

The Gainesville Eight:

DIRTY TRICKS ON TRIAL



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This month, the Senate Watergate hearings will come of interest to a television audience which so far had rather watch soap operas. As the committee's emphasis shifts away from the Washington burglary—already hopelessly old news—it will begin to examine for the first time a monumental, nationwide conspiracy, the most sordid political scandal in American history. In the course of the investigation, the Watergate affair will emerge as a shoddy national *ménage* of cheap-shot politics and outright crime stretching from the California origins of men like Haldeman and Ehrlichman to the dirty tricks of baby-faced Donald Segretti. Much of the emphasis will fasten, of all places, on the quiet university town of Gainesville, Florida. It is there that the Justice Department is prosecuting seven Vietnam Veterans Against the War and one VVAW sympathizer, in a court action which began as the ordeal of the Gainesville Eight—and seems likely to end as the last inept assault in the Nixon Administration's war against dissent in America.

The government's case against the Gainesville Eight is being prosecuted by Guy Goodwin, fittingly enough one of the last surviving field generals of the Administration's pre-Watergate campaign to wipe out dissent and dissenters. As chief of special litigation for the Justice Department's Internal Security Division, Goodwin was the prosecutor who presented evidence to the grand jury that indicted Fr. Philip Berrigan and six others for the earlier "conspiracy" at Har-

Rob Elder is a staff writer for the Miami Herald.

risburg. Undaunted by his failure in Pennsylvania, Goodwin has now indicted the Gainesville defendants.

In the beginning, the case seemed simple enough. A grand jury listened behind closed doors as witnesses supervised by Goodwin recited the atrocities that were to occur during the President's renomination. Then on July 13, 1972—the last day of the Democratic National Convention in Miami Beach—the grand jury indicted six leading figures of the Vietnam Veterans Against the War.

The VVAW leaders were accused of plotting to "organize numerous fire teams to attack with automatic weapons fire and incendiary devices police stations, police cars, and stores in Miami Beach, Florida, on various dates between Aug. 21 and 24, 1972," the dates during which the Republican Convention was scheduled. The indictment further charged that "the individual co-conspirators would fire lead weights, fried marbles, ball bearings, cherry bombs and smoke bombs at police in Miami Beach . . . by means of wrist rocket slingshots and cross bows . . . [and] would disrupt communications in Miami Beach."

The conspiracy was supposed to have been put together at a regional VVAW meeting in May 1972, at the Gainesville apartment of Scott Camil, a University of Florida student and the VVAW state coordinator. Camil was one of those indicted, and the government made no secret about contending he was the leader of the alleged plot.

From the beginning, the VVAW protested that the prosecution was political, that they were being scapegoated

by Rob Elder



John K. Briggs



Peter Mahoney



Stanley Michelsen



William Patterson



Donald Perdue



Scott Camil



Alton Foss



John Kniffen

in the same way the Chicago 8 had been after the 1968 Democratic Convention. The whole point was to discredit the anti-war movement and squelch anti-Nixon demonstrations at the convention. But at the time the defendants made these claims, they carried little credibility in Middle America.

Then came Watergate.

James McCord, security chief of the Committee for the Reelection of the President, testified that he received briefings from the Justice Department's Internal Security Division on anti-Administration groups. McCord specifically mentioned the VVAW. Pablo Fernandez, a member of the Miami Cuban exile team that worked for Bernard Barker, admitted he also worked as a spy against the VVAW. As a police informer, Fernandez revealed, he had approached Camil and other VVAW leaders and told them he knew where they could buy sub-machine guns. Vincent J. Hannard, a Florida private investigator, gave sworn testimony that Watergate burglars Barker and Sturgis tried to recruit him to disrupt and discredit the VVAW. Alfred Baldwin, a former FBI agent who worked for CREEP and turned state's evidence in the Watergate case, was quoted by the *Los Angeles Times* as saying McCord ordered him to infiltrate the VVAW.

Then there was the timing of it all, which seemed more than coincidental: the Watergate burglars were caught June 17, 1972, and White House officials immediately began preparing an elaborate cover story. The VVAW indictments were issued less than a month later.

On the basis of such evidence, fragmentary and circumstantial though it may be at this point, lawyers for the accused veterans are contending that the conspiracy case is "the ultimate coverup for Watergate." They claim the idea was to paint the VVAW as a grave threat to national security, and then try to link the anti-war group with the Democratic National Committee. "We will show," predicts VVAW defense lawyer Morton Stavis, "that the prosecution was brought solely to legitimize the Watergate break-in."

