

UNITED STATES GOVERNMENT
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Memorandum

TO : SAC, CHARLOTTE (44-3527) (P) DATE: 11/27/79

SA [REDACTED]

GREENKIL

On 9/79, SA [REDACTED] advised he had on the telephone named [REDACTED] inquiring about the Communist Party and asked if I would talk with the telephone and [REDACTED] advised he was a [REDACTED] would like to know if the Revolutionary [REDACTED] and the Workers Viewpoint Organization were [REDACTED] that although their aims and purposes [REDACTED] were two separate [REDACTED] and had no further [REDACTED]

AIRTEL

TO : DIRECTOR, FBI

DATE: JUL 22 1983

8/11/82

SAC, CHARLOTTE (44-3527) (P)

SA THOMAS J. BARRON

GREENKIL

[REDACTED]

has determined to [REDACTED] and no [REDACTED]

Greensboro Truth and Reconciliation Commission Final Report

Federal investigations of white supremacists and the WVO

Chapter 4

SUBJECT: GREENSBORO CIVIL RIGHTS FUND

(b) [REDACTED] S

9/16/84
Classified by [REDACTED]
Declassify on: OADR

This communication is classified "Secret" in its entirety.

(b) [REDACTED] (S)

(b) [REDACTED] (S)

LEADS

CHARLOTTE

(b) [REDACTED] (S)

(S) ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Classified by [REDACTED] on [REDACTED]

44-3527-736

[REDACTED]

(S) ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

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CLASSIFIED BY [REDACTED] ON [REDACTED]

44-3527-736

Handled [REDACTED]

Bureau of Alcohol, Tobacco and Firearms

Communists and black activists were not the only ones concerned about white supremacist groups. In their investigation, the Bureau of Alcohol Tobacco and Firearms (ATF), uncovered substantial evidence that key figures involved in the Nov. 3, 1979, shootings had violent intent toward blacks and those who supported black equality, and that these figures were attempting to stockpile heavy weapons. In October 1978, Special Agent (SA) Fulton Dukes, an agent from the ATF Charlotte office, was investigating a bombing murder¹ in October 1978 when he received information from the Winston-Salem Police Department (WSPD)² that Roland Wayne Wood, a Winston-Salem Nazi Party member, former Klansman and a Green Beret in Vietnam, had been showing off an automatic weapon at local Klan and Nazi gatherings, and an investigation case number was assigned on Oct. 2, 1978. In the memo, Dukes notes that the WSPD considered Wood “a dangerous person and a threat to public safety.”³

Dukes had also received information from the WSPD that Wood had reported in September 1978 that he found blasting caps under his car, caps that were the same make as those used in the bombing murder. Although Dukes clearly had a working relationship with the WSPD⁴ and was undoubtedly working with them on the bombing murder in 1978, he steadfastly maintained that he had not learned of the caps until February 1979, when he filed a memo to his superiors in which he stated that he thought Wood had put the caps there himself as a way to gain sympathy from the Klan. Nevertheless, Dukes expressed the hope that the Wood investigation would turn up more information about the possible connection of Hell’s Angels to the bombing murder, saying, “The Title II case⁵ against Wood might supply enough leverage to obtain a statement from him concerning the (blasting) caps.” Dukes further reported in his February memo that a reliable source had suggested the Klan wanted to expel Wood “because of his ‘rough house’ tactics.”⁶

Throughout the spring of 1979, Dukes attempted to win the confidence of Wood and continued to report information on him and his associates, some of which was relayed to Dukes by the WSPD.⁷ In March 1979, Dukes reported that there was a continuing attempt to purchase Title II weapons or explosives from Wood but that “the informant has been unable to gain the confidence of Wood.” Dukes further reported that Wood claimed “he would kill all the Niggers and Jews if they interfered with the Klan.”⁸

The Federal Bureau of Investigation (FBI) was also interested in Wood and his white supremacist associates, and was cooperating with the ATF on their investigation of Wood.⁹ In April or May of 1979, Dukes met with Robert Schatzman, Special Agent for the Charlotte FBI office assigned to Winston-Salem, and discussed the Wood investigation and the possibility of undercover infiltration of the group.¹⁰ Later that spring, Dukes met with Bernard Butkovich, an ATF agent from Ohio with automatic weapons and explosives experience, to discuss infiltrating the Nazi group to build a case for Title II weapons violations on Wood and possibly some of his associates.¹¹ On June 19, 1979, an ATF briefing memo disclosed the undercover investigation to be undertaken by Butkovich on Wood “and his organization,” and the coordination of this investigation with FBI at an “SAC to SAC level” (Special Agent in Charge in the regional offices).¹²

On June 20, 1979, Butkovich attended a Nazi rally in Parma, Ohio, where it was reported that N.C. Nazis, including Wood, would be in attendance. His goal was to discover whether the N.C. Nazis indeed illegally possessed a .50 caliber machine gun and blasting caps. Although Wood did not ultimately attend the rally, Butkovich met Harold Covington, also under ATF investigation,¹³ who gave him Wood’s name upon hearing Butkovich’s claims to be relocating to Winston-Salem. The Jewish Defense League

and other protestors, among them the Revolutionary Communist Party (RCP) showed up at the rally to confront the Nazis and a fight ensued.¹⁴ Butkovich said he fled the melee.¹⁵

During July 25-29, 1979, Butkovich visited Winston-Salem for the first time. He was interviewed by Charlotte SAC John Westra, who claims he reiterated the law against entrapment, which meant that “Butkovich could offer the subject and his associates the opportunity to violate the law, but could not induce or entice him to violate the law if he had not the propensity to do so ... I also advised him not to attend any public demonstrations that would give cause for physical action.”¹⁶ During this first visit, Butkovich made contact with Wood, who discussed bombing a biracial club.¹⁷

From Sept. 12-22, 1979, Butkovich made his second visit to Winston-Salem and again met with Wood, who talked about “the problem with Jews and Niggers.” Butkovich said he understood those sentiments since he had “lost his job because of the Nigger problem.” Butkovich later explained that, in his attempt to win Wood’s confidence, he often expressed agreement with his racist views: “It was part of the undercover posture I acquired.” Butkovich posed as a long-distance truck driver in order to explain his frequent absences from the city. Dukes gave him permission to distribute the Nazi newsletter, *The New Order*,¹⁸ the August edition of which featured a front page photo of the communist “attack” on the Klan and Nazis in China Grove.

