

Memorandum

TO : MR. TOLSON

DATE: September 2, 1970

FROM : W. M. FELT

SUBJECT: SECURITY INFORMANTS, RACIAL INFORMANTS

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/27/85 BY SP2TAC/ks

PURPOSE:

To recommend consideration be given to returning to previous standards permitting field to develop security and racial informants among students 18 years of age and older with full individual justification and Bureau approval.

BACKGROUND:

Our current rule is that "Students under age 21 years" are not to be developed either as security informants or racial informants except under highly unusual circumstances. Former rule of "under 18" was modified when two student informants went sour.

CURRENT DEVELOPMENTS:

Never in our history have we been confronted with as critical a need for informant coverage. Terrorist violence is all around us and more has been threatened. Even our own doors are being threatened by Weatherman fanatics. Bombings, assassination of police officers, kidnaping and torture murder are all part of the picture. These violence-oriented black and white savages are at war with the Government and the American people.

Careful surveys have been made during inspections conducted in New Left and Racial fields. In every instance Inspector left strong instructions with SACs to develop more and better informants. These offices have informally indicated, however, that their productivity would be greatly enhanced by a lowering of the age requirements cited above.

Particularly critical is the need for reliable information about the activities of violence-oriented groups on campuses. We know the New Left and the Black Panthers are currently recruiting 18-year-old freshmen students. The Students for a Democratic Society have actually reserved for recruiting purposes a room in the Student Union Building at near-by University of Maryland. If we could develop informants among these new members we could guide them to key

WMF:wmj (5)

1 - Messrs. Sullivan, Mohr, Brennan CONTINUED - OVER

62-113546-30

ENCLOSURE

APR 10 1974

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Memo for Mr. Tolson
Re: Security Informants
Racial Informants

positions. By the time they are 21 years of age they are almost ready to leave college and have been subjected to the corrosive influence and brainwashing of ultra-liberal and radical professors.

OBSERVATIONS:

The important consideration, of course, is to protect the Bureau from possible embarrassment. Many of our 18, 19 and 20-year-old men and women are highly intelligent, mature, and loyal citizens. This has recently been recognized by the Congress in lowering the voting age to 18 years. It is felt the same concept can logically be applied to the revolutionary conflict at home and particularly on campuses.

I don't share this view. K

Development of all security and racial informants, regardless of age, is very closely supervised at the Seat of Government. It is felt that selective use of the 18 through 20-year-old age bracket on specific SAC recommendation and with close scrutiny at the Seat of Government can be of tremendous benefit. These matters will continue to be very carefully looked into during all field inspections.

RECOMMENDATION:

That the appropriate Manual citations be changed to read "Students under age 18. . . ." If approved, to be implemented by Domestic Intelligence Division.

W.C.S.
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ADDENDUM (9/3/70), WCS:CSH - *W.C.S.*

I strongly urge the approval of this recommendation. As the memorandum states, these are indeed critical times. No one can predict with accuracy the outcome of the revolutionary struggle going on in this country at this time. These under 20 years of age are playing a predominant role in campus violence. Two of the subjects in the University of Wisconsin case are under 20. Logic dictates that we concentrate on the actual participants and where the action actually is.

W.C. Sullivan

Officer
I am opposed.
9/4
OK but I want
analysis between 18 & 21 yrs
to be approved by
Sargant also.
K

(2)

(C) SECURITY AND RACIAL INFORMANTS -- Never in our history have we been confronted with as critical a need for informant coverage. Terroristic violence surrounds us and more has been threatened. Bombings, assassination of police officers, kidnapping and murder are all part of the picture. Fanatics are at large who are at war with the Government and the American people. Particularly critical is the need for reliable information about the activities of violence-oriented youthful groups on campus.

As you are aware, you have been previously instructed not to use campus student informants under the age of 21. In view of current circumstances, you are authorized to develop student security and racial informants who are 18 years of age or older. This presents you with a tremendous opportunity to expand your coverage, which is expected. However, in no way are your obligations to exercise selectivity and tight control lessened in this most sensitive area.

Appropriate manual and handbook changes are forthcoming.

Very truly yours,

John Edgar Hoover

Director

9/15/70

SAC LETTER 70-48

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In Reply, Please Refer to
No.

