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***Missing Spies and Political Murder:
The FBI and the Construction of Crime***

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ABSTRACT

Juliet Stuart Poyntz disappeared in June 1937 from Manhattan, New York. She was never seen again. The disappearance was not reported until December, and the police did not begin a formal investigation until January 1938. Sick from lupus, without her prescriptions, the 50-year-old Poyntz was likely already dead, but her friends did not believe it was because of her untreated disease; they believed it was more likely the Soviet secret police had killed her. One friend in particular, anarchist Carlo Tresca, was very loud in accusing the Soviet Union of Poyntz's abduction and murder. Tresca gave a press statement, testified before a grand jury, and spent the remainder of his life, which ended by an assassin's bullet in 1943, claiming that communists had had his friend Juliet kidnapped and murdered. With the United States' history of dogged and determined anticommunism, and its particularly fraught relationship with the Soviet Union, the presumption would be that federal intelligence agencies would have taken Poyntz's alleged kidnapping and murder by a foreign power seriously and begun an investigation, but that did not happen.

Explicating the history of the FBI using its own files demonstrates that the files are a better record of the bureau's interests than they are of the people who were being monitored. When a communist conspiracy fomented by a foreign power was alleged to have happened on American shores, the FBI was not interested, but when anticommunism gained the bureau political capital and the ability to expand its surveillance powers, Poyntz's disappearance became a useful tool. For the FBI, enemies were made, based on public and official opinion and on the director's prejudices. The bureau was not a neutral arbiter of justice; rather, it served as a unit that defined crime, criminality, and criminals according to its own standards and the historical imperatives of the time period.

KEY WORDS Spies; Murder; FBI; Anticommunism; Surveillance

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On December 17, 1937, the *New York World-Telegram* reported that Juliet Stuart Poyntz had not been seen since early June. Though she had been missing for more than six months, reporter Arthur Irwin stated that the police had only just been informed of her disappearance. Juliet lived at the American Woman's Association Clubhouse in Manhattan, New York, only a block away from Central Park, and the telephone operators there remembered that she regularly received calls from a man with a deep voice. Sometime in early June after one of these phone calls, she left the building and walked in the direction of the park. She was never seen again. After two weeks and a missing rent payment, the building manager, Mr. Thackerberry, called Poyntz's emergency contact, Marie B. MacDonald, who then contacted her lawyer and friend, Elias Lieberman. The two found Poyntz's prescription medications left in her room; she had lupus and depended on the medication to control her illness. They also found bank account information, her passport, and open containers of food. It appeared that she had expected to return.¹

Although MacDonald and Lieberman were concerned about their friend, they did not report her disappearance right away. The reason was that both knew Poyntz was a spy for the Soviet underground; she operated in New York as an anti-Nazi agent. A Communist Party (CPUSA) member since 1919, Poyntz had gone underground in 1934 and operated as a recruiter trying to convince individuals to work as spies in Nazi Germany. Her job was to connect willing people with agents in Europe who would collect information from them. The information the communists wanted focused on industrial production in Germany and what designs the Germans had for invading other countries, particularly the Soviet Union. This work meant that Poyntz was away for months at a time.²

Developments in the Soviet Union increased MacDonald's concerns about her friend, and she claimed that she had urged Lieberman to report the disappearance but he had counseled patience. That year was the height of Stalin's purges. In 1936, enemies of Soviet Premier Josef Stalin were put on trial in what scholars have described as show trials because the individuals, all leading figures in the Soviet Communist Party, made forced confessions and were executed for their crimes. Then in 1937, Soviet politicians and spies began disappearing in June, the last time Poyntz was seen. On the 20th, Alexander Barmine, Soviet *chargé d'affaires* in Greece, disappeared, before reappearing in Paris and later moving to New York. Barmine had been warned to leave by the man assigned to assassinate him. That man, Walter Krivitsky, was ordered to return to Moscow; instead, he too defected to the United States and began informing authorities about Soviet spying. There were others who went missing, and some who turned up dead. MacDonald feared that Poyntz was one of those victims.³

Federal Bureau of Investigation (FBI) agents suspected that it was Thackerberry who revealed Poyntz's disappearance. He had mentioned it to a friend who happened to be a police officer; days later, the news appeared in the press. After the *New York World-Telegram* article, Carlo Tresca, an anarchist and anti-Stalinist, began accusing the Soviets of having Poyntz killed. Tresca had known Poyntz in the 1920s when he had actively worked with communists, but he had begun to mistrust those in the CPUSA. He was critical of Stalin's leadership, and he came to believe that U.S. communists were Soviet agents. He was part of a group of individuals, many of whom had friends in the CPUSA, who increasingly criticized the Party and the Soviet Union. Scholars have come to refer to them

as anti-Stalinists. Tresca named a notorious Soviet agent by the name of George Mink as the likely trigger man in Poyntz's suspected abduction and murder. In February 1938, Tresca gave a press statement and testified before a grand jury about his suspicions. He also contacted the FBI and insisted that the bureau open an investigation, which it did not do. He would spend the remainder of his life, which ended by an assassin's bullet in 1943, claiming that communists had had his friend Juliet kidnapped and murdered.⁴

The Poyntz disappearance provides unique insight into U.S. intelligence history. With the United States' history of dogged and determined anticommunism and its particularly fraught relationship with the Soviet Union, the presumption would be that federal intelligence agencies would have taken Poyntz's alleged kidnapping and murder by a foreign communist power seriously and would have begun an investigation. This disregard of Poyntz's disappearance makes sense when we understand that the FBI has not operated and does not operate as a neutral, objective arbiter of justice. It is a political institution that identifies enemies based on its priorities, and those enemies have primarily been left-wing activists.

