Protectors of Privilege

Red Squads and Police Repression in Urban America

FRANK DONNER

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2 The Growth of the Red Squads from the Thirties to the Sixties

Congressional Committees, the FBI, and the Red Squads

After the relative passivity of labor and radical groups in the early and mid twenties, the unrest of the Great Depression spurred a torrent of protest and organizational activity in the late twenties—demonstrations, rallies, mass meetings, neighborhood gatherings outdoors in summer and indoors in winter—rivaling, if not exceeding, the pre–World War I activity.[1] This revival of radicalism was in turn met by a new repressive police response. This shift to a more repressive police role was catalyzed by the House Special Committee to Investigate Communist Activities in the United States (the Fish Committee).

Following the earlier lead of the New York Lusk Committee (see p. 40), the Fish Committee held hearings in 1930 on the red menace and how to deal with it.[2] The committee had a triple purpose: to make a case for the renewal of a federal countersubversive authority (cut off by Attorney General Harlan F. Stone in 1924), to encourage the institutionalization on a local level of surveillance of radicals by publicizing and encouraging police activities in this area, and, finally, to accomplish these goals by renewing in our political culture the fears and anxieties in which countersubversive structures are rooted. All three of these objectives were promoted by a long line of witnesses from various cities: a succession of police officials, private detectives, consultants, army intelligence personnel, superpatriots, and legionnaires.

In their hyperbolic assumptions, strained inferences, and overheated conclusions, the Fish Committee proceedings largely echo their Lusk Committee precursors. But what is strikingly new is the extent of disclosures of surveillance both of organizations and of individuals. It

would appear that while the earlier resort to indiscriminate arrests on trumped-up charges continued, it was supplemented or replaced in part by surveillance and dossier compilation. Moreover, police in industrial areas continued to resort to groundless detention of those deemed to be agitators and troublemakers.[3]

The challenge of Depression-related demonstrations led to an expansion of red squads and an increasingly selective focus of the police labor mission on left-wing leaders and organizations, especially in areas of sharp conflict such as shipping and agriculture. Aggressive police response was also fueled by growing protest against the criminal justice system: police brutality and claimed miscarriages of justice and frame-ups such as the Mooney-Billings, Sacco-Vanzetti, Gastonia, and Harlan County miners' cases. These and related issues were aired in angry gatherings from coast to coast and quickly transformed into symbols of disaffection. During this period, too, the felt hostility and hate of the police for radicals and dissenters generated similar sentiments among the targets. Quickly, hostility to the police became permanently enfolded in the politics of protest.

By the mid thirties, communism had become an all-purpose justification for red squad operations not only in the large cities but in smaller cities and towns as well, and the range of targets spread from labor to a spectrum of radical activities of all kinds. Much of the surveillance and confrontational police activity of the thirties culminated in raids designed to seize literature for possible use in criminal syndicalism prosecutions. One important area of police concentration was education and alleged efforts by subversives to poison the minds of students. A student anti-war strike in 1934 touched off police clashes on campuses throughout the nation,[4] and a number of state legislatures voted for investigations of college radical activities on campuses in their states. These ad hoc probes used the urban police as an operational resource. In addition, beginning in the late thirties, state intelligence units were clothed with jurisdiction over such radical activities and mandated to work with their urban police counterparts.[5]

In 1938 the Fish Committee's successor, the House Special Committee on Un-American Activities, known as the Dies Committee, launched a marathon countersubversive investigation that created a favorable climate for red squads, featured red squad operatives as witnesses, and poured out a cascade of printed hearings, reports, and indices that became vital police tools for countersubversive targeting.

The fear of spies and saboteurs in the period leading to World War II resulted in an activation of federal countersubversive forces—most no-

tably the FBI—in intelligence-gathering programs. On September 6, 1939, President Roosevelt signed a document requesting local police officers and other law-enforcement cadres "promptly to turn over to the nearest representative of the Federal Bureau of Investigation any information obtained by them relating to espionage, counter-espionage, sabotage, subversive activities and violations of the neutrality laws."[6]

Subsequently it was made clear that federal agencies were to assume primary responsibility in the area, while local police units were to channel information dealing with security threats to the FBI and the military. The red squads were thus given an intelligence-gathering role and treated as a filter for the processing of privately disseminated data—a precaution designed to prevent the self-help, mob violence, and vigilantism associated with the World War I era. In a replay of the thirties, a number of states empowered special intelligence units to investigate reports of subversive activities and maintain liaison with the FBI and local red squads. In addition, cities such as Boston and Milwaukee established red squads for the first time.[7] While the FBI took center stage in war-related intelligence gathering, local police units played a highly important operational role in the program—especially in the use of electronic eavesdropping and wiretapping in situations where the bureau was reluctant to take constitutional risks.[8]

Beginning in World War II and continuing in the Cold War years that followed, subversion-hunting was glamorized by the mystique of intelligence: the humdrum routines of keeping track of radicals and giving them a hard time acquired a derring-do, cloak-and-dagger luster. As in the case of World War I, the close of World War II sent a stream of veterans into local and federal agencies seeking to build careers based on intelligence skills acquired in the armed services. In a significant Cold War development, the growth of red squads was accompanied by institutional separation from traditional categories of policing and crime detection. Red-hunting was not only a professional calling with a national provenance ("political intelligence"), but an elitist one, with duties ranging from weeding out questionable applicants for speaking permits on the basis of file data, traveling the luncheon circuits, and exchanging information with and answering inquiries from other cities to selecting wiretap targets, running informers, and developing press outlets.

