

POLICING FREE SPEECH:

Police Surveillance and Obstruction of First Amendment-Protected Activity

**An ACLU Survey of Reported Incidents
June 29, 2010**

United States law enforcement agencies, from the FBI to local police, have a long history of spying on American citizens and infiltrating or otherwise obstructing political activist groups. Political spying was rampant during the Cold War under the FBI's COINTELPRO, the CIA's Operation Chaos, and other program.

Unfortunately, it appears that these old tendencies have once again come to the fore. Law enforcement agencies across America continue to monitor and harass groups and individuals for doing little more than peacefully exercising their First Amendment rights.

A thorough search and review of news accounts by the ACLU reveals that these law enforcement behaviors have taken place in at least 33 states plus the District of Columbia in recent years. Americans have been put under surveillance or harassed by the police just for deciding to organize, march, protest, espouse unusual viewpoints, and engage in normal, innocuous behaviors such as writing notes or taking photographs in public.

For example, in the past year, at least four troubling Fusion Center reports have come to light:

- The Virginia Fusion Center's Homegrown Terrorism Document: <http://www.infowars.com/media/vafusioncenterterrorassessment.pdf>
- The Texas Fusion Center's Prevention Awareness Bulletin: http://www.privacylives.com/wp-content/uploads/2009/03/texasfusion_021909.pdf
- The Missouri Fusion Center's Document on the Modern Militia Movement: http://www.privacylives.com/wp-content/uploads/2009/03/miacreport_022009.pdf
- The Massachusetts Fusion Center's "Commonwealth Fusion Center's Standard Operating Procedures" (not available online)

The following is a state-by-state compilation of examples of these behaviors in recent years.

States where incidents of political spying were found in ACLU review



Alaska

- *Military Intelligence Spied on Alaskans for Peace.* According to an Electronic Frontier Foundation FOIA, military intelligence spied on the anti-war group Alaskans for Peace and Justice in 2005. Tags: DOD (<http://rawstory.com/2010/02/military-spied-planned-parenthood-civilian-phone-calls/>)

Arizona

- *Student Arrested for Advertising Protest.* University of Arizona Police Department's arrested a 24-year-old graduate student for using sidewalk chalk to advertise a protest. Individuals involved with the incident believe that the anonymous faculty member who reported the chalk probably had a problem with the content, not the medium, of the message. Tags: State and Local Police (<http://wildcat.arizona.edu/news/outrage-at-arrest-intensifies-1.556708>)

California

- *FBI Infiltration of Islamic Center.* An FBI agent testified in court in 2009 that an informant had been planted at an Islamic Center in Irvine, California. Surveillance has prompted some Muslims to avoid mosques and cut charitable contributions out of fear of being questioned or branded as 'extremists.' Tags: FBI (http://www.usatoday.com/news/religion/2009-04-21-muslim-surveillance_N.htm and <http://www.presstv.ir/detail.aspx?id=87254§ionid=3510203>)
- *Los Angeles Police Department Reporting Policy.* LAPD Special Order #11, dated March 5, 2008 includes a list of 65 behaviors LAPD officers "shall" report. The list includes such innocuous, clearly subjective, and First Amendment-protected activities as, taking measurements, using binoculars, taking pictures or video footage "with no apparent esthetic value," drawing diagrams, taking notes, and espousing extremist views. Tags: State and Local Police (http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)
- *California Office of Homeland Security Reports on Peaceful Protests.* In 2006, the LA Times gained access to California Office of Homeland Security reports detailing information about political demonstrations throughout California including an animal rights rally outside a Canadian consulate office in San Francisco to protest the hunting of seals, a demonstration in Walnut Creek at which government officials spoke against the war in Iraq, and a Women's

International League for Peace and Freedom gathering at a courthouse in support of a 56-year-old Salinas woman facing federal trespassing charges. Tags: State and Local Police
(http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)