This is especially true under the long tenure of J. Edgar Hoover, who prioritized focusing on activists in the Black Freedom Struggle, peace, and other organizations seeking the expansion of democratic rights. This has become more obvious with recent reports that indicate the bureau has fallen short in monitoring and identifying right-wing terrorists within the United States. As Beverly Gage argues, J. Edgar Hoover's personal beliefs were often "at odds" with his "professional obligations." He frequently abused his power and used secrecy to limit political demands of oppressed groups or their allies, like those in the Communist Party. Even within the bureau, those who urged the agency's hierarchy to turn its attention to right-wing extremism often went ignored. This has meant that the agency has fallen short in stemming the tide of right-wing violence.⁵

Studying the FBI's involvement in the Poyntz case presents a paradox. To understand the bureau and why it chose not to investigate the disappearance requires depending on the FBI to be forthcoming with its own documentation. The Freedom of Information Act (FOIA), passed in 1967, was meant to bring transparency to the government's operations, but it is up to the agency to release its own files, something it has not always been willing to do. Recently, the bureau has been releasing partial files; files that were once released in their entirety are no longer available.⁶ This is true of the Poyntz file, which was originally released to historian Harvey Klehr in 1978 and is more than 330 pages. The FBI is no longer releasing the file to researchers. This paper uses what is presumably the entire Poyntz FBI file, located in a serendipitous discovery in the archives; a copy of it was found in the Harvey Klehr manuscript collection held at Emory University. The bureau's silence is both troubling and interesting, raising questions about what gaps exist in the documentary evidence, what we don't know, and what the bureau does not want us to know.⁷

The bureau under J. Edgar Hoover's leadership was an anticommunist institution invested in locating and subverting a supposed communist conspiracy. Gage has argued that it would be more appropriate to describe the anticommunist period often referred to as McCarthyism as Hooverism, as it was Hoover who engineered anticommunist purges, created his career on the foundation of an alleged communist conspiracy within the United

States, and believed that behind most social justice activists were Soviets using them as puppets. More important, *Hooverism* describes a much longer trajectory in U.S. anticommunism, spanning Hoover's entire career with the FBI (1924–1972), thus making it possible to understand Poyntz's disappearance as part of anticommunist resistance within the bureau.⁸

This paper argues that Poyntz's file reveals that, in 1937, when she disappeared, the bureau was not worried about a missing communist but by the Cold War, the newly empowered agency used Poyntz's disappearance to locate communists once associated with her. In other words, the FBI was not worried about Poyntz but was using her to find others associated with communism. Poyntz became a tool in the bureau's hunt for communist subversion. For the FBI, enemies were made based on public and official opinion, based on the director's prejudices, and based on government priorities. Enemies came to be defined by virtue of being under investigation. The bureau was not a neutral arbiter of justice; rather, it served as a unit that defined crime, criminality, and criminals according to its own standards and the historical imperatives of the era.

THE BUREAU

The Bureau of Investigation, as it was originally called, was founded in 1908, initially inspired by the assassination of William McKinley by the alleged anarchist Leon Czolgosz, but its first job was enforcement of the Mann Act to prevent what was then known as the white slave trade in women. The history on the bureau's own website lists anarchists bent on taking over governments as some of its first targets. The site also notes that after WWI, the bureau focused on the anarchists responsible for a series of bombs that eventually launched the Palmer Raids. The narrative surrounding Czolgosz and the assumption that the bombers were anarchists are both highly contested among historians, but the bureau's own history embraces its early antiradical mission.⁹

Rhodri Jeffries-Jones argues that in the years between 1924 and 1939, Harlan Fiske Stone, attorney general under Calvin Coolidge, sought to reform the infant agency. He advocated a strong central government, but he was wary of political corruption. Under his direction, Bureau Director William J. Burns resigned. Stone sought a nonpartisan organization with legally trained gentlemen as agents; he thought the young J. Edgar Hoover could be the person to implement his ideas, and Hoover was appointed director. The bureau stopped its "political investigations" of organizations like the NAACP and the ACLU, though Hoover still encouraged the filing of informer reports. Though liberal organizations like the NAACP and ACLU adopted anticommunism and would later purge communists from their leadership, Hoover was not dissuaded and still believed that social justice organizations were arms of a Soviet conspiracy.¹⁰

The bureau file on Carlo Tresca began in these early years. Tresca, an Italian anarchist, a leading organizer of the International Workers of the World union, and a vocal anti-Stalinist, was monitored closely by the bureau between the years 1922 and 1929, but then his file is silent from 1929 to 1941, which includes the crucial years of Poyntz's disappearance. Bureau agents, neither trained in nor interested in political nuance, described Tresca as a communist subversive. These agents described him as a troublemaker

and political operative of interest, despite his growing disillusionment with communists, his stated anti-Stalinism and criticism of communists, and his organizational independence. Though Tresca shared anticommunist sentiment with the bureau, the agency dismissed him as a radical agitator and did not take him seriously. The silences in the files during the Depression decade can be explained by the official instructions to the bureau to cease collecting noncriminal information on private individuals.¹¹

Athan Theoharis argues that in the 1920s, American counterintelligence operated under the assumption that American communists were under the Soviet Union's authority, and it monitored radicals with that assumption in mind. Even after 1933, when the United States formally recognized the Soviet Union, American communists were believed to be under its control. The Depression decade was a period of growth for the American left as capitalism buckled under economic pressures and appeared to be failing, but just as radical organizations drew in membership looking for solutions to the capitalist crisis, the Soviet Union under the dictatorship of Josef Stalin experienced political tumult. Starting in 1934, and accelerating in the years between 1936 and 1938, Stalin fomented internal divisions that led to the purging of several Bolshevik leaders, leading to debate and division in the American left among those who saw Stalin's purges as the death knell of communism. At the same time, the rise of fascist dictators in Italy, Germany, and Spain, and their commitment to authoritarian regimes, led to still more people drawn to the left. The year 1937 was a crucial one; American radicals were debating among themselves the role the Soviet Union should have in the global anticapitalist movement as the purges picked up pace, and they watched the spread of fascism across the European continent with fear. The year was punctuated by the disappearance of Soviet spies outside Russian borders and finally within the borders of the United States with the reported disappearance of Juliet Stuart Poyntz.¹²