This institutional consolidation was matched by new functional responsibilities. In states such as Maryland, Illinois, and New Hampshire, as in the thirties, ad hoc investigating commissions and attorneys general used local police units to ferret out subversives. Cities also delegated to red squads the implementation of ordinances requiring employee loyalty oaths and security clearances and the registration of communists.[9] Beginning in the forties, J. Edgar Hoover sought to establish the primacy of his FBI in the countersubversive realm and to encourage bypassing the red squads. Citizens with information about subversion and subversive individuals, he insisted, should deal only with the bureau, which alone possessed the expertise and professionalism needed to evaluate such data and to weigh its importance in the light of the FBI's nationwide anticommunist operation.[10] This bid enabled the FBI to dominate the headlines as nation-savior, but it also made it possible for financially strapped police units to tap FBI funds to pay informers. Ultimately, however, the FBI had to depend for input to the radical community on the red squads, with their day-to-day experience, investigative resources already in place, and file collections.

It was, in any event, too late for the FBI to overtake and subordinate the flourishing red squads in the late forties and fifties. These units were adrenalized by the anticommunist crusade of the Catholic church led by Cardinal Francis J. Spellman. Many Catholics in large urban police units came to regard anticommunist policing as a highly congenial calling by reason both of their religious beliefs and the sense that it offered a means of identifying with the larger society.[11] Indeed, Irish patrolmen in more conventional police work eagerly sought red squad appointments.

But in the fifties, the red squads were all dressed up with nowhere to go. Despite the favorable political climate and the consequent reduced perception of risk, the red squads languished during the fifties—a circumstance due primarily to the overkill and intimidation of dissenting movements and causes. It was the unrest of the sixties that revitalized these units and brought them to new levels of growth and prominence.

The New York Red Squad, 1930–1960

It is plain from testimony before the Fish Committee by John A. Lyons, chief of the New York Radical Bureau (formerly the Bomb Squad), and his operatives[12] that the undercover network of the New York red squad was huge, that it was responsible for the compilation of dossiers on Communist Party leaders, members, and supporters both in New York City and elsewhere, and that it cooperated with federal agencies to pinpoint illegal immigrants among strikers and exchanged files with police in other cities. The already-vibrant bureau was reinvigorated in 1929 by the appointment of a new police commissioner, Grover A. Whalen, who intensified police harassment of demonstrators just as the onset of

the Depression spurred increasing protest activity. Whalen's enthusiastic antiradical binges reflected financial and political support from New York business and financial interests (he had formerly managed the John Wanamaker Department Store and was politically sponsored by a major investment banker).[13]

These interests clearly got their money's worth: the Radical Bureau engaged in mass arrests of dissenters and hundreds of skirmishes with demonstrators and strikers and regularly posted observers, usually identifiable, at both indoor and outdoor protest meetings. Police brutality against protesters culminated in a frenzied attack on participants and leaders in a demonstration of over 50,000 protesting unemployment on March 6, 1930. The Union Square gathering elicited more official lawlessness than similar meetings held that day under Communist Party auspices in large cities throughout the country. A confrontation resulted when, at the end of the demonstration, monitored by scores of police, Commissioner Whalen, who was observing the meeting from a booth, denied the request of a delegation of participants to march to City Hall—about a mile away from Union Square—to present their demands to the mayor. When the crowd was told of the commissioner's refusal, people responded by starting for City Hall anyway. The police, presumably on Whalen's authority, went wild, blindly clubbing everyone in sight, including those who remained behind in the square, and pursuing others and beating them without mercy. Scores of casualties resulted.

In an interview with the *New York Times*, Whalen's hunger for publicity overcame his professional discretion. On March 9 the *Times* reported:

> "I thought I would crack my sides laughing at some of the undercover men who figured in the Union Square demonstration last Thursday," said Commissioner Whalen. "They went there as Reds, singing the International and other revolutionary songs of the Communists. They carried placards and banners demanding the overthrow of the government and made as much noise as the genuine Reds."[14]

The pattern of surveillance, arbitrary police interference in peaceful meetings, hostility in dealing with strikers, and overreaction to defiance and provocation by leftist targets continued after Whalen's departure in 1930 and into the early thirties.[15] It was not until the three-term reform mayoralty of Fiorello H. La Guardia (1934–45) that police abuse receded in two areas: the disruption of outdoor meetings (which in any event had declined from their former popularity as a mode of protest) and labor disputes.[16] But undercover surveillance of far-left targets continued.

Although the Radical Bureau underwent many changes during the thirty years following the Whalen era, partly to convey reassurances to the public that the crude repressiveness of its early days was forever gone, among the constants of its mission were a continuing crusade against radicalism, a movement away from law enforcement to intelligence, and a shift from result-oriented investigations to continued surveillance and data collection. Like its counterpart in other large cities, the New York red squad was adrenalized by President Roosevelt's spy-watching order of September 1939. Even during World War II, when it turned its attention to Bundists and other native fascists, the red squad continued to assign large numbers of operatives to long-term penetration of the Communist Party and other left groups.

