

Featured Commentary

Surveillance to Art: “Flipping Around the Paranoia”¹

Kathy Carbone

ABSTRACT

This photo essay explores a particular (but not uncommon) historical nexus and regime of information and control—the operations and recorded remains of a police surveillance program—and the ways in which today two artists, through politico-aesthetic practices, re-vision and make public, alter and share knowledge about past invasive acts on individual privacy and previously covert documents.

¹ Kaia Sand, “Poetry Performance,” (University of Alabama, April 1, 2014).

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From the mid-1960s through the mid-1980s, police officer and terrorism expert Winfield Falk,² along with more than 20 police officers who were part of the Criminal Intelligence Unit of the Portland Police Bureau (Oregon, USA), conducted surveillance activities on mainly left-leaning political and civic activist organizations including those involved in criminal actions as well as law-abiding groups. Below are the names of some of the groups:

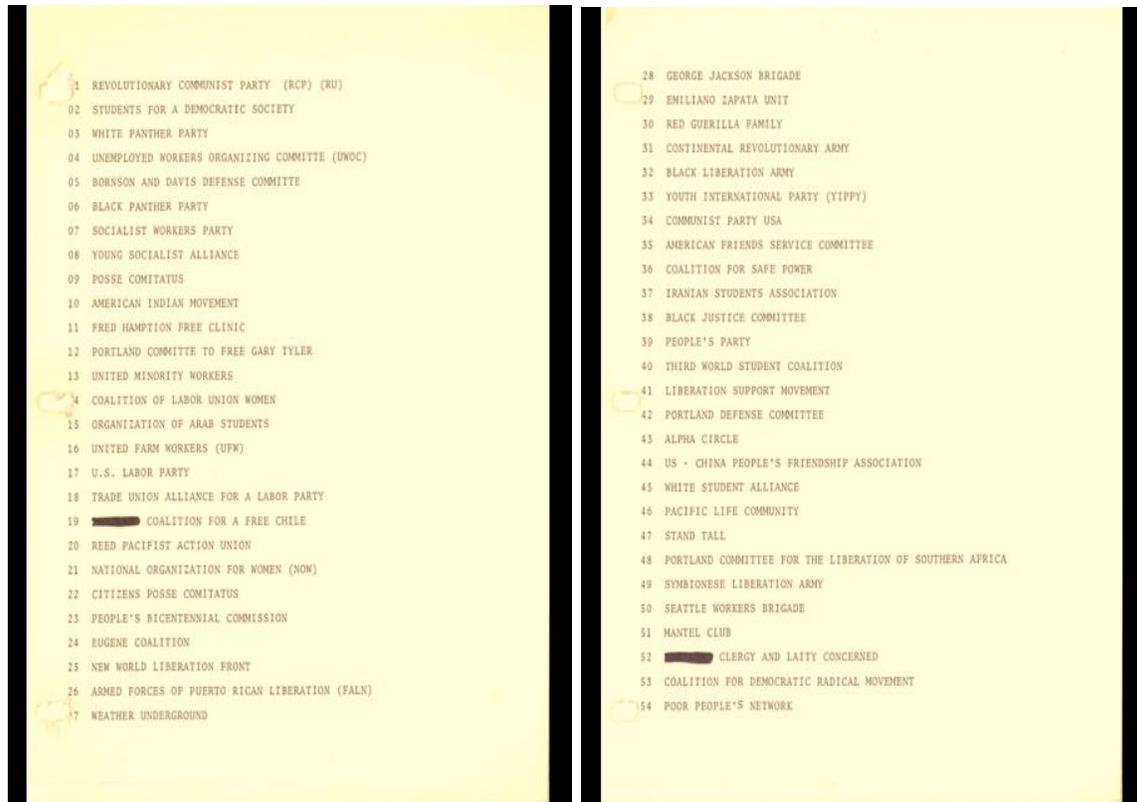


Image 1. The Portland Police Bureau's (partial) list of groups that were under surveillance. Photographs courtesy of Garrick Imatani and Kaia Sand, 2014.

Through the use of direct observation and informants, Portland police officers kept track of activists' daily routines, political pursuits, and friends.³ They also monitored

² Ben Jacklet, "In Case You Were Wondering...Intelligence Gathering Was More Than a One-Person Operation," *Portland Tribune*, September 27, 2002.

