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“Meet the Burglars Who Outsmarted Hoover's FBI”

By David J. Garrow

THE BURGLARY The Discovery of J. Edgar Hoover's Secret FBI

By Betty Medsger Knopf. 596 pp. \$29.95

On Saturday morning, March 6, 1971, Haverford College physics professor Bill Davidon and two fellow anti-Vietnam-War activists were welcomed to the White House for a 75-minute conversation with President Richard Nixon's national security adviser, Henry Kissinger. The appointment was especially incongruous because less than two months earlier, Davidon was named as an unindicted co-conspirator by a federal grand jury, which alleged that six peace activists, most of them Catholic, had plotted to kidnap Kissinger to protest his role in directing the war effort. Kissinger made light of the supposed scheme, joking that "sex-starved nuns" must be after him, then apologized for his poor taste.

The private Saturday conversation received no immediate press coverage, but six days later Kissinger told Washington Post reporter Betty Medsger that "it was very pleasant," and Davidon commended Kissinger as "an excellent listener."

One thing Davidon did not tell Kissinger during their meeting was that since December, he had been organizing a real plot aimed at unmasking the FBI's unconstitutional surveillance of American citizens by stealing the bureau's secret files - the story told by Medsger in her rich and valuable new book, "The Burglary." Davidon hurried back to Pennsylvania directly from the White House because he and seven colleagues had scheduled their break-in at a small FBI office in the Philadelphia suburbs for that Monday night.

Davidon and some of his recruits, such as Temple University religion professor John Raines, had already surreptitiously taken part in nighttime raids to seize draft boards' files and thus impede the Selective Service System, but Davidon alone had envisioned adding a new target in the hope of documenting war protesters' belief that FBI agents were spending more time surveilling them than chasing criminals.

Davidon's group had quietly cased the FBI resident agency in Media, Pa., for weeks. Located on the second floor of a four-story apartment building directly across the street from the imposing Delaware County courthouse, the office housed five agents, none of whom ever worked past 5 p.m., the plotters learned. Pretending to be a local college student, Raines's wife, Bonnie, arranged to interview the senior resident agent and observed that the office lacked an alarm system and had two exterior doors, one blocked by a large file cabinet and a second with only one lock.

One young plotter, Keith Forsyth, had worked on his lock-picking skills, and the group chose Monday, March 8, for their burglary in the belief that that night's Muhammad Ali-Joe Frazier championship boxing match would keep the building's residents and the courthouse's security guard pinned to their televisions and radios.

Only when Forsyth got to the FBI office's front door that evening did he realize that it now had two locks, one of which was far too complex for his correspondence-course skill level. He retreated to the nearby motel room Davidon had rented as the group's base of operations and questioned Bonnie Raines about what she remembered of the obstructed second door. Davidon's "calmness and courage" during those tense moments kept the group from abandoning their plot, she remembered. "Without his spirit, we wouldn't have done it."

Armed with a crowbar and a tire jack bar, Forsyth headed back to the apartment building, worried that some resident might happen upon him in the open hallway as he popped a deadbolt lock and then slowly wedged back both the door and the file cabinet that stood behind it.

Then four other members of the team, each wearing rubber gloves and carrying two large suitcases, arrived and used screwdrivers to force open locked file cabinets, removing every single document in the office. Once the suitcases were packed, two cars pulled up, the bags were loaded, and off they went to a rural cabin Davidon had borrowed for several weeks from a friend. There the group stayed up all night, reading and sorting the thousands of documents they had purloined.

Within an hour, Davidon's group came upon just the sort of revelatory FBI memo they had hoped to find. In a September 1970 report on the New Left, one Philadelphia agent told his colleagues that increased pressure on such activists "will enhance the paranoia endemic in these circles and will further serve to get the point across there is an FBI agent behind every mailbox."

"In that moment," Medsger writes in her sprawling and sometimes emotionally compelling account, the eight conspirators "knew that whatever would happen to them as a result of what they had done this night - arrest, trial, time in prison - the risk had been worthwhile."

The next morning, as Davidon, Raines and the others carefully resumed their daily routines, Assistant Attorney General and future chief justice William H. Rehnquist testified to a Senate subcommittee that "self-discipline on the part of the executive branch will provide an answer to virtually all of the legitimate complaints against excesses of information gathering" that critics were voicing about the Nixon administration. False claims such as that were precisely what Davidon and his colleagues wanted to explode with the best evidence possible, and after Davidon and Raines spent quiet Sundays at their departmental copy machines, five sets of the 14 most explosive memos were mailed by "Liberty Publications" to two liberal members of Congress and writers at three leading national newspapers.

Four of the recipients quickly handed the packages over to the FBI. Only Medsger chose differently and quickly drafted a story. In phone calls, Attorney General John Mitchell tried to bully Post editors and publisher Katharine Graham into canceling Medsger's story, but Graham approved its publication, and on March 24, 1971, the FBI's "enhance the paranoia" quotation appeared on The Post's front page in an article headlined "Stolen Documents

Describe FBI Surveillance Activities." So began the collapse of FBI Director J. Edgar Hoover's surveillance empire, a collapse that became complete several years later after a Senate select committee fully plumbed the unconstitutional depths of the Counterintelligence Program - COINTELPRO - and other equally indefensible FBI abuses of power.

Much to the burglars' surprise, the FBI's intensive effort to identify the perpetrators never homed in on them; instead, agents ineptly targeted other activists who had had nothing to do with the break-in. Only now, with the publication of Medsger's book, years after the statute of limitations for their crimes expired, have five of the eight burglars stepped forward. One explained to Medsger that "it was a funny thing to be in a situation where you have done something that was against the law and yet you are proud of it" - and rightly so.

Davidon died at age 86 last November, but his daughter Sarah Davidon Hoover correctly voiced the most important lesson from her father and his friends' courageous contribution to American liberty: "Pretty typical people can do atypical things and make a difference." As Edward Snowden might add, "Yes we can!"

David J. Garrow is the author of "The FBI and Martin Luther King, Jr." and the Pulitzer Prize-winning "Bearing the Cross."