CrimethInc.
Bounty Hunters & Child Predators
Inside the FBI Entrapment Strategy
2012

Retrieved on 9th September 2020 from
https://archive.org/details/BountyHuntersChildPredators

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lessly and urging him to be cautious about trusting anyone who solicits his participation in illegal activity. A ten-minute conversation like this might save years of heartache and prisoner support later on. To learn more about federal repression and how to stop it: *crimethinc.com*

Appendix: Protecting Ourselves, Protecting Each Other

Never undertake or discuss illegal activity with people you haven't known and trusted for a long time. Don't trust people just because other people trust them or because they are in influential positions. Don't let others talk you into tactics you're not comfortable with or ready for. Be aware that anything you say may come back to haunt you, even if you don't mean it. Always listen to your instincts; if someone seems pushy or too eager to help you with something, take some time to think about the situation. Reflect on the motivations of those around you—do they make sense? Get to know your comrades' families and friends.

These practices are sensible, but insufficient; we can't only think of security individualistically. Even if 99 out of 100 are able to avoid getting framed, when agents provocateurs manage to entrap the 100 th one we still end up all paying the price. We need a security culture that can protect others as well, including vulnerable and marginal participants in radical spaces who may be particularly appetizing targets to federal bounty hunters. In addition to looking out for yourself, keep an eye on others who may put themselves at risk.

For example, imagine that you attend a presentation, and one person in the audience keeps asking crazy questions and demanding that people escalate their tactics. It's possible that this person is an agent provocateur; it's also possible that he's not an agent, but a hothead that might make a very attractive target for agents. Such individuals are typically shunned, which only makes them more vulnerable to agents: "Screw these squares—stick with me and we'll really do something!" Someone who has nothing to lose should approach this person in a low-stress environment and emphasize the importance of proper security culture, describing the risks that one ex- poses himself and others to by speaking so care-

Perhaps, gentle reader, you've never been part of a social body targeted by the US government. Imagine undercover agents infiltrating your community with the intention of setting people up to be framed for illegal activity. Most of your friends and family would have the sense to keep themselves out of trouble, of course—but can you be absolutely sure everyone would?

What if someone fell in love with the agent and was desperate to impress him or her, and the agent took advantage of this? Every community has people in it that may sometimes be gullible or vulnerable, who may not display the best judgment at all times. And what if the agent provocateur is a person everyone trusts and looks up to? Government agents aren't always outsiders—the FBI often recruit or blackmail long-time participants, or even well-known leaders.

Perhaps you're still saying to yourself "It would never happen—all of us are law-abiding citizens." Sure you are, every last one of you. The US has 2.3 million people in prison, and over 5 million more on probation and parole—if there isn't a single person in your whole community who has ever broken a law, you're exceptional, and probably exceptionally privileged. Anyway, it doesn't matter—your unfortunate friend or neighbor doesn't even have to do anything illegal to get framed by the government. He just has to end up in a situation in which it's possible to make it appear that he could have considered doing something illegal.

Often the evidence is so tenuous that it takes the government multiple attempts to obtain a conviction. In an entrapment case resulting from the protests against the 2008 Republican National Convention, defendant David McKay received a hung jury at trial, only to be coerced into pleading guilty afterward behind closed doors. In another entrapment case, it took two hung juries before a third jury finally convicted some of the defendants—prompting a law professor quoted by the New York Times to say, "It goes to show that if you try it enough times, you'll eventually find a jury that will convict on very little evidence."

Agents provocateurs pick on the most vulnerable people they can find: the lonely, the trusting, the mentally or emotionally unstable, people who lack close friendships or life experience. This is easier than messing with shrewd, well-connected organizers. The point is not to catch those who are actually involved in ongoing resistance, so much as to discredit resistance movements by framing somebody, anybody, as a dangerous terrorist. If this means destroying the life of a person who never would have actually harmed anyone, so be it—honest, compassionate people don't become infiltrators in the first place.

This is not to blame the victims of entrapment. We all have moments of weakness. The guilt lies on those who prey on others' weakness for their own gain.

