



Interview with **Charles O'Brien**

Date: May 24, 1989

Interviewer: Louis Massiah

Camera Rolls: 3112-3113

Sound Rolls: 351

Team: C

Interview gathered as part of ***Eyes on the Prize II: America at the Racial Crossroads, 1965-mid 1980s***. Produced by Blackside, Inc. Housed at the Washington University Film and Media Archive, Henry Hampton Collection.

Preferred Citation

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Note: These transcripts contain material that did not appear in the final program. Only text appearing in ***bold italics*** was used in the final version of *Eyes on the Prize II*.

[camera roll #3112]

[sound roll #351]

[slate]

00:00:12:00

Camera Crew Member #1:

Marker, mark one.

[slate]

00:00:14:00

Interviewer:

OK, we're gonna start from the beginning. When did you first hear about the Black Panther Party, and sort of describe that, and, and what you thought about them when, when you heard about them?

00:00:23:00

Charles O'Brien:

Well, it was in the middle of 1960s. '66, around there. And then we heard about some individuals who were having confrontation, and, and with the police in parts of Oakland. And I thought they were another nut group and, which California had then a fair quota on.

00:00:43:00

Interviewer:

OK, cut. One second.

[cut]

Camera Crew Member #1:

Marker.

00:00:47:00

Camera Crew Member #1:

Mark two.

[slate]

00:00:50:00

Interviewer:

OK, and remember to rephrase. When did you first hear about the Black Panther Party, and talk about that?

00:00:55:00

Charles O'Brien:

Well, I think they came to our attention in the middle 1960s. We heard about a group identified as the Black Panthers, who were having confrontational encounters with the police departments in, in Oakland. And, their style of operation was very angry, very confrontational, and we thought we had another nut group seeking violent solutions to society's problems loose in Oakland.

00:01:24:00

Interviewer:

What, what did you hear that they were doing?

Charles O'Brien:

Having strong and aggressive dialogues, with the police. That they, on the occasion of arrests, that—

Interviewer:

OK, and if you could, rephrase, all right? What did you hear that the Black Panthers were doing?

00:01:40:00

Charles O'Brien:

We heard that the Black Panthers were having strong confrontations with the police departments, were interfering in arrests, were interposing themselves as a militant group in the process of police operations in East Oakland. And, it looked to us like a very bad and very explosive situation.

00:02:04:00

Interviewer:

OK, what was the reputation of the Oakland Police in terms of—

Camera Crew Member #2:

Can you [unintelligible] camera? Sorry.

Interviewer:

All right let's—

[cut]

[slate]

Interviewer:

—Police department in 1967, '66-67?

00:02:17:00

Charles O'Brien:

Well, I think it's, it's difficult to say with the reputation of the Oakland Police Department was at that time. I think there were individual officers who might've been, somewhat aggressive because of their experience in the, in the streets of Oakland. But I don't think the department for the Bay area, for the San Francisco Bay area, had a particularly racist reputation. It had a reputation as being a pretty tough police department, and perhaps a physical one, but it was difficult from our point of view in, in law enforcement, and in the Department of Justice State of California to say that a police department should always go—it should always be legal—but should always go with kid-glove rules in a very rough environment. I don't think they had a bad reputation.

00:03:06:00

Interviewer:

OK, could you describe the Sacramento visit, the, the Panther visit to the Sacramento State Capitol as you heard about it? And just talk us through it.

00:03:14:00

Charles O'Brien:

Well, it was [laughs] it's, it was a little upsetting at the time, and then almost immediately afterwards it was a source of, of great amusement in law enforcement circles, because the Panthers, and principally Huey Newton, had learned that waving guns in public was not in itself a violation of California statute. What he didn't realize, of course, was that carrying guns into the, into the legislative halls of Sacramento was specifically against state law. And so they went up there to make an impact. They had men. The background was that they had men surrounding police officers who were making arrests in the Black community, in a circle, waving the weapons, and yelling about Miranda rights. And so an assemblyman named Don Mulford, from Berkeley, introduced a bill to change the law on carrying weapons publicly in open display. And the Panthers decided to make their point by visiting the state legislature and brandishing their weapons. The force that was up there was the California State Police, which are not a state police in the sense of some of the eastern states, but are basically guards on state buildings. And sometimes, and unfortunately, pejoratively, referred to as door-shakers. And the door-shakers, all of a sudden, had a, a number of armed, Black, rather militant, and strident types, brandishing weapons and pouring in. And the Sacramento Police thought this was a very serious problem, and it was. I mean, we didn't know what they were up to, and when the calls came into the state Department of Justice, we said, What the Sam Hill is this all about? And these crazy characters have escalated their actions again. Of course, they guaranteed passage of the Mulford Act, which changed the law so they could no longer brandish their weapons, which may or may not have been one of the things they intended.