There is some question about this. Guy Goodwin and the Internal Security Division were busy prosecuting radicals long before Watergate, and other government motives, while not necessarily more palatable, are equally plausible. But whether there was a direct link in the narrow sense between the Gainesville Eight conspiracy charges and Watergate—i.e., as an attempt to "cover up" the abortive June 17 burglary—is hardly the main point. Far more important is the

mounting body of evidence that the Nixon Administration not only used nominally impartial federal agencies to harass its domestic "enemies," but used local government as well to wage war on radicals. It is not merely a matter of separation of powers, or jurisdiction. What is frightening about the information emerging from Gainesville is just how far the Administration's police state thinking permeated agencies outside Washington.

[POLICE CONSPIRACIES]

Key officials of the Miami Police Department have now confirmed they hired Pablo Fernandez, the informer who offered to help the VVAW buy illegal weapons. "We were hoping for the overt act necessary to produce a charge of conspiracy," confesses Major Adam Klimkowski, commander of the department's Special Investigations Section. While Klimkowski's boss, Miami Police Chief Bernard Garmire, denies that Fernandez was a provocateur, he has confirmed that his officers sent the Cuban to meet with several of the VVAW defendants just before they were indicted, as a "fomenter of problems"—a curiously fine distinction.

Fernandez himself has said he was working simultaneously for the Miami Police, the Dade County Public Safety Department and the FBI. His mission, according to the city police, was to find out whether Camil, the VVAW Florida coordinator, wanted to buy weapons from anti-Castro Cuban exile organizations in Miami. Fernandez says he told the Vietnam vets that he knew of "50 sub-machine guns which were supposed to be for sale," but did not volunteer the information that "the FBI was watching those guns." Explains Major Klimkowski of the Miami Police: "We did not want Camil to actually acquire weapons. We wanted to find out what was in the back of his mind."

According to testimony from another informer, the veterans were the victims of a two-stage set up: "These infiltrators who were members of the police were the ones who started asking Camil, 'How you going to defend yourself if you are attacked at the convention?' And then Pablo offered the opportunity by telling them he had access [to weapons]." That revelation came from Angelica Rohan, a Miami secretary and former anti-Castro "freedom fighter" who worked as an informer last year for the Florida Department of Law Enforcement. She was present for at least one of Fernandez' meetings with the VVAW.

At other VVAW meetings were still other police spies, including two Dade County sheriff's deputies, Gerald Rudoff and Harrison Crenshaw. This pair joined the VVAW using phoney names and gathered information which went to the grand jury at the beginning of the case.

Thus the federal case against the Gainesville Eight was put together with no small degree of cynicism on the part of the police participants. At the same time the Miami Police, for example, were sending Fernandez to talk to the VVAW about machine guns, Klimkowski and other officers were admitting to members of the press that there was no indication that the VVAW's convention demonstration plans were anything other than peaceful.

But the most striking example of government bad faith came when Goodwin swore to the court that with the one

exception of a legally recorded phone call between Camil and co-defendant Alton Foss, "there has been no electronic overhearings of any kind . . . of the said defendants at any location." However when FBI Special Agent Francis Gibbons was called by the defense at a pre-trial hearing earlier this summer, he admitted that he had a recording of a separate phone conversation between Camil and Fernandez. In addition, Officer Raphael Aguirre of the Miami Police has testified that he wired Fernandez with a "body bug" immediately before the informer went to one of his meetings with the VVAW. Aguirre has insisted under oath that no recording of that meeting was made because the bug failed to function.

[INTERNAL SECURITY, INC.]

But bugging is only one of several areas in which there are serious questions about whether the VVAW has been prosecuted under anything even remotely resembling due process of law. To begin with, there was the Nixon Administration's blatant failure, in Washington, to keep its own politics separate from the administration of justice. When Goodwin's former boss, the zealous Robert C. Mardian, moved from the Justice Department's Internal Security Division to the Nixon campaign committee, much of the information that had been gathered by the ISD followed him. Even more serious, however, is the curious relationship which existed between the Nixon Administration and local Florida police agencies during the 1972 campaign year.

There is something in the police mentality which often makes local cops jump at the chance to cooperate with the feds. But in this case big money was also involved. Both national nominating conventions were scheduled to be held in Miami Beach. Under the label of convention security, the Administration poured \$3 million in federal dollars into state and local police departments in 1972.

The Florida Department of Law Enforcement got \$750,000, part of which went to pay for a super-secret convention intelligence center in the bowels of Miami Beach's Jackie Gleason Auditorium. Working behind armed guards and in the cool of specially installed air conditioners, the center's staff of 35 persons processed reports from uniformed officers and clandestine undercover operatives of no fewer than 11 different government agencies. A lot of those reports had to do with protestors who were planning to demonstrate at the conventions. And no small part of the information had to do with the VVAW.

Jack Key of Miami, the state agent who ran the center, has conceded that the information flow was vulnerable to manipulation, and that indeed the center received reports, from "confidential sources," that the Vietnam Veterans were plotting disruptive demonstrations.