Under Franklin Roosevelt, Homer Cummings became attorney general, and he brought a new focus on expanding federal law enforcement to conduct a "war on crime." This included abduction cases. Before Roosevelt became president, the kidnap and murder of Charles Lindbergh's son led to attention on the federal role in solving crimes and the passage of the Lindbergh law. The law allowed the bureau to intervene in kidnapping cases that occurred across state lines. Cummings was an advocate for federal law enforcement, and though he publicly claimed to be invested in states' rights, he was simultaneously expanding the reach of the government in local crime. In 1935, the bureau was rebranded the Federal Bureau of Investigation (FBI) and agents were authorized to carry weapons.¹³

In 1938, an alleged German spy by the name of Griehl was accused of operating in the New York region. The FBI, under its expanded authority, was allowed to work on cases of espionage as well as foreign intelligence, and it took up the Griehl case. Donna Haverty-Stacke argues that the Griehl case "fanned the flames of fifth-column fears" and led to a focus on labor insurgency rather than espionage. On the cusp of American entrance into the war, fear that radicals in industry would target production motivated federal intelligence agencies to increase surveillance. This little "red scare" was a "rehearsal" for the later Cold War repression and demonstrates the bureau's priorities: Faced with a Nazi spy, it instead focused on radical unionists as the threat, assuming they might be part of a Soviet conspiracy. By June 1940, the FBI was armed with a new weapon against radicals: the

Smith Act which criminalized “advocacy of disloyalty” and the overthrow of the U.S. government as well as “printing, publishing, or distributing” anything that was seditious. By 1941, the FBI began to further extend its authority to monitor civil rights groups, progressive activists, and the American Communist Party itself under the presumption of communist plots. Though the Griehl case demonstrated the presence of a Nazi spy threat, Hoover remained focused on communists and those he assumed were communists.¹⁴

Both the Roosevelt and Truman administrations feared that American communists were passing information to the Soviets, and Roosevelt issued “secret executive directives” expanding the FBI’s “investigative authority,” which included wiretapping. Hoover took the opportunity to further his authority by authorizing bugging “break-in operations” and “mail-opening programs” aimed at alleged subversives. This authority expansion proceeded with Roosevelt’s approval from 1936 through 1940, and he authorized the bureau to conduct “noncriminal investigations” into alleged subversives. Theoharis argues that Hoover took advantage of official goodwill and his bureau began to use extralegal methods, in violation of the constitution, by misinforming the executive branch and using external filing methods or records destruction to avoid documentary audits.¹⁵ Theoharis also demonstrates that even with available documentation, the bureau still holds secrets about its behavior and that the FBI’s delayed and inconsistent file releases after the passage of FOIA, coupled with the heavily redacted material, makes understanding the bureau’s counterintelligence operations during WWII difficult for historians. For example, the Special Agent in Charge (SAC) files that recorded “policy and procedures” entirely redacted all sections about wartime investigations into the American Communist Party and Soviet activities.¹⁶

THE POYNTZ DISAPPEARANCE

The Poyntz story begins on a June day in 1937, still unknown, but somewhere between June 3 and 5, when Juliet Poyntz left her boardinghouse and walked toward Central Park, never to be seen again. After Marie B. MacDonald and her friend Elias Lieberman were contacted, they went to her room and found it disheveled. What was left behind led them to conclude that Poyntz was not gone voluntarily. There were empty food containers, breadcrumbs, and mothballs. Most troubling was that her passport, bank account information, and citizenship papers had been left behind. Though Poyntz had been born a citizen in Omaha, Nebraska, in 1913, she had married a German national, and under American law—a law that did not apply similarly to American men—this meant that she lost her citizenship. When her marriage had dissolved (though she never officially divorced), she had been forced to naturalize in the country of her birth. Both McDonald and Lieberman knew that Poyntz worked in the Soviet underground, recruiting people for anti-Nazi work in Germany, so they stayed quiet to avoid alerting authorities to her secret life, but as the months passed, MacDonald began to worry and urged Lieberman to file a missing person report. Poyntz’s disappearance was officially reported in the press in December 1937, and Lieberman asked for a formal police investigation in January 1938.¹⁷

The ongoing Soviet purges increased fears about Poyntz’s disappearance, and her friends urged the FBI to act and open a case. Herbert Solow, an anti-Stalinist journalist and

Carlo Tresca associate, wrote to the FBI asking for its help. He also called and spoke with an agent. James O'Neil, editor of the anti-Stalinist paper *New Leader*, wrote to Hoover, urging an investigation. Hoover responded to O'Neil that the case did not fall within the bureau's jurisdiction and the bureau thus could not open an investigation. Tresca and others argued that the Lindbergh Law did give the bureau jurisdiction, and later in 1938, when the bureau became involved in the Griebel investigation, Solow and Tresca believed that further legitimated its interference in the Poyntz case.¹⁸ In 1943, a bureau report revealed that it had not responded to Juliet Poyntz's disappearance because there had been no evidence that Poyntz was engaged in "communist activities." Paradoxically, the report also noted that the New York Police Department considered her one of the top ten communists.¹⁹