³ Leanne Claire Serbulo and Karen J. Gibson, "Black and Blue: Police-Community Relations in Portland's Albina District, 1964-1985," *Oregon Historical Quarterly* 114, no. 1 (2013): 13.

took surveillance photographs,



Image 3. People's Army Jamboree (women's liberation parade), ca 1970. Police Historical/Archival Investigative Files. City of Portland Archives and Records Center. Photograph courtesy of Garrick Imatani and Kaia Sand, 2014.

kept index cards inscribed with names of individuals and groups,



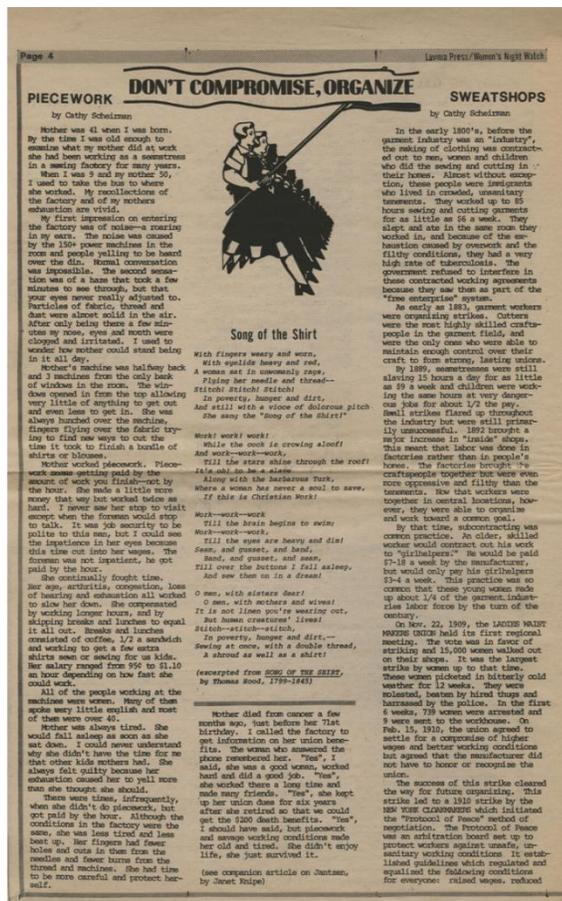
Image 4. Police card catalog. Far left top drawer is difficult to read, but seems to be, "By name and location A-O"; the middle drawer, "Alpha by name and base location"; the far-right drawer, "Individuals by state"; the bottom left drawer, "Individuals P [sic] to Z"; and bottom right drawer, "Alpha by organization." Photograph courtesy of City of Portland Archives and Records Center, 2004.

and collected a wide range of materials produced by activist groups, such as posters and flyers, event announcements and brochures, magazines and tabloid newspapers.



Image 5. An activist flyer ca.1984-1985 containing information about and soliciting help to stop the White Train. Police Historical/Archival Investigative Files. City of Portland Archives and Records Center. Photograph taken by the author, 2015.

Image 6. A page from the tabloid, *Lavinia Press*, 1979. Police Historical/Archival Investigative Files. City of Portland Archives and Records Center. Photograph courtesy of Garrick Imatani and Kaia Sand, 2015.



However, not only did the Intelligence Unit collect (and create) information, they utilized that information to sabotage activists by spreading rumors about those they were spying on, fostering discord within activist groups, and as well accused targeted “individuals of illegal subversive activity regardless of whether the information supported their charges.”⁵ Portland Tribune journalist Ben Jacklet, who, in 2002, broke the story about the surveillance program and the files the police kept, similarly observed that the police were not just collecting information, but “actively working to disrupt people’s lives and hinder political movements with which they disagreed.”⁶ For instance, reports in the files suggest that the police were interested in disrupting legitimate programs such as the free Malcolm X Dental Clinic run by the Black Panther Party.⁷ Jacklet also writes that police intelligence reports were often erroneous and biased but nonetheless were used by the police to justify careful surveillance of people and to implicate individuals as “‘militants or even ‘terrorists’ based on their political beliefs, with little or no supporting evidence.”⁸ Moreover, Jacklet states that there was very little oversight of police officers involved in the surveillance program. In 2002, the *Tribune* contacted former police chiefs, district attorneys, mayors, and police commissioners, all who said they knew “very little about the surveillance”⁹ activities of the police bureau.