Butkovich continued this posture of support for racist ideology when, on Sept. 22, he attended a Nazi rally in Louisburg, N.C. At this rally, Nazis, Virgil Griffin’s Klan and members of the Rights of White People (the Wilmington white supremacists who joined the Klan to attack the church where Ben Chavis and his associates took shelter following the riots of the desegregation boycotts in 1971)¹⁹ agreed to join forces in a coalition Covington apparently called the United Racist Front.²⁰ Butkovich, maintaining his undercover “posture,” voted in support of this coalition.²¹

Butkovich recalled that those in attendance at the rally all brought heavy weapons, as a “show of strength.”²² During the course of the rally, Harold Covington urged the crowd to “Take back the country.” Covington reportedly borrowed Butkovich’s AR-15 and held it aloft, crying, “It might come to this.”²³ During the course of conversation at the rally, Butkovich discovered the source for explosives and conversion kits for automatic weapons (from semi-automatic) in Winston-Salem.²⁴ In Dukes’ deposition it is suggested that during Butkovich’s surveillance of this rally he gathered evidence that indicated Covington and members of his group were planning to engage in activities that would violate weapons laws.²⁵ Covington was never charged based on this information, but it is mentioned here because the information corroborates the Commission’s finding (see conclusions below) that the ATF had reason to believe that Wood and his associates were armed and dangerous. Covington further told Butkovich that Wood and Caudle were not smart, but were vicious and so had a place in the party.²⁶

Butkovich was wearing a body mike at the Louisburg rally, but claims the batteries went dead even though he also says he changed the batteries once.²⁷ Dukes confirms that the transmissions stopped at 3 p.m.²⁸ However, another ATF Special Agent, David Lazar, who was also monitoring the transmissions, claims he heard continuous transmission throughout the rally, from 9 a.m. until 1 a.m.²⁹ However, when questioned on the content of the discussions he heard, Lazar replied that he did not recall because “I would have remembered anything to do with firearms, but not anything political.”³⁰ Butkovich claimed that he could not remember if at this rally he had voted in support of forming the United Racist Front alliance,³¹ but his case agent Dukes recalled that he had.³²

During one of his conversations with Wood, Wood revealed that he had ordered a 500-round Thompson .22, and that he broke a black man’s leg for moving in with a white woman. Wood also discussed with his associates, in front of Butkovich, plans to rent a plane and drop steel balls on black neighborhoods.

However, when questioned, Butkovich said he never gave a thought to why they would want to buy all these weapons or thought it would be related to hostility towards blacks and Jews. Butkovich claimed that he had remained single-minded in his task. “I was trying to find out if there was an ongoing weapons violation.”³³

In his depositions and trial testimony, Butkovich steadfastly refused to admit that he had considered any racist comments to be reflective of what Wood and his associates planned to do with the weapons for which he was being investigated. Butkovich maintained that his concern was Wood’s possible weapons violations, not his “politics.”³⁴ These statements likely reflected Butkovich’s heightened awareness of federal prohibitions against investigating political groups and the ATF’s (unreleased) Internal Affairs investigation into Butkovich’s role in the shooting.³⁵

In a separate weapons investigation, undercover ATF agents Carl Bowers and Roger M. Brown arrested three Ft. Bragg sergeants for attempting to sell military weapons and explosives. The attempted sale was made in “late 1979” prior to Nov. 3. The defendants, Jimmy Lee Fisher, Robert Fowler and Stephen Dean Jagger, said they believed they were selling the weapons to the Klan who planned to use them in Greensboro.³⁶ Dukes said that he was acquainted with Agent Brown but was unaware of this investigation³⁷ and we have seen no evidence that it was communicated to local law enforcement.

Federal Bureau of Investigation

The FBI also had a long standing interest in investigating the Klan. In Greensboro, the FBI had used Klansman Eddie Dawson as a paid informant on local Klan activities from 1969 until 1976.³⁸ Dawson’s FBI handler from 1971- 76, Leonard Bogaty, confirms that the FBI was aware that when they engaged Dawson as an informant in 1969, he was on probation for shooting into a house in Alamance County NC, which he suspected of encouraging race mixing.³⁹ He was classified as a “Probationary Racial Extremist Informant”, which required close and personal supervision.⁴⁰ Dawson also informed Bogaty that he had previously gone AWOL.⁴¹ FBI agent Bogaty said in his deposition that the Bureau was aware at the time that Dawson became a paid informant in 1969 and that he had a criminal record of racist violence and unpredictable behavior.

Dargan Frierson, Dawson’s handler from 1969 - 1971, observed that as a handler, he had to be more tolerant of provocative behavior by his informants. In fact, it was precisely a “fireball” on the front lines that made a good informant.

*You see, well, there’s no use to try to explain it. People who have never worked an informant... When you’re working a top level informant...do you think he could have done that by sitting at home and reading it in the newspaper? He had to be out there, where it was going on. He had to talk like them—he had to act like them—he had to give fiery speeches. And as they said in there, he was a fireball when he got started. But how would he have ever gotten to be a top level informant if he had sat around and not done anything. Nobody here would have known nothing. He wouldn’t have been worth anything.*⁴²

Frierson acknowledged that the Bureau in Greensboro played a direct role in trying to destroy the Klan as an organization:

The Assistant Director of the FBI pointed to me and said, “Darg Frierson did more to break up the Klan in the United States than any other single person.” Sure

*we broke it up. We broke the thing up by getting dissention and getting the groups fighting one another and so forth...*⁴³

He further admits these tactics were used on the Black Panther Party in Winston Salem, although he says he was not personally engaged in such methods:

Interviewer: (I)included in (files received through the Freedom of Information Act) there was something about how the FBI had its agents write bogus letters to black people in Winston Salem, to discredit a Black Panther fund raiser for children.

DF: Yeah, that happened.

KH: Why did that happen? What was the goal?

*DF: Well, I'm not going to go into the details of that—I never did it. But some of the agents did that. They thought that was a good way to break it up, by causing dissention, by writing letters to wives and telling them that their husbands were out with other women and stuff. I never did anything like that.*⁴⁴

COINTELPRO: DISRUPTING THE LEFT AND RIGHT

The expressed goal of COINTELPRO was to “expose, disrupt, misdirect, discredit, or otherwise neutralize” individuals or groups targeted for their supposed subversive potential.⁴⁵ Such activities were distinct from the FBI’s massive intelligence programs, which focused on information gathering for investigative purposes. In contrast, counterintelligence was designed to restrict a target’s ability to carry out planned actions, or to encourage acts of wrongdoing.

