

Grand Jury and FBI Activities

ACTIVITIES

STATUS

Bay Area

1. SLA Grand Jury- San Francisco

A. Scotts
(Mother and Father)
Lawyer: Doron Weinberg

Dismissed

B. Phil Skinnick
Lawyer: Jim Larson

Subpoened to appear on Apr 10th; recalled for May 8th

C. Cindy Garvey
Lawyers: Marty Fassler
Mary Morgan

Garvey has been in jail for two months (& 7 weeks last summer); originally subpoenaed from Grand Jury in early Spring of 1974; the present Grand Jury will expire in it is possible it will be continued

D. Jack & Micki Scott
Lawyer: Mike Kennedy

E. Bill Walton
Lawyer: Charles Garry

2. Undergrounds- San Francisco (Weatherunderground, New World Liberation Front, Red Guerrilla Family, Chicano Liberation Front)

Grand Jury says it is investigating bombings & harboring of fugitives

A. KPFA
Larry Bensky
Lawyer: Doron Weinberg

NWLF communiques turned over Weather Women Poetry Tape; subpoena quashed because J Carter held that there was legitimate prosecutorial function calling for the Grand Jury since it was obviously investigative & chilling of 1st Am. rights Weinberg was subpoenaed, but it was soon dropped

B. Berkeley Barb
Lawyer: Paul Harris

NWLF communiques not turned over & destroyed; Grand J did not pursue the matter

C. KP00
Lawyer: Doron Weinberg

NWLF communiques turned over

Coast

THIS DAY OF WOMEN'S
VICTORIES
AROUND THE WORLD

1. FBI Activity

- A. Vermont
Contact: Dave Rockwell

Harrassment around the women's movement; investigations re Pat Swinton; rumors of a possible Grand Jury

- B. Philadelphia
Contact: Jack Levine

FBI out in force, questioning women 15 people visited by FBI, some threatened with subpoenas; FBI told people it was illegal not to talk, but no one did; a committee of law has formed to deal with the situation investigations re Susan Saxe (she being represented in her case in Ph. by Katy Rorbach and Dave Kaiyrs)

- C. Western Massachusetts

Women being questioned in relation Vermont activities

2. Grand Juries

- A. Harrisburg
Lawyer for Jay Weiner:
Tom Menaker)

SLA Grand Jury; Jay Weiner appeared about 2 months ago, was recalled for April 17th & we don't know if he appeared; He said that he would give no further info; Jack & Miki Scott have not been subpoenaed

- B. New York
lawyer for Alpert: Michael
Armstrong
Lawyer for Huey: Marty Stolar

Related to Jane Alpert who was subpoenaed around the beginning of April she did not appear at that one; Dave Huey's subpoena was withdrawn

- C. New Haven
Lawyer: Mike Avery

Two women spent 4 weeks in jail until the term of the Grand Jury ended; two others from Hartford along with the two in New Haven have been rescheduled to appear for May; related to investigations re Saxe & Powers

- D. Lexington
Contacts: Robert Sedler,
Judy Peterson, & Dick Burr
(Co-ordinator)

Investigations re Saxe & Powers; six women went to jail, two agreed to testify; waiting for 6th Circuit appeal based on strong case that those who talked to FBI got no subpoenas, those who didn't talk got subpoenaed.

3. Other harrassment

- A. Mary Stolar

Threatened with Grand Jury subpoena- FBI wanted an address of his client; no subpoena yet

April 10, 1975

THIS DAY OF WOMEN'S
VICTORIES
AROUND THE WORLD

On November, 14, 1974 Jane Alpert surrendered to federal authorities in New York. She was a fugitive for four and a half years. On January 13, 1975 Alpert was sentenced to 27 months for conspiracy to bomb buildings and bail jumping.

A few women have actively championed Alpert; some have been angered by this betrayal. Most are just confused. Since her surrender many questions have been raised within the womens movement and throughout the left as to whether or not she really betrayed her former comrades. These questions are based on a desire for "proof", for absolute evidence of her betrayal, and on a reluctance to condemn someone who once was a sister in the struggle. Recognizing collaboration - what it is and how to deal with it - is essential for our movement. The arrests and FBI activity of the last two months make the consequences of confusion clear.

We are not going to offer "proof" of Alpert's betrayal by affirming or denying her allegations, or by divulging any information about ourselves. To do so would violate the basic principle of security of a clandestine organization engaged in active struggle with the state. Instead, we want to give people the tools to identify a collaborator. The proof of Alpert's role is political: identifying the friends and the enemies of the people and examining whom Alpert has helped and whom she has harmed.

WHAT IS COLLABORATION?