By the mid fifties, the New York red squad, now known as the Bureau of Special Services (BOSS), seemed to be at the end of its glory days, as the Cold War red scare and the Communist Party both appeared to be fading away. As Anthony Bouza, a historian of BOSS, observes:

> The fifties were a quiescent time, even though former undercover agents were testifying before government committees and exposing communists well into the sixties. There was little real activity in New York of a threatening nature and [the] Bureau of Special Services settled into a kind of rut of inactivity and disuse. The increasing interest and involvement of the Federal Bureau of Investigation in the espionage area and in the communist field served to restrict the operations of the Bureau of Special Services.[17]

The unrest of the 1960s thus provided a frustrated BOSS with an opportunity to climb out of its "rut" and to develop the highly ramified infiltration program (discussed on pp. 172ff), that had been activated by radical activities in the wake of the Great Depression.

The Chicago Red Squad, 1930–1960

Chicago Police Lieutenant Make Mills* openly boasted before the Fish Committee in July 1930[18] that the men of his radical squad (as Chicago's

* The name was supplied by the immigration authorities when he entered this country from Eastern Europe. Because they were unable to spell or pronounce his true name, they suggested, "Make it Mills." An immigration officer made it "Make Mills."

red squad was then known) systematically kept track of and dispersed demonstrations and public meetings whenever advance permission had not been obtained. Obtaining permits was not a routine matter: Mills frequently arbitrarily denied permits or delayed their issuance so as to set demonstrators up for mass arrests. (Demonstrations at a number of Chicago relief stations organized by Unemployed Councils were not infrequently met with such tactics as the driving of police cars into assembled crowds, demands for reductions in the size of the assemblages, limitations on the time allowed speakers, brutal police clubbings, and, in a few instances, fatal shootings of unarmed demonstrators.)[19]

Mills told the Fish Committee that thirteen demonstrations in the first six months of 1930 had produced 313 arrests and a huge album of arrest photos, a radical rogues' gallery that the witness made available to the committee. In addition, Lieutenant Mills's radical squad had over a six-month period monitored some 132 meetings ("there are sometimes 3 or 4 meetings a night").

Mills made another committee appearance in 1940, when he was summoned by the Dies Committee.[20] He staggered the committee chairman when he casually announced that he had a file of index cards, not only of 5,000 local communists, but of "75,000 names all over the United States." His treasury of names also specified the occupation, nationality, age, and leadership role of each individual indexed. Members of the squad monitored meetings of "fronts," of which, he said, there were about one hundred. Mills declared his records would show that all major strikes and labor troubles were the work of the reds. They had infiltrated the University of Chicago ("All of these Communists used sex" to "bring men into the party") and had greatly prospered with the organization of the CIO, which "was invented and inoculated from Russia."

Mills's special concentration was labor—its activities, unions, and leaders. His Industrial Squad simply carried on a long tradition of violent police intervention on behalf of employers in organizing and strike activities.[21] Under Mills, the labor unrest fueled by the Depression resulted in systematizing the formerly sporadic practice of employer payoffs to police. This form of institutionalized bribery was well described by Gordon Baxter, a Chicago attorney:

> There was a police detail in Chicago known as the Industrial Squad, in charge of a Lieutenant Mike [*sic*] Mills. When a strike occurred, Mills would arrange to arrest the leaders. They'd beat them up, put them in jail, make it pretty clear to them to get the hell out of town. Mills got tips, $1,000, or if it was a serious thing, $5,000. He made a hell of a lot of dough to get the agitators, as they were called.[22]

Mills's industrial squad played an important role in collaborating with employers in strikebreaking, not only by assaulting picketers and protecting scabs, but in supplying dossiers (usually for a fee) to the right-wing press (the Hearst *Chicago American* and the *Chicago Tribune*) discrediting striking unions and their leaders. Well into the strife-torn forties, the labor detail served as a defense corps for AFL unions embraced in "sweetheart" contracts with employers to repel CIO organizing efforts, as well as combating rank-and-file revolts against repressive AFL union leadership.

Given the history of the police response to labor unrest in Chicago, the bloody confrontation on Memorial Day, 1937, at the South Chicago Republic Steel plant between demonstrators and police should come as no great surprise.[23] As a result of police gunfire, ten participants were killed, some thirty others suffered bullet wounds, and an estimated sixty more (including women and children) suffered injuries (mainly clubbings) of varying degrees of severity. Thirty-five policemen received minor injuries.

Police allegiance to Republic Steel was made clear: the police set up their headquarters in the plant, ate in the company cafeteria, unloaded company supplies, and used ammunition furnished by the company. Most important, despite the pronouncements of the mayor's office and the ruling of the corporation counsel that peaceful picketing should not be disturbed, five police officers made their own highly restrictive decisions about the site of picketing and about the permissible numbers of pickets.

The mushrooming of racketeering, the emergence of Chicago as a center of organized crime and the abuses (venality was the worst) of the labor-relations detail produced a clamor for a more effective and professional intelligence unit and led in the early fifties to the reorganization of the Chicago red squad. But changes in structure had no effect on function and file accumulation. Thus, in a 1963 speech to a national conference of police intelligence officers, Lieutenant Frank J. Heimoski boasted of the Chicago red squad's priceless files, as well as of the service it had performed in repelling the threat of subversion. But the task, Heimoski said, was endless:

> Before anyone gets the impression that our services have been mainly in behalf of agencies outside of our municipal jurisdiction, I would like to emphasize that subversive activity has been a constant problem in our City and