In 1981, the Oregon State Legislature passed a law prohibiting law enforcement agencies from collecting and maintaining “information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership unless such information directly relates to an investigation of criminal activities.”¹⁰ However, Falk broke this law (as well as Portland Police Bureau policy that prohibited police from collecting and keeping information not

⁵ Serbulo and Gibson, “Black and Blue: Police-Community Relations in Portland’s Albina District, 1964-1985.”

⁶ Ben Jacklet, “It Should Be Noted: Police Biases Led to Surveillance, Infiltration, Even Tampering with People’s Livelihoods,” *Portland Tribune*, September 17, 2002; Ben Jacklet, “A Legacy of Suspicion: When the Police Intelligence Unit Cast Its Spy Nets, the Wider Black Community Got Caught,” *Portland Tribune*, September 20, 2002.

⁷ Ben Jacklet, “A Legacy of Suspicion.” Relatedly, Michael Munk notes that the FBI sent anonymous letters to Portland area doctors and dentists in attempt to sabotage BPP’s clinics—both the Malcolm X Dental Clinic and the Fred Hampton Health Clinic. See: Michael Munk, *The Portland Red Guide: Sites& Stories of Our Radical Past* (Portland: Ooligan Press, 2011), 167.

⁸ Jacklet, “The Secret Watchers.”

⁹ Ibid.

¹⁰ Oregon State Legislature, “Specific Information Not to Be Collected or Maintained,” Pub. L. No. 181A.250, Chapter 181A 2015 ORS (1981), <https://www.oregonlaws.org/ors/181A.250>.”

related to criminal activity),¹¹ and continued to amass information. Although it is unknown whether Falk was carrying out these surveillance activities with his superior's approval or on his own accord, post-1981 intelligence reports which Falk directed to superior officers suggest that some officers within the bureau knew what he was doing.¹² (See image 2.) Further, not only did Falk continue to gather information after 1981, he sequestered the files (which per state law, were to be destroyed) from police headquarters. Although it is uncertain as to when he removed the files and took them home,¹³ and whether he was ordered to take the files or simply took the files without anyone knowing,¹⁴ Falk's removal of the files from the bureau to his garage (and later to a barn in Washington)¹⁵ was never documented and remains ambiguous. Falk died of a heart attack in 1987 before the public would learn about his surveillance activities and how after 1981 he conducted them beyond the walls of the Portland Police Bureau. Upon his death, as Jacklet writes, Falk was "honored with a well-attended police funeral procession" and "remembered as a military veteran, a dedicated cop and a respected authority on global terrorism."¹⁶ He was also, according to Jacklet, commended by his colleagues at the police bureau, the head of the Secret Service, and in an ironic twist, by the head of Ecumenical Ministries of Oregon—a group Falk used to keep watch over.¹⁷

¹¹ Kristian Williams, *Our Enemies in Blue* (Brooklyn: Soft Skull Press, 2004), 190; Jim Redden, "Informant Names Deleted from Police Spying Files," Oregon Local News - Pamplin Media Group, February 2, 2006.

¹² Jacklet, "The Secret Watchers."

¹³ Ibid. There are varying opinions as to when Falk took the files: Jacklet (and his sources) did not know; however, Kristian Williams states Falk took the files in 1983, see: Williams, *Our Enemies in Blue*, 190.

¹⁴ Ben Jacklet, "In Case You Were Wondering."

¹⁵ Jim Redden, "Informant Names Deleted from Police Spying Files." It should be noted that Portland is not alone in having police surveillance files "gone missing" and then turning up elsewhere many years later. Most recently, in 2016, 520 boxes of New York City police surveillance documents from 1950s-1970s were discovered in a warehouse in Queens. See: Joseph Goldstein, "Old New York Police Surveillance Is Found, Forcing Big Brother out of Hiding," *New York Times*, June 16, 2016. And, Falk is not alone in taking police surveillance files home, this also occurred, for example, in Los Angeles and San Francisco, see: Williams, *Our Enemies in Blue*, 190–91.

¹⁶ Jacklet, "The Secret Watchers."

¹⁷ Ibid.

In 2004, the City of Portland Archives and Records Center (PARC) acquired the surveillance files, naming the collection, the *Police Historical/Archival Investigative Files*.