The first COINTEL program had been initiated in 1956 against the Communist Party-USA (CP). Throughout much of the 20th century, membership in the CP had been an offense prosecutable under the Smith Act, which forbade individuals from advocating the overthrow of the government by force or organizing or belonging to a group that had such a goal. During the mid-1950s, the U.S. Supreme Court ruled the Smith Act unconstitutional, and as an alternative the FBI established the framework for COINTELPRO, which could use covert political repression to do the work that had previously been handled through the courts.

This program against the CP operated in concert with the FBI’s existing intelligence work; Bureau agents used information they obtained through the covert surveillance of CP members and their associates to spread misinformation and falsehoods about individual members’ motives and the group’s methods and goals. Agents also developed a large number of informants, frequently utilizing them as *agents provocateurs*, or operatives working to systematically break down trust and cohesion within their target groups.⁴⁶ These activities were confined to the Bureau itself, but initiated with the consent of the Eisenhower administration. Longtime FBI Director J. Edgar Hoover supplied regular updates on the program to administration officials, which included telling detail about the scope of COINTELPRO activities:

*(The) program (is) designed to intensify confusion and dissatisfaction among its members. ... Selective informants were briefed and trained to raise controversial issues within the Party. In the process, they may be able to advance themselves to high positions. The Internal Revenue Service was furnished the names and addresses of Party functionaries. ... Based on this information, investigations have been instituted in 262 possible income tax evasion cases. Anti-communist literature and simulated Party documents were mailed anonymously to carefully chosen members.*⁴⁷

Through the early 1960s, the COINTELPRO against the CP expanded in scope, and in 1961 a second COINTELPRO was initiated against the Socialist Workers Party. To this point, the individuals and groups targeted by COINTELPRO were restricted to those who were somehow linked to hostile foreign powers and thus, by definition, involved in subversive activities. While domestic threats *per se* did not fall under COINTELPRO's purview, the assumed threat posed by a Communist infiltration of various mass organizations gave the Bureau leverage to investigate a wide range of domestic groups it deemed subversive. Most notably, ostensibly because of their susceptibility to infiltration, various civil rights groups came under the watchful eye of Hoover and the Bureau. Every major organization associated with civil rights actions in the South was investigated and monitored on a regular basis, and Martin Luther King, Jr. in particular became the subject of an extensive counterintelligence effort.⁴⁸

After the June 21, 1964, murders of three civil rights workers – Michael Schwerner, Andrew Goodman, and James Chaney – in Neshoba County, Miss., Hoover was initially reluctant to investigate, considering the Freedom Summer project the work of “outside agitators” likely influenced by Communists within the Civil Rights Movement.⁴⁹ However, the fact that Schwerner and Goodman were white New Yorkers ensured that the murders became a national story, and a catalyst for growing public outrage against the brutally segregated South. Under intense pressure from President Lyndon Johnson and Attorney General Robert Kennedy, Hoover agreed to treat the case as a kidnapping (which, unlike murder, was a federal crime under the FBI's jurisdiction) and proceeded to open a new Bureau field office in Jackson, Miss., as well as transfer 153 agents into the state. While searching for the bodies of the slain activists, law enforcement officers uncovered many additional bodies, mainly black, that had also been dumped.

As a more far-reaching consequence of the case, the FBI also proposed and initiated a new COINTELPRO against “White Hate Groups.” The organization of this program drew heavily on the template provided by the existing COINTELPROs against the CP and Socialist Workers Party. The FBI's involvement in infiltrating the Klan peaked during the United Klans of America's (UKA) rapid rise in the mid-1960s. In a memo describing the functions of COINTELPRO-White Hate Groups, high-ranking FBI official Fred Baumgardner stated that:

This new counterintelligence effort will take advantage of our experience with a variety of sophisticated techniques successfully applied against the Communist Party-USA, and related organizations since 1956. Primarily, we intend to expose to public scrutiny the devious maneuvers and duplicity of the hate groups; to frustrate any efforts or plans they may have to consolidate their forces; to discourage their recruitment of new or youthful adherents; and to disrupt or eliminate their efforts to circumvent or violate the law. Our counterintelligence efforts against hate groups will be closely supervised and coordinated to complement our expanded intelligence investigations directed at these organizations.⁵⁰

The scope of the program was initially confined primarily to the South, encompassing the 14 FBI field offices located in the Southern states. Special Agents in Charge (SACs) of each office were expected to identify activity by any Klan or other racial hate organization within their jurisdictions, and also to propose effective counterintelligence action to achieve the goals laid out in the Baumgardner memo. Once these proposals were authorized by Hoover's inner circle at FBI National Headquarters in Washington, D.C., agents were expected to carry them out and report on any “tangible results” achieved.

In the seven-year life of COINTELPRO-White Hate Groups, agents initiated at least 455 actions against targeted individuals and groups.⁵¹ FBI internal memos⁵² document actions, which included attempts to:

- create an unfavorable public image, such as when agents in the Tampa field office made anonymous phone calls to encourage local reporters to create a news story about a Klan member's plan to work on an illegally-constructed building.⁵³
- restrict the ability of a target group to protest, by, for instance, disabling the sound system that was to be used by the UKA at their National Rally.⁵⁴
- hinder the ability of individuals to participate in Klan activities, such as when Baltimore-based informants reported violations of parole restrictions by UKA members to local authorities.⁵⁵
- control target group activities, by, for instance, supplying information reported by informants to local police to neutralize particularly "disruptive" leaders, so that FBI-linked sources could take over leadership positions and "keep violence to a minimum."⁵⁶

This last category of actions is telling, and distinguished COINTELPRO-White Hate Groups from the FBI's counterintelligence programs against left-wing targets. The Bureau consistently viewed the CP, Socialist Workers Party, civil rights, and anti-war organizations (separate COINTELPROs against "Black Nationalist/Hate Groups" and the New Left were established, respectively, in 1967 and 1968) as subversive, meaning that these groups' very existence was a threat to national security. The overriding goal of COINTELPRO activities against such subversive targets was to eliminate them wherever they may exist, whether large or small, weak or strong. In contrast, Hoover and others in the FBI hierarchy saw the Klan and other "White Hate Groups" quite differently, as dangerous not because of their potential subversion, but instead because of the lawlessness and unpredictability that marked acts of racial violence. COINTELPRO-White Hate Groups, then, was not primarily intended to eliminate the Klan and other white supremacist organizations, but rather sought to control these groups' activities.