> continues so to the present day. Issues dealing with labor, wages, working hours, strikes, peace, housing, education, social welfare, race, religion, disarmament and anti-militarization still provide fertile grounds for agitation. Our job is to detect these elements and their contemplated activity and alert proper authorities. Presently, subversive elements have made every effort to inject themselves into the racial situation now prevailing—despite efforts on the part of legitimate organizations to bar them. Our presence during their activity has been a deterrent to more aggressive action on many occasions. Our existence as a Police Department Unit has proved a thorn in the side of the subversives and many attempts have been made by them and their sympathizers to eliminate us as a police function.[24]

The Philadelphia Red Squad, 1930–1960

The behavior of the Philadelphia police in the late twenties and early thirties was typically marked by a barely leashed aggression: demonstrations were conducted after parleys with the police, who, even when permission was granted, monitored the scene and took photographs. But sometimes even this tolerance was denied: when leftists marched to City Hall on February 14, 1930, for a demonstration, members of the radical squad (whose existence had been first publicly disclosed shortly before by Police Superintendent William Mills in response to reactionary warnings of an imminent radical catastrophe in Philadelphia) blocked their procession and attacked the crowd with nightsticks. Twelve demonstrators were hospitalized and seventeen were arrested for "parading without a permit," "resisting arrest," and "attacking police." With the advent of a new administration in 1932, a new police policy was announced barring plazas adjacent to City Hall for meetings and rallies. On May 1, 1932, bloody riots erupted when police broke up a march to the forbidden sites "with a brutality," according to the American Civil Liberties Union, "that broke all records in the city." More than a score were arrested on a variety of charges. But in the fall of that year a court rebuked the police and all cases but one were dismissed, thus vindicating the demonstrators and opening up the disputed sites for meetings, rallies, and demonstrations.[25]

But freedom of expression was no bed of roses in the thirties and forties. According to official records from 1929 to 1937, the police surveilled more than 6,000 meetings of alleged radicals.[26] One of the more

notable instances of police repression took place on April 2, 1940, when agents of the House Un-American Activities Committee (the Dies Committee) together with Lieutenant Albert Granitz and thirty Philadelphia police officers raided the Communist Party headquarters and the local branch of the International Workers' Order, confiscating two truckloads of documents and literature. On May 4, 1940, Federal Judge George A. Welch ruled the raid illegal, violative of the Fourth Amendment's protection against unreasonable search and seizure.[27]

By the end of the forties, the Philadelphia antiradical unit had more or less embraced the cloak-and-dagger style of other big-city red squads: indiscriminate targeting, surveillance, secrecy, informers, wiretaps, and file-keeping. The unit was renamed the intelligence squad and its official mission was stated to be "to investigate subversive activities and to cooperate closely with the Federal Bureau of Investigation and other agencies in such matters." The new squad kept a low profile during the fifties and rarely stirred public criticism—a consequence of the defeat of the Republican machine and the election of reform mayors closely identified with the city's libertarian tradition.

The Detroit Red Squad, 1930–1960

In 1930 the Fish Committee came to Detroit in its ongoing campaign to stir up harsher police responses to radicalism.[28] A key disclosure at the hearings emerged from the testimony of Jacob Spolansky, the country's leading red-hunter specializing in the labor movement. The chief witness at the hearing, Spolansky explained that he had come to the Detroit area in 1927 at the request of the National Metal Trades Association (of which the automobile manufacturers were members) and the Employers' Association of Detroit. Flourishing copies of documents obtained from police files, he left no doubt about his close ties to the city's police.[29] A police detective, Albert Shapiro, explained to the panel that the creation, in January 1930, of a special operation "to work on the Bolshevik and Communistic activities in the city of Detroit" owed much to Spolansky's "great help." And it would appear from the testimony of the director of General Motors' Industrial Relations Department that the input of information about radicals in company plants came entirely from Spolansky and the New York City police department.[30]

From the evidence of these hearings, it would appear that in 1930 Detroit was not as active on the radical-labor front as such manufacturing sites as Flint, Pontiac, and Dearborn—all wholly dominated by automobile manufacturers—where mass arrests, raids, and collaboration with plant espionage personnel were routine.[31]

The committee's session was a huge success: it helped consolidate police ties with the area's right-wing and superpatriotic constituencies, especially in the local American Legion post, which claimed "one thousand Bolshevik bouncers."[32] In the wake of the committee's hearings, the Special Investigation Bureau, a new police unit, was formed, with an assortment of responsibilities including the monitoring of radical activities. The SIB was blueprinted by Mayor Frank L. Murphy and reflected the mayor's view that police abuses could be curbed only through professionalism and sound training.[33]

For Mayor Murphy, libertarian values were not merely pieties recycled from the Progressive Era. Insisting that the issuance of outdoor speaking permits be given priority, he strove to win approval for a permanent designated site for public meetings and overrode the police commissioner's fear of traffic congestion. Ultimately forced by the police and their allies on the city council to abandon his plan for an established site, the mayor nevertheless exerted himself to ensure that the protests of the unemployed were given a forum free of police interference.

The test of the police commitment to Murphy's goals came with a bloody confrontation on March 7, 1932, involving demonstrators, Ford Motor Company guards, and the Dearborn police, resulting in the killing of four demonstrators—subsequently called the "Dearborn massacre." The Detroit police, while not principals, played a role in the tragedy: they participated in the arrest of some of the marchers and later that day raided Communist Party headquarters to flush out the organizers of the march. When the ACLU's Roger Baldwin protested the action, Murphy revealingly replied, "There will be no lawless policy on the part of the police that I can control."