Collaboration is agreement to cooperate with the state to reveal any information about the progressive and revolutionary struggles of the people or about the people themselves. There's no such thing as a "neutral" choice to give a little information even if it's "only about yourself" or "the state already knows it". No one from our side can judge that a particular piece of information is harmless, because the repressive apparatus uses every detail to piece together a mosaic of

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Masses of women - strong
Fighting oppression - together
Can overturn

Mountains of US power
And Sow the Seeds of
People's Liberation



Women of the

World for Underground Organization

the lives, the culture, the networks of the left. Every piece of information helps them. Even after someone has been arrested, any information about life underground endangers other fugitives, those who helped, the movement as a whole.

Here are three methods we use for identifying collaboration, particularly applied to Jane Alpert. No one of these standards is sufficient to judge a person. But used together, over time, they give a guideline, and in Alpert's case a decisive judgment about her role.

1) Separate the wheat from the chaff: set aside the justifications and look hard at the information that has been revealed thru public writings, thru talks with the FBI, cooperation with Grand Juries. Then look at the justifications for these revelations. Whom do they help and whom do they hurt?

---In a public letter in 1973 Alpert disclosed her formerly secret relationship with us. She named names, dates, places, numbers of people, living patterns, habits and organizational structure. This information and these lies were only useful to the state, not to her "sisters" as she claimed. Her letter was a betrayal which endangered us, made our lives harder, and made it more difficult to maintain a secure underground.

---When Alpert turned herself in, her lawyer, a former Queens District Attorney, declared that she spent two days with the FBI and that she was fully cooperating. She has never publicly denied it. In public statements and interviews she has revealed details of her life as a fugitive, repudiated her past as a revolutionary and proclaimed herself an "anti-leftist feminist". Her political statements have been full of attacks against the so-called "male dominated left" but none against the state. She attacks the Attica brothers but not Rockefeller the anti-war movement but not Nixon and Ford, the Weather Underground Organization but never the bloody racism and exploitation of the system with which we are locked in battle. With this history of denouncing the left she sat down with the FBI to "fully cooperate". We have no doubt that her cooperation was extensive.

---In March, Pat Swinton, who was charged with Alpert in 1970, was arrested in Vermont. Pat's lawyer publicly stated that Alpert knew many details of Pat's underground existence. Pat's arrest so soon after Alpert sat down with the FBI is disturbing evidence that the state has access to a part of the underground.

2) Look at the kind of deal that was made. The facts are usually public.

---In 1970, Alpert pleaded guilty to bombing charges in exchange for a sentence of five years. In 1975 she got 27 months for both the old charges and bail jumping. She will be eligible for parole after nine months.

---In return for nominal bail, a light sentence and protection in prison, Alpert has cooperated with the government's investigations and denounced the revolutionary struggle, Attica, Third World people, Sam Melville, us, her past. That's what her deal is and that's how she's dealing it

3) Look at the political effect one person's collaboration has on the many other people in the struggle.

---Alpert tosses out information and denunciations in the most cynical and arrogant fashion. Her example sowed fear, confusion and division within the movement, encouraging many to cooperate, many small details to be divulged...deadly trails. The cost of this confusion is high: a wave of FBI visits, Grand Juries, and the arrest of three political fugitives. No doubt her example influenced Jay Weiner's decision to talk before a Pennsylvania Grand Jury investigating Emily and Bill Harris and Patty Hearst.

Alpert justified giving information and actively organized for collaboration by dissociating women from any responsibility for building and protecting the left. This approach has confused many sisters and brothers honestly trying to do the right thing, and has been publicized and encouraged by the FBI and the Justice Department. Women must not fall prey to this divisive strategy and at the same time, the left must actively support women under attack.

---In 1973, Alpert wrote that her letter would be viewed as a "breach of the tacit code of honor among fugitives." There is a proud tradition of women fugitives and political prisoners who have refused to cooperate with the state. Every day, while she was on death row, Ethel Rosenberg was offered a deal. She could live, and raise her two little children, if she would talk just a little. Lolita Lebrun defiantly remains in prison today after 21 years, because she refuses to render allegiance to the US government instead of to a free Puerto Rico. Their beautiful courage and their love for their people's struggle inspires other women and nourishes our collective woman-strength. And every day, women everywhere, trying to live in a principled way, perform a thousand uncounted acts of heroism to support and defend each other. It is this courageous tradition that Alpert belittles and has repeatedly violated. It is neither some obscure, tacit code, nor is it restricted to fugitives. It is known to millions of women and men all over the world as loyalty, solidarity, sisterhood and brotherhood.

COLLABORATION: IS A QUESTION OF FRIENDS AND ENEMIES

Knowing who are our friends and who are our enemies is of daily, vital importance: if we don't know this, our movement will be torn apart by the ferocity of the state. By her collaboration, Alpert has made herself an enemy of the people, and especially of women, for it is our struggle in particular she seeks to destroy and confuse. Millions of women must fight for unity and solidarity if they are to win the battles against racist schools, against the exploitation of our labor, against the equal and oppressive health care and welfare systems. Her acts and words justify divisions among us and demean the difficulties women have endured in the struggle for liberation. To our culture of sisterhood and resistance she has contributed only her example of back-stabbing and hypocrisy.