- *Santa Cruz Police Infiltration of DIY New Year's Parade.* When the city of Santa Cruz decided to cancel their annual "First Night" New Year's Parade, community activists decided to create their own parade, the Do It Yourself (DIY) New Year's Parade. Police found out about parade plans in late October 2005 and decided to spy on the group by infiltrating their parade planning meetings. Police Chief Howard Skerry promised a complete investigation but tapped Deputy Chief Vogel—the very person who authorized the infiltration—to determine whether the authorization was appropriate. Not surprisingly, Vogel's report cleared the Santa Cruz Police Department of any wrongdoing. Tags: State and Local Police
(http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)
- *California National Guard Monitoring of Mothers' Day Peaceful Protest.* On May 5, 2005, a member of Gov. Arnold Schwarzenegger's press office, informed California National Guard officials that members of CODEPINK, Gold Star Families for Peace, and others were planning to "mark Mother's Day urging the Governor and Legislature to support bringing California National Guardsmen home from Iraq by Labor Day. The information was then forwarded up the chain of command and National Guard intelligence staff was asked to monitor the event. Tags: National Guard, Fusion Centers (http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)
- *Military Monitors Campus Anti-Recruiting Protests.* Two Department of Defense (DOD) Threat and Local Observation Notices (TALON) from April 2005 describe anti-recruiting protests by students at the University of California campuses of Berkeley and Santa Cruz. The source for both TALON reports, a "special agent of the federal protective service, U.S. Department of Homeland Security," relayed protest information he received through email alerts. Tags: DOD, FBI, FPS (http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)
- *Undercover Campus and County Sheriffs Attend Cal State Fresno Lecture on Veganism.* On November 10, 2004, the California State Fresno student group Campus Peace and Civil Liberties Coalition (CPCLC) hosted an on-campus lecture by a speaker formerly employed by People for the Ethical Treatment of Animals (PETA). The lecturer addressed approximately 60 people about the benefits of a vegan diet. Six of those 60 attendees were undercover police officers—three from the county sheriff's department and three from the campus police department. Tags: State and local Police (http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)
- *Military Monitors Peaceful Anti-War Protest.* A November 2004 Department of Defense (DOD) Threat and Local Observation Notice (TALON) report addressed a "protest against the Iraq war . . . planned by a Sacramento chapter of a U.S. domestic group at the Sacramento Military Entrance Processing Station." The San Francisco Joint Terrorism Taskforce (JTTF) had advised commanders of the San Francisco and San Jose stations of the protests, and notes that "it appears this protest will most likely be peaceful, but some type of vandalism is always a possibility." Tags: State and Local Police, DOD, FBI, JTTF
(<http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)
- *The Military Monitors Veterans for Peace Veterans' Day Protest.* The Sacramento Chapter of Veterans for Peace (VFP)'s 2004 Veteran's Day protest at the Sacramento Military Entrance Processing Station landed them as the first entry on a published Department of Defense (DOD) Threat and Local Observation Notices (TALON) extract. Tags: DOD
(<http://www.aclu.org/safefree/general/24272res20060227.html>)
- *Costa County Sheriff's Homeland Security Unit Officers Infiltrate Union Demonstration.* When Southern California Safeway store workers went on strike in 2003–2004, a delegation of

religious leaders planned a pilgrimage to the Safeway CEO's home to deliver postcards supporting the striking workers. Sheriff's deputies from Contra Costa County Sheriff's Homeland Security Unit went to the United Food and Commercial Workers Union (UFCW), and staff directed them to a contact number on a flyer. Despite the fact that the sheriff's department had been in contact with the pilgrimage organizers—union leaders saw the same sheriff's deputies in plainclothes attending a demonstration at a Safeway store in San Francisco.

Tags: State and Local Police

http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf

- *Fresno County Sheriff's Office Infiltrates Peace Fresno.* An undercover Fresno County Sheriff's deputy infiltrated a non-violent activist group, Peace Fresno, attending meetings and rallies, taking minutes for the group on one occasion and traveling to a demonstration in Sacramento. A Peace Fresno member learned of the infiltration when an obituary in the *Fresno Bee* revealed the deputy's true identity and identified him as a member of the Fresno County Sheriff's Department's "anti-terrorist team." Tags: State and Local Police
http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf
- *California Anti-Terrorism Information Center Bulletin on Anti-War Protest.* On April 7, 2003, the California Anti-Terrorism Information Center (CATIC) issued a bulletin warning of violence by demonstrators at an anti-war demonstration at the Port of Oakland. Police responded in an excessive manner, firing wooden dowels at protesters and injuring over 50 people. The public disclosure of that bulletin, a significant follow-up investigation by the Oakland Tribune, and advocacy by the ACLU led Attorney General Bill Lockyer to commission a review of the agency. Tags: State and Local Police
http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf
- *Oakland Police Department Infiltrates Anti-Police Brutality Demonstration Planning Committee.* On May 12, 2003, activists returned to the Port of Oakland for a demonstration against the police response to the April 7 protest. Documents obtained by the ACLU of Northern California during litigation over the original April 7 incident revealed that two undercover Oakland police officers infiltrated the protest planning group and selected "the route of the march." Tags: State and Local Police
http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf
- *Sacramento Police Department Videotapes Peaceful Protestors.* On February 15, 2003, peace and justice organizations held a demonstration in Sacramento to protest the then-impending war in Iraq. Approximately 10,000 people attended the peaceful demonstration. The Sacramento Police Department provided security for the event. They also sent a police department employee to videotape the demonstration. Sacramento Police confirmed that taping of the protest was at least partially intended to modify protesters' behavior. Tags: State and Local Police, Fusion Centers
http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf
- *California Anti-Terrorism Information Center (CATIC)/JTTF Information Sharing on about a Rally at Lawrence Livermore National Laboratory.* On November 8, 2002, CATIC issued a "Law Enforcement Advisory" about a "rally" at Lawrence Livermore National Laboratory. Despite the innocuous nature of the demonstration, the bulletin advised law enforcement to contact either the local JTTF or CATIC's Situation Unit with "any additional information regarding this rally, potential problems occurring with this rally or information regarding any similar situations." Tags: JTTF, FBI, State and Local Police, Fusion Centers
http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf

- *San Francisco Police Infiltrate Anti-War Protests.* During the huge protests against the war in Iraq between October 2002 and February 2003, several San Francisco police officers posed as protesters to monitor crowd activities. This infiltration of the protests by undercover officers was never authorized by the chief of police, representing a failure to follow San Francisco's Guidelines for First Amendment Activities. Tags: State and Local Police
(http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)
- *Military Collects Conference Attendees' Contact Information, Including References to Arab-American Anti-Discrimination Committee.* A Department of Defense (DOD) Threat and Local Observation Notice (TALON) document obtained by the ACLU relates to a May 2002 conference held at Stanford University entitled "Third National Organizing Conference on Iraq." The document contains "a contact list" of attendees and a number of references to the American-Arab Anti-Discrimination Committee, including the organization's Washington, DC address, phone number, and email. Tags: DOD, JTTF, FBI
(http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)
- *California Anti-Terrorism Information Center (CATIC) Issues Warning About Middle Eastern Festivities.* In April 2002, CATIC issued an "Anti-Terrorism, Law Enforcement Advisory," discussing "California's vulnerability to violence based on current Middle East Conflict." The bulletin listed "events involving Middle Eastern festivities," including "the Afghan New Year's Festival in Pleasanton at the Alameda County Fairgrounds" and a "march against 'War and Racism'" in San Francisco. Tags: JTTF, State and Local Police, Fusion Centers
(http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)
- *California Anti-Terrorism Information Center (CATIC) Issues Bulletin on International Action Anti-War Protest.* Center On November 7, 2001, CATIC issued a bulletin with the heading "Anti-Terrorism, Terrorism Advisory for Law Enforcement Use Only, Sensitive Information." The bulletin warned of "possible war protests" and stated that "the International Action Center, an anti-war, anti-globalization, and anti-corporation protest advocacy group founded by former U.S. Attorney General Ramsey Clark, is encouraging individuals to protest the war in Afghanistan in San Francisco." Tags: State and Local Police
(http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)
- *The Los Angeles County Terrorism Early Warning Center (LACTEW) officials Steal Files Pertaining to Surveillance of Muslim Groups.* A group of military reservists and law enforcement officers led by the co-founder of the Los Angeles County Terrorism Early Warning Center (LACTEW) engaged in a years-long conspiracy to steal highly classified intelligence files from the Strategic Technical Operations Center (STOC) located at the U.S. Marine Corps Base at Camp Pendleton, California and secret surveillance reports from the U.S. Northern Command headquarters in Colorado Springs, Colorado. Some of the stolen files "pertained to surveillance of Muslim communities in Southern California," including mosques in L.A. and San Diego, and revealed "a federal surveillance program targeting Muslim groups" in the United States. Tags: State and Local Police, Fusion Centers
(http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)
- *Military Collects Information on Student and Community Peace Groups.* The Department of Defense (DOD) Threat and Local Observation Notice (TALON) database included information on numerous anti-war and counter-recruitment protests, including campus demonstrations by UC Santa Cruz Students Against War and the UC Berkeley Stop the War Coalition, a Sacramento protest organized by military veterans, and a San Francisco demonstration organized by local activists. The TALON database also designated the level of concern posed by the protest activity. Tags: JTTF

(http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf and <http://www.aclu.org/safefree/spyfiles/24142res20060214.html>)