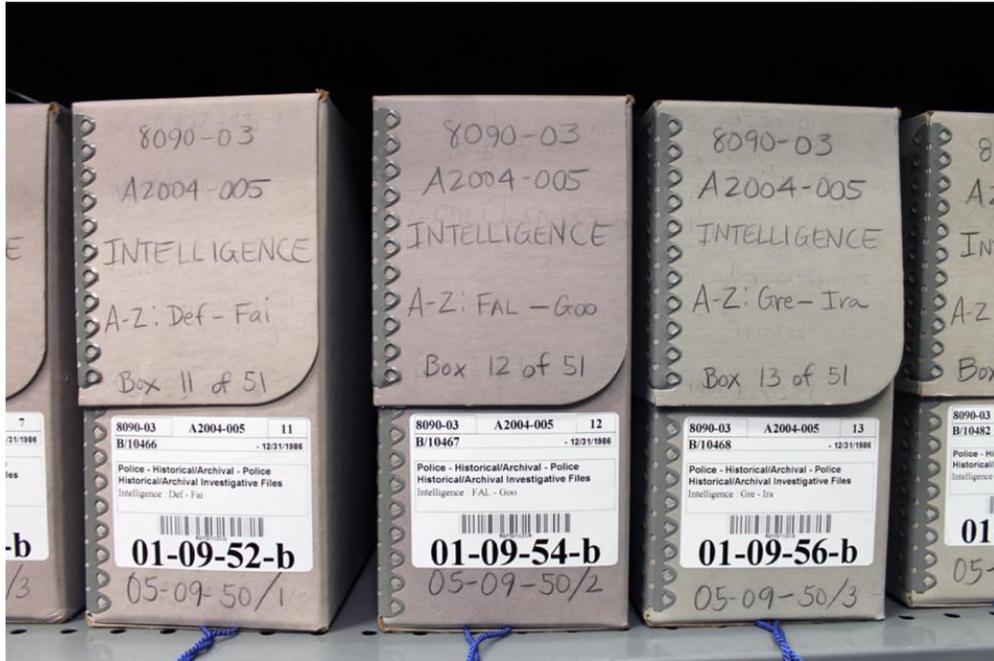


Image 7. The Police Historical/Archival Investigative Files. Photograph courtesy of Garrick Imatani and Kaia Sand, 2016.

From 2013-2015, investigative and documentary poet, Kaia Sand, and interdisciplinary artist, Garrick Imatani, created art and literary works with and inspired by the Police Historical/Investigative Files during an artist-in-residency project at PARC.¹⁸ Many of the works they made were in collaboration with activists whose lives they encountered exposed in the surveillance files. For example, below is one of the first photographs Imatani and Sand found of anti-nuclear activist Lloyd Marbet.

¹⁸ For more on Imatani and Sand's work with the surveillance files at PARC, see their project's website <http://looseleafservices.us/> and Facebook page <https://www.facebook.com/TheWatcherFilesProject/>. Also see: Kathy Michelle Carbone, "Artists and Records: Moving History and Memory," *Archives and Records* 38, no. 1 (2017): 100–118, <https://doi.org/10.1080/23257962.2016.1260446>; Kathy Carbone, "Artists in the Archive: An Exploratory Study of the Artist-in-Residence Program at the City of Portland Archives & Records Center," *Archivaria* 79 (Spring 2015): 27–52.



Image 8. Surveillance photo of anti-nuclear activist Lloyd Marbet on SW Broadway at SW Yamhill in Portland, 1969. Police Historical/Archival Investigative Files. City of Portland Archives and Records Center. Photograph courtesy of Garrick Imatani and Kaia Sand, 2014.

One of the works the artists made in collaboration with Marbet is *So He Raised His Hand*. Comprising a set of seven interconnected stories drawn from conversations between Marbet, Imatani, and Sand, including opening and closing poems written by Sand, *So He Raised His Hand* tells Marbet's accounts of relentless activism that helped rid Oregon of nuclear power plants through the decommissioning and destruction of Portland General Electric's Trojan nuclear plant, the prevention of other plants such as the Pebble Springs nuclear plant, and of Marbet's transformation into a "public person" and "citizen intervener."

