

2012

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Recommended Citation

Flores, Paul (2012) "To Protect and To Serve: Effects of the Relationship Between the Brown Berets and Law Enforcement," *History in the Making*: Vol. 5 , Article 6.

Available at: <https://scholarworks.lib.csusb.edu/history-in-the-making/vol5/iss1/6>

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To Protect and To Serve: Effects of the Relationship Between the Brown Berets and Law Enforcement

By Paul Flores

Abstract: During the late 1960s and into the early 1970s the Brown Berets were heavily involved in the Chicano Movement. They formed as a group of students with the goal of reforming the inequalities Hispanic people faced within the Los Angeles school system, though the greater circumstances quickly led the Brown Berets into the direction of being a militant organization with their focus shifting to police brutality and the Vietnam War. As a result of this shift they became an enemy of the local police and later the federal government. Thus, the Berets adopted the motto, "To Serve, Observe, and Protect," which they consciously chose as it was extremely similar to the motto of the LAPD (To Protect and To Serve). Using this motto indicated that the Berets believed they were, or should have been, the police of the community. Both the Berets and the Los Angeles police department engaged in what can be called a war of words, in order to discredit one another. Protests, marches, and violence would result from this widening rift between the young militant Chicanos and the local police. The research gathered and presented in this paper allows one to dissect the effects of this hateful relationship and conclude that police harassment, brutality, and infiltration ultimately contributed to the collapse of the Berets, but not before it helped propel the overall Chicano movement. This study not only highlights the negative relationship between the Brown Berets of East Los Angeles, and the Los Angeles Police Department (LAPD), but also the tensions between the Berets and the Los Angeles County Sheriff's Department, as well as with the federal government, as the movement gained momentum. These relationships will all be examined within the context of police and legal harassment, brutality, and infiltration tactics put into practice by these institutions against the Chicanos.

Introduction

The late 1960s and early 1970s in American history produced many social changes, which proved intense. These years witnessed hundreds of riots, increased United States involvement in Vietnam and a changing of political parties in the White House. These years also witnessed the emergence of a Chicano activist organization known as the Brown Berets. The Brown Berets emerged as a militant group, and were part of the Chicano Movement in East Los Angeles. During this time, the *barrio* of East Los Angeles was predominantly populated by Anglos with Spanish surnames, and was the most populous Mexican enclave outside of Mexico City. The Brown Berets emergence in the Chicano movement, as well as their demise a few years later, can both be traced to a variety of sociopolitical interactions between the Chicano minority and the dominant White culture of Los Angeles. Of all these interactions, it appears that the most influential, in the formation and dissolution of the Brown Berets, were those with local and regional law enforcement.

Historiography

Since the Chicano Movement of the late 1960s and early 70s, many scholars have discussed the rapid rise and decline of the movement. The scholarship produced since that time, has come from individuals with a variety of backgrounds, ranging from those who were first hand participants in the events, to those who had no direct involvement in the movement whatsoever. Of these scholars, few have specifically discussed the National Brown Beret Organization of East Los Angeles. The few scholars who have covered the Brown Berets either mention them briefly in larger works or include them as part of the larger movement. Limited as the resources may be on this subject, the work of these scholars has played an important role in helping us better understand the Chicano Movement and the National Brown Beret Organization.

Armando Morales, was one of the first scholars to publish on the subject in 1972. During this time the Brown Berets were still in existence, as the movement had not yet died down. After, Morales' *Ando Sangrando (I am Bleeding)*, the topic did not see

much attention.¹ It was not until Carlos Munoz' *Youth, Identity, Power: The Chicano Movement*, was published in 1989, that a steady influx of scholarship begin to be produced.² It appears that every couple of years following the release Munoz' book, scholarship continued to be published through journal articles and books up until the early 2000s. Some of the major scholars who have published on the Chicano Movement are Carlos Munoz, Marguerite Marin, Ian-Haney Lopez, Ernesto Chavez, Ernesto Vigil, Francisco Rosales, Edward Escobar, and Mario Garcia. Munoz and Vigil were in fact heavily involved in the Chicano Movement.

The scope of this study is to cover the National Brown Beret Organization and how they fed off the police harassment and brutality they experienced. It concludes by discussing the role law enforcement's continued harassment and involvement had in the dissolution of the Brown Berets. In order to illustrate this, many articles and books were relied on to structure this argument with the use of primary sources to legitimize the argument.