The primary means through which COINTELPRO engineered control over the Klan was through the use of informants who could shape the actions of their fellow members. While it is difficult to accurately estimate the number of informants who successfully infiltrated KKK groups under the purview of COINTELPRO, at one point FBI officials noted that the Bureau had over 2,000 Klan members on its payroll, recruiting them at the average rate of two per day.⁵⁷

At times, the FBI's use of informants created serious tensions between means and ends. Informants sometimes perceived that their ties to the FBI gave them some form of protection, along with a free reign to engage in provocateur-like behavior. George Dorsett, the most visible UKA member in Greensboro throughout the 1960's, gained national attention from his fiery performance at the overflowing 1966 event in Raleigh, which featured UKA leaders from Georgia, South Carolina, Virginia, and North Carolina, as well as Imperial Wizard Shelton. "At the drop of a pin, there could be an all-out riot in this building. We're sitting on a powder keg ... you don't know what I'll do before I leave, and I don't know what you'll do," Dorsett warned, before concluding: "We don't believe in violence, and we're not going to have violence, if we have to kill every nigger in America."⁵⁸ It was later discovered that Dorsett at this time was supplementing his \$4,480 annual UKA salary with money he received as an informant for the FBI.

The FBI's relationship with informants had been even more severely tested a year earlier, when a Michigan woman named Viola Liuzzo was killed during a civil rights march from Selma to Montgomery, Ala. Liuzzo had traveled south to provide support to the marchers, and during one of these trips, a group of Klansmen pulled alongside her car and fired several shots, killing her instantly. In less than eight hours the FBI had solved the crime, though this achievement was soon overshadowed by the fact that much of their evidence came from informant Gary Thomas Rowe, who had been one of the four occupants of the car from which the fatal shots had been fired. This swirl of events clearly highlighted

the ambiguity that defined the FBI's relationship to the Klan during this period, which was underscored when Rowe's court testimony brought to light his involvement in a wide range of violent, illegal and otherwise offensive behavior, including the beatings of civil rights workers and an alleged FBI-initiated plan to disrupt Klan units by having informants seduce the wives of their fellow members.⁵⁹

These tensions aside, the FBI's success in developing such a large number of informants was largely a product of agents' ability to understand KKK adherents' motivations. Fundamentally, Klan members tended to see themselves as strongly patriotic and vehemently anti-communist, and they admired J. Edgar Hoover for sharing those traits. Whatever their own views on civil rights, FBI agents had a ready-made connection with their targets, and they consistently exploited this connection when seeking out Klan members. Beyond the large number of informants they rapidly developed, the Bureau also drew upon a well-developed understanding of typical Klan worldviews, siphoning KKK adherents into a fictive organization, the National Committee for Domestic Tranquility, which agents had tailored to Klan members' religious beliefs and desire to "back our boys in Vietnam."⁶⁰

The FBI's efforts against the Klan were also facilitated by a set of unique vulnerabilities associated with KKK membership. Because members were disproportionately drawn from poorer rural communities, they were especially susceptible to the FBI's financial enticements. Additionally, in many communities, Klan membership was a covert enterprise, a self-described "secret fraternal organization" in which members swore to conceal each other's identities. FBI agents were able to create dissension and paranoia when 21 field offices anonymously mailed Bureau-generated postcards to thousands of Klan affiliates. Each card threatened its recipient to stop "hiding your identity under your sheet" because "somebody knows who you are."⁶¹

By the late 1960s, the North Carolina Realm of the UKA had formed "The Klan within the Klan" to deal with the presence of informants, and national UKA leader Robert Shelton vowed to employ polygraph tests and "truth serum" to weed out infiltrators.⁶²

While many forces contributed to the Klan's decline as the 1960s wore on, it is clear that COINTELPRO-White Hate Groups played a key role. Between 1964 and 1971, agents reported 139 "tangible results" stemming from specific COINTELPRO actions.⁶³ Undoubtedly, the impact of FBI activities was even more pronounced in a less direct and tangible sense, as the presence of informants created a climate of distrust and paranoia that permeated almost all of the Klan's activities during this period, and directly contributed to the splintering of the once-united UKA. By the early 1970s, the UKA was effectively decimated. Its North Carolina Realm, just a few years earlier the organization's strongest success story, had ceased to exist at all, replaced by a series of tiny, highly militant factions around the state.

COINTELPRO ended as a formal program in 1971, after a group of activists calling themselves the "Citizens' Commission to Investigate the FBI" broke into a Bureau office in Media, Penn., and stole several hundred classified FBI memos. The group leaked many of these documents to various media outlets, and, faced with public exposure, Hoover immediately chose to discontinue COINTELPRO. At least some of the program's aims lived on, however; internal FBI communication at this time clearly noted that similar activities be continued "with tight procedures to insure absolute secrecy."⁶⁴ The Bureau's massive surveillance program also continued.

Both Frierson and Bogaty agreed that by the later 1960s and early 1970s, Klan activity had declined and more attention was focused to black nationalists.⁶⁵ Documents released under court order for the civil trial reveal that the FBI had assembled a substantial dossier on Nelson Johnson. The documents in the released file begin in December 1975, under the cover "Volume 20."

The investigation opened on Johnson on Dec, 18, 1975, notes that “Johnson has had no known participation in extremist activities, with the possible exception of helping Claude Barnes with a project on the A&T campus.” It further notes his active role in the Greensboro Association of Poor People, “a black civic organization,” but that “it appears Johnson is devoting his attention ... to the pursuit of his job at Cone Mills.”⁶⁶ Nevertheless, entries in the files in January 1976 refer to Johnson as “potentially dangerous because of background, emotional instability or activity in groups inimical to U.S.,”⁶⁷ and “possibly armed and dangerous as informants report that he owns several weapons.”⁶⁸ The undercurrent in the documents illustrates the threat the FBI and Secret Service believed Johnson posed by his involvement in Black Power movements, Marxist political organizations and union organizing. These documents also show that Johnson was included in the “ADEX,” an administrative list used as an agency-wide reference to individuals deemed to be a threat to domestic security.