- *LAPD Disrupts Bicycle Protest of BP Oil Spill.* An LAPD officer, claiming to be at the intersection of Hollywood Boulevard and Highland Avenue to ticket cyclists who failed to stop at red lights, kicked at a passing bicyclist during a protest ride against BP's role in the Gulf of Mexico oil spill. Tags: State and Local Police (<http://latimesblogs.latimes.com/lanow/2010/06/bicyclist-kicked-lapd-video-bp-protest.html>)

Colorado

- *FBI JTTF Monitors American Indian Movement, Peace Groups, and Environmental Groups.* In August 2005, the ACLU obtained the documents in response to a Freedom of Information Act (FOIA) request containing information on the Colorado American Indian Movement and the Rocky Mountain Peace and Justice Center. The files show that JTTF agents opened "domestic terrorism" investigations after they read notices on web sites announcing an antiwar protest in Colorado Springs in 2003 and a protest against Columbus Day in Denver in 2002. Tags: FBI, JTTF (<http://www.aclu.org/safefree/general/20298prs20050802.html>)
- *Law Enforcement Infiltrates Rocky Mountain Peace and Justice Center.* In 2003, Rocky Mountain Peace and Justice Center was engaged in several civil disobedience actions, along with other peace and social justice groups. On two occasions, they learned that they had been infiltrated by undercover law enforcement officers who had attended their nonviolence trainings and participated in the actions with them. (<http://www.aclu.org/safefree/general/24217res20060220.html>)
- *Federal Protective Service Shares Information on "Flying Circus" Protest.* In the summer of 2002, Denver activists planned a peaceful, several-day event billed as the "Flying Circus." On July 30, the Federal Protective Service intercepted an email containing a schedule for the event. FPS forwarded it to the intelligence unit of the Colorado Springs Police Department as well as the JTTF and the Denver FBI office. The Federal Protective Service also forwarded the same email to the Denver Police Department's Intelligence Unit. (<http://www.aclu-co.org/spyfiles/fbifiles.htm>) Tags: FPS, State and Local Police
- *Federal Protective Service Shares Information on Transform Columbus Day Event.* In August 2002, the Federal Protective Service intercepted an email containing information about the Transform Columbus Day events planned for Denver. FPS forwarded the intercepted email to the intelligence unit of the Colorado Springs Police Department as well as the JTTF and the Denver FBI office. The Federal Protective Service forwarded the same email to the Denver Police Department's Intelligence Unit. (<http://www.aclu-co.org/spyfiles/fbifiles.htm>) Tags: FPS, JTTF
- *Colorado Springs Police Records and Shares Names and License Plate Numbers of Environmental Activists.* Environmentalist and conservationist groups organized a peaceful demonstration at the North American Wholesale Lumber Association's (NAWLA) annual convention in Colorado Springs in June 2002. The Colorado Springs police provided the Denver Intelligence Unit with a two-page list of names and license plate numbers of participants in the nonviolent protest. The cover sheet indicates that the list of names and plates would be forwarded to the JTTF, who was apparently expecting the information. An FBI spokesperson admitted that the agency requested the list of plate numbers. Tags: JTTF, FBI, State and Local Police (<http://www.aclu-co.org/spyfiles/fbifiles.htm> and <http://www.aclu.org/safefree/general/24240res20060222.html>)
- *Federal Protective Services Intercepts and Shares E-mail about Palestine Rally.* An e-mail announcing a rally about Palestine at the state capitol in Denver on April 5, 2002 was

intercepted by the Federal Protective Service, which forwarded it to the Denver Police Department Intelligence Unit and the FBI. Tags: State and Local police, JTTF, FBI (<http://www.aclu-co.org/spyfiles/fbifiles.htm>)

