

THE FBI AND PUERTO RICO: NOTES ON A CONFLICTIVE HISTORY

Testimony before the Congressional Briefing
Held by the Judiciary Committee Democratic Office, U.S. House of Representatives

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In recent months, the actions of the Federal Bureau of Investigation in Puerto Rico have received increased attention. The media in San Juan, Puerto Rico, New York City, and other areas have reported about the circumstances in which Puerto Rican patriot Filiberto Ojeda Ríos bled to death during an FBI operation on September 23, 2005. While the official FBI version is that Mr. Ojeda Ríos initiated the shooting as agents approached the house, witnesses in the area claim the opposite: that the FBI agents opened fire as they entered the property. The circumstances were suspicious enough to compel the Governor of Puerto Rico to express concern and the Puerto Rico Justice Department to investigate the matter. The popular expressions of mourning, by broad sectors of the Puerto Rican society during the following days and weeks, are something that should not be underestimated.

More recently, the media reported on what has been widely perceived as **an abusive use of force against bystanders and members of the press** during raids

conducted by the FBI on February 10, 2006 in San Juan and other parts of the Island.

In light of these recent events, one may ask: **Why is the relationship between the FBI and so many important sectors of the government and the people of Puerto Rico in such a tense and conflictive situation?** In order to understand these tensions, it is necessary to take a look at the history of that agency in Puerto Rico. Given that during the last several years I have concentrated my research efforts on the Politics of Human Rights in the Puerto Rican Context, I have been able to examine and analyze thousands of documents that illustrate important aspects of the interactions between the different sectors that have criticized U.S. colonial rule in Puerto Rico and the Federal Bureau of Investigation (FBI).

The presence in Puerto Rico of Special Agents of the U.S. Department of Justice can be traced back to even the first decades of the twentieth century. However, it was not until the 1930s that the Bureau established a regular and permanent presence on the Island. There are documents that show that in 1936, for instance, the FBI conducted a detailed investigation of the activities of the Puerto Rico Nationalist Party, including a census of its leaders, publications, and members throughout the Island. **[see document labeled 1936]**

The FBI in Puerto Rico was not only concerned with the Nationalist Party. It is clear that anyone that at some point had criticized or expressed dissatisfaction with the U.S. colonial rule in Puerto Rico was a candidate for surveillance and persecution.

The FBI files on Luis Muñoz Marín, the first elected governor of Puerto Rico and the founder of the Popular Democratic Party and the Commonwealth of Puerto Rico, show how even pro-American leaders were the target of surveillance. Since in the 1930s Muñoz Marín had supported independence and requested the liberation of Nationalist political prisoners, in the early 1940s, when he was already the President of the Puerto Rican Senate, the FBI was still keeping track of his movements and even labeled him a subversive and “a communist.”

In a 1943 document, for instance, this is how the FBI characterized Muñoz Marín, at the moment president of the Puerto Rico Senate, based on reports from what they called “reliable informants:”

Jose Luis Munoz Marin, president of Puerto Rico Senate, alleged to have used Communist Party principles and leaders to gain political power during elections of 1940, since then, for practical reasons, has not aligned himself with Communists. Described by reliable informants to be intellectual with bad case of “Puerto Rican inferiority complex,” which results in anti-American tendencies. He is not considered dangerous to point of acts against United States. Is known to be personally completely irresponsible; reported by reliable informants to be heavy drinker and narcotics addict. [see document labeled 1943]

The FBI Files on Puerto Ricans

The two documents mentioned above come from a large batch of files released by the FBI thanks to a request made by Congressman José Serrano in the year 2000. Mr. Serrano raised the issue with FBI Director Louis J. Freeh during a hearing before a subcommittee of the House Appropriations Committee. The FBI Director not only admitted the involvement of the agency in previous abuses but also subsequently appointed a task force that has identified a large number of documents (up to 1.8 million pages, according to some estimates) related to Puerto Ricans. Boxes with thousands of documents began arriving to Congressman Serrano's office by mid May 2000 and since the summer of 2000 Mr. Serrano has been sending those files to the Center for Puerto Rican Studies where a team that I lead works sorting them, indexing the contents, and making them accessible to the general public for educational uses. Here are some of the characteristics of these documents.

- As of March 2006, we have received **over 157,000 pages**: the files belong to 18 Puerto Rican organizations, two individuals (Pedro Albizu Campos and Luis Muñoz Marín), and one program (COINTELPRO).
- The files cover **over sixty years of surveillance** of Puerto Rican organizations and individuals. The oldest document contained in the files is from 1936, the most recent is dated 1995.

- Of the files released so far by the FBI to Congressman Serrano, **over 95% involve legal organizations engaging in political activities in the open and exercising rights guaranteed by the First Amendment of the US Constitution, and the Constitution of Puerto Rico.**

Clearly, this is not about violent organizations, or clandestine organizations; it is about people who have expressed dissent, who have criticized colonialism in Puerto Rico. It has to do with a pattern of political intolerance and persecution. One of the manifestations of that pattern was the establishment in Puerto Rico of a vast system of secret police files that included thousands of Puerto Ricans (on the Island and in the U.S.). For many decades, those files collected detailed information about the legal political activities of individuals and organizations. Following a series of decisions by the Puerto Rico Supreme Court, the documents were returned to the victims in the 1990s, the government made a public apology, and dozens of victims received monetary compensations for their losses and suffering. The analysis of those documents shows that the FBI was actively involved in this operation. The FBI supplied information for the police files, received information from the files, had regular physical access to the files, and was even responsible for the overall design of the system.