Coincidentally, an American woman named Ruth Rubens was arrested in Moscow in December 1937, days before Poyntz's disappearance was reported in the press. Rubens was a member of the CPUSA, and she was married to a Latvian named Arnold Rubens, who happened to work for the same underground apparatus as Poyntz. Authorities claimed that the two were in Moscow to celebrate the 20th anniversary of the Bolshevik uprising but traveled under the name Robinson using false passports. The bureau received an anonymous tip claiming that there was "good reason" to believe Rubens and Poyntz had been caught up in the Soviet purges and eliminated by the Soviet secret police. Hoover forwarded the anonymous tip to Secretary of State Cordell Hull, distancing himself from both cases. The State Department sent representatives to speak to Rubens and followed her case. Arnold Rubens likely died in prison; besides a court appearance a year after their arrest, he was never seen again. Ruth Rubens served 18 months in a Soviet jail. After her release, she was naturalized as a Soviet citizen and never returned to the United States; she left behind a young daughter.²⁰ The anonymous tip did not make it into Poyntz's FBI file. The anonymous letter and Solow's phone call indicate that by 1938, the FBI had two tips claiming that Poyntz had been taken by the Soviets; it did not follow through on either.²¹

From December 1937 into January 1938, Carlo Tresca publicly accused the Soviet Union of having Poyntz abducted and killed. This led to a subpoena before a federal grand jury investigating the Rubens case. Tresca appeared on February 22, 1938, and gave a statement outlining Rubens's connections to the CPUSA. He then stated that he believed a Soviet agent named Schachno Epstein, a friend of Poyntz's, had lured her from her boardinghouse to nearby Central Park, where he had helped to facilitate her abduction by agents. Tresca's evidence of Poyntz's disappearance is admittedly dubious. He claimed that Poyntz told him directly that she was disillusioned with the party, a disillusionment that led to her fellow agent's distrust and her eventual silence. He also claimed to have seen Epstein in New York. There was no physical evidence to verify any of his accusations. I have argued elsewhere that the significance of Tresca's accusations is that they would be repeated as fact (by both liberals and conservatives) without verification for the next eighty years, leaving lingering questions about what happened to Poyntz and feeding anticommunist accusations that Soviet communism was homicidal.²²

Tresca elaborated on his claims in a March 1938 article published in *The Modern Monthly*. He once again named Epstein as the man who had lured Poyntz to her abductors. He also mentioned a man named George Mink. Mink was known to American intelligence and had been under bureau investigation since 1935. Mink was a one-time leader of the

Marine Workers Industrial Union in New York with connections to the Soviet secret police. Mink had come to the FBI's attention in 1935 when he had been arrested in Denmark for rape and espionage and Danish law enforcement had contacted U.S. agents to find fingerprint data or any identification material to confirm it was him. He served a prison sentence until the summer of 1936. Tresca claimed in his article that Mink was the reason that Poyntz had become disillusioned with the Soviets because she had participated in show-trial interrogations with him in 1936, and the two had been seen together in Moscow.²³

In 1937, Mink appeared in Barcelona, Spain, during the country's civil war. The war had been started by fascist military leader Francisco Franco after he tried to overthrow the left-wing democratically elected government. Leftists from around the world traveled to Spain to serve in brigades against the fascists; Americans fought in the Abraham Lincoln Brigade. Stalin's paranoia, however, spilled over into the war-torn country, and Mink allegedly went there under Soviet orders to liquidate suspected enemies of the Bolshevik revolution. He garnered a reputation as the "OGPU Butcher," the OGPU being the precursor to the KGB. One of those alleged enemies was a friend of Tresca's named Camilo Berneri, who was killed in the purges in Spain. Tresca believed that Mink was directly responsible for his friend's death. The bureau's file on Mink was active between 1935 and 1936 when he was on trial for espionage and serving his prison sentence; the file was quiet again until 1939. Though Tresca directly named Mink as a coconspirator in the Poyntz case, there is no mention of it in his file. Mink was known to intelligence agencies globally as a rapist and murderer. In 1941, he was being monitored while in Mexico, where he had tried to kill Leon Trotsky (one of Stalin's primary enemies) the year before. One agent wrote to his superiors that they intended to keep a good eye on Mink because it was "well known" that "something drastic happen[ed]" anywhere he was. Tresca's accusations against Mink were not followed up.²⁴

The New York State Police (NYPD) investigation into the disappearance was not thorough either. As soon as the police were alerted to Poyntz's disappearance, they issued a press release claiming that she was one of the "top ten" communists in America. Tresca somehow obtained a police description card for Poyntz that contained physical descriptions of her. It is how we know that she suffered from lupus. It listed her as between 49 and 52 years old (she was 50), around 5 foot 6 inches, 160 pounds, and having an "ulcerated red mark" on the bridge of her nose, a visible symptom of lupus. Poyntz had brown eyes, a "sallow" complexion, and false teeth. Where and how Tresca obtained the description card is unknown, but he accused the police of going barely further than that. They delayed their investigation until specifically asked by her lawyer to investigate in January 1938, then checked morgues, hospitals, and asylums and took the "usual steps" when looking for a missing person. According to Tresca, however, the investigation was underwhelming and turned up no evidence of her whereabouts. The NYPD's investigation file on Poyntz has not been made available to researchers, and without access to the files, researchers have only witness accounts, like Tresca's.²⁵

What we do know about the NYPD investigation comes from an FBI memo that noted the police file revealed "very little," though the agency recorded that a New York City Police officer reported that he had heard Poyntz had been purged. The bureau's Poyntz file picks up again in 1943 with a lengthy synopsis memo on her disappearance. This

coincides with the bureau's increased surveillance of communist party members and fellow travelers. For at least two years, the FBI did not trace any information on Poyntz's whereabouts, did not note that Tresca believed she had been betrayed by her Soviet bosses, and ignored that George Mink, a confirmed criminal, had been named as the potential killer. Tresca had been supplying the bureau with information, but agents noted in Tresca's file that they did not find the information reliable.²⁶