Carlos Munoz, a pioneer of the Chicano Student Movement and Professor at the University of California Berkeley, brings not only his scholarship, but his knowledge from first hand experiences to his book, *Youth, Identity, Power: The Chicano Movement*. Munoz illustrates how the identity of the youth began to change from the "Mexican-American" generation to the Chicano identity. In doing so Munoz covers key topics, which provide basic knowledge of the movement and its roots. He also touches on the Brown Berets and their role within the movement allowing the reader to see how they blended into the movement. Munoz does touch on the issues facing the Brown Berets and the Chicano community as a whole while offering insight and analysis into their rise and fall. However, he does not specifically offer that same detailed insight or analysis for the Brown Berets as this study.

Other Scholars such as Marguerite Marin have been able to offer more insight on the Brown Berets. In her book titled, *Social Protest in an Urban Barrio: A Study of the Chicano Movement, 1966-1974*, Marin asserts that the conflict between law

¹ Armando Morales, *Ando Sangrando (I am Bleeding): a Study of Mexican American-police Conflict* (Perspectiva Publications, 1972).

² Carlos Munoz, *Youth, Identity, Power: The Chicano Movement* (New York: Verso, 1989).

enforcement and the Brown Berets influenced the Beret's behavior, ideology and how the group structured itself.³ Although this holds true, and is acknowledged in the following discussion, this article goes in a different direction to analyze how the conflict also played a major role in the Brown Beret's quick rise to prominence and popularity within the community; while also asserting that these conflicts made them visible and gave creditability to their cause. From here they were able to recruit, protest, and grow into a national organization. Marin's perspective looks at how the Brown Berets structured themselves because of these conflicts. She points out how the Brown Beret's did not trust other groups and how that influenced their rigid structure and how it led to their eventual infiltration.

Marin also offers interpretation on the dissolution of the Brown Berets. She touches on the subject of how they were easily infiltrated due to their rigid chain of command and suspicious behavior; however, she does not concentrate on the infiltrators direct actions. This article aims to focus on these actions and how they directly affected the Brown Berets.

Ernesto Chavez attributed the formation of the Brown Berets to the poor educational system in East Los Angeles at the time. He makes this claim in *Mi Raza Primero! Nationalism, Identity, and Insurgency in the Chicano Movement in Los Angeles, 1966-1978*.⁴ In his chapter titled, "Birth of a New Symbol" Chavez explains how the Brown Berets began and disbanded. Chavez describes events such as police brutality and protest in his discussion, but does not offer them as reasons for the Beret's rise to prominence; rather, he suggesting these struggles had the effect of changing the movement from civic-minded individuals to a more radicalized group. He goes on to describe police infiltration and harassment of the Berets, but asserts instead, that the groups dissolution was a result of David Sanchez exceeding his authority and creating quarrels within the organization.

Ian Haney-Lopez is another scholar who focuses less on the Brown Berets and places more attention on the formation of the identity of Chicanos in East Los Angeles. Haney-Lopez places his

³ Marguerite V. Marin, *Social Protest in an Urban Barrio: a Study of the Chicano Movement, 1966-1974* (University Press of America, 1991).

⁴ Erensto Chaves, *Mi Raza Primero! Nationalism, Identity, and Insurgency in the Chicano Movement in Los Angeles, 1966-1978* (Berkeley, University of California Press, 1962).

main argument around two important trials: the East L.A. 13, and the Biltmore 6. These are two significant judicial cases that can help the reader better understand the various effects these trials had on the Chicano Movement and the Brown Berets themselves. Haney-Lopez uses these trials to show the formation of an identity. This article uses these trials not only to show how an identity was being formed, but also how the trials initially gave momentum to the Chicano movement and Brown Berets, while having the opposite effect in the years that followed and in fact played a part in their disbanding.

Another important work is Ernesto B. Vigil's *The Crusade for Justice Chicano Militancy and the Government's War on Dissent*.⁵ Vigil is another individual who was actively involved in the Chicano Movement. He places his attention on Corky Gonzales and the Crusade for Justice out of Denver. However, Vigil does offer insight into law enforcements infiltration tactics and surveillance of the Brown Berets in East Los Angeles as well. Although Vigil does not offer interpretation on how these acts may have contributed to the Brown Berets growth or dissolution, the reader learns about the different law enforcement agencies and special units within these agencies that either monitored or infiltrated the Brown Berets. Through his work we learn of different incidents and accounts that allow us to use primary sources to interpret them.