Murphy thus focused on a problem that had uniformly frustrated and defeated police-reform efforts from the very beginning: the inability of political leaders and administrators to impose effective restraints on police behavior based on inbred values and assumptions. Murphy's breach with the communists over police misconduct intensified toward the close of his term, and he became deeply embittered as a result of the savage response (tear gas, mounted charges, indiscriminate clubbings) to a June 6, 1932, hunger march organized by the Auto Workers Union (the predecessor of the United Automobile Workers) and, later, in February and March 1933, over police shootings, clubbings, mass arrests, abuse of prisoners, and a raid. Moreover, the SIB was permitted to plant police spies in a broad working-class sector.[34]

Conflicting assessments of blame in these and lesser clashes resulted in an agreement between Murphy and the ACLU authorizing the monitoring of certain gatherings. Some civil libertarians insisted that, allowing for occasional lapses largely due to lack of control, Murphy deserved high marks for restraining the police under trying circumstances, but for the communists and their followers, as well as others, police misconduct led to disillusionment, not only with Murphy, but with the ACLU as well.[35] In the end, the mayor's commitment to the protection of constitutional freedoms was overcome by the backward tug of countersubversion, the power of the city's bankers and industrialists, and the crisis atmosphere in which the commitment was tested. As elsewhere, the concessions to moderation in the use of overtly repressive tactics turned out to be largely cosmetic and, in any event, simply provided a justification for institutionalizing surveillance and file-keeping.

The mayor's frustration and sense of powerlessness contributed to his midterm resignation in May 1933 to accept the post of governor-general of the Philippines. But the SIB did not really grow into its style until after Murphy's departure, when Heinrich Pickert took over (in 1933) as police commissioner. Prominently identified with Detroit's upwardly mobile German ethnic community, Pickert reorganized the red squad and provided it with an aggressively antiradical investigative agenda; at the same time, under his direction, the SIB became a scourge of picket lines of all kinds.

Pickert brought gleaming credentials to his post. A past commander of the Order of the Purple Heart, he was also prominent in the councils of the American Legion, which in the thirties were the keystone of an elaborate structure of private groups—including private detective agencies and in-house corporate security structures—that monitored labor and left-wing political activities in the area.[36] In addition, Pickert enjoyed a special relationship with the Ford Service Department chief, Harry Bennett, who in those years collaborated with a network of patrioteers, labor spies, fundamentalist preachers (Gerald L. K. Smith, Frank Norris)* and Father Charles E. Coughlin's following (the Workers' Council for Social Justice) to combat unionism and create a climate hostile to radical initiatives.

* Norris was a power-conscious fundamentalist with a 10,000-member congregation in Detroit whose monthly newspaper, *The Fundamentalist* (with a claimed circulation of 6,376,500), targeted radicals, organized labor, and Jews. Appearing on the same platform as Pickert, Norris praised him and his department for their support and offers of assistance. He told the audience that he especially respected Pickert for the enemies he had made. See Lorraine Majka, "Organizational Linkages, Networks and Social Change in Detroit" (Ph.D. diss., Wayne State University, 1981), p. 160.

While a number of overlapping groups had served as red squad constituencies and collaborators, in some cases, these groups developed intelligence operational and data-exchange liaisons with the red squad on their own. I cannot leave unmentioned one other "friend" that provided "a little help"—the Ku Klux Klan and its successor, the Black Legion.[37]

In Detroit, the Black Legion acquired a powerful following, which included numerous supporters and sympathizers among the Detroit police, as well as among the officials of suburban communities. Like other Detroit-area right-wing groups, it placed strong emphasis on anticommunist intelligence activities. When the Black Legion was charged with responsibility for the murder of blacks, strikers, and people accused of communist ties, its Detroit police following (of an estimated one hundred members) was forced to reduce its profile. More than fifty Black Legion members were convicted of an assortment of crimes such as arson, kidnapping, flogging, and plotting to kill various individuals. The Black Legion was also tied to a number of bombings of radical meeting places and bookstores. Through its police members, the vigilante group transmitted lists of suspected communists to the service departments of area automobile manufacturers. Pickert barely escaped disgrace when the Black Legion–police connection came to light. Evidence emerged indicating that he had been a concealed Black Legion member, a charge confirmed by the fact that, according to an investigator, he "frantically promoted all those police officers who could compromise him."[38]

But for many years the Detroit red squad's closest "friends" were the federal countersubversive committees. Beginning with the Fish Committee, these panels served to legitimate the unit and consolidate its nativist constituency, a development furthered by an enthusiastic red-hunting press. In return, the red squad provided the committee with membership lists, photographs, literature, and other sources for "exposé" hearings. The first of these collaborative efforts took place in 1938 in a series of hearings held in Detroit and Washington that focused primarily on subversion in the Detroit area.[39]

Both the Washington, D.C., and Detroit sessions featured two red squad agents, Sergeants Harry Mikuliak and Leo Maciosek (called by their targets "Mick" and "Mack"), who had been attached to the operation since its inception. "Mick" and "Mack," and the Detroit police superintendent and his counterparts in other Michigan cities, as well as a member of the state police, tried to provide support for the committee's thesis that the 1937 sitdown strike had been part of a communist takeover offensive.