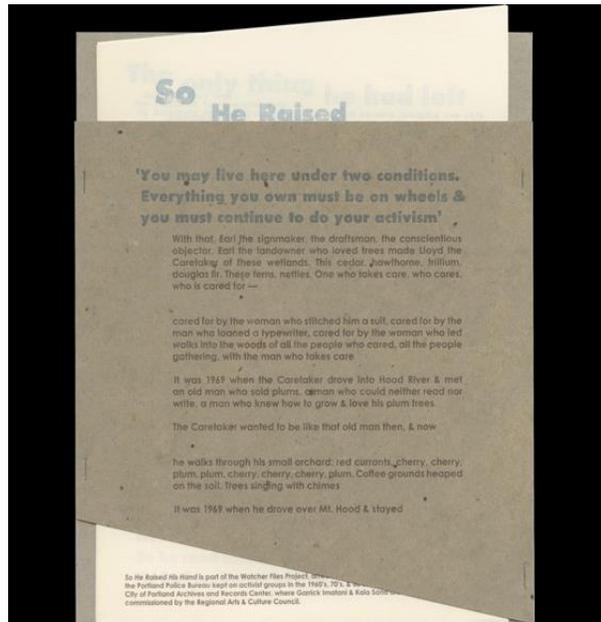


Image 9. Opening poem (Sand), *So He Raised His Hand*. Photograph courtesy of Kaia Sand, 2015.

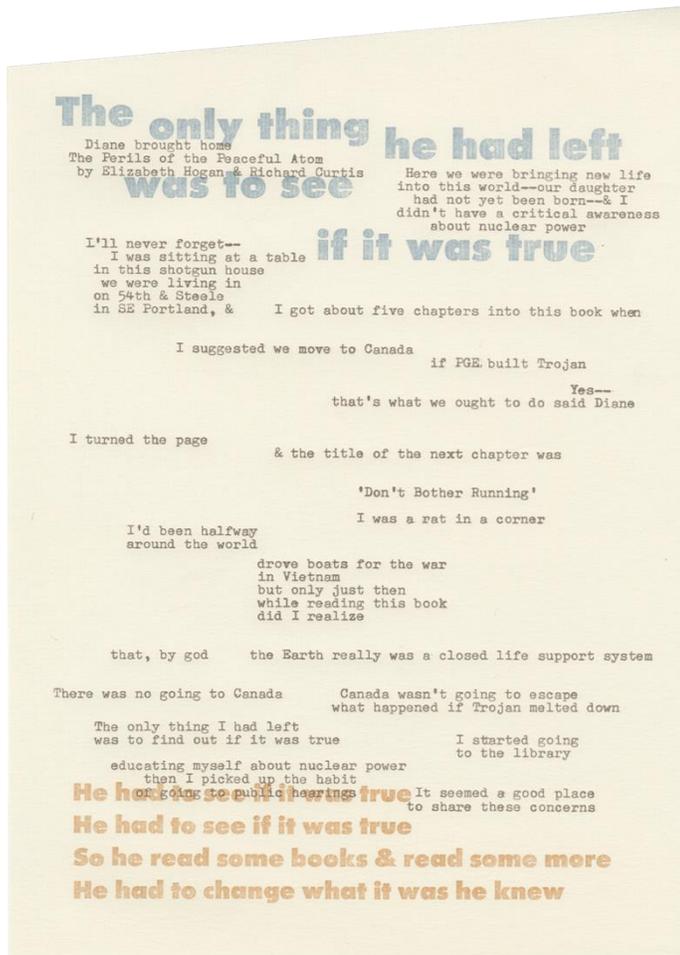


Image 10. *Story #1. So He Raised His Hand*. Photograph courtesy of Kaia Sand, 2015.

Sand writes that the title of the work is based on:

...Lloyd's description of raising his hand when no one else did. He was sitting in a state licensing hearing for a proposed nuclear plant in Boardman, and when the hearing officer asked whether anyone would like to intervene, he looked around and saw that no one was raising their hand, so he did. He stepped up.¹⁹

¹⁹ Judith Pulman, "Poetry and Art from the Archives of Big Brother: Kaia Sand and Garrick Imatani Search Surveillance Reports to Recreate the Lives of Anti-War Activists," *Oregon ArtsWatch*, January 27, 2014, <http://www.orartswatch.org/poetry-and-art-from-the-archives-of-big-brother/>.

*I taught myself administrative law
I learned to make motions
I learned to do legal research
Utility lawyers are like rare butterflies
Public citizens can't afford rare butterflies
So I made myself into another kind of rare butterfly: a citizen intervener*

*& he became a public person
& he became a public person²⁰*

Imatani, inspired by protest march permit maps he found in the files, traced a social history across time and space by transferring several maps to a single map of downtown Portland, a tracing that then determined the shape of a cabinet he built to house several works: a series of photographic triptychs that he created with black-and-white surveillance photographs set in the drawers of the cabinet; a plexiglass sculpture that mirrors three overlaid different protest march routes and that sits on top of the cabinet; and, a poem by Sand—*Air the Fire*—inscribed on the panels of the cabinet. The work is entitled, *Lifting Cities Like Rocks*.