Alpert also attacks socialism - saying in the women's journal "Her-elf" that nowhere have women benefitted from socialism. Millions of women around the world have fought for revolutionary change and for socialism, with enormous courage and creativity. These women have led and fought in battles which have defeated the most vicious yankee schemes. Yet Alpert implies that they are blind followers, passive and victimized

by their male comrades! What raw racism and sexism! Imperialism rules with an iron fist and is the cause of the exploitation, rape and murder of women. Alpert and those who champion her are far removed from the real conditions which face most women. Let her tell the women of Guinea-Bissau they have achieved nothing in their liberation war. Let her tell a woman on welfare or on an assembly line in the US that she shouldn't place any hope in socialism.

How could we embrace our heroines like Lolite Lebrun, Ethel Rosenberg, the women currently imprisoned in New Haven and Lexington, Assata Shakur, Sarah Washheart Bull, and not expose Alpert's treachery? Alpert stands for the betrayal of Attica and Attica is the heart beat of our struggle. Any movement of women which is fighting for dignity and freedom must recognize and stand by its real allies in order to genuinely wrest power from the rulers of the land. Her attempt to divide us is the state's strategy.

RESISTANCE

In the last two months, three political fugitives have been arrested: Pat Swinton, accused of bombings of corporate and government enemies of the people as part of the same action collective as Sam Melville and Jane Alpert; Cameron Bishop, an SDS leader, accused of blowing up power lines to a defense plant in Colorado; and Susan Saxe, an anti-war activist and feminist accused of participating in a bank robbery and other actions in connection with forming a guerilla group. These captures are small victories for the government which have encouraged them to pursue their malicious activities with even greater vigor. A great many comrades and supporters of their principles refused to cooperate with the state.

At the same time, the resistance has been spreading and deepening. In New Haven, Conn. and Lexington, Ky. six women remain in jail in fierce defiance of the Grand Juries investigating Susan Saxe and Kathy Power; many more people have mobilized to support them. In Rapid City, S.D. Native American sisters occupied the FBI office last month to demand an investigation of FBI and BIA harassment and murders of Native American people. Sisters and brothers sat in at the FBI office in Minneapolis the same day in militant support and solidarity. In many places, people are holding forums to educate about the repressive apparatus and organize our fight. Just today Micki and Jack Scott courageously refused to speak to the FBI and the Grand Jury.

Some important lessons should be passed on as widely as possible. The FBI has no legal authority to make anyone talk in any situation. When they come to the door people can and should refuse to open the door or to talk with them. If they harass you, organize your neighborhood to yell at them and turn them away, take their picture, harass them back, take them to court. Organize your friends and your family around this strategy. It does not implicate you to resist the FBI. To waver, to concede a little implies that you have something to hide, and encourages them to continue bothering you.

Grand Juries can also be defeated. Grand Juries were originally set up to require the government to present adequate evidence before charging someone with a crime. They were to protect the people from false indictments. They are now used to make people talk indiscriminately about all aspects of the movement, to fill government intelligence files. Experience has proven in the last five years that solid, unified opposition by those subpoenaed is the best tactic to shorten the life of a Grand Jury. Grand Juries work for them only when they succeed in creating turmoil, doubt and divisions among the people. When this happens, the

Grand Juries are extended and more people are called to testify.

We have a rich history of resistance to draw on - from the struggles which stopped the House Un-American Activities Committee to the hard fought campaign against terror and lynching waged by courageous sisters like Willie Bennett.

The power of the state and the threat of prison are frightening. The conscious struggle against fear and against isolation is necessary. Any forms for collectivizing the struggle are possible: join defense committees for those in jail; if you or a friend is called before a Grand Jury form a group or collective to help you take it on; invite your family, your friends, others who can help. Most important, develop a unified strategy with the other people called before the Grand Jury.

Lawyers can play an important role in helping those under attack. But all choices around legal strategy are guided by political judgments. Recently some lawyers have advised people to talk to the government. This is bad advice! Once you have talked to them they will call you again and again. The only defense for each of us is to stop the Grand Juries for everyone.

In the next period we have to make hard judgments and follow a clear course of action. The struggle against Jane Alpert and the path of collaboration must be waged on all levels of the movement. Once we expose the crimes of the enemy, support for those who resist can be generated from a very wide spectrum of people who hate unjust government and betrayal.

These tactics have been used by the government to create distrust, confusion and disunity among people and to break up communities of women and other political groups... We feel that giving information to the FBI gives in to the power they hold over us, a power that perpetuates women's position and the position of all oppressed people.