Solow and Tresca grew frustrated with the FBI's inaction and independently investigated Poyntz's disappearance. In the absence of official interest in the Poyntz case, it is remarkable what the two men uncovered, mostly from their remaining contacts in the Communist Party or from former party members. Solow located a man named Mark Graubard whom Poyntz had recruited to travel to Europe to operate as a spy. Graubard supplied Solow with information about Poyntz's role in the underground. He also identified another of Poyntz's attempted recruits, William Harlan Hale. Both men told Solow that Poyntz was a recruiter, her job to locate people with connections in Europe, specifically in or near Germany. Then she would encourage people to travel there and supply Walter Krivitsky, her contact in Germany and the same man who had warned Barmine that he was going to be assassinated, with whatever information they could on the goings-on in Nazi Germany. Graubard was the only one of the two who had traveled to Europe at Poyntz's behest, but by 1937, he had been scared and had gone home, distancing himself from the Soviets and the Communist Party. Poyntz had failed to recruit Hale. Neither Hale nor Graubard appear in her FBI file, suggesting that Solow was a more successful investigator than the FBI.²⁷

There was one woman Poyntz worked with in the underground whom both Hale and Graubard knew as another agent and who did feature in the FBI investigation. Lena, sometimes known as Tina or Miss Hale and a variety of other pseudonyms, was named by both Graubard and Hale as either a colleague of Poyntz's or her handler. Graubard met Lena in New York and then again in Switzerland for what he described as a "pointless" meeting, though she did tell him that Poyntz had been in Moscow in November 1936. Hale met Lena in New York at a party. She had cash that she was prepared to give him if he would immediately travel to Europe and begin work as an informer. Both men believed she was Eastern European, and Hale described her as beautiful. Whittaker Chambers, perhaps the most famous ex-communist witness of the Cold War, told Solow that he knew Lena as Tina and that she was a terrifying figure in the underground.²⁸

Independently of Solow and Tresca, the bureau learned of Lena from an informer named Narceny. Narceny claimed that another spy he knew, named Edna Schultz, had told him that she had interrogated Poyntz in Moscow in January 1938, which would mean that Poyntz had been kidnapped from New York and held for seven months in a Soviet prison. Narceny also claimed that Poyntz had been executed only weeks after that interrogation. Narceny's information is doubtful because he shared two different stories of how the Soviets kidnapped Poyntz. In one story, he told agents that Lena invited Poyntz to a restaurant on June 3, 1937, where they met with Mink; Poyntz was plied with alcohol to the point of inebriation to facilitate her kidnapping and was then transported to Moscow. In another version, Narceny claimed that Poyntz had been taken from a party. By the time the bureau got around to following leads on the case, Tresca's story that Mink was Poyntz's

executioner had been circulating in the press for years. Was the FBI informer Narceny merely parroting a story that was widely available in the press? The informer system has been questioned for its reliability by many, partly because informers often had to keep producing information to stay in the bureau's good graces but also because some informers were paid for their information, leading to doubts about the information's veracity. None of the information was new, except for the claim that Poyntz had been alive for months after disappearing. The bureau file does not indicate follow-up with Edna Schultz.²⁹

The only reason the bureau was interested in Lena was because she presented an opportunity for it to ferret out former communists and put them under the investigatory lens, which suddenly led to some interest in the Poyntz case. The bureau was not motivated to locate Poyntz, as evidenced by the amount of time that had already elapsed and its failure to follow up on leads. Instead, at the height of the anticommunist purges in the post-World War II period, it was looking for communists or former communists to prove the existence of a conspiratorial apparatus. In 1953, the bureau located a friend of Poyntz's named Amy Mac Master. Mac Master had an unusual story to tell about Lena: In 1936, using the name Mary Delmar, Lena jumped out of a window in Chicago in an apparent suicide attempt. She survived and then traveled east to Pennsylvania, where she left a train in Denholm wearing only pajamas. She was found crouching next to a barn in a state of distress. The farm owners let her stay with them, but she eventually made another attempt on her life, shooting herself in the head. She survived again but had to be hospitalized. Mac Master told the bureau that Poyntz had asked her to intercede on Lena's behalf with the hospital and let her stay with her. Mac Master claimed that she believed Poyntz and Lena did not get along; she traveled with Poyntz to the Denholm train station to retrieve her luggage, and when it was located, Poyntz began to search it. On another occasion, Poyntz visited the hospital with Mac Master, and Lena flew into a rage upon seeing Poyntz. This information did not offer concrete evidence of Lena and Poyntz's relationship, nor did it assist in finding why Poyntz went missing. The bureau agents tried to determine if MacMaster was a communist. She admitted to working with socialists, but she had not been a communist and did not work in the underground. She was an old friend of Poyntz dating back to 1924, and Poyntz had frequently used her address for her passport applications. Beyond that, it did not appear that Mac Master had any involvement in the CPUSA.³⁰

Lena's injuries left her weak, dazed, and almost completely blind in one eye. Poyntz arranged for Mac Master to travel to Paris in September 1936 with Lena to hand her over to others. Mac Master said that Poyntz had also secured the help of Dr. Julius and Tillie Littinsky for the voyage. The four met at the pier before boarding the ship, and once again, when Lena saw Poyntz, she became enraged. The Littinskys and Mac Master traveled to Paris together, and Mac Master claimed that Tillie Littinsky took special interest in and care of Lena. The Littinskys, however, had a different version of the trip, and reason to avoid being linked to Poyntz: They had both been under investigation by the House Committee on Un-American Propaganda Activities.³¹