- *Denver Intelligence Unit Keeps Binder of Activist Organizations.* A 3-ring binder maintained by the Denver Intelligence Unit contains a section labeled "Colorado and Local Links: JTTF Active Case List." The pages in that section consist of printouts made in April 2002 from the web sites of such local Colorado groups as Colorado Campaign for Middle East Peace, American Friends Service Committee, Denver Justice and Peace Committee, Rocky Mountain Independent Media Center, and the Human Bean Company. Tags: JTTF, FBI (<http://www.aclu-co.org/spyfiles/fbifiles.htm>)
- *JTTF Adds Environmental Extremists and Black Extremists to VGTOF.* In anticipation of the 2002 Olympics, the JTTF added "anarchists" and eight separate categories of "extremists" (such as "environmental extremist" and "Black extremist") to the FBI's Violent Gang and Terrorist Organization File (VGTOF). When patrol officers check the name of a driver or a suspect in the National Crime Information Center (NCIC), the VGTOF database is automatically searched, too. Tags: JTTF, FBI (Ann Davis, "Data Collection Is Up Sharply Following 9/11," *Wall Street Journal*, May 22, 2003, at B1. and <http://www.aclu-co.org/spyfiles/fbifiles.htm>)
- *Colorado University Boulder Police Department Intercepts and Shares E-mail about Fur Free Friday.* An e-mail sent to members of Rocky Mountain Animal Defense about Fur Free Friday, dated November 7, 2001, was intercepted by the Colorado University Boulder police department. CUBPD forwarded it to the Denver Police Department Intelligence Unit and the Joint Terrorism Task Force. Tags: State and Local police (<http://www.aclu-co.org/spyfiles/fbifiles.htm>)
- *Colorado University Boulder Police Department Intercepts and Shares E-mail About Aspen Event Meeting.* On July 13, 2000, an activist's email to the Direct Action Network and the Waake-up list announcing an informational meeting to discuss events that the Aspen Institute was sponsoring the following month was email was intercepted by the Colorado University Boulder police department, who quickly forwarded it to the Denver Police Department's Intelligence Unit. Tags: JTTF, State and Local police (<http://www.aclu-co.org/spyfiles/fbifiles.htm>)
- *Intelligence Bureau Information Summary Includes Information on Individual Handing Out Flyers About a Documentary Criticizing the FBI.* The Oct. 19, 1999 Intelligence Bureau Information Summary included information on an individual handing out flyers advertising a screening of a documentary that criticizes the FBI. A handwritten note indicated the report would be faxed to the JTTF. Tags: JTTF, FBI (<http://www.aclu-co.org/spyfiles/fbifiles.htm>)
- *JTTF and Denver Intelligence Unit Monitor Protest of Serbia Bombing.* In April 1999, FBI JTTF agent, joined by two members of the Denver Intelligence Unit, monitored two peaceful demonstrations protesting the NATO bombing of Serbia. Detectives followed one participant to her car three blocks away to get her license number so she could be identified. Tags: JTTF, FBI, State and Local Police (<http://www.aclu-co.org/spyfiles/fbifiles.htm>)
- *JTTF Interest in Food Not Bombs.* A memo released pursuant to an ACLU FOIA requests indicates an ongoing federal interest, through the FBI JTTF, in Food Not Bombs, a Colorado group that provides free vegetarian food to hungry people and protests war and poverty. Tags: FBI, JTTF (http://www.aclu.org/spyfiles/idaho_pressrelease.pdf)

Connecticut

- *Activist Arrested for Photographing Governor at Public Event.* Hartford Police arrested activist Ken Krayeske after he photographed Connecticut Governor Jodi Rell at a public event.

Connecticut State Police monitored Krayeske's blog, which was critical of the Governor, and sent local police his photograph as a potential threat to the Governor. Tags: State and Local Police (video) (http://www.the40yearplan.com/CNN_on_Fusion_Centers.php)

- *Activist Claims State Police Engaged in Political Spying Online.* Activist Ken Krayeske alleges in court documents that State Police used phony e-mail identities to subscribe to bulletin boards and e-mail lists of political parties, such as the Green Party and the Democratic Party, and advocacy groups such as the Central Connecticut State University Progressive Student Alliance Committee. Tags: State and Local Police (<http://www.courant.com/shopping/hc-krayeske-charges-police-1220.artdec20,0,3377048.column>)

Florida

- *Military Surveillance Gets Friends Meeting of Ft. Lauderdale listed on Government Watchlist.* During the 2004 and 2005 Air-Sea Shows, the Friends Meeting of Ft. Lauderdale distributed information about conscientious objection to recruiters and interested civilians and handed out peace literature. Peter Ackerman learned that this action had landed him on a government watchlist when, shortly after news broke about domestic surveillance by the Department of Defense, a local reporter called him and asked if he was a "credible threat". Tags: DOD (<http://www.aclu.org/safefree/general/24251res20060224.html>)
- *JTTF and US Army Recruiting Command Briefed on Anti-War Guerilla Theater.* The Broward Anti-War Coalition's protest at the Florida air and sea show was included as a Department of Defense (DOD) Threat and Local Observation Notice (TALON) database threat entry. The U.S. Army Recruiting Command and the JTTF in Miami had been briefed on the planned protest, which was intended to "counter military recruitment and the 'pro-war' message with 'guerrilla theatre.'" Tags: JTTF, FBI, DOD (<http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)
- *FBI Bulletin Warns of FTAA Protests.* On November 15, 2003, the FBI issued Intelligence Bulletin no. 94, entitled "Potential for Criminal Activity at Free Trade Area of the Americas (FTAA) Annual Meeting." It noted that the FTAA annual meeting "historically... draws large scale demonstrations, both peaceful and by those individuals or groups who wish to disrupt the meeting." The bulletin referenced a previous bulletin as providing "guidance on tactics used during protests and demonstrations" that could "assist... in preparations for the FTAA annual meeting." Tags: JTTF, FBI (Memorandum for Glenn A. Fine, Inspector General *Re: Constitutionality of Certain FBI Intelligence Bulletins*, April 5, 2004: <http://www.docstoc.com/docs/19849237/CONSTITUTIONALITY-OF-CERTAIN-FBI-INTELLIGENCE-BULLETINS>)

