., the same federal judge who signed off on the guidelines in 1985, considerably relaxed the restraints despite loud protests from organizations like the ACLU, to enable for more effective efforts to battle terrorists in the new post-9/11 world. The following
decade found the new NYPD Intelligence and Counterterrorism Division experiencing a similar trajectory as the Bureau of Special Services – success in thwarting a number of terrorist plots against New York City, weighed against allegations of excessive, invasive, and ultimately unconstitutional activity, followed by greater restrictions placed upon the department.27

Further, the risk/reward calculation of choosing to be a terrorist was something of an aberration during the long Sixties. In the earlier era of anarchist terrorism, it could cost your life (execution), long jail sentences, or deportation. And in the years after 9/11, harsh and extended prison sentences are often handed out for frighteningly broad charges like “Providing material support for terrorism” that sometimes seem to involve nothing more than discussing terrorist plots.28 But during the long Sixties those caught in the act as terrorists were subject to what were, relative to earlier and later periods in American history, comparatively light punishment. This was, exceedingly, especially true for those on the political right. The members of the Melville collective were charged with destruction of government property, interference with national defense, and firearms and explosives charges29 – in other words, the Melville collective (like the Statue of Liberty plotters before them) were charged with what they actually did. They were not charged with what many argue is a harsh post-9/11 system of laws that can send a person to prison

27 See Apuzzo and Goldman, Enemies Within: Inside the NYPD’s Secret Spying Unit and bin Laden’s Final Plot Against America, for an in-depth discussion of NYPD’s counterterrorism efforts, and excesses, in the years since 9/11. Apuzzo and Goldman also discuss, for reference and context, many of the historic instances discussed herein including the Panther 13 and Hadschu cases.
28 18 U.S. Code § 2339A - Providing material support to terrorists – includes such broad language to include “any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel (1 or more individuals who may be or include oneself), and transportation, except medicine or religious materials…”
for life before they’ve ever committed a single, identifiably dangerous or violent act. In short, if an American citizen were to be a terrorist, even a politically left terrorist, the time to do so was during the long Sixties and certainly not in the years since September 11th and the emergence of the PATRIOT ACT. The Statue of Liberty plotters got off relatively easy, the only one receiving a jail term being Robert Collier, who was himself free in less than three years. None of the right-wing Cuban Power admitted terrorists or Minutemen accused plotters were sentenced to so much as a single day in jail; the members of the Melville collective, despite harsh sentences relative to those before them during the long Sixties in New York City, would likely never have seen freedom again if convicted in the post-9/11 era, even if they were lucky enough to escape being sent to Guantanamo Bay, Cuba.

Beverly Gage argues in the *Journal of American History* that, while “we have a better understanding of terrorism’s history [in the United States] than we did a decade ago… it would be hard to classify this surge of work as a flourishing subfield or even a coherent historiography. Almost a decade out from 9/11, most U.S. historians remain hard-pressed to explain what terrorism is, how and when it began, or what its impact has been.”

This dissertation is meant as part of the corrective, to shed light on what I argue is the time and place of perhaps the most prolific use of terrorism in the American experience. This dissertation by itself does not make the study of terrorism in the American experience a “flourishing subfield” or even a “coherent historiography,” but it endeavors to add valuable

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research and scholarship to that subfield, to add coherence to that historiography, and hopefully to open up further research questions for scholars who follow.

Many continuing historical questions remain in regards to the several topics this dissertation has explored. FBI and NYPD BOSS records relevant to this dissertation were declassified (in the case of the FBI) and discovered to not have been destroyed (in the case of the NYPD) only after the conclusion of this dissertation. Further engagement with these historical documents may enhance, complicate, or disprove the arguments made herein in regards to both.31

In regards to the terrorists explored in this work, further and deeper exploration of the Melville collective, of the Cuban exile terrorism campaign, and of other actors discussed – and their links to the larger (and non-violent or at least non-terroristic) political movements they were tangentially related to – will only deepen our understanding of why those who resorted to terrorism did in fact do so.

The uncomfortable truth this work explores is that, again, sometimes terrorism works. In New York City, the media capital of the nation and the world, extremists from the political left and political right saw the endeavors of those they sympathized with, as well as those they strongly opposed, gaining attention to their causes through terrorism; and as this dissertation argues, at least part of the intent of terrorism is the broadcasting of that political message. Shedding greater historical light on the impact of these various terrorist movements – how and when they furthered, and how and when they damaged, the political causes they supported – is a historical question worth greater consideration. And as Gage argues, if these questions are approached not only as

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31 Eckstein considers many of these new records in *Bad Moon Rising*, the most recent publication on the Weather Underground and the FBI; the newly discovered BOSS records, at the New York City Municipal Archive, have not yet been made available or publically announced but this researcher certainly eagerly awaits that day.
“discrete interventions” in the narrow sense, but with a broader eye toward terrorism in the American experience, we can begin to more fully understand the impact that terrorism has had on the trajectory of the history of the United States.
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