Without checking the origin of these reports, or their accuracy, the center passed them on, alerting local police departments that the VVAW was plotting violence. "Information was coming from the whole range of federal, state and local operations," Key says. "None of the agencies were required to identify their informants to us. Reports were written so that they would say, 'A confidential source advised such and such. . .'" One of the agencies with rep-

resentatives inside the center was the Internal Security Division of the Justice Department.

Ironically, one local official would be skeptical enough to regard these reports as "garbage." That was the judgment of Seymour Gelber, a Ph.D. criminologist and special assistant to State Attorney Richard Gerstein of Miami. Gelber was on special assignment for convention security during the summer of '72, and he attended the intelligence briefings. "Most of it was worthless," he says now. "We got better information when we just went out and told the demonstrators who we were, and asked them what they had in mind." That direct approach, however, also had its pitfalls. With each agency jealously guarding the secret identity of its own undercover infiltrators, one never knew whether he was dealing with a genuine demonstrator—or with a fellow cop.

Thus under the special circumstances of a presidential election year, the whole structure of law enforcement—federal, state, and local—was mobilized against the VVAW. And one of the most disturbing aspects of the entire affair is that these defendants were not Maoists or Weathermen or anything resembling revolutionaries. If it could happen to the Gainesville Eight, it could happen to any American.

[UNLIKELY REVOLUTIONARIES]

Organized in 1967, Vietnam Veterans Against the War had moved to the forefront of the anti-war movement by the summer of 1972. Older movement groups were waning and hurting for money as liberal dollars went to George McGovern. The VVAW did not have money either, but it had credibility. After all, these guys had a special right to damn the war, because they had been there. Moreover, they were tough—so went conventional Movement wisdom—and if police tried to beat them the way they had the tender demonstrators in Chicago, they'd be repaid in kind.

But if as a national organization the VVAW had the credibility and prestige to lead demonstrators against the Nixon Administration, it was hardly a radical elite, and the Gainesville Eight less so than many other members.

Scott Camil, the VVAW Florida coordinator and alleged leader of the conspiracy, is 27, a former student at the University of Florida. Athletic, animated, given to bursts of energy and enthusiasm, Camil looks like an anarchist is supposed to look. He has flashing eyes and a bushy black beard, and binds his long hair back with a leather headband. But his mother is a former organizer for the John Birch Society, and his step-father is a police fingerprint technician. His half brother wants to be an FBI agent. And until his recent experiences with the American political system, Camil's own ambition was to become a member of Congress. Scott Camil grew up in South Florida, hardly a hotbed of revolutionary organizing. So did two fellow defendants, Don Perdue, 25, and Alton Foss, 27.

The other members of the Gainesville Eight are similarly Middle American. William Patterson, 25, of Austin, is the son of a lab technician. John Kniffin, 33, is from San



Guy Goodwin

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Chavez and the Teamsters:

SHOWDOWN IN THE

William L. Kircher, the AFL-CIO national director of organizing, was only half-jesting when he said, "Maybe the Teamsters' best organizing area would be to organize a prison union."

But the union that gave America Dave Beck and James R. Hoffa, and that recently made the front pages for its ties with Mafia figures anxious to get ahold of the \$1.6 billion Teamsters Pension Fund, isn't organizing prisons yet. Instead they have strong-armed their way into California's Central Valley and turned their attention to the 250,000 farmworkers who have been struggling to organize for more than half a century. Working with the growers to crush Cesar Chavez' United Farm Workers, the Teamsters have brought a new labor war to the California vineyards and eagle flags have appeared once again and cries of "Viva La Causa" and "Viva La Huelga" are heard, as the Farmworkers' Union fights for its life.

The Teamsters' interest in farmworkers is a relatively

recent one. It is, in fact, one of the ironies of the current situation that organized labor paid slight attention to this part of the work force until Cesar Chavez called a strike against Delano, California table grape growers in September 1965. At that time a farmworkers union, operating on a shoe-string budget and consisting mostly of Chicano and Filipino farmworkers, was given little chance against California's multi-billion dollar agribusiness establishment that accounts for one of every seven jobs in the state.

But Chavez and his farmworkers kept up the pressure. When growers imported strikebreakers (often Mexican aliens who entered the country illegally), he began a nationwide boycott of table grapes. It had a devastating affect on the sale of grapes and the growers—whose economic sensibilities are more finely tuned than their social conscience—finally gave in. On July 29, 1970, 26 Delano growers signed three-year contracts with the United Farm Workers Union, AFL-CIO. Scores of other contracts with other grape growers followed, with many of them including an expiration date of April 14, 1973.

This should have meant that the UFW's long war was

George Baker is a San Joaquin Valley (Calif.) newsman and freelance who has been following the farm labor scene.