The scholars listed in this historiography have all made important contributions to the scholarship on the Chicano Movement and the Brown Berets. Some have offered facts and details, while others have given in-depth analysis on certain areas of the movement. Each of their contributions is unique, and equally important to the overall purposes of this research; such as, Haney-Lopez' analysis of the legal system during the movement, and how it helped form an identity, or Vigil's informative facts regarding police infiltration of the Brown Berets. These author's writings are necessary for building a structure in which the true life of the research can live, the primary sources that provide the backbone to the argument. The remainder of this paper will use these two essential elements of research to concentrate exclusively on the Brown Beret's encounters with local, state, and federal law

⁵ Ernesto B. Vigil, *The Crusade for Justice Chicano Militancy and the Government's War on Dissent* (Madison: University of Wisconsin Press, 1999).

enforcement, and the lasting effects these relationships had on the organization.

The Relationship Between The Brown Berets and Law Enforcement

Four components of the relationship between the Brown Berets and law enforcement will now be explored to understand how the Berets were ultimately affected. The first area explored is the police brutality to which Chicano residents of East Los Angeles were subjected. Police brutality occurs when police officers use excessive amounts of force in dealing with an individual or suspect. Cases of police brutality in East Los Angeles during this time had a distinct characteristic. Often the individuals were not guilty of any major crime. In some instances, minor traffic violations were used as provocation to pullover and harass Chicanos. However, it was often the Chicanos who faced charges for assault on a peace officer, or for resisting arrest, after the encounter. Charges for assaulting a peace officer, or resisting arrest, became common during this time. The increase in these charges was partly due to the type of instruction given to officers while being trained at the academy. One former sheriff's deputy stated, "in the sheriff's academy, officers are told that if you ever hit a suspect, or have to strike a person, that person shall be arrested for assaulting a police officer."⁶

The Jesus Dominguez case is a prime example of this brutality. Dominguez let his teenage daughter and son attend a wedding dance with the expectations that his son would call him to pick them up when it was over. Before the dance concluded, it was broken up by the police and Dominguez' son, Mario, called his father notifying him of the circumstances. The elder Dominguez woke his wife and younger son and headed down to the dance with their neighbor to pick up their children. When Dominguez could not find his children, he asked a police officer as to their whereabouts. According to Dominguez the officer responded by saying, "We're not talking to anymore of you dumb Mexicans. Get out of here or we'll run you in."⁷ As a concerned parent, Dominguez asked a second time. Apparently, the officer

⁶ Ian Haney-Lopez, *Racism On Trial The Chicano Fight For Justice* (Cambridge: The Belknap Press of Harvard University Press, 2003), 142.

⁷ "Hung Jury In Second Dominguez Trial," *La Raza*, November 1969.

felt this was out of line and responded by beating Dominguez. After a severe beating that rendered him unrecognizable due to swelling and bruises on his face, he was then arrested for assault on a police officer. Unfortunately, Dominguez' troubles did not end that evening. He was released from police custody on Wednesday, but two days later slipped into a coma because of his head injuries.⁸ In due course, Dominguez stood trial for assault on a police officer, which resulted in a hung jury. However, District Attorney Evelle Younger decided to try Dominguez a second time, and again the result was a hung jury. Not only did the brutal beating take a physical toll on Dominguez' body, but it also took a financial toll because of attorney fees and the time the trials took away from his ability to make a living.

Cases such as Jesus Dominguez' were the ones the Brown Berets were shedding light on and protesting. Subsequently, they became an enemy and target of local law enforcement agencies and later the federal government. It was not until November 24, 1967 that they chose to protest police brutality for the first time. The first protest was in response to the treatment of the Santoya family after a simple call of disturbing the peace.⁹ The Brown Berets would hold three protests at the local courthouse and the East Los Angeles Sheriff's Station between November 24, 1967 and the following January. These protests were held to show law enforcement, and other authorities that Chicanos were tired of the unfair treatment they were receiving, as well as to bring a greater awareness to the Chicano community regarding these issue.

During this two and half month span Chicano underground newspapers, such as *La Raza* also attempted to make the Chicanos aware of the police brutality and increased harassment facing their community. These paper's reports were also able to document the increased harassment the Chicano community experienced as they began to push back. One article noted that many felt the undue harassment was in direct response to the protest.¹⁰ This type of harassment consisted of sheriff deputies routinely shining their floodlights into a local Chicano hangout known as the "La Piranya" coffeehouse. Deputies used this tactic as a form of

⁸ Celia Rodriguez, "The Torture of Dominguez," *Los Angeles Times*.

⁹ *La Raza*, December 25, 1967. Pg. 7. East Los Angeles, CA: County of Los Angeles Public Library Microfilms.

