

# Committee for the Suit Against Government Misconduct

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STATEMENT OF PLAINTIFFS IN CLARK V. USA, TARGETS OF FBI COINTELPRO ILLEGAL ACTIVITIES,  
IN RESPONSE TO CURRENT TRIAL OF FBI OFFICIALS FELT AND MILLER

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September 23, 1980

On September 15, 1980, in Washington D.C., the trial of former top FBI officials Edward Miller and Mark Felt began after 2-1/2 years of delays and secret negotiations. The defendants are charged with authorizing illegal break-ins into peoples' homes as part of illegal FBI counter-intelligence operations. The trial is the culmination of a several year Justice Department investigation that was supposed to lead to numerous indictments and charges. Yet former Justice Department officials have quit the investigation, charging the Justice Department and the government itself with sabotage and undermining of the investigation and any attempts to bring the guilty to justice or the full truth to the public eye.

The Committee for the Suit Against Government Misconduct represents the people whose houses were broken into, whose phones were tapped, whose mail was stolen: those are the crimes the government has admitted to. In addition, our jobs and homes have been lost because of FBI harassment and intimidation, our homes have been burned down, and our political activities have been surveilled and sabotaged. We are plaintiffs in a 100 million dollar civil law suit against Richard Nixon, John Mitchell, L. Patrick Gray, Mark Felt, Edward Miller, as well as former and present officials of the FBI and Justice Department. We have brought this suit, Clark et al. v. USA, in the Southern District of New York because it is clear that what the government admitted to in these indictments is but the tip of the iceberg of the illegal activities conducted against us and others. It will only be through our independent action that the truth will ever emerge.

We charge the government and both sides in the Felt/Miller trial with collusion in conducting a mockery of justice whose aim has nothing to do with protecting people's rights and the Constitution. Rather, this trial is part of an ongoing and escalating attempt by the government to cover up the full scope of past illegal, terroristic intelligence activities, and to set the stage for legalizing and escalating those very same tactics today.

Nothing makes this clearer than the fact that the very same government forces that are prosecuting this case in Washington are fighting for Congress to pass legislation which is aimed at jailing journalists and activists who have dedicated themselves to exposing U.S. counter-intelligence operations -- operations that have led to assassinations, destabilization of liberation movements and progressive governments and political activities inside this country and around the world.

## Two-faced strategy

The government is in a clear conflict of interest that is revealed by its conduct at this trial. On the one hand, it is prosecuting this criminal trial against Felt and Miller. On the other, it is defending these very same actions against us in our civil suit. While the defendants in this trial have gotten access to tens of thousands of pages of files concerning illegal actions against us, we are the only parties that have not been allowed to see these documents. The 2-1/2 year delay in this trial has served

only to stall our ability to proceed in prosecuting these criminals in our civil action. And the Justice Department is paying the bill in defending COINTELPRO actions in our case. None of this speaks to the extra-legal measures we have been subjected to since filing our suit -- such as the burning down of one of our homes, the break-in and ransacking of another, and the break-ins and harassment of our attorneys.

And now we face the culmination of this several year affair -- after all the revelations of Watergate, the Senate hearings on COINTELPRO, investigations and court cases on the murders of Black leaders, from Martin Luther King, Jr. to Fred Hampton and the continued illegal incarceration of other Black leaders like Geronimo Pratt. Now we are presented with this trial which is clearly attempting to make the victims the criminals and the criminals the victims. We are being put on trial in this courtroom, not the FBI criminals. The defense argues that their actions were justified by portraying us, in Mr. Gettings' words, as "the greatest international terrorists that have ever been known to the U.S." The prosecution doesn't differ with that portrayal and only half-heartedly cautions the jury to recall the Bill of Rights. But we have never been tried or convicted of any of the crimes they accuse us of now. We were targetted for attack at a time when white anti-imperialists were building militant support for the Black liberation struggle. The FBI's programs were aimed at destroying that political alliance. We, and the movements against the Vietnam war and for human rights we are a part of are put on trial today. In this trial, the word COINTELPRO is rarely mentioned, let alone the cost in people's lives and liberty that COINTELPRO has meant. The assassinations, frame-ups and lies of COINTELPRO are never revealed. Yet these illegal actions are escalating right now: witness the recent events in New York City where Black families in Harlem were subjected to armed terror by the FBI in their alleged hunt for Assata Shakur.

This trial in Washington is not meant to put a stop to these kinds of tactics. It is meant to put a lid on any further revelations, to justify these illegal actions of Gray, Felt and Miller and the FBI, and to argue that the only problem was that those actions were not defined as within the law. So clearly their solution is not to stop these actions but to make them legal!

This trial must serve as a warning to everyone involved in struggles for human rights today. This trial is a part of the election year campaigning by all sides for the passage of more laws restraining political activities, for more power to the FBI, CIA and the intelligence apparatus to operate unhampered by any governmental or legal restraints, for the destruction of the Freedom of Information Act. If the government is successful it will consolidate a repressive apparatus and right wing political climate that is worse than the days of the McCarthy era.

We must learn the lessons of Watergate, the revelations of CIA and FBI murders of Black leaders. No one can ever again say that we did not know.

One concrete step people can take is to politically and materially support the work of the Committee for the Suit Against Government Misconduct. Contact us about speakers for events, campuses, and small groups. Tax deductible contributions can be made by making your checks payable to: IFCO, earmarked for the CSAGM.

SMASH COINTELPRO!