The 1938 hearings, for all their lengthy disclosures of names and activities, did not produce the expected impact and were widely criticized by labor and civic groups. The sense—nourished by the Black Legion disclosures, indiscriminate raids, unauthorized searches (such as the illegal seizure from a private apartment of documents relating to the medical examinations of Spanish Civil War recruits), as well as pretext arrests, provocative confrontations, and pervasive racism—that the police were out of control in their war against radicals was confirmed by an ACLU survey in 1939 rating the department's civil rights and liberties performance "very poor" and concluding that "perhaps the most flagrant violation of the civil rights of Detroiters occur at the hands of the Special Squad organized by Commissioner Pickert, commonly called the Red Squad."[40]

As in so many other police departments, repression was the handmaiden of corruption: in 1939 a grand jury investigation led to disclosure of an extensive bribery and payoff system, which resulted in the indictment of the mayor, county prosecutor, police superintendent, and eight officers. The protests and corruption disclosures combined to force change. The department was reorganized and the red squad—after a decade of abuse—was abolished.

However, only a few months after the disbanding of the squad, it was revived by the outbreak of World War II in Europe, and its functions extrapolated (as in the case of Cleveland, Buffalo, and other cities) from President Roosevelt's September 1939 order (see pp. 45–46, 49). In June 1940 the red squad emerged with a new mission: the monitoring, through intelligence techniques, of sabotage and espionage. This assignment gilded the unit with a "national security" justification and initiated a period of intensive collaboration with the FBI.

The major concentration of this reincarnation of the red squad turned out in the postwar period to be identifying and rooting out claimed "subversive elements" in the local unions and work forces in area plants, on the assumption that all labor unrest was subversively inspired to help the enemy. Such developments as the organization in 1947 of a state-level Un-American Activities Committee and the passage, without opposition, of a statute requiring the registration of "agents of foreign countries" (promptly declared unconstitutional), reflected a resurfacing of the Michigan nativist-patriotic tradition and the creation of a climate favorable to new countersubversive forays.[41]

Supplementing these developments was the establishment in 1947 of the Detroit Loyalty Commission by a charter amendment vote. This ex-

traordinary measure, prominently supported by UAW mayoral candidate George Edwards, authorized the political investigation of city employees suspected of disloyalty. Like the red squad, the commission assembled data on communist activities during major strikes, which it transmitted to the mayor. The commission also developed a liaison with the FBI—not very difficult since the long-term chief of the commission was a former FBI agent.

In 1950 the Detroit red squad acquired a much more important "friend" than the commission, which over the years gave the local unit more than a "little help." This ally was the state countersubversive unit (the security squad as it came to be called), which was unanimously authorized by both houses of the Michigan legislature in 1950 as part of a revision of the Michigan Criminal Syndicalism Act. This unit formalized state police operations that had been conducted for many years. According to its first annual report, its prime mission was "to discourage the employment of subversive individuals." The city and state units shared investigative information and files, conducted joint operations, and consulted in such matters as target selection. The city unit during this period also strengthened its role as an operational resource of federal agencies such as the FBI and the Immigration and Naturalization Service. Although necessarily transient, the red squad's involvement with HUAC investigations in preparation for its 1952 and 1954 hearings was uniquely close.

By the early fifties, red-hunting became entrenched on both city and state levels despite the city's strong libertarian constituency among union members, leftists, professionals, and segments of the ethnic population. The reasons for the power of the antisubversive forces are not difficult to identify. To begin with, the city had since the twenties been subject to a strong white nativist influence rooted in urban migration from the South; this influence was most aggressively projected in the role of the American Legion. The automobile manufacturers, concerned about radical infiltration of the work force, also had a stake in repelling leftist influence on the city's political processes and labor unions, especially the UAW. The UAW, despite its professed programmatic hostility to political repression on a national level, became a silent partner in the antisubversive offensive in its own backyard, another "friend" of the red squad, reflected in such developments as its barely concealed support of the 1952 HUAC hearings, its sponsorship (through Edwards) of the Loyalty Commission, and its apparent failure to develop an opposition, even among legislative representatives from union constituencies, either to the ill-fated 1947 foreign-agent registration measure or to the 1950 statute creating a state police antisubversive unit (both passed without opposition). Ironically, officials of the international and local union members became surveillance targets in the late sixties.

During the fifties, the countersubversive activities of the red squad were focused on two priorities: the harassment of left-wing unionists and the tracking of radical groups such as communists, socialists, and "fronts"—an increasingly ecumenical targeting made possible by the absence of meaningful restraints (guidelines, ordinances) and freedom from effective internal supervision and control. But the already-noted decline in the fifties of investigative opportunities resulted, by the end of the decade, in the decline of the red squad to a staff of six members. What probably provided the unit with its chief raison d'être was its availability as an investigative resource primarily for the FBI, but also for other intelligence operations: the state antiradical unit, other area red squads, and file-maintenance programs.

The Los Angeles Red Squad, 1930–1960

The two dominant police intelligence figures in Los Angeles in the late 1920s and 1930s were Police Chief James E. Davis and the head of the Intelligence Bureau (as the Los Angeles red squad was then known), Captain William Francis ("Red") Hynes, who was made its commanding officer in 1927 after serving as a labor spy for private employers and then as a police infiltrator-provocateur after joining the police in 1922.[42] More than any other single individual, Hynes was influential in shaping the agenda of the modern red squad and in exploiting the career opportunities of its chief. In October 1930 he appeared before the Fish Committee and presented testimony and exhibits dealing with the red menace in encyclopedic scope—over 1,500 pages, complete with photographs, dossiers, and documents.[43] This mammoth tour d'horizon became part of the file capital of red squads throughout the country and brought him national acclaim as a top expert in the field and bids from other cities for guidance in setting up their own units.