¹⁰ "Sheriffs Harrass Brown Berets," *La Raza Year Book*, 1968. Pg. 29. La Raza Newspaper Collection. UCLA Chicano Studies Research Center.

intimidation as well as to make their presence known. Deputies would also harass anyone who frequented the coffeehouse, which was run by David Sanchez of the Brown Berets. The most common way the harassment took place was to arbitrarily stop these individuals. During these encounters young Chicanos were subjected to questioning and illegal vehicle searches. The Sheriff's Department went so far as raiding *La Piranya* illegally and arresting individuals inside for curfew violations.¹¹

Along with the physical harassment came arrest and subsequently legal harassment as well, which is the second component of the relationship between the Brown Berets and law enforcement that will be examined. Many Brown Berets and leading Chicano activists fell victim to felony charges for conspiracy and assault on a police officer along with many lesser charges. The two cases that highlight this legal harassment best are the "East L.A. 13" case and the "Biltmore 6" case. Both of these cases indicted not only Brown Berets, but other Chicano activists such as Moctesuma Esparza, Sal Castro, Eleazar Risco, and Carlos Munoz to name a few.

Carlos Munoz described the arrest and indictment of the East L.A. 13 in a letter to the editor of *La Raza*,

The Arrest can only be described as a terror tactic
by our honorable law enforcement
representative...the actions by the district attorney
can only be described as an act of fascism, political
intimidation and harassment of innocent citizens
whose only crime is being concerned about the
plight of our people...¹²

The East L.A. 13 were charged with a general disturbing of the peace, as well as a separate charge for disturbing the peace of the schools, both of these charges were upgraded from misdemeanors to felonies by the additional stamp of conspiracy to commit the crimes. Because of the conspiracy charges, each defendant faced

¹¹ "Sheriffs Harrass Brown Berets," *La Raza*, March 1, 1968. Pg. 12. La Raza Newspaper Collection. UCLA Chicano Studies Research Center.

¹² Carlos Munoz, Letters to The Editor, *Chicano Student News*, June 12, 1968. Chicano Student News Newspaper Collection. UCLA Chicano Studies Research Center.

over 60 years in prison.¹³ On top of these charges the defendants were facing a bail that did not fit the crime. According to Sal Castro the bail was \$12,500, which for the time was extremely high and more than twice the amount for assault with a deadly weapon and ten times more than burglary.¹⁴ In the minds of many Chicanos, the punishment and treatment the thirteen faced did not fit the alleged crime.

The Biltmore 6 case was similar to the East L.A. 13 in the legal harassment aspect. Again, numerous Chicano activists were being charged with the crimes they allegedly committed, as well as conspiracy to commit these crimes. Although the jury did not hand down any convictions, the case proved more difficult to defend than the East L.A. 13 for the acclaimed Chicano lawyer Oscar Acosta. The initial trial lasted over two years, and the last member of the six did not stand trial until seven years later when he came out of hiding and surrendered.

Legal harassment kept Chicanos on trial and in the media, which law enforcement used to their advantage. They participated in what is characterized as the war of words, which is the third component of the relationship between the Brown Berets and law enforcement this paper will examine. Both entities were attempting to gain support for themselves while discrediting the other at the same time. While the Berets and police officers implemented different methods in this “war”, each side played an equal role in the slander.

The Brown Berets chose to spread their message mostly through the underground newspapers in the Chicano community as well as through word of mouth. According to the Brown Beret Prime Minister David Sanchez, “the job of every Brown Beret is to preach new words. You cannot have a community that is aware, until you have people preaching awareness, thereby creating an aware society.”¹⁵ Over time, the Brown Beret’s message became increasingly inflammatory and they even began to print articles advising Chicanos of their right to self-defense and the right to

¹³ Mario T. Garcia, and Sal Castro. *Blowout! Sal Castro & The Chicano Struggle for Educational Justice* (Chapel Hill: The University of North Carolina Press, 2011), 205.

¹⁴ *Ibid.*, 203.

