

Chapter 17

CIA Relationships with Other Federal, State and Local Agencies

Because of its practice of occasionally lending assistance to various federal, state and local law enforcement agencies, questions have been raised as to whether the CIA has engaged in internal security functions or exercised police or law enforcement powers contrary to the restrictions of the National Security Act.

Like other arms of the government, the CIA frequently has occasion either to give assistance to or receive assistance from other federal, state and local agencies.

For example, in gathering foreign intelligence, the Agency might gain access to information concerning international drug traffic which would be of interest to the Drug Enforcement Administration. Or it might receive information of interest to the FBI and the local police concerning the security of government installations. CIA operations touch the interests of many other agencies as well.

This Chapter will explore some of the relationships between the CIA and other agencies over the years—in order to determine whether the CIA has exceeded its authority in connection with those relationships.

A. Relationships With Other Federal Agencies

1. Federal Bureau of Investigation

Many counterintelligence operations undertaken by the FBI also have positive foreign intelligence ramifications. Likewise, legitimate domestic CIA activities occasionally cross the path of ongoing FBI investigations. Consequently, regular daily liaison has customarily been maintained between the CIA and the FBI to coordinate the activities of these two federal agencies.

As a part of such liaison, the CIA furnishes to the FBI much routine information obtained by the CIA in the course of its legitimate foreign

intelligence gathering activities. Included is information concerning suspected criminal activities within the United States and information relevant to the country's internal security. Likewise, the FBI furnishes information to the CIA relating to foreign intelligence matters. From time to time, the CIA and the FBI have cooperated in joint operations touching on both agencies' areas of interest.

The relationship between the CIA and the FBI over the years has not been uniformly satisfactory. At the policy-making level, it has ranged from workable, at its best, to almost nonexistent at its worst. In February 1970, following a seemingly insignificant incident in Denver, all formal liaison between the two agencies was completely severed by the FBI. Formal liaison at the policy level was not restored until November 1972—though a working relationship at lower levels was always maintained.

The Commission is informed that the relationship between the CIA and the FBI has improved considerably in the last few years. Nevertheless, the relationship needs to be clarified and outlined in detail in order to ensure that the needs of national security are met without creating conflicts or gaps of jurisdiction. A better exchange of ideas and more effort by each agency to understand the problems facing the other are essential if the responsibilities of both agencies are to be met.

Recommendation (30)

The Director of Central Intelligence and the Director of the FBI should prepare and submit for approval by the National Security Council a detailed agreement setting forth the jurisdiction of each agency and providing for effective liaison with respect to all matters of mutual concern. This agreement should be consistent with the provisions of law and with other applicable recommendations of this Report.

2. Narcotics Law Enforcement Agencies

The CIA, through a field office in Virginia, carried on at least one domestic operation as a cooperative effort with the Bureau of Narcotics and Dangerous Drugs (BNDD) (now the Drug Enforcement Administration). The operation was an attempt to help BNDD prevent corruption within its ranks by developing sources of information within the Bureau.

The operation began in late 1970 when the Director of BNDD asked the Director of Central Intelligence for assistance in building a "counterintelligence" capacity within BNDD. The request was apparently supported by Attorney General Mitchell.

BNDD stated that it was vitally concerned that some of its employees might have been corrupted by drug traffickers. According to

the CIA officer in charge of the Agency's field office involved, BNDD reported that it did not have the "know-how" to set up a covert operation or to establish a counterintelligence unit. It therefore turned to the CIA for assistance.

The CIA recruited officers for BNDD through a proprietary corporation. The CIA officer in charge performed the contact and interview work. He screened applicants by telling them that a corporate client engaged in the field of law enforcement wanted people to work as research consultants. If the applicants were interested and met the physical requirements for age and size, they were then subjected to further screening. If they passed the security checks and evaluations and were still interested, then the recruits were introduced to the Chief of the Office of Inspections of BNDD. They then learned, for the first time, what job was to be offered to them.

If the applicant was acceptable to BNDD, the CIA provided a short course in clandestine trade crafts and the employee was turned over to BNDD. The CIA relinquished all control over and contact with the employee once he entered upon his duties with BNDD.

The CIA recruited a total of 19 agents for BNDD in the period between December 1970 and July 1973, when Director Colby terminated the CIA's participation.