As in the case of his counterparts, Hynes's career reflected a close linkage of repression and corruption. In a classic version of the Bargain made familiar by Chicago's Captain Schaack and Philadelphia's Frank Rizzo, as well as by a number of others, he was permitted by the city's ruling powers to pillage at will in return for protecting their interests. His ties to the area's open-shop forces were unconcealed. Indeed, for a period of time his office was situated in the Chamber of Commerce building in order to expedite a prompt, coordinated response to labor

disputes. When a major dispute arose, the employer involved would communicate with Hynes, who assigned a detail to the strike. Picket lines were assaulted with nightsticks followed by tear-gas projectiles and guns, frequently supplied or paid for by strike-bound employers or those confronted with organizational picketing. In large-scale disputes, the union involved was infiltrated by spies and provocateurs—frequently professionals hired by employers and operationally supervised by Hynes. M&M also supplied strikebreakers, who were placed under Hynes's command. In return for his services, Hynes was paid in cash out of secret employer slush funds. Members of his detail were also rewarded with cash payments, usually disguised as compensation for expenses—recorded in grossly padded bills for meals, accommodation, and overtime. Hynes did not permit jurisdictional barriers to impede his mission and frequently worked for employers outside the city limits. For example, he orchestrated a 1934 campaign by Imperial Valley growers that was marked by the bombing of the union's headquarters, vigilante night raids, and the brutalization of strikers and their families. In the course of this terror, hundreds of strikers were gassed, clubbed, and held incommunicado for weeks on end.[44]

The red squad's response on the ideological front was equally savage. Not as a casual or optional matter, but as official routine, the unit broke up every demonstration of organized communists and similar groups, raided communist halls every two weeks, confiscated literature, broke up Depression-related protest gatherings, and flexed its muscles on all occasions.[45]

By the mid thirties the Hynes-led Intelligence Bureau had, according to a 1938 description submitted by Hynes, acquired jurisdiction over a number of broadly defined areas in addition to vague "confidential" investigative duties. Of these specified responsibilities, the most important were the investigation, surveillance, arrest, and prosecution "of illegal activities in connection with ultra-radical organizations and individuals" and "all forms of sedition and treasonable activities"; preparation of intelligence reports and dossiers; the study of radical literature; the enforcement of federal, state, and local laws ranging from the federal Sedition Act to ordinances dealing with handbill distribution, unlawful assembly, and incitement to riot. A parallel labor-dispute assignment area broadly covered surveillance of strike disturbances, picketing, sabotage, and indeed all forms of labor activity considered threatening to "legitimate business," including the formulation in cooperation with employer groups of "plans of action in dealing with projected strikes . . . and radical and racial disturbances." The unit's leadership was explicitly authorized to develop "close contacts with the various

civic, patriotic, business, educational and fraternal organizations and clubs" in order to provide them with file material on subversive activities, to represent the department in speaking engagements before such groups, and to supply the press "with the news, information and data as is deemed advisable."[46] The mission to cooperate with private groups and to feed the press was distilled from Hynes's prior pattern of operations and became part of standard red squad operating procedure in cities throughout the country: all the larger cities in Southern California, for example, maintained political intelligence units, which over the years became notorious for their excesses.

Two initiatives of the Hynes unit typify its modus operandi. On October 30, 1931, a red squad detail broke up a mass meeting at Philharmonic Auditorium called to support the movement to free Tom Mooney and the Harlan County, Kentucky, miners. As thousands surged around the entrance demanding entry, the police responded with verbal abuse, gas bombs, and clubbings. A spontaneous outdoor protest demonstration was similarly disrupted—this time with the aid of uniformed marines and sailors. Seven demonstrators (five of them women) were arrested, first on charges of "suspicion of criminal syndicalism," later reduced to disturbing the peace and battery, and finally to disturbing the peace and distribution of handbills.[47] On the night of January 3, 1932, Hynes and his minions crushed a licensed demonstration of the unemployed by wading into the ranks of unarmed men and women with clubs, slingshots, and brass knuckles, beating many of them indiscriminately to the ground.[48]

In 1934 four lawsuits filed by the ACLU succeeded in enjoining Hynes and his squad from interfering with peaceful meetings. In addition, the plaintiffs prevailed in two civil actions for damages against Hynes and some of his squad members. The deterrent effect was reflected in the success of Mayor Frank Shaw's edict reopening the plaza (the traditional free-speech site) and school buildings to meetings and demonstrations by leftists.[49]

The red squad and its supporters invariably responded to complaints of misconduct with charges that the critics were red-tainted and their complaints politically motivated. To the claim that even communists were protected by the Constitution, Hynes indignantly retorted: "They haven't any rights. I'm going to keep right after them." Socialists fared no better; Police Commissioner Willard Thorpe denounced them as "outrageous, deplorable, appalling, Un-American and uncivilized."[50]

During most of the period Hynes headed the Los Angeles red squad, the police chief was James E. Davis whose tenure (1926–29, 1933–38) was interrupted during reforms following a vice-squad scandal. Davis

was the first in a line of ultraconservative Los Angeles police chiefs, big men who uniquely embodied and symbolized the rightist political culture of their time and place. When he was first appointed chief in 1926, he quickly succumbed to the courtship of the business community and became its spokesman in defense of the American Way of Life, hostility to unionism, expert in the machinations of the Menace, and preacher of morality. Davis himself was not merely indifferent to graft; he defended it, shared in the spoils, and dismissed criticism as red-inspired. Indeed, Davis's use of police power uniquely reflected the dialectic of the Bargain: the pursuit and harassment of dissent in exchange for the toleration of corruption.[51]