¹⁵ David Sanchez, “Birth of a New Symbol,” Material For The Brown Beret, p. 6. Brown Beret Information Packet Compiled by Luis Angel Alejo, CSC U.C. Berkeley, December 1995. UCLA Chicano Studies Research Center.

shoot in self-defense. One article ends by saying, “Remember – Shoot to Kill.”¹⁶

Los Angeles law enforcement’s message was not as inflammatory as the Brown Berets, but it was still effective. They red baited them and labeled them as outside agitators, using the media and press conferences to do this. In an article for the *Los Angeles Times*, Mayor Sam Yorty not only pointed out that communists had attended a previous rally, but that older Chicano militants would stir up trouble and leave the younger activist to bear the brunt of the confrontation with police.¹⁷ Another notable attempt to discredit the Brown Berets came from Officer Thoms of LAPD’s intelligence department. He reported to the U.S. Senate subcommittee investigating subversive and violent organizations. In this report he labeled the Brown Berets as an organization considered violent or subversive in nature.¹⁸

The idea or thought that the Brown Berets were a violent and/or subversive organization gave law enforcement reason to infiltrate the organization, which is the fourth component of the relationship between these two groups. The Los Angeles Police Department (LAPD), the Los Angeles County Sheriff’s Department, and the Alcohol, Tobacco, and Firearms (ATF) division of the Department of the Treasury, all eventually infiltrated the Brown Berets, which would eventually allow these agencies to create divisions among the Chicano group’s leaders from the inside out. Further, the Federal Bureau of Investigations (FBI) monitored the Berets closely as well.

Among the infiltrators were Robert Avila and Fernando Sumaya of the LAPD, and Robert Acosta of the Los Angeles County Sheriff’s Department. These local agencies had specialized task forces developed to combat organizations considered violent and subversive. They included the Criminal Conspiracy Section (CCS), Special Operations Conspiracy Squad

¹⁶ *La Causa*, pg. 6. March 1971. East Los Angeles, CA: County of Los Angeles Public Library Microfilms.

¹⁷ “Keep Children Out of Rally, Yorty Urges,” *Los Angeles Times*, January 28, 1971. Devra Weber Collection. Box 2. File 15. UCLA Chicano Studies Research Center.

¹⁸ Ruben Salazar, “Police-Community Rift,” (April 3, 1970) in *Border Correspondent Selected Writings, 1955-1970*, ed. Mario T. Garcia (Los Angeles: University of California Press, 1995), 246-249.

(SOC), and the Public Disorder Intelligence Division (PDID).¹⁹ The ATF infiltrated the Brown Berets with a suspect they had charged in a drug case, Eustacio Martinez. These individuals and departments did not just act as intelligence agents, but as agent provocateurs as well. They created the situations that were used to discredit the Brown Berets and drive rifts between members.

Robert Avila posed as a high school student while joining the Brown Berets in early 1968. Avila was involved in the 1968 school walkouts that took place at numerous East Los Angeles high schools. Sal Castro remembers Avila as a provocateur. He recalls Avila encouraging students to burn trashcans during the protests.²⁰ A year after the walkouts the Brown Berets discovered Avila to be an infiltrator. *La Causa*, the Brown Beret newspaper reported the discovery and called Avila a traitor, *vendido*, and dog.²¹

The other infiltrator, Fernando Sumaya, was more involved as an agent provocateur and even admitted to participating in the bombing of a Safeway grocery store because it did not support the grape workers strike.²² Sumaya was not arrested for the Safeway bombing or the fires set in the Biltmore Hotel the day Governor Reagan gave a speech. However, he did become the key witness in the case against the Biltmore 6. Montes, the sixth defendant, fled and went into hiding for seven years before he returned to stand trial. During the course of the trial it was brought to light that many of the fires set on the top floors could not have been started by anyone other than Sumaya because they were sealed off by law enforcement in preparation for Governor Reagan's visit.²³

¹⁹ Ernesto B. Vigil, *The Crusade for Justice Chicano Militancy and the Government's War on Dissent* (Madison: The University of Wisconsin Press, 1999), 150.

²⁰ Garcia and Castro, *Blowout!*, 178.

²¹ "Wanted," *La Causa*, May 23, 1969. East Los Angeles, CA: County of Los Angeles Public Library Microfilms.

²² Ron Einstoss, "Police Agent at Trial Denies Urging Crimes," *Los Angeles Times*, August 5, 1971. Devra Weber Collection. Box 2. UCLA Chicano Studies Research Center.

²³ Jennifer G. Correa, "Chicano Nationalism: The Brown Berets and Legal Social Control" (master's thesis, Oklahoma State University, 2006), 72.