FBI American Dissidents & Extremists Index (ADEX)

The Federation of American Scientists describes the FBI “Administrative Index”(ADEX) as consisting of “descriptive data on individuals subject to investigation in case of a national emergency because they were believed to represent a potential or active threat to the internal security of the United States.”⁶⁹ The idea started as a program called “Custodial Detention” or “Alien Enemy Control” and was based on a massive list of U.S. residents compiled by the FBI from 1939-1941. This list was to be used to round up Japanese-Americans for internment camps during World War II. Attorney General Francis Biddle found out about the index, labeled it illegal and ordered its end. However, J. Edgar Hoover simply renamed it the Security Index and the program continued.⁷⁰ This new Security Index basically served the same purpose as the Custodial Detention Index. In the event of an all-out emergency, people listed on the Security Index would be considered for immediate apprehension.⁷¹

The Security Index would eventually merge with the Agitator Index (Rabble Rouser Index) and the Reserve Index (Communist Index). The Agitator Index was a nationwide index “of agitators of all types whose activities have a bearing on the national security.”⁷² This list grew to include “black nationalists, white supremacists, Puerto Rican nationalists, anti-Vietnam demonstration leaders, and other extremists.”⁷³ It served as a convenient list of primary targets for COINTELPRO activity that had just gotten underway. Due to the expanding size of the Security Index and the Agitator Index, there was a need for new, more refined tools for concentrating FBI intelligence investigations. These more refined tools came in the form of the Key Activist Program⁷⁴ and the Black Nationalist Photograph Album⁷⁵. These two programs targeted individuals in the Students for a Democratic Society, anti-Vietnam war groups, and militant black nationalists who traveled extensively.⁷⁶ There was to be “an intensive investigation” of everyone on these lists.⁷⁷

In 1971, Congress passed a repeal of the Emergency Detention Act of 1950.⁷⁸ This was the first serious congressional action that could possibly curtail domestic intelligence operations. The FBI, increasingly concerned with charges of evading the will of Congress, solicited the views of Attorney General Mitchell on the matter.⁷⁹ He stated that the repeal of the Emergency Detention Act does not alter or limit the FBI’s authority to investigate subversives.⁸⁰ After this, the Security Index was renamed the Administrative Index (ADEX) with revised standards.⁸¹ These revised standards took judicial review out of the equation. The Justice Department would frequently remove names from the list that shouldn’t be there.⁸² However, with the revised standards for the ADEX, the FBI was now in sole control of who would be placed on the index.⁸³

In the first year of existence, there were more than 23,000 cases on ADEX. This included 17,000-18,000 individuals who had been or were in the process of being investigated.⁸⁴ The ADEX was discontinued in January 1978, even though the records are still kept as inactive records at FBI headquarters and 29 field offices.⁸⁵

The FBI documents detailed surveillance using multiple informants from January-August 1976 on Johnson and his wife Joyce (herself under surveillance for her leadership role in the African Liberation Support Committee⁸⁶) at their home and workplaces. Although Johnson was labeled as an extremist, the mundane details of the Johnsons' lives yielded by informants shows no evidence of any criminal activity. For example, one memo reports that, "(Joyce Johnson) has indicated her health has improved and she is working full time again at the Transportation Institute, North Carolina A&T State University,"⁸⁷ and another, "Nelson Johnson is still working the 11 PM to 7 AM shift...and is paid \$25 less bi-weekly than in his former position."⁸⁸ Indeed, one of the informants, clearly a mill supervisor, reports that "Johnson's work at Cone Mills has been entirely satisfactory and he is considered to be a model employee."⁸⁹

Of those documents released, the only substantive reports deal with the distribution by the U.S. Labor Party (USLP) of fliers bearing accusations that Johnson was an FBI agent and accusing him, as one of the leaders of the Revolutionary Workers League (RWL, a precursor organization to the WVO), of "trying to destroy the working class forces at Cone." This allegation caused a flurry of response fliers to be distributed at Cone Mills, which apparently created concern in Cone management:

Officials of Cone are in the process of making discreet inquiries with their management personnel at various plants, to determine if any individual or individuals have been active among the employees on behalf of RWL. The source noted that there has been no labor trouble at Cone to date caused by the US Labor Party, RWL or any other group.⁹⁰

On May 11, 1976, the FBI reported:

Management at Cone Mills is concerned with the situation of the USLP picketing their various plants, in Greensboro and primarily their employee Nelson N. Johnson. However, Johnson has been considered to be a satisfactory and efficient employee. Management feels this problem would be eliminated if Johnson would leave Cone but the company has no grounds to discharge him. The company suspects that he has been engaged in union activities, of late, attempting to recruit some of their employees to join the union⁹¹.

The environment and concern at Cone appears to have encouraged the FBI to continue their investigation of Johnson, his lack of criminal activity or participation in "extremist" groups notwithstanding.⁹² The investigation continued from December 1975 until Aug. 13, 1976,⁹³ when the investigation was suspended (to be re-opened if needed) because according to "established sources" at Cone Mills, "Johnson has been conducting his work and other activities at Cone in a very satisfactory manner and that he has not engaged in any radical activities concerning the labor union at Cone or any other group connected with that establishment." In August 1976, Johnson was removed from the "Extremist Photo Album" because he had "no current indication of a propensity for violence, or would naturally be considered a suspect in serious crimes in which the Bureau might have an interest."⁹⁴

Notably, not released under this civil suit were any records relating to surveillance of the WVO as an organization prior to Nov. 3, 1979. FBI SAC Pelczar admits that the Bureau requested that surveillance be reopened on the WVO on Oct. 23. Pelczar said the investigation was ordered by Horace Beckwith, supervisor of domestic security matters, opened as a result of the China Grove confrontation with the Klan in July of that year. The investigation was closed on Nov. 2.⁹⁵ Pelczar later lied about this investigation to the press, denying that the WVO had been under any surveillance. The lack of FBI disclosure on the details of WVO surveillance means that the GTRC cannot determine if informants were operating in the WVO at the time of Nov. 3, 1979, and might have acted in a provocateur role.

Findings

Documents and testimony from federal law enforcement showed that the FBI was overall concerned with investigating, infiltrating and causing dissension both in the Klan and black liberation activists. In Greensboro in the late 1960s and 1970s the Bureau appears to have focused more energy on investigating Nelson Johnson and his associates while displaying little concern about the violent tendencies of their paid informant Eddie Dawson.

The FBI was aware of Eddie Dawson's history of involvement in criminal racist violence yet they nevertheless used him as a paid "Probationary Racial Extremist" informant in the Klan from 1969 until 1976. He was, in fact, on parole for one such violent incident when he was first engaged as a paid informant. Dawson had been convicted of shooting into the home of people he suspected of "serving liquor to both black and white and [having] orgies."⁹⁶

At the same time, while overlooking the threat posed by their own paid informant, in the years prior to 1979, the FBI was clearly very concerned about the threat posed by Nelson Johnson "because of background, emotional instability or activity in groups inimical to U.S."⁹⁷ This perceived threat was based on no evidence of criminality but instead on Johnson's involvement in black liberation movements (among them an association with the Black Panthers), revolutionary communist groups and union organizing. FBI documents show that Johnson was included in the "ADEX" or Administrative Index and the "Extremist Photo Album", which were used as an agency wide reference to individuals deemed to be a threat to domestic security and potentially eligible for "custodial detention." However, their investigations of Johnson in 1976 yielded no evidence of criminal or militant behavior.