00:05:09:00

Interviewer:

OK. Could you talk about the language of the Black Panther Party, you know, pig, and, you know, whatever. How, how, how that affected you and, and especially in your position. When you heard that, what'd that make, what, what response you had?

00:05:22:00

Charles O'Brien:

Well, I mean, the language that the Panthers used was aggressive, confrontational, and provocative. It was designed to evoke a response from the police. From the state Department of Justice point of view, we wanted tranquility. We did not want confrontation between police departments and, and any citizen group. And we found them extremely provocative, and, and very irritating. Their language was confrontational, deliberately confrontational, and we thought it was very unfortunate.

00:05:55:00

Interviewer:

OK, as Chief Deputy Attorney General, what did it mean to you that citizens were taking up guns and walking on the streets with them?

00:06:02:00

Charles O'Brien:

Well, as Chief Deputy Attorney General, we'd had, I'd had experience, and the Department of Justice the State of California'd had experience in the 1960s, prior to this time, with a variety of nut groups, both extreme left and extreme right, who were running around with guns thinking that they could solve the problems of California and the world through direct, militant action. And we were, and had been, well-informed, and in some cases had surveillance upon extreme groups that carried weapons. When these characters came along, we thought they were another irritating part of the bouillabaisse that was starting to bubble all over California. We needed them like a, a severe case of a bad disease.

00:06:45:00

Interviewer:

OK, what was—

Camera Crew Member #1:

Excuse me. I have to cut for one second. Can I get a tail slate here [unintelligible]?

Camera Crew Member #3:

Tail in.

[cut]

Camera Crew Member #1:

Marker.

Camera Crew Member #3:

Marker.

[slate]

Camera Crew Member #1:

OK. I'm sorry. I have a little bit of a problem.

[cut]

[slate]

Camera Crew Member #1:

Marker.

Camera Crew Member #3:

Mark four.

[slate]

Interviewer:

OK, we're [unintelligible].

00:07:00:00

Camera Crew Member #1:

Cut.

Interviewer:

For one second.

Camera Crew Member #1:

We're still rolling. Still rolling, Sue?

Camera Crew Member #2:

Still rolling.

Interviewer:

OK, OK. Are you rolling?

00:07:09:00

Camera Crew Member #1:

Yeah.

00:07:09:00

Interviewer:

All right, what was the difference between the Panthers and the rest of, sort of, California gun culture? I mean, there was a large, a number of groups, people carried guns in California. What was the difference with the Panthers?

00:07:20:00

Charles O'Brien:

Well, one, they were, the different between the Panthers and the other groups that we regretted the presence of was that the Panthers were in an urban environment, whereas the others tended to hold their maneuvers in the high desert, and with larger weapons. God help us! And, but *the Panthers seemed to be in deliberate, open, provocative confrontation with the police departments. In their early periods, they used revolutionary language, provocative language, and seemed to be deliberately seeking to confront established authority, particularly police authority. But then, we observed that they seemed to have a social side, a concept of doing something beyond these angry confrontations*, to the point where they were going in as some of us derisively said, into the grocery business. But this was a good thing. They were starting to, I think, put certain pressures on the grocers to bring in food for the needy and to attempt to perform a variety of services that they thought weren't being done in this community. This distinguished them, on our perception over a period of time, remarkably, from other groups.

00:08:34:00

Interviewer:

Right, very good. What, what were some of the legislative changes that, that you worked on, that, trying to curb the Panthers' use of arms and the use of arms in public?

00:08:45:00

Charles O'Brien:

Well, over a period of time in the 1960s, we were constantly going to the legislature to try and restrict the use of weapons by citizens in an urban, and, environment. We did not feel that hunting rifles or any kind of weapons belonged on city streets. And we pressed the legislature with some success over a period of time, and sometimes the NRA was stronger than we were, quite frankly, to get these hands out, to get the guns out of the hands of the people who were waving them around. And the Panthers were particularly provocative. We didn't, from the state point of view, regard them as as serious a threat as some of the others, like the Revolutionary Arm [sic] Movement and the, the right-wing groups, the state's rights groups, and the paramilitary on the right. But they were particularly provocative in their public confrontations. And we regarded them as a, as a pain.