To Protect and To Serve

Whether witnessed or experienced, police brutality and harassment was common for Chicanos growing up in East Los Angeles during the 1960s and early 1970s. However, as times changed and activists became more radical, so too did the Chicanos. The new Mexican-American youth, who now went by Chicano, moved toward forming a new identity and away from the assimilation tactics of the previous Mexican-American generation. Mexican-Americans were not seen as a distinct group and were statistically categorized as Anglos with Spanish surnames. However, society, and more importantly the police, did not treat Chicanos like Anglos. As a result, they began to move away from the Anglo culture forming their own Chicano identity. Ruben Salazar described this identity as, “a Mexican-American with a non-Anglo image of himself.”²⁴ This new identity was firmly established when Oscar Acosta successfully defended the East L.A. 13. He used expert witnesses such as Ralph Guzman to prove that Mexican-Americans were a distinct class with a different language, culture and values.²⁵ The Brown Berets also embraced this new identification of Chicano culture and race, using these ideals to unite. The group adopted the brown beret as a physical symbol of this newfound pride they had for their race and the color of their skin.²⁶

The Brown Berets united in a way that other activists did not. The harassment and brutality forced them to become a protection group for the community. They felt that the East Los Angeles community had to unite against its enemies. According to the *La Raza* newspaper the enemy was an outside force known as law enforcement, which thrived on the poor.²⁷ The Brown Beret’s

²⁴ Ruben Salazar, “Who is a Chicano? And What Is It the Chicanos Want,” (February 6, 1970) in *Border Correspondent Selected Writings, 1955-1970*, ed. Mario T. Garcia (Los Angeles: University of California Press, 1995), 235-237.

²⁵ Viva Los 13 Valientes,” *La Raza*, September 3, 1968. La Raza Newspaper Collection. UCLA Chicano Studies Research Center.

²⁶ “Why a Brown Beret?” *La Raza*, June 7, 1968. East Los Angeles, CA: County of Los Angeles Public Library Microfilms.

²⁷ “Our Community Must Unite Against its Enemies,” *La Raza* November 14, 1967. East Los Angeles, CA: County of Los Angeles Public Library Microfilms.

motto stated, “To Serve, Observe, and Protect”²⁸ which was a play on the LAPD’s motto “To Protect and To Serve”. In essence they saw themselves as the police of the police. The Brown Beret’s motto also meant they would vocally and physically support the different causes of the movement, as well as monitor law enforcement agencies that dealt with Chicanos. Lastly, the Brown Berets vowed to protect the rights of Mexican-Americans by “all means necessary.”

Protecting Chicano rights would take more than spontaneous action. Organization would be needed and David Sanchez, the Brown Beret prime minister would facilitate this organization. One of his early attempts to unite Chicanos was opening the *La Piranya* coffeehouse, which was more of a gathering place than a coffeehouse. Sanchez was able to secure a grant with the help of Father John Luce of the Church of Epiphany, in Lincoln Heights, which he used to open *La Piranya*. The coffeehouse proved to have a significant impact on the Brown Berets and the movement as it gave young Chicanos a place not only to socialize, but also organize. *La Piranya* also sponsored speakers such as Stokely Carmichael, H. Rap Brown, Corky Gonzales and Reies Tijerina.²⁹ These events along with the police harassment that continued to take place further politicized Chicano activists as well as the Brown Berets. During their protest, they could be heard yelling “Chicano Power”, which came after Stokely Carmichael coined the term “black power.”

Their motto would lead them to protest cases of police brutality and act as security at protests such as the “blowouts.” Sanchez recalls their roll in these protests: “We were at the walkouts to protect our young people. When they started hitting with sticks, we went in, did our business, and got out. What’s our business? We put ourselves between the police and the kids, and took the beating.”³⁰ This single event gave them publicity and credibility. And while their way of uniting would land them in legal trouble, it also proved effective in propelling the momentum

²⁸ David Sanchez, “Birth of a New Symbol,” Material For The Brown Beret, p. 15. Brown Beret Information Packet Compiled by Luis Angel Alejo, CSC U.C. Berkeley, December 1995. UCLA Chicano Studies Research Center.

²⁹ Ian Haney-Lopez, *Racism On Trial The Chicano Fight For Justice* (Cambridge: The Belknap Press of Harvard University Press, 2003), 180.

³⁰ Dial Torgerson, “Brown Power Unity Seen Behind School Disorders,” *Los Angeles Times*, March 17, 1968. Carlos Vasquez Collection. Box 2. File 4. UCLA Chicano Studies Research Center.

of the movement as well as the overall unity among Chicanos as well.