The specific reference in the memos regarding Johnson refer to a "Extremist Photo Album" but no other confirmation of such an album with this exact title has been found in reviewing other FBI documents. Rather, the Church report (see box above) refers to a "Black Nationalist Photo Album." We speculate that these two names refer to the same photo album.

On the other hand, the ATF, through its undercover agent Bernard Butkovich, had uncovered compelling evidence in the spring and summer of 1979 that Wood and his associates had a propensity for violence and a strong possibility that they were stockpiling heavy weapons. Yet, even after it was discovered that these same people planned to disrupt the WVO rally and discussed using a pipe bomb there, this information was not communicated to relevant local authorities, who could have made use of this information to protect the parade. While not provoking it, federal agent Butkovich provided both opportunity and support for racist violence, while failing to communicate to local law enforcement the risks to innocent people.

While they may not be legally bound to do so, the Commission finds it unconscionable that ATF and FBI agents chose not to share with local law enforcement information about the likelihood of violence on Nov. 3. While investigations were still underway and no charges had been made, agents could have communicated information about the risk of violence without naming names. This independent information, taken together with intelligence from Dawson, would have provided a more robust picture of the threat.

Although he certainly did nothing to prevent it, based on the information available to us we do not find that agent Butkovich acted to provoke the violence. Acting undercover often requires an agent to feign support for violent ideas, but the facts we have do not lead us to believe Butkovich incited these feelings where they did not already exist. However, federal agencies exercise very tight control over evidence relevant to their operations and agents. Therefore, as a general problem, citizens often find it extremely difficult to document any inappropriate behavior by federal agents.

The Commission is troubled, especially in these times, by the seeming wide berth given to investigating an activist based on his outspoken critique of government rather than criminal behavior. As Supreme Court Justice Lewis Franklin Powell Jr. wrote in 1972, “History abundantly documents the tendency of Government--however benevolent and benign its motives--to view with suspicion those who most fervently dispute its policies. [Constitutional] protections become the more necessary when the targets of official surveillance may be those suspected of unorthodoxy in their political beliefs. The danger to political dissent is acute where the Government attempts to act under so vague a concept as the power to protect ‘domestic security.’ Given the difficulty of defining the domestic security interest, the danger of abuse in acting to protect that interest becomes apparent.”⁹⁸

Notes

¹ Dukes speculated in his deposition that the victim, Linda Tate, and her husband worked at a racing track and her murder may have had connections to the Hell’s Angels. See Robert Fulton Dukes Deposition, *James Waller et al. v. Bernard Butkovich et al.*, Civil Action No.80-605-G, Middle District – North Carolina (20 December 1984), 16.

² Dukes admitted in his deposition that he later revealed to Wood the name of the confidential source of this information. The source was a young girl who was romantically involved with Wood and feared his violent tendencies after their break up. See Dukes Deposition, *Waller v. Butkovich* (20 December 1984), 164.

³ ATF Special Agent Robert F. Dukes, “Report of Investigation to SAC Charlotte,” Winston Salem, 5 October 1978; Treasury Department, Bureau of Alcohol, Tobacco and Firearms Briefing Paper, “Greensboro Incident,” 16 July 1980, 1.

⁴ See numerous references to information sharing: footnote 2; Dukes Deposition, *Waller v. Butkovich* (20 December 1984), 9, 27, confirmed receiving information on 9/26/78 regarding WSPD and blasting caps; Dukes Deposition, 26, an individual tells him about Wood having weapon; Dukes Deposition, 134, 241, Dukes speaks with Spillman of WSPD about Wood; ATF SA Dukes, “Report to SAC Charlotte,” multiple reports dated 2 Oct 1978, 9 Feb 1979, 21 Mar 1979, 5 Jun 1979, 8 Jun 1979, 3 Oct 1979; ATF SA Dukes, “Briefing Paper,” 19 June 1979.

⁵ Title II of the National Firearms Act requires the registration with the ATF of weapons with silencers; fully-automatic and burst-fire firearms; short barrel rifles and shotguns or other shoulder weapons. Title II also prohibits the civilian possession of explosives.

⁶ ATF SA Dukes, “Report to SAC Charlotte,” 9 February 1979.

⁷ ATF SA Dukes, “Report to SAC Charlotte,” 9 February 1979, 21 March 1979, 9 May 1979..

⁸ ATF SA Dukes, “Report to SAC Charlotte,” 21 March 1979.

⁹ Meanwhile, undercover investigations of Klan weapons stockpiling were also connected to the Decatur violence. The FBI and ATF opened and coordinated investigations (at the field level of Special Agent in Charge, or SAC) related to the “increase in demonstrations during the last year by members of the Ku Klux Klan and the Southern Christian Leadership Conference in the Decatur area” around the Tommy Lee Hines rape cases. See ATF SA Herbert Youngkin, “Report to SAC Birmingham,” Unique Identifier # 2307 0679 2001 A, 7 June 1979. Around May 30, 1979, the ATF received information that the KKK was receiving shipments of AR-15 rifles and ammunition, but surveillance failed to yield any evidence of this sale, although the investigation was continuing using undercover agents. See ATF Briefing papers, UI 2307 0679 2001 A, 5-6.

¹⁰ Dukes Deposition, *Waller v. Butkovich* (20 December 1984), 32.

¹¹ Bernard Butkovich Testimony, *Waller v. Butkovich* (9 May 1985), 11; ATF files, Bernard Butkovich interview with ATF Internal Affairs, 15 July 1980; ATF SA Dukes, “Report to SAC Charlotte,” UI 2616 1078 6501Y, 8 June 1979; Dukes Deposition, *Waller v. Butkovich* (2 July 1984), 22, 225.

¹² ATF Briefing Paper, “ATF Investigations of Firearms Violations by Members of the Ku Klux Klan and Other ‘Hate Groups,’” 19 June 1979. See also ATF SA Dukes, “Report to SAC Charlotte,” 8 June 1979, outlining the undercover investigation of Wood “and his followers.” Dukes also admitted that impetus for the investigation also came from an NAACP editorial complaining about feds knowledge about Nazis and Klan weapons and not acting while selectively prosecuting black nationalists

¹³ ATF SA David Lazar Deposition, *Waller v. Butkovich* (15 November 1984), 18-21. Lazar’s first report on

Covington was filed 10/3/79. See ATF Memo to SAC Charlotte, John Westra, reviewed by Resident Agent in Charge (RAC) Raleigh, Kenneth Brady, Covington case ID# 261009795006H (01).