In addition to recruiting an internal security unit for BNDD, the CIA also assigned two of its agents, working under cover of a commercial corporation, to operate for BNDD between January 1972 and the termination of the project in July 1973. They were directed by BNDD and were not under the operational control of the CIA. The CIA did, however, provide for the salary and administrative requirements of the agents, for which the CIA was reimbursed by BNDD.

These activities violated the 1947 Act which prohibits the CIA's participation in law enforcement activities. The Commission therefore concludes that Director Colby was correct in his written directive terminating the project. The Director and the Inspector General should be alert to prevent involvement of the Agency in similar enterprises in the future.

3. The Department of State

For over 20 years, the CIA conducted a training school for foreign police and security officers. The school, operated within the United States under cover of a private commercial corporation, trained foreign police in highly specialized areas of law enforcement. The CIA school offered training in fingerprinting, security, criminal investigation, instruction methods and patrol operations, among others.

The Agency training operation began in 1952 with courses taught in the United States for foreign security personnel. The school was

not very extensive in nature and operated out of a farmhouse in Virginia.

In addition, in 1960 the State Department, operating in cooperation with the CIA, opened a school in the Panama Canal Zone for Latin American police officers. The CIA supplied the faculty while the other costs of the school were borne by the State Department and the Agency for International Development's Office of Public Safety. The school concentrated on teaching security methods and modern techniques of crime solving.

In 1963, the State Department closed its Canal Zone police training school, and the activities carried on there were transferred to the United States. A commercial contractual arrangement for the training service was established with a domestic private corporation which was a CIA front. The relationship between the CIA and the private corporation was unknown to the Administrator of the AID, although the person in charge of the Office of Public Safety apparently knew he was dealing with a CIA proprietary. The school was shut down and the cover corporation disbanded in 1973.

In addition to operating the foreign police school, the CIA provided the faculty for special courses on countermeasures against terrorists—also in cooperation with the AID Office of Public Safety. During the 20-year period of its operation of the police training school and participation in the special courses, the CIA graduated a total of about 5,000 foreign student police officers.

The CIA proprietary corporation was also a licensed firearms and police equipment dealer. The records of the corporation show that its gross sales of police equipment to foreign police officers and police departments varied from between a low of about \$6,000 in one year to a high of \$48,000 in another year. Most of the sales, according to the CIA officer in charge of the program, were to the students enrolled in the course who purchased police equipment upon completing their training.

The Commission has concluded that providing educational programs for foreign police was not improper under the Agency's statute. Although the schools were conducted within the United States through a CIA proprietary, they had no other significant domestic impact.

Engaging in the firearms business was a questionable activity for a government intelligence agency. It should not be repeated.

4. Funding Requests from Other Federal Agencies

On at least one occasion, the CIA was requested to fund a project having no intelligence relationship, apparently because its inclusion in the CIA's secret budget provided an opportunity to hide the expenditures.

In the spring of 1970, the CIA was requested by members of the White House staff to contribute funds for payment of stationery and postage for replies to persons who wrote President Nixon after he initiated the invasion of Cambodia. Although CIA officials at first expressed reluctance to use CIA funds for this purpose, the Agency eventually forwarded two checks totaling \$33,655.68 to the White House to reimburse its costs. Because of the unique CIA budgetary scheme, no one other than the CIA's internal Audit Staff ever reviewed this unusual expenditure.

This use of CIA funds for a purpose unrelated to intelligence is improper. Steps should be taken to ensure against repetition of this incident.

B. State and Local Police

The primary point of contact between the CIA and state and local law enforcement agencies is, and historically has been, through the Office of Security. Personnel security matters, such as the arrest of Agency employees for criminal offenses, the involvement of employees in automobile accidents, and police assistance requested by employees to resolve such personal problems as burglaries of their belongings, provide the most frequent reasons for CIA dealings with police agencies.

The Agency's closest contacts have been with police departments in the Washington, D.C., metropolitan area—particularly with the Washington Metropolitan Police Department, because of the wide range of CIA activities carried on in Washington—and the Fairfax County, Virginia, Police Department, because of the physical presence of CIA Headquarters within that county. Liaison with other surrounding suburban police departments has been maintained to a lesser extent. Moreover, CIA historically has maintained limited contacts with a large number of state and local police departments throughout the country, some on an *ad hoc* basis and others on a continuing basis.