The legal harassment that the Brown Berets and other Chicanos faced gave the community something to protest, and once again they came together to help each other out. On May 31, 1968, two months after the school “blowouts” five Brown Berets were either arrested or indicted and became part of the East L.A. 13. The following day, hundreds of protestors gathered in front of the Los Angeles Police Department and even more gathered in front of the county jail the following day.³¹ Chicanos not only united in protest, but they also attempted to help by raising money to defend these individuals. There were many advertisements run in the underground newspapers for dances and events that would benefit the defense of the East L.A. 13.³²

There was also support from others such as politicians and Black activist. Both Eugene McCarthy and Robert Kennedy’s campaign offered bail money before authorities reduced the bail amount. Individuals in allied civil rights movements issued statements of support such as Stokely Carmichael. “We of the SNCC give our full support to our brothers from the Brown Berets, we feel certain that the Berets are going in the right direction. We know the charges are phony...therefore, we have to move together to destroy the man so our people can live.”³³ This arrest aroused the excitement from the blowouts and gave the movement and the cause for educational reform more publicity.

Although the harassment and brutality was initially able to help the Brown Berets emerge as a leading activist organization, it would ultimately be a cause in their dissolution. The legal harassment and intimidation was far more hindering than police tactics such as shining floodlights into *La Piranya*. Legal harassment did two things, it siphoned away resources and it intimidated current members as well as potential members, eventually wearing them out. Legal harassment is evident in the two legal cases mentioned earlier. Less than a year after the East

³¹ Marguerite V. Marin, *Social Protest In an Urban Barrio A Study of the Chicano Movement, 1966-1974* (Lanham, MD: University Press of America, Inc., 1991), 101.

³² *Chicano Student News*, Vol. 1 No. 5. Chicano Student News Newspaper Collection. UCLA Chicano Studies Research Center.

³³ *La Raza*, June 7, 1968. East Los Angeles, CA: County of Los Angeles Public Library Microfilms.

L.A. 13 indictments, the Biltmore 6 were indicted but did not seem to get as much attention or support in the underground newspapers as the East L.A. 13 did. There was no full page of pictures showing the demonstrations and reporting on them like the previous demonstrations. There were no advertisements for dances to support the Biltmore 6. This is evidence that either support was waning or resources had become far too scarce as Chicanos continued to donate to these legal defense funds.

Along with waning resources and support, key members began to leave the organization as well. Carlos Montes was the Brown Beret's minister of information and associated with the organization since its inception, but he eventually fled and went into hiding as the harassment continued to grow. With threats on his life from an LAPD officer and another high-profile political case pending, Montes felt it was best to flee. While the constant harassment that led to Montes' vacancy continued to cast its black cloud over the movement, the Brown Berets also contributed to the paranoia that came from his flight. They unwisely publicized and blamed Montes' disappearance as a possible kidnapping by the CIA.³⁴ As an unintended result, they legitimized the danger of becoming part of the movement or the Brown Berets.

Furthermore, dealing with court cases kept leaders such as Montes and Sanchez in and out of court rather than organizing and concentrating on the issues. This disrupted not only their lives but the movement as well.

The disruption that was spawned from legal harassment was partly made possible by local and federal law enforcement agencies infiltrating the Brown Berets. The infiltrators acted as agent provocateurs. According to Gary Marx, an agent provocateur is an agent who,

...assertively seeks to influence the actions taken by the group... The agent may go along with illegal actions of the group, he may actually provoke such actions... This may be done to gain evidence for use in a trial, to encourage paranoia and internal

³⁴ "Carlos Montes Disappears," *La Causa*, February 28, 1970. East Los Angeles, CA: County of Los Angeles Public Library Microfilms.

dissension, and/or to damage the public image of a group.³⁵

Fernando Sumaya was one of these individuals who disrupted the Brown Berets during his short stint as a member. His actions directly led to the arrest of Brown Beret members and gave law enforcement the ability to discredit the Brown Berets while Sumaya was portrayed as the hero. The *Los Angeles Times* wrote, "Policeman Fernando Sumaya, 23, a key witness before the county Grand Jury, was credited by arson investigators with protecting a devastating conflagration and the possible loss of hundreds of lives... the indictment charges that four of the ten, two of them officials in the Brown Berets, planned the fires."³⁶ These actions cover all parts of Marx's actions of an agent provocateur whose objective according to FBI Director J. Edgar Hoover was, "to expose, disrupt and otherwise neutralize the new Left organizations, their leadership and adherents."³⁷

Another key infiltrator that helped bring the Brown Berets to a halt was Eustacio Martinez. Martinez worked for the Alcohol, Tobacco, and Firearms Division of the U.S. Treasury Department. Acting as an agent provocateur, he infiltrated the Mexican-American Youth Organization (MAYO), the Brown Berets, and the National Chicano Moratorium Committee. During this time, he was able to create dissension amongst Rosalio Munoz and David Sanchez, provoke violence and incidents that led to arrests and a raid of the Chicano Moratorium office. While these incidents may not have been the sole cause for the Brown Berets dissolution, they did provide continued obstacles that proved too challenging for the organization to overcome.