Dr. Julius Littinsky was the chief medical examiner for the International Worker's Order (IWO), an insurance company with links to the Communist Party. In 1936, when Littinsky was working for the IWO, it was run by Max Bedacht, who was alleged to be the New York contact for the Soviet underground. The Littinskys were eager to distance

themselves from the party. Littinsky alleged that Poyntz had pressed him to help bring Lena to Paris, that she had imposed on what was supposed to be a second honeymoon, and that he had not known Poyntz before she had asked. Mac Master's account was in direct contradiction, as she claimed that the Littinskys seemed to know Poyntz well and that they were active with Lena on the ship abroad. Additionally, Mac Master stayed in Paris for only three days and left Lena in the care of the Littinskys. It is not likely that Mac Master was trying to harm the Littinskys, but the couple did all they could to distance themselves from what had been a very active career with the Communist Party. Because the FBI did not know Graubard, it missed that he had met with Lena in November 1936, two months after the trip to Paris, when she told him Poyntz was in Moscow. Had a seriously injured Lena then traveled back to New York to assist in the kidnapping of Poyntz the following summer? Our understanding of this interaction is informed by the bureau's files. The FBI was focused on the Littinskys and on verifying their links to the CPUSA and a Soviet agent, and not on locating Poyntz. Lena's whereabouts were immaterial.³²

Further evidence of the bureau's overriding interest in identifying communists is its interaction with Poyntz's attorney and friend, Elias Lieberman. Of those who were questioned about Poyntz, Lieberman may have been one of her closest friends. He had a long friendship with her and acted as her attorney in civil litigation to obtain money from her dead husband's estate before she went missing. Naturally, the bureau was interested in what information he had to share, but also in his politics. Lieberman cast doubt on Tresca's original claims that Schachno Epstein was involved in Poyntz's abduction. He told the FBI that Epstein's son Arnold had visited him at his law offices at his father's behest after Poyntz had disappeared. Arnold Epstein told Lieberman that after his father realized he had been publicly accused of Poyntz's abduction, he had written a letter to him asking Arnold to visit Lieberman and tell him that he had nothing to do with the disappearance. The bureau was quick to drop the Epstein angle, but only after confirming that Lieberman was not himself a communist or associated with any communist-linked groups.³³

The bureau found many former communists willing to abandon their former friends to save themselves from investigation, or even to make some money. Paul Crouch epitomized the problem with the bureau informer system, and also happened, or so he claimed, to have been close friends with Poyntz. In 1942, after 17 years in the Communist Party, Crouch and his wife Sylvia were expelled for refusing an order to move to California. For five years, the Crouches remained silent about their years in the party, but postwar anticommunism presented a lucrative opportunity for former communists, and Crouch had just lost his job. Becoming an informer became a career move. Crouch's biographer Gregory Taylor describes Crouch's anticommunism as motivated by the personal slight from his expulsion, the need for money, and a growing anticommunist commitment. Crouch also displayed what Taylor argues is a "Manichean perspective" that characterizes some of the former communists who became witnesses in legislative hearings. It describes their transition from one worldview to its complete opposite.³⁴

In 1949, Crouch wrote a series of articles for the *Miami Daily News* about espionage within the CPUSA, and the Poyntz disappearance was featured. He claimed that Poyntz had been kidnapped and killed by George Mink. He was regurgitating the story that Tresca had constructed, but it had a new life in 1949 when anticommunism became central to

American domestic and foreign policy. Anticommunism, coupled with Crouch's articles, brought renewed interest to Poyntz, and Crouch's accusations were carried in the national news. Crouch claimed that Poyntz was an old friend of him and his wife, though he botched personal information about her and did not appear to have had any contact with his friend for years before she had gone underground. The bureau did not believe his information but suddenly was forced to follow up as law enforcement agencies contacted it about dead women's bodies that had been found in the summer of 1937. None of the bodies was ever confirmed to be that of Poyntz.³⁵

As Crouch repeated information that had been circulating for more than a decade, relishing in the attention and money he earned from his anticommunism, the media and government officials began to question his claims. Crouch, like other ex-communist witnesses, often contradicted himself, but Crouch did it with enough regularity that the media began to publicize his lies, prompting Attorney General Herbert Brownell to launch an investigation into the informer system. In 1955, Harvey Matusow, another ex-communist witness, published a book titled *False Witness*. In it, he admitted that he had fabricated much of his testimony, and he accused fellow witnesses Elizabeth Bentley and Crouch of doing the same. Crouch tried to recruit the FBI in a campaign to clear his name, but his financial situation and health began to deteriorate. In November 1955, he died from lung cancer. The informer system and individuals like Crouch became a drain on the bureau as the informers sought financial and public support. This also led to fatigue on the part of the American people, who were fed lurid but dubious stories about communist debasement for more than a decade.³⁶

Neither Juliet Stuart Poyntz, Carlo Tresca, nor George Mink lived to witness Cold War anticommunism and the purges of the American Communist Party. George Mink allegedly died in Mexico in 1941. Carlo Tresca was gunned down in Manhattan in 1943, and some of his friends thought that communists might have had him killed because he had accused them of Poyntz's disappearance. The Tresca assassination is officially unsolved, but the NYPD identified individuals in the Italian Mafia as the likely culprits. Tresca's accusations against Mink were included in both men's FBI files, but the FBI never followed up, nor investigated whether the notorious assassin Mink was ever involved. Locating Poyntz or finding out if the Soviets had her "disappeared" was never a priority; what was prioritized in the Poyntz case was locating living communists.³⁷