-- from a letter by Terry Turgoon and Ellen Grusse, two women jailed in New Haven for refusing to testify

Underground Organization

RENEE C. HANOVER
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TELEPHONE 641-1905

April 10, 1975

Paul Albert
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Re: Lesbian Witch Hunt

Dear Paul:

Official harrassment of the lesbian community is out in the open with grand juries sitting in Lexington, Boston, New Haven, probably to be followed by same in New York and possibly Philadelphia. Also F.B.I. agents are going to lesbian bars, questioning women indiscriminately; going to their homes and threatening lesbians with exposure to their parents and employers (which they have followed through with). Over one hundred women, attending Susan Saxe's arraignment in Philadelphia were searched, photographed and questioned. Lesbians throughout the country are being terrorized.

It is my opinion that we must distinguish and separate the issue of the harrassment of the lesbian community from the search and arrests of fugitives.

The lesbians are already split on the issue of women of the straight, male-dominated left using the gay community. The government and media will certainly not separate the issues and support for lesbians will be difficult if it is viewed as supporting persons accused of bank robbery and murder. The women's movement is particularly vulnerable to such an approach as evidenced by a woman who was subpoenaed in New Haven, who talked extensively to F.B.I. agents and later distributed a leaflet which said that, while the authorities were:

'correct in every reasonable measure' they took to apprehend the fugitives, their real aim was 'the uprooting and destruction of the women's movement.' At the same time, it said, lawyers of the movement who advised women to refuse to answer questions, thus putting them in danger of being jailed, 'demonstrated their sole interest to be that of the male-dominated left.'

GRAND JURY
APRIL 13, 1971

Albert-2

'Thus, once again, as since time immemorial, women have become the shuttlecocks between two male forces bent on each other's destruction.'

The fear that the interest of the straight, male-dominated left will prevail, is real. Gay interests have never been taken seriously by the left and certainly there is no evidence that they will be given priority or seriousness in this instance.

There are some of us in the Gay Caucus of the N.L.G. who have had the unique experience of being involved both in left political witchhunts and in gay political struggles. Therefore, it is imperative that the Caucus give leadership and direction to this political/legal struggle and support to the gay community.

This letter is being sent to you in the hope that discussion and action will take place. Copies are being sent to those listed below, for feedback and information.

In struggle,

Renee C. Hanover
Renee C. Hanover

RCH:sbb

cc: Patty Blum, Ruth Buechler, Thomas Coleman, Karla Dobinski, Barry Friedman, Jerry Gerash, Lee Goldstein, William Kelly, Jan Leventer, Pat Lomans, Step May, Ed Mogul, Joann Piontkowski, John Quigley, Sally Steinhart.

GRAND JURY MEETING, NATIONAL OFFICE, NATIONAL LAWYERS GUILD
APRIL 13, 1975

A. The meeting began with an overview of current Grand Jury activity (this actually was the main focus of the entire meeting).

1. Mike Avery from New Haven

FBI investigation in Hartford, Conn. began in Jan. among mostly gay women about Powers and Saxe. He doesn't know where FBI got info that Powers and Saxe were in Conn. area. FBI came to Ellen Grusse and Perry Turgeon (his clients) in late January and they refused to talk to them.

They were called before the Grand Jury which was sitting in New Haven (it was not specially convened). They went to jail on March 12. Avery went to court on wiertap claim. The G.J. term was up on April 1.

New subpoenas have been issued for May 6 for newly convened G.J.

2 Hartford area women also subpoenaed. These were dismissed but now reconvened G.J. means new subpoenas have issued.

Bail arguments were tried in New Haven. Stays got extended for a few days. Took appeal up to Marshall but he didn't do anything with it. They were in jail for 28 days altogether at a state farm for women.

2. Fred Soloway from the Coalition to End Grand Jury Abuse and others on Lexington

6 people were jailed and 2 have talked so far. (1 before and 1 after Saxe's arrest). Other 4 are still in jail and there's always to go in the life of the G.J.

Agent in charge is Tom Doogan. FBI coordination definitely but not clear on role of the Fed. Atty. (i.e. Justice Dept. involved at all?)

NOTE: questions were raised at this point as to the link between those who talk to the FBI and those who don't get called to the G.J. i.e. If you talk, you stay clear of the G.J.? There was general agreement that we should find out more about this.

It is not clear the scope of the investigation--U.S. atty. says it's just to catch Powers. But also seems to be doing a harboring investigation since questions were phrased consistent with harboring thrust--i.e. addresses where lived and visited.

Attys. there are Sedler and Judy Peterson of Tampa.

Bail args. haven't worked in Lexington. Motions on the merits are set for the 17th. Possibly two more people will talk after these args. fail.

Use immunity was granted to both witnesses who already talked. Foreman in this case was quoted as saying, "We want to find out where Saxe and Powers are".

Lex. investigation began in early Dec.

Folks are in county jails in the area.

Bill Allison and Dick Burr are also helping with defense work there.