In addition to its ordinary liaison activities, the CIA has on occasion provided other assistance to state and local law enforcement agencies. It has also received significant assistance from such agencies. The following are examples.

1. Assistance Given to State and Local Police

Since 1966, the Office of Security has conducted or arranged for a number of briefings, demonstrations, seminars and training courses for representatives of various police departments throughout the United States. These sessions were generally conducted at facilities operated by the Agency in the Washington, D.C., area. Most of the

courses lasted a day or two and covered such subjects as declassification of materials, foreign weapons, counter-audio measures, explosive devices and detection techniques, basic theories of intelligence and clandestine collection methodology. However, one course in lock-picking, photography (including covert photography, telephotography and photoanalysis) and positive surveillance (both physical and audio) lasted approximately three weeks. This course was given on at least four separate occasions in 1968 and 1969.

Director Helms supported and approved all of these training programs. All, however, were terminated in 1973 upon the passage of an amendment to the Omnibus Crime Control and Safe Streets Act, which prohibits CIA assistance to the Law Enforcement Assistance Administration and evidences congressional disapproval of direct CIA assistance to state and local police departments in general.

Since its inception, the CIA has had a policy against providing assistance in the form of Agency personnel to state and local law enforcement agencies for police-related activities. However, there have been some deviations from that general rule.

On at least three occasions between 1969 and 1971,¹ the Office of Security provided several men and radio-equipped vehicles to the Washington Metropolitan Police Department to assist the police in monitoring crowds during anti-war demonstrations. Such assistance was rendered at the request of an officer of the police department.

In December of 1970, CIA was asked to provide (and did provide) an Arabic interpreter to the Fairfax County Police Department in connection with a homicide investigation. In addition to interpreting, this CIA officer agreed to assist in the actual investigation by pretending to be another police officer in the hope that he might overhear conversations in Arabic carried on by prospective witnesses being confronted by the police. He was provided police identification, including a badge and service revolver, to aid in this investigation.

In 1972, the CIA assisted the Washington Metropolitan Police Department on an actual police surveillance. In the course of a surveillance training exercise for Metropolitan Police personnel, a police informer suspected by the Washington police of having engaged in improper activities was surveilled without her knowledge. Nine CIA agents and six Agency automobiles were utilized in the operation.

The Commission has discovered no other instances where the CIA has provided manpower to any state or local police departments to assist in operations which were of a law-enforcement nature.

The Office of Security has sometimes loaned electronics gear and other equipment (including photographic and riot control equipment)

¹ The 1969 Presidential Inauguration, the anti-war moratorium demonstrations in November 1969, and the 1971 May Day Demonstrations.

to police departments for training or for use in police operations. In addition, the CIA has, on at least one occasion, assisted local police in installing an electronic listening device for use in an actual police operation. Once in the late 1960's, small quantities of explosives were given to the Fairfax County Police Department for use in training dogs to locate explosives.

Other miscellaneous assistance rendered by the CIA to state and local law enforcement agencies includes providing police with technical advice, alias documentation, laboratory assistance, and access to certain CIA facilities for highly sensitive police operations. Further details appear in Appendix VII.

2. Assistance Received from State and Local Police

The CIA receives a great deal of routine assistance from state and local law enforcement agencies, primarily from police departments in the Washington metropolitan area. Examples of such assistance include name checks to determine whether CIA applicants for employment have criminal records, checks to determine the registered owners of vehicles with known license tags, forwarding information concerning planned activities or demonstrations directed against CIA facilities, and providing police protection for CIA facilities located within a local police department's jurisdiction. The CIA has received this type of assistance for many years. It is generally the same assistance that state and local police give to all government agencies.

Because of the extraordinary security precautions exercised by the CIA, it has also made arrangements with state and local police, in all areas of the country where it maintains facilities, to be notified of the arrest of any CIA employee. The CIA uses this information only for preventing breaches of security; there is no evidence suggesting that CIA has ever attempted to intervene in a police investigation concerning one of its own employees.

Only one instance has been discovered where local police actively participated in a CIA operation. In 1971, three police officers from the Fairfax City Police Department accompanied Office of Security personnel while they surreptitiously entered a business establishment in Fairfax, at night, without a warrant, to photograph some papers. (This investigation is among those discussed in Chapter 13.)