Georgia

- *Federal Protective Services Shares Information about Georgia State Students for Peace and Justice Protest.* The Georgia State University Students for Peace and Justice appear in an April 2005 Department of Defense (DOD) Threat and Local Observation Notice (TALON). The source, a "special agent of the federal protective service, U.S. Department of Homeland Security," describes an email alert he received about an "Anti-Recruitment Picket." The Atlanta Police Department, the Georgia Information and Sharing Intelligence Center, and the Atlanta Recruiting Battalion were among the local organizations advised of the protests. Tags: JTTF, DOD, DHS, State and Local Police (<http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)

- *FBI Surveillance of SOA Protest.* FBI surveillance of School of the Americas (SOA) Watch's peaceful protests and acts of civil disobedience outside Fort Benning, once classified as "Routine," after 2001 became "Priority" and subject to "Counterterrorism" monitoring. Tags: FBI (<http://www.aclu.org/safefree/spying/25442prs20060504.html> and <http://www.aclu.org/safefree/spying/25436res20060504.html>)
- *Military Lists Georgia Peace & Justice Coalition as a Threat to DOD.* A Department of Defense (DOD) Threat and Local Observation Notice (TALON) report listing Atlanta-area protests organized by the Georgia Peace and Justice Coalition (GPJC) contends that the Students for Peace and Justice Network poses a threat to DOD personnel. Citing a DHS source, the TALON supports its claim by listing prior acts of civil disobedience in California and Texas, including a protest at the University of California Santa Cruz campus, a sit-in, and street theatre. Tags: JTTF, DOD, DHS(<http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)
- *Vegetarian Activist Arrested for Writing Down License Plate Number of DHS Agent Who Monitored Her Protest.* Caitlin Childs was arrested after a peaceful protest on public property outside the Honey Baked Ham store on Buford Highway in DeKalb County for taking down the license plate number of the car belonging to the DHS agent who had been photographing the protestors all day. Tags: DHS, JTTF (<http://www.aclu.org/safefree/general/24168res20060216.html>)
- *Veteran Surveilled for Participation in Recruiting Station Protest.* Debbie Clark, who was honorably discharged from the US army after eight years of active duty and who is married to a man who remains on active duty in the military, found herself under Pentagon surveillance when she participated in a protest near an Army Recruiting Station in Atlanta, GA on Ponce de Leon Avenue. Tags: DOD (<http://www.aclu.org/safefree/spyfiles/24155res20060215.html>)
- *DHS Terrorist Watch List Report on Muslim Conference.* In March 2008, DHS produced a "terrorism watch list" report about a Muslim conference in Georgia at which several Americans were scheduled to speak, even though it "did not have any evidence the conference or the speakers promoted radical extremism or terrorist activity," and such speech is constitutionally protected. Tags: DHS (http://www.nytimes.com/2009/12/17/us/17disclose.html?_r=2&ref=todayspaper).
- *FBI Field Intelligence Group Lists Green Party as Potential Target for Eco-terrorism Investigation.* An FBI intelligence analyst wrote a 2005 memo "identifying future targets of the animal rights and environment [sic] rights movements and/or those committing crimes on behalf of the movement in the Georgia area," which listed the Green Party as a terrorist group. Tags: FBI (<http://gawker.com/5329187/fbi-agent-thinks-the-green-party-is-a-terrorist-group-with-nukes>).