RECEIVED
MAY 14 1975

ADDENDUM TO NEW HAVEN:

Ellen did get a chance to read her statement to the G.J. The foreman said that it was merely an investigation of a bank robbery.

Cookie Poland and Chris Glen are also working on this case.

3. Fred Cohen, atty. for Pat Swinton, on New York

2 fugitive investigations: Pat Swinton and the E. segment of the Timmy Leary investigation (query: what are the connections here?)

Pat was arrested in Brattleboro on March 14; brought to N.Y. Asst. U.S. Atty. here is David Cuttner who is in cohorts with chief Paul Curran.

No problem getting her out on bail.

U.S. Atty. met with her and asked her told her they would reduce bail if she told them where was the last 5 years. Said no harborers would be harassed and promised this. Pat refused.

Within days, David Huey got subpoena as did Jane Alpert (who were co-Ds of Pat's on the original case).

Arrangements were made for David to talk to the U.S. Atty. w. counsel present. Questions on Pat's activity (ab. which David knew nothing) and the original conspiracy (to see what kind of witness David would be.) He refused all info on this and to give handwriting exemplar.

Nothing has been heard from the U.S. atty. on that since then.

Seems subpoenas are being dropped til after Swinton's trial. (see April 23 NYTIMES)

Fred tried to ^{lay} out the connections to the Leary investigation which are strange and a little obtuse. The original prosecutor on Swinton-Alpert-Melville Huey case was John Doyle III. Lots of people were called for a G.J. around that case.

Interesting note--Doyle was Leary's atty. in Chicago and Doyle and Cuttner work together on Swinton's case (a little confusing--sorry, sez the notetaker)

Another interesting note: a guy from the S OHO JOURNAL, old friend of Leary's was questioned by the FBI. Leary called him the next day and told him to talk.

Fred sees the thrust of a N.Y. G. J. being the overground support network for the Weather Underground.

4. Vermont--Fred Cohen and Patty Blum of Mass Lawyer's Guild

FBI descended on Brattleboro in force--10 agents when Swinton got busted. Were real gentle with folks from Swinton's farm home.

Have used heavy harassment and intimidation techniques and a few people have talked to them.

Still at the rumor stage as to possible G.J. activity and Lawyer's Guild working with them

5. Philadelphia

Dave Rudowski and Jack Levine are working on stuff around possible G.J. activity there.

About 25 people have been questioned and subpoenas have been threatened.

thrust of investigation is if anyone has seen

Kathy Powers?

6-7 legal people are involved in support work and contact thru the Philly Guild chapter.

Sane's trial will start soon with Kathy Roraback and Budowski working on it.

6. Harrisburg (Fred Soloway reports)

Scott supposedly called but recent NYTIMES says no (notebook adds that article in NYTIMES 4/16 says the G.J. will ~~probably~~ be postponed indefinitely)/

Wiretap motions were made for Weiner the Temple student who talked to the G.J. there.

No indictments have come out.

Thrust of the investigation here is Patty Hearst.

7. West Coast (Karen Jo Koonan from the N.C. Reports)

~~Tapes from KPFA radio have been subpoenaed; they want the tapes for fingerprints (recordings of Weather Underground women reading poetry).~~ Doron Weinberg has been subpoenaed since he is the custodian of the tapes.

Cynthia Garvey refused to testify before the G.J. and is still in jail. It's a clearly punitive jailing and she'll probably be in for another 5 months. Thrust of question is SLA activities.

No indication there (or anywhere else) of Justice Department involvement. Gov't is going in for a more decentralized system of political repression these days.

B. Next order of business was for Fred Soloway to kind of give us a sense of the work of the Coalition ~~of~~ to End Grand Jury Abuse.

He spoke of the Conyers Bill now in the House (available from them) which is pretty good. He sees it as strategically important to use some of the things in the bill as a set of demands to raise when doing educational work around Grand Juries. Some of the things are: guaranteed right to counsel of witness, 6 month limit on civil contempt, voluntary immunity. Hearings may be as early as May or June.

The office now has 3 fulltime and 1 halftime person. 2 lawyers of these.

~~1/1/78/2/22/2/22/~~

There is a lot of activity in the legislative area in regards to G.J. these days, including the Const. Amend. which the Justice Dept. wants to allow local gov't to use a G.J. however it wants to.

C. We discussed how the political support had been for the Grand Jury stuff so far.

In New Haven, Mike reported that Ellen and Terry got lots of moral support and a lot of polit. ad. work had been done around them. He pointed out that these two women really took an exemplary position in regards to the G.J.

In Hartford, a woman who talked to the FBI has widely circulated a poster justifying her actions on the grounds that women don't need to go to jail to protect the male-dominated left or be influenced by male lawyers who advise them to do so.