The Latest Trend in Repression

Not so long ago, it seemed that the FBI focused on pursuing accomplished anarchists: Marie Mason and Daniel McGowan were both arrested after lengthy careers involving everything from supporting survivors of domestic violence to ecologically-minded arson. It isn't surprising that the security apparatus of the state targeted them: they were threatening the inequalities and injustices the state is founded upon. However, starting with the entrapment case of Eric McDavid—framed for a single conspiracy charge by an infiltrator who used his attraction to her to manipulate him into discussing illegal actions[1] —the FBI appeared to switch strategies, focusing on younger targets who hadn't actually carried out any actions.

They stepped up this new strategy during the 2008 Republican National Convention, at which FBI informants Brandon Darby and

[1] Afterwards, Elle Magazine quoted regretful jurors as saying "the FBI was an embarrassment" and "I hope he gets a new trial." He is serving a 20-year sentence and has not been granted a new trial.

- use these arrests to delegitimize all but the most docile, and to justify ever-increasing police violence.

What Comes Next

We can expect more and more of these unsportsmanlike entrapments in the years to come. In the aforementioned Fox News article—"The Men in Black with a Violent Agenda"—the authorities explicitly announced that there are to be more "sting operations" at the 2012 Republican National Convention in Tampa. For decades now, movements have defended themselves against surveillance and infiltration by practicing security culture. This has minimized the effectiveness of police operations against experienced activists, but it can't always protect those who are new to anarchism or activism, who haven't had time to internalize complex habits and practices—and these are exactly the people that the FBI entrapment strategy targets. In a time of widespread social ferment, even the most collectively-oriented security culture is not sufficient to thwart the FBI: we can't hope to reach and protect every single desperate, angry, and vulnerable person in our society. Infiltrators need only find one impressionable young person, however peripheral, to advance their strategy. These are inhuman bounty hunters: they don't balk at taking advantage of any weakness, any need, any mental health issue. If we are to protect the next generation of young people from these predators, our only hope is to mobilize a popular reaction against entrapment tactics. Only a blow- back against the FBI themselves can halt this strategy. Withdrawing, hiding, and behaving won't stop them from entrapping people. Retreating will only embolden them: we can only protect ourselves by increasing our power to fight back.

avowing everyone who didn't affirm their narrow tactical framework. Journalists like Chris Hedges, author of "The Cancer in Occupy," took this further by framing the "black bloc" as a kind of people rather than a tactic. Hedges led the charge to consign those who actively defended themselves against state repression to this fabricated political category—in effect, designating them legitimate targets. It's no coincidence that entrapment cases followed soon after.

The authorities swiftly took up this narrative. In a subsequent Fox News article advancing the FBI agenda, the authorities parroted Chris Hedges' talking points— "they use the Occupy Movement as a front, but have their own violent agenda"—in order to frame the black bloc as a "home-grown terror group." The article also described the Cleveland arrestees as "Black Bloc anarchists," without evidence that any of them had ever participated in a black bloc.

The goal here was clearly to associate a form of activity—acting anonymously, defending oneself against police attacks—with a kind of people: terrorists, evildoers, monsters. This is a high priority for the authorities: they were able to crush the Occupy movement much more quickly, at least relative to its numbers, in cities where people did not act anonymously and defend themselves—hence Occupy Oakland's longevity compared to other Occupy groups. The aim of the FBI and corporate media, with the collusion of Chris Hedges and others, is to ensure that when people see a masked crowd that refuses to kowtow to coercive authority, they don't think, "Good for them for standing up for themselves," but rather, "Oh no—a bunch of terrorist bombers."

To recapitulate the FBI strategy:

- divide and conquer the movement by isolating the most combative participants
- stage-manage entrapments of vulnerable targets at the periphery

Andrew Darst set up David McKay, Bradley Crowder, and Matthew DePalma on charges of possessing Molotov cocktails in two separate incidents[2] . It's important to note that the only Molotov cocktails that figured in the RNC protests at any point were the ones used to entrap these young men: the FBI were not responding to a threat, but inventing one.