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

September 15, 1970

(A) TRAINING - LEGAL INSTRUCTORS --

The following significant decisions reported in August, 1970, should be read by all Legal Instructors: U.S. v. Pavia, 312 F. Supp. 406 (1970) (D.C.) (Civil Aeronautics Board regulation permitting airline personnel to open suspicious package is constitutional; an airline official's position makes him a credible and reliable informant); U.S. v. Durriners, 425 F2d 836 (1969) (2d Cir.) (example of strong affidavit for search warrant, based principally on information from confidential informant; permissible to delay execution of search warrant (within ten-day limit) until suspect is in premises); U.S. v. Mitchell, 425 F2d 1353 (1970) (3rd Cir.) (example of finding probable cause for arrest from combination of Spinelli and Draper circumstances); U.S. v. Robertson, 425 F2d 1355 (1970) (5th Cir.) (no Miranda warnings required for street interrogation of suspect concerning automobile tag and title registration with defect indicating car possibly stolen); U.S. v. Good, 462 F2d 86 (1970) (10th Cir.) (arrest of suspect standing in doorway to home, by officers standing outside will not support incidental search of home); U.S. v. Main, 312 F. Supp. 736 (1970) (D.C., Del.) (affidavit for search warrant stated probable cause but contained much of what court labeled "excess verbiage"); U.S. v. Avers, 426 F2d 524 (1970) (2d Cir.) (lines requires warning of right to counsel separate and distinct from Miranda warnings given for interrogation); U.S. v. Cambell, 426 F2d 547 (1970) (2d Cir.) (recording of telephone conversation made by consent of one party thereto is admissible in evidence); U.S. v. Bednarski, 312 F. Supp. 913 (1970) (D.C., Mass.) (no Miranda warnings required for use in evidence of books and records voluntarily given to officer by suspect during noncustodial interview); Doss v. Montana, 312 F. Supp. 1325 (1970) (D.C., Mont.) (illustrative discussion of standing to protest unreasonable search and seizure); U.S. v. McKinnon, 426 F2d 845 (1970) (5th Cir.) (search of vehicle at tow-in garage 30 minutes after arrest of accused on highway could not be justified as incident to arrest); Cantoh v. Wainwright, 426 F2d 868 (1970) (5th Cir.) (seizure of package thrown from vehicle lawfully pursued by police was proper as taking of thing abandoned); Woodbury v. Beto, 426 F2d 923 (1970) (5th Cir.) (officers searching suspect's home under search warrant for narcotics taken in armed robbery properly seized gun, not mentioned in warrant, as instru-

mentality of robbery); U.S. v. Kroslock, 426 F2d 1129 (1970) (7th Cir.) (defendant's right against self-incrimination is violated when officer testifies that defendant, on interview, refused to talk); Bosley v. U.S., 426 F2d 1257 (1970) (D.C.) (Miranda requires officers to warn an arrested suspect of his rights as soon as practicable after arrest); U.S. v. Gonzalez-Perez, 426 F2d 1283 (1970) (5th Cir.) (search of arrestee is incident to arrest when made shortly after at jail or place of detention rather than at actual time and place of arrest; search of woman's pocketbook sitting on coffee table in room in which she was arrested on narcotics charges was proper).

(Security Letters on attached pages)

9/15/70
SAC LETTER 70-48

(B) NEW LEFT AND BLACK EXTREMIST TERRORISM - INFORMANT COVERAGE -- You have been advised in the past of the growing incidents of terroristic acts by the New Left and black extremists and the need for intensification of our investigations and development of new sources to combat these escalating problems.

However, a review of the New Left Movement - Violence airtels submitted monthly by each field office indicates generally that your informant coverage of terrorist organizations and individuals is grossly inadequate.

You are, therefore, instructed to immediately institute an aggressive policy of developing new productive informants who can infiltrate the ranks of terrorist organizations, their collectives, communes and staffs of their underground newspapers. The Bureau fully recognizes that the development of sources to penetrate these groups is made extremely difficult because of their immoral conduct and use of drugs. It calls for initiative and new approaches to develop the needed intelligence information.

Concerning black extremists, it is essential that quality informants are developed at a regular rate. These informants should be the type who can obtain advance information concerning planned acts of violence or who are in a position to furnish information concerning contemplated acts of violence.

You should include in Item 4 of your monthly airtel on "New Left - Violence; Internal Security - Miscellaneous (Weatherman)," as outlined in Bureau airtel to all offices May 13, 1970, constructive plans to implement the program outlined above concerning New Left terrorist organizations through informant development. Recommendations relating to the development of a specific source or plan of action should be submitted to the Bureau by separate communication.

9/15/70
SAC LETTER 70-48

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Appropriate manual and handbook changes are forthcoming.

Very truly yours,

John Edgar Hoover

Director

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