Beverly Gage's recent Pulitzer Prize-winning biography of Hoover demonstrates that communists were an obsession for him during the 48 years he served as director. The spy scares in the years after World War II provided the bureau with the opportunity to target and harass communists, though evidence has shown that the Soviet spy ring had largely ceased to exist by 1947 and those like Poyntz had not spied to undermine the U.S. government; rather, they did not believe the United States was doing enough to stop the spread of Hitlerism. The CPUSA was an outspoken antifascist, antiracist, and antisexist organization that Hoover believed linked social justice and civil rights organizations to an alleged communist conspiracy. As Gage argues, even when it could not be proven, Hoover believed his agents just needed to keep looking for evidence. The bureau's notorious Counterintelligence Program (COINTELPRO), which focused on social justice activists—famously including Martin Luther King Jr., whom Hoover believed was the most

dangerous Black man in the United States—was created first to target communists. The bureau failed to uncover a violent communist conspiracy that sought to overthrow the U.S. government but used the tactics it honed on communists to harass the civil rights, new left, and antiwar movements.³⁸

This has had long-lasting consequences for both social justice in the United States and the growth of right-wing violence. While Hoover put tepid energy into investigating the Ku Klux Klan, his focus remained on Black activists and their allies particularly in the CPUSA. Lerone Martin's recent study on Hoover and white evangelicals suggests that Hoover was instrumental in the current rise of Christian nationalism. He operated with almost unlimited authority in his tenure as director, and during that time, he created alliances with leading evangelicals and other conservative organizations, some of which assisted in collecting intelligence on party members. Small-government conservatives embraced Hoover's big-government agency and his use of illegal surveillance tactics to undermine social justice groups. Today the bureau has faced rising white supremacist violence disarmed and unprepared; even whistleblowers in the agency have argued that it regularly falls short in surveilling white supremacists who threaten violence. Kathleen Belew demonstrated that the bureau quickly pinned the 1993 Oklahoma City Bombing on Timothy McVeigh and only two other accomplices and suppressed information that McVeigh not only worked with several white supremacist groups but also got the idea from them (a similar attack had been tried once before on the same building) and that the attack was orchestrated by others who worked with McVeigh. More recently, the bureau ignored mountains of data in the days before the January 6, 2021, attacks on the capital building that white supremacists had been planning violence.³⁹

The bureau's disinterest in the Poyntz case demonstrates that it has long exercised the right to determine what constitutes a crime. Cold War anticommunism gave the FBI license to track and harass radicals and put on a show of grave concern for an alleged communist menace even while it ignored a suspected purge on its shores. The bureau's files reveal that the alleged communist threat was just as often about changes to the status quo and fear of change, and this empowered the FBI to yield powerful weapons of surveillance against citizens. Poyntz became a useful tool to enable the surveillance state; perhaps this explains the bureau's contemporary reluctance to release its files.

NOTES

1. Arthur Irwin (1937); "Police Department Description Card for Juliet Stuart Glaser—nee Julia Poyntz," Guide to Carlo Tresca, Box 2, Folder 43, Tamiment Library, New York University, New York, New York; Elias Lieberman, "The Mysterious Disappearance of Juliet or A Lady Communist Vanishes (A True Story)," p. 2. Elias Lieberman Manuscript Collection, Kheel Center, Cornell University, Ithaca, New York.
2. FBI Memo, NY 100-59538, Sam Tanenhaus Papers, Box 53 Folder 1, Hoover Institution Archives, Stanford University, Stanford, CA. The Communist Party Poyntz joined in 1919 was an organization that had many names until it eventually settled on the Communist Party of the United States (CPUSA). For the sake of consistency and clarity, this article will refer to it as the CPUSA.

3. Meier (2008:228); Lynn (2021:2, 56–57).
4. Lynn (2021:2, 57).
5. Reitman (2018); Gage (2022:xv).
6. One example of the FBI's unwillingness to release its files is in the case of Charlotta Bass. Bass was not a Communist Party member but became an active fellow traveler in the post-World War II years. In 1994, scholar Roger Streitmatter wrote about a lengthy FBI file on Bass that showed not only the bureau's surveillance of her but also the CIA's surveillance of her when she traveled overseas. The bureau has made only 50 pages of that file available recently, and those pages are not very telling. They concern an insurance conflict over personal issues and reveal little of the bureau's surveillance of Bass. Streitmatter lost the file in a flood in his office. Other scholars who cited the lengthy FBI file told me that they had been citing only Streitmatter. In March 2021, Charles Holm, having received the entirety of Bass's file from one of Bass's former colleagues, contacted me. See Streitmatter (1994).
The New York State Police also refuse to release their file on Poyntz. I have requested it on three separate occasions and have been given various reasons for it not being available, including that it is an open investigation and that there is no file.
7. David M. Harvey, Section Chief, Federal Bureau of Investigation, communication to author, 23 February 2007, 26 April 2007, 14 November 2008; Michael G. Seidel, Section Chief, Federal Bureau of Investigation, communication to author, 26 June 2020.
8. Gage (2002:384, 645–46, 649, 651).
9. Greenwood (2021:15); Finan (2007:3).
10. Jeffreys-Jones (2007:82–84).
11. Jeffreys-Jones (2007:85–86).
12. Theoharis (2002:11).
13. Jeffreys-Jones (2007:88–92).
14. Jeffreys-Jones (2007:96); Weiss (1983); Haverty-Stacke (2013:68–71).
15. Theoharis (1981:5–6, 2002:11).
16. Theoharis (2002:13–14).
17. Elias Lieberman, "The Mysterious Disappearance of Juliet or A Lady Communist Vanishes (A True Story)," 2–3. Elias Lieberman Manuscript Collection, Kheel Center, Cornell University, Ithaca, New York; FBI Memo, NY 100-59538, Sam Tanenhaus Papers, Box 53 Folder 1, Hoover Institution Archives, Stanford University, Stanford, CA.
18. Jeffreys-Jones (2007:102–103, 108); Herbert Solow, "Memo," 1938, Herbert Solow Papers, Box 10, Folder 8, Hoover Institution Archives, Stanford University, Stanford, CA. A discredited FBI agent named Leon Turrou, the SAC on the Griebel case, shared a photograph with Herbert Solow that allegedly depicted Griebel with Poyntz and George Mink. Poyntz associates could not identify her in the photograph, and a State Department official claimed the photo was doctored. Turrou hoped the Griebel case would make his career, but under his leadership, some of the accused Nazis escaped rather than testify before a grand jury. Griebel lost his job, and the debacle embarrassed the FBI.