Image 11. Map of downtown Portland with protest march routes highlighted (left), *Lifting Cities Like Rocks* (right). Photographs courtesy of Garrick Imatani, 2015.

²⁰ Excerpt from *So He Raised his Hand*.



Image 12. Kaia Sand (left), Jonathan Raissi, sound artist (right, kneeling), and Garrick Imatani (right, standing) performing Sand's poem, *Air the Fire* while engaging with Imatani's sculpture-cabinet, *Lifting Cities Like Rocks*. Portland State University, 2015. Photograph courtesy of Garrick Imatani and Kaia Sand, 2015.



Image 13. *Lifting Cities Like Rocks* with several lines from Sand's poem, *Air the Fire*. Photograph courtesy of Garrick Imatani, 2015.

In its original form, Sand's *Air the Fire* is a triptych poem embroidered in cursive with black mercerized thread on black linen cloth. The poem began as a meditation on anonymity in public records and Sand's interest in the material and affective dimensions of legibility and illegibility, anonymity and exposure. The first two poems—*The Bright Threat of Attention* and *Sure-Fire Glare of Recognition*—focus on how faces and names can be explicitly or implicitly exposed or concealed within the record and the archives. Describing her process, she stated:

As I embroidered I hovered close to this lyric address, that intimacy of the other...I'm striving to know the other...But in this poem I started to think about how that lyric attention in terms of surveillance becomes something very different. So, the process of writing this poem brought me then to this idea that attention can be destabilizing and vulnerability enhancing...this series of poems launched me then into a lyric meditation on how to ethically cast attention on other people.²¹

The third poem, *Afire with Purpose*, emerged from Sand's contemplations with the first two poems and how people, despite the fact that they get exposed, "step forward to become public people."²² Thinking about courage, why someone would become a public person, and of the past and current work of activists "who care about people who are suffering the malice of power,"²³ Sand explained that *Afire with Purpose* "became an homage to the people who take chances. And they suffer. You know, lots of time people really do suffer; it's not like it becomes easy."²⁴

²¹ Garrick Imatani and Kaia Sand, "Art, Archives, Activism: Artist Talk & Performance" (Portland State University, February 25, 2015).

²² Ibid.

²³ Kaia Sand, in discussion with the author, February 27, 2015.

²⁴ Ibid.



Image 14. *Air the Fire* at PDX Gallery, Portland, Oregon, 2015. Photograph courtesy of Kaia Sand, 2015.

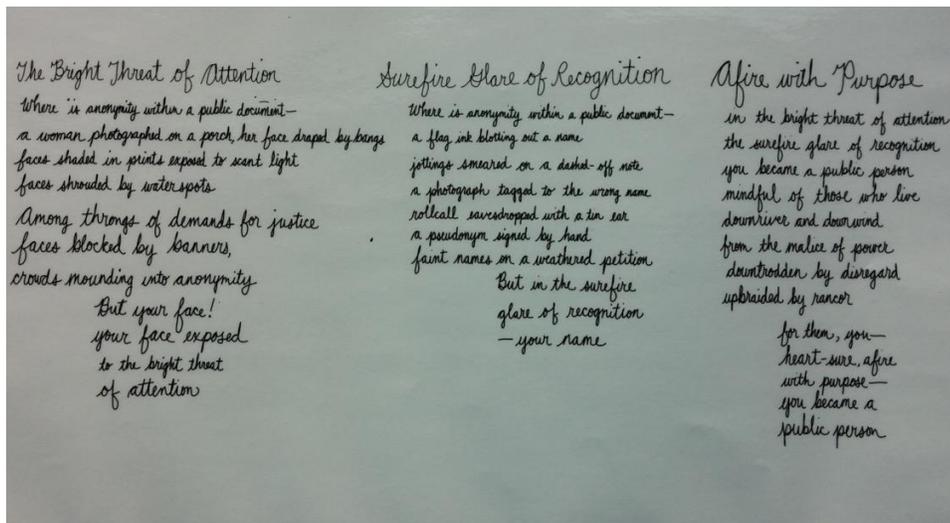


Image 15. *Air the Fire*. Photograph courtesy of Kaia Sand, 2015.

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