This leaflet lead into general discussion around the issue of gay women and the G.J. Mike pointed out that there are alot of political questions to think about. He also said that you have to be careful about what you say in court as the New Haven women he represents are having to deal with their families, etc. The standard strategy that the most publicity is best in a G.J. situation is not necessarily applicable when you are dealing with gay women (or men) who are not openly so.

People pointed out that in Lex. threats to go to families and tell them of their kid's lesbianism by the FBI have been pretty common.

Also relevant was a tendency people feel to be more true now that ever befre that people don't feel they know anything; therefore it isn't bad to talk to the FBI. We talked about how we have to again educate people on the position of non-collaboration as a political stance.

It was pointed out by Jim Reif that this position only evolved in the period of Dec. 1970-mid 1971 and that it was very much the result of hard political struggle. The issue around Grand Juries has really died down over the past few years and is just now reviving. Therefore--we've got a lot of work to do on educating folks.

Relevant info here: Off Our Backs came out with an editorial supporting the position of non-cooperation but only after long agonizing struggle within their ranks (written with a dissent in their recent issue).

People pointed out general repression and surveillance against the Left starting up again, noting that there were a lot of police agents around at the recent mammoth Women and Health conference in Boston and FBI harrassment against Trailways strikers in D.C. and use of the G.J. against these strikers.

Women from the Women's Union in N.Y. and the Socialist Feminist Org. in Boston also talked about the Women's movement response. Karen Jo put foreward the principle that we should help people understaad and develop an analysis that you should not testify before the G.J. but with allowable exceptions for testifying.

There were general suggestions that the national network of socialist-feminist org. is probably a good place to help with educating the women's movemnt around these issues.

D. In general, too, we talked about the role of the Guild and the need for some type of centralization of information--a place to call and be referred to.

Stuff that seemed to be needed to be done were:

1. Educate around the avialability of lawyers--where and who to call.
2. Education around legal rights--that don't have to talk to the FBI and immunity.
3. Educational material on wha't's happening now and political analysis
4. Legal materials for legal people
 - resource of what materials are already prepared
 - building factual bases for cases.

It was pointed out that the G.J. Off ice in S.F. would be closing and we need some other place to turn to. Fred said the Coalition could serve the function to a limited extent. They took responsibility for an update or revision of a longer, explanatory type pamphlet. Boston is producing a shorter one with Vermont people which can be distributed on the E. Coast.

Karen Jo said there was a possibility of the G.J. manual being published with 6 month- 1 year updates. She also pointed out for the need for work to be done around investigating the FBI--i.e. do you not get called if you talk to the FeeBees? There was some talk that maybe the Grand Jury Project of the Women's Union would try to compile some of that data.

Karen Jo felt good that there was a Guild network around G.J. via the N.O. starting up and that the women's movement network and publications could also be used as a source for dissemination of info.

Further plans for a meeting to deal solely with issues of a legal/technical nature was planned for Apr. 27 since people were totally burned out after this meeting and did not want to get into another couple hour discussion of legal strategy. (note: when I say burned out I don't mean to say it was a bad meeting--it was a real good one--but just alot to deal with--notetaker comments)

Further info through

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930 F.St. N.W.
Washington, D.C. 20004
202-747-9338

These notes were pulled together by Patty Blum
Massachusetts Lawyer's Guild
595 Massachusetts Ave.
Cambridge, Mass 02139
617-661-8898

(Sorry re-typing is so atrocious - I was
kind of rushed doing this - P3)

SELF communiques not turned
over & destroyed; Grand
did not pursue the matter

SELF communiques turned over

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NON-COLLABORATION COMMITTEE

ROUND-UP OF INFORMATION ON GRAND JURIES

July 9, 1971

In the last few months, it has become increasingly clear that the government has chosen the grand jury as its major tactic to repress the movement for peace and justice in this country. Grand juries are being called all over this country, and are trying to tie the whole movement together into a nation-wide "conspiracy".

Presently 11 overly political grand juries are sitting in 7 different cities. Over the past months, over 145 people have been subpoenaed to these grand juries. They have failed to intimidate and harass the movement. The FBI is attempting to circumvent federal law which forbids it subpoena power and the power to jail for refusal to answer its questions. Is this a tactic meant to cover up its blatant failure to stop the Weather underground and solve the Media, Pa. case? It plans to increase its power and hide its blunders by calling grand juries around the country. It hopes to conjure up the image of a nation-wide conspiracy of revolutionaries!

Here is a brief rundown of the various grand juries, their history to date, and the people they have subpoenaed.

HARRISBURG::

Shortly after handing down indictments against the Harrisburg-6 (Jan. 12, 1971), the grand jury subpoenaed 11 people in an attempt to support the unfounded indictment. Of the 11 people subpoenaed, 8 testified after being granted transactional immunity and three refused to testify for various reasons involving constitutional issues and the priest-penitent relationship--the three are: Sister Joques Egan, Mrs. Pat J. Chanel, and Fr. William Michaelman. Both Sister Egan and Pat Chanel were cited for civil contempt of court. Both are free on bail pending appeal of motions specifically challenging the use of information in the grand jury inquiry that was thought to be gained from illegal and unauthorized wiretaps.