19. Document NY 100-59538, Sam Tanenhaus Papers, Box 53 Folder 1, Hoover Institution Archives, Stanford University, Stanford, CA.
20. *New York World-Telegram* (17 December 1937); X to Mr. Edgar J. Hoover, 24 December 1937, and John Edgar Hoover to The Honorable, The Secretary of State, 29 December 1937, Record Group 59, Entry 205 C, National Archives and Records Administration, College Park, Maryland; *New York World-Telegram* (28 December 1937).
21. E.A. Tecu to J. Edgar Hoover, March 1938, and Document NY 100-59538, Federal Bureau of Investigation. Sam Tanenhaus Papers, Box 53 Folder 1, Hoover Institution Archives, Stanford University, Stanford, CA.
22. "The Gentleman of the Federal Grand Jury," 1938, Box 11, "Robinsons-Rubens" Folder, Herbert Solow Papers, Box 10, Folder 8, Hoover Institution Archives, Stanford University, Stanford, CA. See Lynn (2021).
23. Tresca (1938:12); "Urgent," February 23, 1935, George Mink File, Federal Bureau of Investigation.
24. "Memo" Mexican Matters, Communist Activities, George Mink," 1941, Federal Bureau of Investigation, National Archive and Records Administration.
25. "Police Department Description Card for Juliet Stuart Glaser—nee Julia Poyntz," Guide to Carlo Tresca, Box 2, Folder 43, Tamiment Library, New York University, New York; *New York Sun* (12 January 1938).
26. Document NY 100-59538, Federal Bureau of Investigation. Sam Tanenhaus Papers, Box 53 Folder 1, Hoover Institution Archives, Stanford University, Stanford, CA.
27. Mark Graubard to Herbert Solow, 1 November 1939, and Herbert Solow, "Personal Memo—Graubard Interview"; Herbert Solow to Mark Graubard, 2 November 1939, Herbert Solow Papers, Box 10, Folder 8, Hoover Institution Archives, Stanford University, Stanford, CA; Herbert Solow to William Harlan Hale, no date, Herbert Solow Papers, Box 10, Folder 8, Hoover Institution Archives, Stanford University, Stanford, CA.
28. Herbert Solow to William Harlan Hale, no date, Herbert Solow Papers, Box 10, Folder 8, Hoover Institution Archives, Stanford University, Stanford, CA; Herbert Solow, "Supplement 1 to Chambers story," 3 November 1938, 1–2. Herbert Solow Papers, Box 5 Folder "Whittaker Chambers," Hoover Institution Archives, Stanford University, Stanford, CA.
29. Document NY 100-59538, Federal Bureau of Investigation. Sam Tanenhaus Papers, Box 53 Folder 1, Hoover Institution Archives, Stanford University, Stanford, CA; Schrecker (1998).
30. SAC, WFO (BSM) Airtel Urgent NY (100-59538), 5 November 1953, and A.H. Bujmont [sic] to W. A. Branigan, re: Unknown Subject "Lena," 5 November 1953, and "Juliet Stuart Poyntz file," 7 December 1953, p. 8, Federal Bureau of Investigation. Sam Tanenhaus Papers, Box 53 Folder 1, Hoover Institution Archives, Stanford University, Stanford, CA.
31. Special Committee on Un-American Activities (1944).
32. New York Field Office Memo, "Juliet Stuart Poyntz," 11, 24–25 June 1954, pp. 1–4, Federal Bureau of Investigation. Sam Tanenhaus Papers, Box 53 Folder 1, Hoover Institution Archives, Stanford University, Stanford, CA; Washington D.C. Field

- Office Memo, "Juliet Stuart Poyntz," 7 December 1953, pp. 1–10, 2, Federal Bureau of Investigation. Sam Tanenhaus Papers, Box 53 Folder 1, Hoover Institution Archives, Stanford University, Stanford, CA.
33. Document NY 100-59538, 16, Federal Bureau of Investigation. Sam Tanenhaus Papers, Box 53 Folder 1, Hoover Institution Archives, Stanford University, Stanford, CA.
34. Taylor (2014:1–7).
35. *Miami Daily News* (8 May 1949) and Hoke Welch Folder, 11 May 1949, RG233, Box 9, House Un-American Activities Committee Executive Session Transcripts, 12/28/1948–6/14/1949; *Miami Daily News* (10 May 1949); Colonel Herbert Barnes, Superintendent, to J. Edgar Hoover, 17 May 1949, and SAC, New York to Director, FBI, 2 June 1949, SAC, Boston to Director, FBI, 15 July 1949, Federal Bureau of Investigation. Sam Tanenhaus Papers, Box 53 Folder 1, Hoover Institution Archives, Stanford University, Stanford, CA; Mr. H.B. Fletcher to Mr. D. M. Land, 26 May 1949, Federal Bureau of Investigation files, Sam Tanenhaus Papers, Box 53 Folder 1, Hoover Institution Archives, Stanford University, Stanford, CA.
36. Taylor (2014:265–267).
37. Pernicone (2005:269–73).
38. Gage (2022:457, 541–53).
39. Pilkington (2022); Martin (2023:4–5); Belew (2018); PBS News Hour (2023).

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