¹⁴ FBI file dated 15 November 1979 from SAC Cleveland to SAC Charlotte reports that it was the RCP who confronted Nazis in Parma, that the RCP had signs attached to bats and were armed and dangerous. Revolutionary Communist Youth Brigade had previous confrontations with Klan: Plains GA July 1977, in St Petersburg FL in the fall 1977, in Lakeland FL in the fall 1977. Report from SAC Chicago to SAC Charlotte reports that a full investigation authorized on RCP, 6 November 1979.

¹⁵ Butkovich Testimony, *Waller v. Butkovich* (9 May 1985), 15-16.

¹⁶ John C. Westra, Response to Plaintiffs' Interrogatories, *Waller v. Butkovich* (12 July 1984), 4.

¹⁷ Butkovich Testimony, *Waller v. Butkovich* (9 May 1985), 65; Dukes Deposition, *Waller v. Butkovich* (20 December 1984), 63.

¹⁸ Butkovich Testimony, *Waller v. Butkovich* (9 May 1985), 23-24.

¹⁹ Chavis and nine of his associates were later sentenced to a collective total of 282 years for arson and conspiracy to fire on police officers. The case was overturned in federal court in 1980, after Amnesty International took up the case of the "Wilmington 10" as political prisoners.

²⁰ Memo from David Lazar who was investigating Covington: ATF SA Lazar, "Report to SAC Charlotte," Raleigh, 3 October 1979. This memo contains a redacted portion, "Information from an ATF informant has corroborated information the Nazi Party in Raleigh NC and members of the KKK are united and --- REDACTED---. The informant alleges that members of the United Racist Front are making arrangements for receipt of a significant amount of firearms from Florida."

²¹ Butkovich Testimony, *Waller v. Butkovich* (9 May 1985), 71; Dukes Deposition, *Waller v. Butkovich* (20 December 1984), 258-259.

²² Butkovich Testimony, *Waller v. Butkovich* (9 May 1985), 94.

²³ *Ibid.*, 130.

²⁴ ATF Briefing Paper, "Greensboro Incident," 16 July 1980, 2.

²⁵ Dukes Deposition, *Waller v. Butkovich* (20 December 1984), 213-215.

²⁶ Butkovich Testimony, *Waller v. Butkovich* (10 May 1985), 162.

²⁷ Butkovich Testimony, *Waller v. Butkovich* (9 May 1985), 116, 119; Butkovich Deposition, *Waller v. Butkovich* (17-18 July 1984), 68.

²⁸ Dukes Deposition, *Waller v. Butkovich* (20 December 1984), 156, the batteries: "they died right before we got where we were going;" Dukes Deposition, *Waller v. Butkovich* (20 December 1984), 210-211, he stopped hearing a transmission at 3:00; Butkovich Deposition, *Waller v. Butkovich* (17-18 July 1984), 80.

²⁹ Lazar Deposition, *Waller v. Butkovich* (15 November 1984), 54.

³⁰ Lazar Deposition, *Waller v. Butkovich* (15 November 1984), 60.

³¹ Butkovich Testimony, *Waller v. Butkovich* (9 May 1985), 71.

³² Dukes Deposition, *Waller v. Butkovich* (20 December 1984), 258-259.

³³ Butkovich Deposition, *Waller v. Butkovich* (17-18 July 1984), 76.

³⁴ Butkovich Testim., *Waller v. Butkovich* (9 May 1985), 80.

³⁵ US House subcommittee hearings on infiltration and use of entrapment. This is not the first time ATF agents were accused of acting as provocateurs while trying to bring cases on weapons violations. In a related example, SA Michael Sweat told Winston-Salem Nazis planning to blow up oil storage facilities in Greensboro in 1980 that he could provide explosives and transportation out of the country, and could get them set up with Nazis living in Argentina. When the Nazis faltered in their planning and discussed postponing the blast, Sweat admits he berated them, saying, "It's a piece of cake! What's the problem?" See Michael Sweat Deposition, *Waller v. Butkovich* (30 August 1984), 125.

³⁶ *Fayetteville Observer* 26 Nov 1980. We note that caravan passenger Nazi Frazier Glenn Miller was a former marine at Ft. Bragg and that he allegedly recruited military to join his White Patriot Party (WPP), which ran a paramilitary training camp. A former fellow White Patriot marine, Robert Norman Jones, testified against Miller at a 1986 trial that the WPP obtained stolen arms from sources at Fort Bragg and that active-duty soldiers helped him train party members in the use of the weapons. (Jonathan Landy, "Army Brass Rattled by Soldiers' Ties to White Supremacists" *Christian Science Monitor* 19 December 1995, Vol. 88 (17): 3).

³⁷ Dukes Deposition *Waller v. Butkovich* (2 July 1984), 164-165.

³⁸ Edward Dawson, Pre-Grand Jury Interview with Department of Justice Attorney Michael Johnson and FBI SA Thomas Brereton, Winston Salem (22 June 1982), 12. Len Bogaty Deposition *Waller v. Butkovich* (8 January 1985), 386.

³⁹ Bogaty Deposition, *Waller v. Butkovich* (8 January 1985), Vol. 2, 220

⁴⁰ *Ibid*, 232.

⁴¹ *Ibid*, 224.

⁴² Dargan Frierson, interview with Kathy Hoke, for the UNCG civil rights oral history project, 19 January 1990. Available on line at <http://library.uncg.edu/depts/archives/civrights/detail-iv.asp?iv=11>.

⁴³ *Ibid*

⁴⁴ *Ibid*.

⁴⁵ This phrasing was used in dozens of FBI memos describing the COINTEL program. See Federal Bureau of Investigation, "COINTEL Memos," quoted in David Cunningham, *There's Something Happening Here: The New Left, the Klan, and FBI Counterintelligence* (Berkeley: University of California Press, 2004), 6.

⁴⁶ Cunningham, *There's Something Happening Here*, 110; Gary T. Marx, "Thoughts on a Neglected Category of Social Movement Participant: The *Agent Provocateur* and the Informant," *American Journal of Sociology* 80, 2 (1974): 402-442.

⁴⁷ "Minutes of Cabinet Meeting, November 6, 1958," reprinted in Ward Churchill and Jim VanderWall, *The COINTELPRO Papers: Documents from the FBI's Secret War Against Dissent in the US* (Boston: South End Press, 1990), 40-41.