Idaho

- *FBI Questions Idaho Progressive Student Alliance Leaders.* In May 2005, the ACLU and ACLU of Idaho filed FOIA to request information on behalf of the Idaho Progressive Student Alliance (IPSA), a non-partisan student group that focuses on social, economic, gender, and environmental justice. IPSA President Arielle Anderson and Secretary Audra Green were questioned by FBI agents in March 2004 regarding the IPSA's boycott of Taco Bell to protest the conditions of Immokalee workers in Florida. Tags: FBI (http://www.aclu.org/spyfiles/idaho_pressrelease.pdf)

Illinois

- *Military Reports on American Friends Service Committee Action.* The American Friends Service Committee (AFSC) appears in a Department of Defense (DOD) Threat and Local Observation

Notice (TALON) report regarding the group's planned protests at a recruiting center in Springfield, Illinois. A "special agent of the federal protective service, U.S. Department of Homeland Security," provided information he received in an email alert from the AFSC: "[A] series of protest actions were planned in the Springfield, IL area . . . to focus on actions at military recruitment offices with the goals to include: raising awareness, education, visibility in community, visibility to recruiters as part of a national day of action focused on military recruiters." Tags: DOD, JTTF, DHS

(<http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)

- *JTTF Investigates Muslim Man Using Hand Counter to Track His Daily Prayers.* A Middle Eastern man in traditional clothing sparked a three-day police manhunt in Chicago when a passenger on the bus he was riding notified the police that he was clicking a hand counter during the trip. A JTTF investigation into the episode revealed he was using the counter to keep track of his daily prayers, a common Muslim practice. Tags: JTTF
(http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)

Indiana

- *IDP Alters Peaceful Protest's Route.* In August 2003, the National Governors Association (NGA) held a meeting in Indianapolis. In preparation for the NGA meeting, the Indianapolis Police Department (IPD) Intelligence Unit created a "protest zone" outside of the hotel where the governors stayed and where many of the meetings took place. The local police soon learned that a group of demonstrators wished to walk the eight or nine blocks from St. Mary's Catholic Church to the protest zone. The demonstrators were silent and non-disruptive, yet. They were met by twenty to thirty IPD police officers riding on bikes and in cars. The IPD decided, on the spot, to develop the route that the demonstrators were required to take. Following the completion of protest activity in the protest zone, a number of the demonstrators wished to return to St. Mary's in a group as a continuation of their protest but were again escorted back by the police. Several of the protestors sued O'Connor for violating their First Amendment rights to peacefully protest by altering their route. On February 9, 2005, the U.S. District Court for the Southern District of Indiana found in favor of the protestors. Tags: State and Local Police
(<http://www.aclu.org/FilesPDFs/in%20free%20speech%20district%20court.pdf>)
- *IDP Raids Solidarity Books Collective.* The IPD raided Solidarity Books Collective (SBC), a local political awareness group. Tags: State and Local Police
(<http://www.aclu.org/FilesPDFs/in%20free%20speech%20district%20court.pdf>)

Iowa

- *JTTF Delivers Grand Jury Subpoenas to Peace Activists and Drake University.* In February 2004, it came to light that four peace activists and Drake University had received federal grand jury subpoenas, which were delivered by a local JTTF officer. The U.S. Attorney's statement on the subpoenas shows that they were all related to a mid-November seminar at Drake University, led by the National Lawyers Guild, on non-violent civil disobedience. Tags: JTTF, DOJ, FBI
(<http://www.aclu.org/safefree/general/16989prs20040210.html>)
- *FBI and Local Police Infiltrate Iowa Peace Groups Before Republican National Convention.* An FBI informant and a Ramsey County Minnesota Sheriff's Deputy went undercover to infiltrate Iowa City peace groups in advance of the Republican National Convention, and attended an Iowa City campus anti-war demonstration. FBI files include detailed descriptions of a dozen Iowa political activists. Tags: FBI, State and Local Police
(<http://www.commondreams.org/headline/2009/05/17-4>)

Kansas

- *Kansas Police Department Trains Rental and Maintenance Staff to Spy for Them.* One Kansas police department trains maintenance and rental staffs of apartment complexes, motels, and storage facilities to look for things like “printed terrorist materials and propaganda.” Tags: State and Local Police (http://www.aclu.org/pdfs/privacy/fusioncenter_20071212.pdf)

Kentucky

- *Minister Placed on FBI List for Ordering Books on Islam.* Rev. Raymond Payne, a Greenup County minister, was detained for more than an hour by Canadian border officials while trying to enter the country in fall 2004 on a sightseeing trip. Rev. Payne has never been arrested, has never been charged with a crime, and has never even participated in a protest. Border officials indicated that he was being detained because he is the subject of an FBI file. Rev. Payne believes he may have come under federal scrutiny immediately after September 11 when he ordered books over the Internet about the Islamic religion, including several copies of the Koran. He did so – at the request of his congregation – to help the church members gain a better understanding of the faith. Tags: FBI (http://www.aclu.org/spyfiles/kentucky_pressrelease.pdf)