Another key example of this pattern of political intolerance and persecution would be the implementation in Puerto Rico of programs like COINTELPRO.

COINTELPRO & Puerto Rico

The concern that the FBI had engaged on activities typical of a political police has been raised at different points in the history of that agency. During the 1970s, select committees in the US Senate and the US House of Representatives documented numerous abuses and wrongdoing committed by the FBI. One of the areas that received attention by the committees was a series of counter-intelligence operations introduced by the FBI in 1956 under the code name COINTELPRO (*Counter-Intelligence Program*). The various COINTELPRO programs were not devised as simple surveillance activities, but rather **aggressive** operations that intended to **interfere** with the normal activities of the targeted organizations. Evaluating those actions, for instance, a US Senate Commission concluded the following about the programs:

In COINTELPRO the Bureau secretly took the law into its hands, going beyond the collection of intelligence and beyond its law enforcement function to act outside the legal process altogether and to covertly disrupt, discredit and harass groups and individuals [...] In COINTELPRO the Bureau imposed summary punishment, not only on the allegedly violent, but also on the non-violent advocates of change (Amnesty International, 1981).

The Puerto Rican independence movement was chronologically the second target of COINTELPRO. According to declassified FBI documents, the main goal of the COINTELPRO operations against Puerto Rican organizations was to **disrupt** their

work. A memorandum, dated August 4, 1960, from FBI Director J. Edgar Hoover to the Special Agent in Charge at the San Juan Field Office, stated the following:

The Bureau is considering the feasibility of instituting **a program of disruption to be directed against organizations which seek independence for Puerto Rico** through other than lawful, peaceful means. [...]

Because of the increasing boldness apparent in the activities of such organizations, [...] **we must make a more positive effort, not only to curtail, but to disrupt their activities.** (emphasis supplied). [see document labeled 1960a]

During the next ten to twelve years, there were dozens of operations to discredit leaders, create distrust and factionalism, and indeed disrupt the work of legal organizations. Those operations included sabotage and the circulation of rumors, false documents, and cartoons in order to discredit *independentista* leaders. [see document labeled 1960b]

In 1964, after the creation and circulation of a leaflet trying to discredit pro independence leaders, the San Juan office reported to the FBI director that the **“reaction to its distribution was immediate and most gratifying.”** A few lines below, the memorandum explained that, after the letter, *independentista* leader Juan Mari Bras suffered a heart attack. The memo added that, in addition to “strain and overwork” **“the anonymous letter certainly did nothing to ease his tensions”** and **“the organization’s activities had come to a near halt.”** [see document labeled 1964 a, b, c]

Numerous COINTELPRO operations against Puerto Rican organizations took place from 1960 to early 1970s, both in Puerto Rico and in New York and U.S. other cities. From the documents available it is clear that the main targets of the operations were FUPI (a pro-independence university student organization) and the *Movimiento Pro Independencia* (Pro Independence Movement) led by Mari Bras.

It is appropriate to remind this commission that many aspects of the investigation of the assassination of the eldest son of Juan Mari Bras in 1976 have been severely affected by the fact that the FBI has been less than forthcoming in releasing documentation on the case. That lack of cooperation from the FBI has also affected the investigation of another political assassination that took place in Puerto Rico in 1979: that of Carlos Muñoz Varela. Considering the background of excesses and dirty tricks of COINTELPRO, no wonder many persons ask the critical question: **Has the FBI somehow been involved in the execution or the cover up of these political assassinations?**

Before I close, let me emphasize again that over 95% of the documents released by the FBI to Mr. Serrano deal with legal organizations working in the open in ways not too different from other non-*independentista* organizations.

For instance, the FBI kept the Puerto Rican Independence Party (PIP) under surveillance from the mid 1940s (even activities prior to the official founding of

the organization) to at least the mid 1970s. During those decades, the FBI occasionally made a review of the PIP file to determine if there was **“a violation of Federal law over which the Bureau had jurisdiction”** but time after time they found nothing illegal. Still, there are over 9,600 pages on the organization. The documents show how even electoral matters were targeted by the Bureau. The file contains, among other documents, copies of ballots, lists of potential candidates for local elections, names of voters participating in primary elections, and many others. [see documents labeled **1955** and **1972**]

Conclusion

The research that I, and other academics, have conducted shows that there has been **a pattern of political persecution and intolerance** directed against those sectors that have criticized U.S. colonial rule in Puerto Rico. This pattern of intolerance and persecution started shortly after the United States occupation of Puerto Rico in 1898.

It is important to emphasize that it also extended to the Puerto Rican communities here in the United States as soon as Puerto Rican activists started expressing dissatisfaction with the colonial reality in Puerto Rico or engaging in campaigns for the recognition of their political rights.

Throughout the twentieth century, the FBI and other US agencies implemented a policy of criminalization of the pro-independence movement and its followers; it propagated the ideology that being *independentista* was a criminal activity. In one way or another, political persecution has reached large sectors of the Puerto Rican population, not only by repression or persecution of anti-colonial activists, but also by attempts to prevent other sectors from taking anti-colonial positions.

When taken as a whole, it is clear that the diversity of repressive practices implemented since 1898 against Puerto Rican anti-colonial activists have attempted to eradicate dissent and to promote acquiescence and have tended to generate a culture of fear. With deep, one century old roots, that culture of fear still survives. Its full eradication would require a strong determination of the Puerto Rican people to affirm and defend key political, civil, and human rights as well as the will of the United States government to respect those rights. Nothing less would be able to protect all involved sectors from the ghosts of political violence and conflict that so easily can degenerate into painful and costly terrorism.

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