The second wave of subpoenas came in mid-April in a further attempt to clarify the hastily-drawn indictment. In this second wave, an attempt was made to round up many resistance organizers on the East coast including two men who were currently in prison. 25 sisters and brothers were subpoenaed (three subpoenas that were out were never served) 2 of those subpoenaed had the subpoenas dropped--one because he gave a signed statement in the judge's chambers and another because she was about to give birth to a child. Of the 23 remaining over a period of several weeks, 21 of those refused to testify and the parents-in-law of one of the Harrisburg-8 testified after being granted transactional immunity. Of the 21 who refused to testify, four were cited with civil contempt (William Gardner, Terry McHugh, Dr. George McVey, and Ann Walsh) and four were cited with criminal contempt of court (Paul Goring, Joe Gilchrist, Ann Menz, and John Swinglish). All are free on bail pending appeal on various constitutional grounds--especially the fourth amendment regarding the use of illegal wiretap evidence. The charges of criminal contempt have since been dropped against Ann Menz.

The grand jury is still in session investigating a conspiracy to kidnap Henry Kissinger and blow up the heating system of Washington, D.C. and destruction of government files in government and selective service offices in Rochester, NY, Philadelphia, Pa., and various cities in Delaware. Its clearly on a fishing expedition, asking questions on the theft of FBI files at Media, Penn., and on other movement activities.

WASHINGTON, D.C.::

John Fronies and Rennie Davis were both taken into custody on arrest complaints to a magistrate's court here and after preliminary hearings, are free on \$10,000 and \$25,000 bond each pending appeal regarding not being able to see an FBI report. Brad Lyttle (a PCPJ organizer) was indicted by a superior court grand jury on charges of assaulting a copy by accidentally touching him when handing a bullhorn to another person when being arrested. Brad's trial is set for late August as one of the D.C. 12,000

The grand jury in Washington, D.C. has subpoenaed three people so far and indicted one. Abbie Hoffman has been indicted on the old Chicago charges of crossing state lines to incite riots. The three that have so far been subpoenaed are all Mayday, People's Coalition organizers which indicates the focus of this grand jury. Of the three people subpoenaed on June 9, all refused to testify, the two women after being granted transactional immunity. The two sisters, Carol Evans and Marlene Fishlowitz, were cited for civil contempt for refusing to testify and were jailed. Now Carol and Marlene are out on bail pending appeal. The third person, Jerry Coffin, was asked questions several times and then dismissed from the grand jury without explanation.

SEATTLE::

Investigating interstate travel to organize, promote, and encourage a riot; interstate transportation of explosives; destruction of government property; possession of unregistered destructive devices; illegal possession and use of explosives; interstate transportation of explosives by a person under indictment and conspiracy.

Only one person, Leslie Bacon, has so far been subpoenaed to this grand jury after having been arrested in Washington, D.C. as a material witness and held on \$100,000 bond. Although purported to be investigating the capitol bombing, for two days, Leslie was asked questions about Mayday activities and a People's Peace Treaty ratifying conference in Ann Arbor, Mich. Having been assured by the U.S. Attorney that she would not be indicted she answered the questions. When it became apparent that Leslie was also indictable, she refused to answer questions for four days before being given immunity (the use type as opposed to transactional or absolute). After continuing to refuse to answer questions, Leslie was sentenced for civil contempt of court and served a month in jail before being released on appeal. Just before being sentenced to jail, Leslie was re-arrested on a complaint to a federal grand jury in NYC and has since been indicted by the same grand jury on conspiracy to firebomb.

NEW YORK CITY::

Allegedly investigating Leslie Bacon's participation in an alleged conspiracy to firebomb a bank in New York City, it seems clear from the subpoenas that they are fishing around for information on Mayday, the capitol bombing, and movement activities in NYC.

Of the twelve subpoenas issued to this grand jury, 5 were for the members of the Family Trust, a group indicted by a NY state grand jury and presently in jail on conspiracy to firebomb a NYC bank, 5 were street people, and two were from the NYC publishing establishment. Six people actually appeared before the grand jury and all refused to testify. In the meantime, the grand jury handed down the indictment against Leslie Bacon on charges of conspiracy to firebomb a NYC bank and six counts of possession of molotov cocktails. As of June 30, all the subpoenas to this grand jury were dropped by the government in part due to the strong legal suits that the people filed and their attitude of non-collaboration in the grand jury itself.