Davis not only sanctioned the shenanigans of the Hynes unit but, to please his anti-union mentors, encouraged it to engage in ever more blatant strikebreaking operations. During the administration of Mayor John Porter, the red squad was periodically called in to develop material for use as leverage against the mayor's critics, disillusioned by City Hall's abuses. In the mid thirties, Mayor Frank Shaw's administration was, in turn, overtaken by rapidly spreading graft and corruption, which once again inspired a reform movement. At the mayor's request, Davis organized a "secret service" unit to monitor and blackmail his rivals and reformer critics. For Davis this assignment was quite congenial. From the start he viewed his department as a client of the power structure, and there was an even greater stake in serving the mayor's political needs than in doing the bidding of the business community. If the mayor lost an electoral race and was replaced, the power-hungry Davis knew, his own future would be jeopardized. Had he not been demoted after the Porter victory in 1929? Mainstream political surveillance thus joined red-hunting as a priority concern. In three years the secret service unit spent almost a quarter of a million dollars in monitoring threats to the Shaw administration. The files of the unit reflected the indiscriminate targeting of political figures, writers, ministers, journalists, and prominent citizens. The custodian of the files and chief of the unit was Captain Earl Kynette, one of the most disreputable figures to emerge from the milieu of LAPD corruption.[52] After he was implicated in a vice-squad scandal (for shaking down prostitutes), Kynette was recruited by Davis to lead his secret service unit.

The downfall of the red squad was precipitated by a scandal that erupted in 1938 in the course of a campaign by an aroused reform constituency against the police corruption of the Shaw administration. The investigator for the reform group, the Citizens' Independent Investigating Committee (CIVIC), was critically injured when a bomb was placed

in his car. Although the LAPD denied complicity, an investigation by the district attorney's office established that the bombing had been engineered by Captain Kynette. Kynette and an accomplice were subsequently convicted and jailed. At the close of the trial the city council voted to reject Shaw's request for $90,000 to fund his spy squad.[53]

The rise to power of Davis and Hynes illustrates the career opportunities offered by union-busting and radical-hunting in the twenties and thirties. These specialties became a path to advancement and political office throughout the public sector. In Southern California a powerful alliance of businessmen, boosters, superpatriots, and right-wing evangelicals, transplanted from middle America, made this specialty a particularly attractive path to power, not only in the police world but in the political realm. In turn, state legislative committees investigating subversion reinforced the Los Angeles unit by providing a punitive publicity outlet for the exposure of its targets. The local squad freely placed its operational resources at the disposal of the state panel and routinely referred useful right-wing sources in the private sector to the state committees for sponsorship and funding. This collaboration was particularly useful in discrediting reformers and libertarian critics who attacked both the Los Angeles and state units.

Countersubversive investigations by California state legislative committees spanned a period of thirty years (1940–71), a record unequaled in any other state. The chairman of the first legislative committee to launch an investigation of subversive activities was Samuel W. Yorty, a state assemblyman from Los Angeles County and subsequently mayor of Los Angeles. The Yorty Committee had functioned for only a year (1940) when Yorty resigned to run unsuccessfully for nomination to a seat in the U.S. Senate. He was succeeded by another Los Angeles County assemblyman, Jack Tenney, whose committee, the Fact Finding Committee on Un-American Activities, functioned continuously for eight years (1941–49).

In 1947 legislative opposition to the committee was stiffened by its characterization of two assemblymen as subversive. The committee, it was subsequently learned, kept files on many legislators, particularly those who voted against its appropriation requests. In 1949 pressures from libertarian and religious groups forced the termination of the panel under Tenney's leadership.[54]

A replacement for the Tenney Committee under Senator Hugh Burns was launched as a reform gesture; it would eschew the bad old Tenney pattern of widely publicized smear hearings and issue objective reports based on verified documentation—it would, in short, serve as a model

for "the right way to fight Communism." But it soon became apparent that the more things changed procedurally, the more they remained the same (or got worse) substantively. Like its predecessor, the Burns panel maintained ties with an established network of organizations—patriotic, veteran, agribusiness, and right-wing—that supplied it with (frequently questionable) information and served as a conduit to privately sponsored informers.[55]

The Burns Committee operation was headed by the legendary Richard E. Combs. For virtually the entire twenty-one years of the committee's functioning, Combs was its chief investigator, counsel, and "senior analyst." A prominent member of a national community of red-hunters (the Gallery of the Obsessed), Combs was venerated in political intelligence and countersubversive circles generally as a tough expert on subversion. From his mountain retreat at Three Rivers, California, he orchestrated a network of informers (volunteers, paid for by outsiders or hired by the committee), apprentice sources, investigators, and contacts cloaked in secrecy and intelligence hugger-mugger (drops, code names, safe houses). As in the case of the Tenney Committee, whose antics had cooled business support, the Burns panel folded in 1971 (a year after Combs's retirement) without strong objection by business forces. In March 1971 the coup de grace was delivered when, in a replay of the Tenney Committee's demise, James Mills, state senate president pro tem, discovered that the committee's 20,000 file cards included dossiers on a score of legislators, including himself.[56]

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