00:09:43:00

Interviewer:

OK, I'm interested in your role as a federal—

Camera Crew Member #1:

We're gonna roll out, here.

Interviewer:

Let's cut. OK, we're just gonna put the 100-foot in, then.

[cut]

Camera Crew Member #2:

Speeds.

[slate]

Camera Crew Member #1:

Marker.

00:09:51:00

Camera Crew Member #3:

Mark five.

[slate]

00:09:53:00

Interviewer:

OK, again, what was the policy of the state, in particular Governor Reagan, about the Panthers? And how did you, what was your position on it?

00:10:01:00

Charles O'Brien:

Well, Governor Reagan was more confrontational. I think he felt he had to be, and he was extremely supportive of District Attorney Coakley, and the Alameda County authorities. You must understand, at this time we had the student body, taking to the streets from the Berkeley campus into, into Oakland, on marches against the war. There were demonstrations of all kinds back and forth on this, at this time, but as the state Department of Justice, because we had some law enforcement supervisory authority, we were attempting to calm things down, to get the dialogue, the public picture of the dialogue down to a lower decibel rating. And so, we found ourselves pragmatically forming a course sometimes it was somewhat different than the governor's.

00:10:47:00

Interviewer:

OK, in that early period, '67-'68, did you see the Panthers as being dangerous?

00:10:54:00

Charles O'Brien:

Oh, I think in '67-'68 there was no question that we thought that the Panthers were, were, had the capacity to be extremely dangerous. They were confrontational, they were armed. They—their program seemed to consist of, of having angry dialogues, and sometimes violent dialogues, with the police.

00:11:10:00

Interviewer:

OK, and how do you feel about using guns for, for social change? How did you feel at that time?

00:11:16:00

Charles O'Brien:

Well, I felt—every man is shaped by his experience, and I served, as a nineteen-year-old, in the infantry in World War II. I didn't think that guns solve an awful lot. I mean, we beat Hitler, but I didn't think that we needed to take World War II to the streets of California. And I thought that the use of guns, even if they weren't fired by these people, was extremely dangerous and could lead to, to real problems.

00:11:40:00

Interviewer:

OK, cut.

[cut]

[wild sound]

Charles O'Brien:

—you know.

Camera Crew Member #1:

Can you do it in a minute and a half?

Interviewer:

Sure, OK.

Charles O'Brien:

Probably.

Interviewer:

All right. So, I guess the point, let, let me just try to formulate it, a, a question that's sort of direct, then.

Camera Crew Member #2:

[unintelligible]

Camera Crew Member #1:

Thirteen thirteen

Interviewer:

What was the media's, what was the media image of the Panther, and how, how did that fit with what you?

Charles O'Brien:

Oh, OK, how did it feed on itself? Right, OK.

Interviewer:

How did it feed on itself, and how did that fit?

[cut]

[camera roll #3113]

[slate]

00:12:09:00

Camera Crew Member #1:

Mark six.

[slate]

00:12:11:00

Interviewer:

OK, what was the media perception or presentation of the Panthers, and how did it feed on itself, and then what was the information that you were getting?

00:12:20:00

Charles O'Brien:

Well, for the media, particularly for television, the Panthers were good copy. And the more they had angry confrontations, and the angrier their rhetoric was, the better news they were. And the Panthers quickly realized this, and they fed to each other. And it was, from our point of view, attempting to modulate the dialogue and to decrease tension, they were terrible. The media didn't help a damn bit.

00:12:45:00

Interviewer:

OK, cut.

[cut]

[slate]

Camera Crew Member #2:

Do it again, please.

00:12:54:00

Camera Crew Member #1:

Second, stick. Hit it.

[slate]

00:12:57:00

Interviewer:

The media presentation of the Panthers, and how it fed on itself.

00:12:59:00

Charles O'Brien:

Well, the media, particularly television, liked confrontation. They liked the angry rhetoric of the Panthers. They liked people waving around rifles. This made great news copy. The Panthers quickly discovered this. From our point of view, in seeking to modulate the dialogue, to reduce tensions, they were terrible. They were absolutely terrible. They fed on each other, and the media was a pain in the butt.

00:13:21:00

Interviewer:

OK, cut.

[cut]

[end of interview]

00:13:26:00

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