The CIA has sometimes received permission from local police authorities to use their facilities or personnel in activities not related to actual CIA operations. For example, between 1951 and 1955, the CIA received some assistance—in the form of manpower—from a number of state police departments. Since the CIA was rapidly expanding at that time, and since it was therefore unable to conduct all of the necessary security background investigations of prospective CIA personnel,

the police from several states agreed to conduct these investigations for the Agency. The state police forces of Colorado, Connecticut, Florida, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio and Washington conducted approximately 341 investigations during this period.

In 1969, arrangements were made with the Washington Metropolitan Police Department to allow the CIA to conduct certain training exercises using police facilities and personnel. These exercises involved the contrived "arrest" of CIA trainees by a Washington police officer and the lengthy interrogation of those trainees at Washington Police Headquarters by Office of Security personnel. The object of the training was to determine whether CIA trainees, scheduled for covert assignments overseas, would "break" when placed under such pressures—and to give them experiences similar to those which they might be expected to encounter on their assignments.

Approximately four such training exercises—each involving four or five trainees—were conducted through 1974. On at least one occasion several years ago, a similar training exercise was conducted in cooperation with the Fairfax County Police Department.

The CIA has occasionally obtained badges and other identification from local police for the purpose of maintaining cover during CIA operations. Such "cover" has been obtained from police departments in Washington, D.C., Fairfax County (Virginia), and New York City, among others. The evidence before this Commission has shown that the CIA's use of "police cover" has been extremely limited, and we have found no evidence of abuse. (For more detail, see Appendix VII.)

Except for the one occasion when some local police assisted the CIA in an unauthorized entry, the assistance received by the CIA from state and local law enforcement authorities was proper. The use of police identification as a means of providing cover, while not strictly speaking a violation of the Agency's statutory authority as long as no police function is performed, is a practice subject to misunderstanding and should be avoided.

3. Gifts and Gratuities Given to Local Police Officials

For several years, it has been the practice of the Office of Security to offer gratuities to police officials who have been of particular assistance to the CIA. Gratuities have ranged from candy, liquor and twenty-five dollar gift certificates at Christmas, to providing free transportation for vacationing police officials at costs up to eight hundred dollars.

In 1971 the Office of Security made a gift to the police department of Lewes, Delaware, of some radios, flashlights, mace, ammunition and other items in recognition of police assistance to Director Helms,

a summer resident of Lewes, whose life was believed to be in danger at the time. In addition, the Office has on several occasions given retirement gifts to local police officials who have been particularly helpful to the Agency. On several occasions, police officials have been flown to a CIA training facility in southern Virginia for an all expenses paid weekend of relaxation and entertainment.

Most of the gifts and gratuities given to local police officials by the Office of Security were paid for out of a confidential fund made available to the Director of Security for his own miscellaneous use. Expenditures from this fund did not require the approval of any higher authority.

The primary purpose of such "courtesies" to officials of state and local police departments was to recognize the cooperation which those officials or their departments had given the CIA. There is no evidence that any gratuities given to local police officials and paid for out of CIA funds were conditioned upon the recipient's providing the Office of Security with any particular assistance.

Conclusions

In general, the coordination and cooperation between state and local law enforcement agencies and the CIA (primarily the Office of Security) has been excellent. Both the Agency and local police officials have given assistance to each other in a spirit of cooperation based upon a desire to facilitate their respective legitimate aims and goals.

Most of the assistance rendered to state and local law enforcement agencies by the CIA has been no more than an effort to share with law enforcement authorities the benefits of new methods, techniques and equipment developed or used by the Agency. In compliance with the spirit of a recent act of Congress, the CIA, in 1973, terminated all but routine assistance to state and local law enforcement agencies. In view of these recent statutory changes, assistance is now being provided to state and local agencies by the FBI. There is no impropriety in the CIA's furnishing information concerning new techniques and developments to the FBI.

On a few occasions, the Agency has allowed its employees to become involved in actual police investigations. In spite of these lapses, however, the Agency has generally been careful to avoid operations which might be considered police or law enforcement activities.

The assistance received by the CIA from state and local law enforcement authorities did not involve the Agency in any improprieties. However, any practice of giving gratuities to cooperative police officials should be terminated.