⁴⁸ Churchill and VanderWall, *COINTELPRO Papers*, 95-102; David J. Garrow, *The FBI and Martin Luther King, Jr.: From Solo to Memphis* (New York: W.W. Norton & Company, 1981).

⁴⁹ Cunningham, *There's Something Happening Here*, 70; Kenneth O'Reilly, "Race Matters": *The FBI's Secret File on Black America, 1960-1972* (New York: The Free Press, 1989), chap 3.

⁵⁰ Federal Bureau of Investigation COINTELPRO, "'White Hate Groups' Memo from Baumgardner to Sullivan," 27 August 1964.

⁵¹ Cunningham, *There's Something Happening Here*, 244.

⁵² Federal Bureau of Investigation, "Memoranda" (various), 1961-1971, obtained from Scholarly Resources, Inc., and the FBI National Headquarters Reading Room.

⁵³ Memo from SAC, Tampa to Director, 1 August 1966.

⁵⁴ Memo from SAC, Tampa to Director, 16 December 1966.

⁵⁵ Memo from SAC, Baltimore to Director, 28 March 1969.

⁵⁶ Memo from SAC, New Orleans to Director, 2 January 1968.

⁵⁷ FBI Director, "Memorandum," to the Attorney General (2 September 1965). See Cunningham, *There's Something Happening Here*, 131-132, for a related discussion. The Church Committee Hearings estimated that six percent of the total Klan membership were informants at the height of COINTELPRO-White Hate Groups.

⁵⁸ Dick Creed, "Klan Chaplain Delivers Most Fiery Talk" *Winston-Salem Journal*, 15 August 1966.

⁵⁹ Cunningham, *There's Something Happening Here*, 75.

⁶⁰ FBI Memorandum from Baumgardner to Sullivan, 10 March 1966.

⁶¹ Cunningham, *There's Something Happening Here*, 161-162.

⁶² FBI Memorandum from Birmingham to Director, 5 January 1971. See also Cunningham, *There's Something Happening Here*, 132.

⁶³ Cunningham, *There's Something Happening Here*, 154-155.

⁶⁴ Churchill and VanderWall, *COINTELPRO Papers*, 333.

⁶⁵ Bogaty Deposition, *Waller v. Butkovich* (8 January 1985), 345; Frierson, Greensboro Public Library Civil Rights Oral History Project, 10 November 1989. See also the nearly 3000 pages of FBI reports related to surveillance of "Black Panther" activities, which often included black students and activists not members of the Party. <http://foia/fbi/foiaindex/bpanther.htm>

⁶⁶ FBI SA Boland, "Report on Nelson Johnson, Extremist Matter - African Liberation Support Committee," to Charlotte 157-5884, FD-263 (20 January 1976), 2.

⁶⁷ Information on Nelson Johnson furnished by the Director of the FBI to the Director of the U.S. Secret Service "concerning protective responsibilities," Charlotte 157-5884, FD-376 (20 January 1976).

⁶⁸ FBI SA Boland, "Nelson Johnson, EM - ALSC," to U.S. Secret Service, Charlotte 157-9855, FD-204 (12 May 1976), 1.

⁶⁹ Federal Bureau of Investigation, *Central Records System*, <http://www.fas.org/irp/agency/doj/fbi/is/crs.htm> (accessed on 8 May 2006).

⁷⁰ Wikipedia, "Custodial Detention Index," http://en.wikipedia.org/wiki/Custodial_Detention_Index (accessed on 8 May 2006).

⁷¹ Supplementary Detailed Staff reports on Intelligence Activities and the Rights of Americans. Final report of the US Senate Select Committee to Study Government Operations with Respect to Intelligence Activities. This report hereinafter referred to as "The Church Report," Book II, 123.

⁷² Church Report II, 120.

⁷³ Church Report II, 120.

⁷⁴ Church Report II, 124.

⁷⁵ Church Report II, 124.

⁷⁶ Church Report II, 124.

⁷⁷ Church Report II, 125.

⁷⁸ Church Report II, 148.

⁷⁹ Church Report II, 150.

⁸⁰ Church Report II, 151.

⁸¹ Church Report II, 151.

⁸² Church Report II, 151.

⁸³ Church Report II, 151.

⁸⁴ Church Report II, 152.

⁸⁵ Federal Bureau of Investigation, Central Records System, <http://www.fas.org/irp/agency/doj/fbi/is/crs.htm> (accessed on 8 May 2006).

⁸⁶ FBI SA Boland, "Nelson Johnson, EM - ALSC," to Charlotte 157-5884, US Secret Service-Charlotte 100-12215-929, FD-263 (12 May 1976), cover page.

⁸⁷ FBI SA Boland, "Joyce Johnson, EM - ALSC," to SAC Charlotte 157-7206 (2 April 1976).

⁸⁸ FBI SA Boland, "Nelson Johnson, EM - ALSC," to U.S. Secret Service, Charlotte 157-9855, FD-204 , (12 May 1976), 2.

⁸⁹ *Ibid.*, 3; FBI SA Boland, "Report on Revolutionary Workers League, EM - RWL," to SAC Charlotte 157-10051 (11 May 1976), 1.

⁹⁰ FBI SA Boland, "Report on EM - RWL," to SAC Charlotte 157-10051 (25 March 1976), 1-2.

⁹¹ FBI SA Boland, "Report on EM - RWL," to SAC Charlotte 157-10051 (11 May 1976), 1.

⁹² We do not mean to imply that it was only Johnson who was being investigated. We cannot make that assessment because we have only had access to Johnson and Paul Bermanzohn's FBI files.

⁹³ The investigation was extended on May 10, 1976, without any visible reason in the files released.

⁹⁴ SAC Charlotte 157-5490, "Airtel Re: Extremist Photograph Album Annual Review," to FBI Director 157-23582 (23 August 1976).

⁹⁵ Pelczar Federal Grand Jury Testimony, (31 March 1982), 11-13. See also FBI memo to Pelczar from Beckwith ordering preliminary investigation on WVO (10/23/79), 1-2, UI no.100-12202.

⁹⁶ Dawson Deposition *Waller v. Butkovich* (13 June 1984)37.

⁹⁷ Information on Nelson Johnson furnished by the Director of the FBI to the Director of the U.S. Secret Service "concerning protective responsibilities," Charlotte 157-5884, FD-376 (20 January 1976).

⁹⁸ *United States v. United States District Court*, 407 U.S. 297 (1972).