At the end of April 2012, the FBI shifted into high gear with this approach. Immediately before May Day, five young men were set up on terrorism charges in Cleve- land after an FBI infiltrator apparently guided them into planning to bomb a bridge, in what would have been the only such bombing carried out by anarchists in living memory. During the protests against the NATO summit in Chicago, three young men were arrested and charged with terrorist conspiracy once again involving the only Molotov cocktails within hundreds of miles, set up by at least two FBI informants. None of the targets of these entrapment cases seem to be longtime anarchist organizers. None of the crimes they're being charged with are representative of the tactics that anarchists have actually used over the past decade. All of the cases rest on the efforts of FBI informants to manufacture conspiracies. All of the arrests have taken place immediately before mass mobilizations, enabling the authorities to frame a narrative justifying their crackdowns on protest as thwarting terrorism. And in all of these cases, the defendants have been described as anarchists in the legal paperwork filed against them, setting precedents for criminalizing anarchism.

[2] DePalma was approached by Darst, a federal infiltrator posing as a member of the RNC Welcoming Committee, a group planning protests against the Republican National Convention. Darst persuaded DePalma to assist him in manufacturing explosives, recorded conversations with him in a wired apartment, and drove him around to do research and purchase supplies; Darst ultimately pleaded guilty to felony charges for possession of "unregistered firearms." The tragic story of Darby's entrapment of McKay and Crowder has been widely publicized, including in the PBS documentary Better This World.

Why Entrapment? Why Now?

Why is the FBI focusing on entrapping inexperienced young people rather than seasoned anarchists? Isn't that just plain bad sportsmanship? And why are they intensifying this now?

For one thing, experienced activists are harder to catch. Unlike anarchists, FBI agents work for money, not necessarily out of passion or conviction. Their reports often read like second-rate homework assignments even as they wreck people's lives. Agents get funding and promotions based on successful cases, so they have an incentive to set people up; but why go after challenging targets? Why not pick the most marginal, the most vulnerable, the most isolated? If the goal is simply to frame some- body, it doesn't really matter who the target is Likewise, the tactics anarchists have actually been using are likely to be more popular with the general public than the tactics infiltrators push them towards. Smashing bank windows, for example, may be illegal, but it is increasingly understood as a meaningful political statement; it would be difficult to build a convincing terrorism case around broken glass.

Well-known activists also have much broader support networks. The FBI threatened Daniel McGowan with a mandatory life sentence plus 335 years in prison; wide- spread support enabled him to obtain a good lawyer, and the prosecution had to settle for a plea bargain for a seven-year sentence or else admit to engaging in illegal wiretapping. Going after disconnected young people dramatically decreases the re- sources that will be mobilized to support them. If the point is to set precedents that criminalize anarchism while producing the minimum blowback, then it is easier to manufacture "terror" cases by means of agents provocateurs than to investigate actual anarchist activity.

Above all, this kind of proactive threat-creation enables FBI agents to prepare make-to-order media events. If a protest is coming up at which the authorities anticipate using brutal force, it helps to be able to spin the story in advance as a necessary,

measured response to violent criminals. This also sows the seeds of distrust among activists, and intimidates newcomers and fence-sitters out of having anything to do with anarchists. The long-range project, presumably choreographed by FBI leader- ship rather than rank-and-file agents, is not just to frame a few unfortunate arrestees, but thus to hamstring the entire anti-capitalist movement.

> "The individuals we charged are not peaceful protesters, they are domestic terrorists. The charges we bring today are not indicative of a protest movement that has been targeted."
>
> – Illinois state attorney Anita Alvarez, quoted in the New York Times

How to Destroy a Movement

FBI repression often does not begin in earnest until a movement has begun to fracture and subside, diminishing the targets' support base. The life cycle of movements passes ever faster in our hypermediatized era; the Occupy phenomenon that peaked in November 2011 and had slowed down by April 2012, emboldening the authorities to consolidate control and take revenge.

As anarchist values and practices become increasingly central to protest movements, the authorities are anxious to incapacitate and delegitimize anarchists. Yet in this context, it's still inconvenient to admit to targeting people for anarchism alone— that could spread the wrong narrative, rallying outrage against transparently political persecution. Likewise, they dare not initiate repression without a narrative portraying the targets as alien to the rest of the movement, even if that repression is calculated to destroy the movement itself.

Fortunately for the FBI, a few advocates of "nonviolence" within the Occupy movement were happy to provide this narrative, dis-