BROOKLYN: (New York)

Six women were subpoenaed to this federal grand jury on June 29th. The grand jury is apparently investigating transportation of stolen government records (FBI files) and mutilation of the same and destruction of government property. So far, one of the women, Sister Carol Vericker, has refused to testify and has been found guilty of civil contempt of court. She is now out on personal recognizance pending appeal of the contempt sentence. Of the remaining women, four more have been called in front of the grand jury, all have refused to testify and one is up for immunity hearing. The grand jury is still active and may call more people after it has 'dealt' with these sisters.

LOS ANGELES: draft counseling::

A federal grand jury in L.A. is investigating draft counseling on the West Coast-- particularly that at Claremont College. Over 70 people have so far been subpoenaed as well as records of draft counseling sessions. 10 draft registrants (all who beat the draft on physical basis which was confirmed by Army doctors), 6 dentists, 2 M.D.s, 2 attorneys, and 4 draft counselors, as well as many friends and family and employers of these various people have so far been subpoenaed. This grand jury has been going on since October and there is good reason to believe that this is being used as a scare tactic rather than moving toward indictments. However, there is an arrest warrant out for Dr. Bernard Bender to this grand jury--the dentist recently released from a Cuban prison. The thrust of the grand jury seems to be an attempt to stem the overwhelming tide of draft resistance on the West coast by attacking the draft counseling apparatus.

LOS ANGELES: Bank of America bombing:

Two black men from Brand Rapids, Mich were subpoenaed to this grand jury after serving four months in jail on charges of bombing the Santa Barbara branch of the Bank of America. Both men were acquitted after a trial on charges of the bombing. Both men refused to testify before the grand jury after being asked their names and addresses. The grand jury here is still in session although no more people have been subpoenaed that we know of.

LOS ANGELES: Pentagon Papers:::

The federal grand jury here has subpoenaed a number of people investigating Daniel Ellsberg and the release of the Pentagon papers. One of those subpoenaed, Anthony J. Russo, an expert on the economic aspects of guerrilla insurgency and formerly with the Rand Corp., refused to testify after being granted transactional immunity. The grand jury has since returned an indictment against Daniel Ellsberg for having unauthorized possession of, access to and control over copies of certain documents relating to the national defense. The grand jury is still in session and it seems will be investigating how the papers got to different newspapers. Anthony Russo has since been held in civil contempt of court and was imprisoned.

DETROIT:

The government has subpoenaed 7 people to this federal grand jury. The subpoenas represent a broad area of association with the Mayday collective and the White Panthers. From those subpoenaed and the questions asked, the grand jury is investigating three different areas: Mayday activities, secret documents, and the Capitol bombing. Six of the seven refused to testify solely on their fourth amendment rights to privacy believing that the grand jury was using information gained from illegal wiretaps. The government did not grant those who refused to testify immunity and no one has been held in contempt of court. Instead, the government (Guy Goodwin) allowed them to leave but said he

would let them know if he wanted to speak to them again--a sort of suspended subpoena. The grand jury is still in session, it is recessed briefly, and has not subpoenaed new people.

CLEVELAND::

A federal grand jury in Cleveland subpoenaed 5 people. A state grand jury had previously been investigating breaking and entering involving dynamite and the same scope was taken up by the federal grand jury. Of the five Subpoenaed, 3 testified without conferring with lawyers., 1 testified after being granted transactional immunity, and one refused to testify and was later dismissed without charges. Since the testimony, three people have been indicted on charges of possession of dynamite. The three are Bob Brake, Bob Melacki and Ted Soares. Both of the Bobs are presently in prison on charges of destruction of government draft boards. Ted has not yet been located!

TUCSON:

Investigating L.A. organizing and underground activities, this grand jury has subpoenaed 5 people from Los Angeles. The grand jury was convened in Tucson not only because there would be little support there but because of an alleged purchase of dynamite in that city. All five subpoenaed initially refused to testify after being granted transactional immunity and served four to six months in jail for contempt of court. For some reason, the grand jury in Tucson was then dismissed and the five were handed new subpoenas to yet another grand jury in Tucson investigating the same area as the first one. On this trip around, 3 of the five testified after being granted transactional immunity and the other two are still to be called.

The grand jury has subpoenaed two other people--one local Tucson organizer and another organizer from San Francisco. So far, four people have been indicted by this grand jury. Two of them, John Fuerst and Roberta Smith are underground and were indicted before any testimony was given and another two, Jeff Haff and Martha Sovervine, two local Tucson people were indicted under the federal firearms acts in apparently another area of investigation of that grand jury.

The grand jury is still sifting but has not yet been willing to call the other subpoenaees in front of it, nor has it subpoenaed any more people that we know of.

The situation on these grand juries is constantly changing and we hope to be able to keep key people in different cities and states informed if you would let us know who you might be. In turn, we hope that you will be able to pass, print the information on to others around you.

Call or Write: NON-COLLABORATION, 583 9th Ave. EYJNY, 10036, 212-245-2500 or 212-227-1078