These cases are only a few examples of the obstacles that police infiltration and agent provocateurs were able to put before the Brown Berets. There were other infiltrators such as Robert Acosta of the Sheriff's Department, and Robert Avila of the

³⁵ Gary T. Marx, "Thoughts on a Neglected Category of Social Movement Participant: The Agent Provocateur and the Informant," *American Journal of Sociology* 80, no. 2 (1974): 404-405, <http://www.jstor.org.libproxy.lib.csusb.edu/stable/2777509> (accessed on June 18, 2011).

³⁶ Ron Einstoss, "Hotel Fire Indictments Reveal Heroism of Rookie Policeman," *Los Angeles Times*, June 7, 1969. Carlos Vasquez Papers. Box 4. File 6. UCLA Chicano Studies Research Center.

³⁷ Marx, "The Agent Provocateur," 434.

LAPD, and Sergio Robledo of the LAPD.³⁸ Through research, it was uncovered that during a raid of the Chicano Moratorium office, provoked by Martinez, Sergio Robledo and two others were arrested.³⁹ Further, it was discovered in an article for Rolling Stone magazine that Sergio Robledo of the LAPD retired in 1995 after 26 years of service.⁴⁰ That would put Robledo right out of the academy during the time the Chicano Movement and Brown Berets began to emerge. This opens up the possibility that there were other infiltrators attempting to destroy the Brown Berets and deserves further research.

Episodes caused or provoked by infiltrators also allowed law enforcement to effectively discredit the Brown Berets in their war of words. Sanchez was even inclined to admit that after the Biltmore 6 indictments that the circumstances did look bad.⁴¹ Further, the Brown Berets alienated the more conservative Mexican-Americans as their message became increasingly inflammatory towards the police. Police Chief Ed Davis echoed this fact when he stated: "In the Mexican community the great bulk of people are very law abiding and very anti-Marxist and very supportive of the police and very respectful of the uniform."⁴²

In conclusion, the relationship between the Brown Berets and law enforcement was a passionate struggle for the upper hand. Law enforcement attempted to maintain the status quo while the Brown Berets attempted to attain fair treatment and protection of their rights. This attempt to obtain equal treatment under the law fueled the Brown Berets, as they became a leading Chicano activist organization. However, law enforcement outlasted the Brown Berets determination, which proved to be detrimental to the organization over time. The persistence of harassment, intimidation, and infiltration, from various law enforcement agencies, discouraged participation in groups considered

³⁸ Rosalio Munoz, interview with the author. Los Angeles, CA, July 11, 2011.

³⁹ Armando Morales, *Ando Sangrando (I Am Bleeding)* (La Puente, CA: Perspectiva Publications, 1972), 98.

⁴⁰ Randall Sullivan, "Music: The Unsolved Mystery of the Notorious B.I.G." *Rolling Stone*, January 11, 2011, <http://m.rollingstone.com/entry/view/id/1979/pn/all/p/0/?KSID=3e15845a90548e22a47bed27823bc2dd> (accessed July 11, 2011).

⁴¹ Ruben Salazar, "Brown Berets Hail 'La Raza' and Scorn the Establishment," (June 16, 1969) in *Border Correspondent Selected Writings, 1955-1970*, ed. Mario T. Garcia (Los Angeles: University of California Press, 1995), 212-219.

⁴² Vigil, "Crusade for Justice," 153.

subversive to the law, such as the Brown Berets. In addition, these patterns of harassment and eventual infiltration allowed them make arrests, which deflected the Brown Beret's physical and monetary resources to legal battles. With little progress made by the Berets and continued opposition from the Los Angeles government, infiltrators found it easy to create situations where individuals would become extreme, even to the point of bombing a grocery store, which proved to be counter-productive. These infiltrators not only enticed members to do things they may not have otherwise done, but they also created dissension within the organization itself. This allowed the authorities to portray the movement and Brown Berets in a negative light, thus discrediting their efforts. While it may not be possible at this time to state the precise ramifications law enforcement tactics had in the disillusion of the Brown Berets; this study has attempted to show, that these actions can be seen as one of the major contributing factors in their eventual demise.

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