Louisiana

- *Veterans for Peace Classified as Threat to DOD Personnel.* An April 2005 Department of Defense (DOD) Threat and Local Observation Notice (TALON) points to an altercation between a soldier and an individual at a university anti-war rally in New Orleans. Despite acknowledging that “[i]t is unknown if the individuals involved in the incident are students at the local university or associated with the Veterans for Peace organization,” the report alleges that the incident demonstrates that VFP should be viewed as a possible “threat” to DOD personnel. Tags: DOD (<http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)

Maine

- *FBI Intercepts and Stores E-mails Planning Peaceful Protests.* The FBI intercepted and stored e-mail communications pertaining to protests at the Brunswick Naval Air Show and against the christening of an Arleigh Burke Class destroyer organized by Veterans for Peace and co-sponsored by Pax Christi Maine, PeaceWorks, WILPF, Peace Action Maine, Smilin’Trees Disarmament Farm, Global Network Against Weapons & Nuclear Power in Space, Maine Coalition for Peace & Justice, Island Peace & Justice, Winthrop Area People for Peace, and Waldo County Peace & Justice. Tags: FBI (<http://www.aclu.org/safefree/spying/27177res20061025.html>)

Maryland

- *Maryland State Police Spies on Activists.* The Maryland State Police spied on more than 30 activist groups, mostly peace groups and anti-death penalty advocates, and wrongly identified 53 individual activists and about two dozen organizations as terrorists. The Maryland State Police shared information about these cases with the Baltimore City Police Department, the Baltimore County Police Department, the Anne Arundel County Police Department, the Washington-Baltimore High Intensity Drug Trafficking Area Task Force, a local police representative of the FBI’s JTTF, a National Security Agency security official, an unnamed military intelligence officer, and DHS. DHS further disseminated e-mails from one of the peace groups. Tags: State and Local Police, FBI, JTTF, NSA (<http://www.aclu->

md.org/Index%20content/NoSpying/NoSpying.html, Uniform Crime Reports, <http://www.orlandosentinel.com/news/bal-te.groups18jul18,0,4271281.story>, <http://www.baltimoresun.com/news/maryland/bal-te.md.spying01oct01,1,6958564.story> and http://www.washingtonpost.com/wp-dyn/content/article/2009/02/16/AR2009021601131_pf.html)

- DHS Federal Protective Service Monitors Activist Message Boards. DHS Federal Protective Service collected and disseminated information about peaceful protests at the Silver Spring Armed Forces Recruitment Center. Patrick Elder, founder of the D.C. Anti-War Network, recognized one of his messages among those circulated. Tags: DHS (http://www.gazette.net/stories/10022009/poline200659_32527.shtml)

Massachusetts

- UMass Amherst Campus Police Joins Ant-Terrorism Taskforce. In December 2002, a police officer at the University of Massachusetts campus at Amherst was recruited by the FBI to spend several days a week working exclusively for its Anti-Terrorism Task Force. The arrangement came to light after FBI agents, acting on the basis of information provided by the campus officer, questioned a faculty member and an organizer for a campus union. The faculty member is of Iraqi descent and the union organizer is from Sri Lanka. Tags: FBI, JTTF (<http://www.aclu.org/safefree/general/17079prs20021212.html>)
- Undercover Harvard Police Photographs Peaceful Protestors. A plain-clothes Harvard University detective was caught photographing people at a peaceful protest for “intelligence gathering” purposes. Protesters who then photographed the officer were arrested. HUPD officers are sworn special State Police officers often work “in conjunction with other agencies, including the Massachusetts State Police, Boston Police, Cambridge Police, Somerville Police, and many federal agencies.” A university spokesman refused to say what the HUPD does with the photographs it takes for “intelligence gathering” purposes, so it is unknown whether this information was shared. Tags: State and Local Police (http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)
- Fusion Center’s Standard Operating Procedures Allow Undercover Police Monitoring of First Amendment Activities. The ACLU of Massachusetts recently obtained a copy of the Commonwealth Fusion Center’s “Standard Operating Procedures.” The procedures allow undercover police officers to attend public meetings to gather intelligence even when there is no reasonable suspicion of illegal activity. Tags: Fusion Centers, State and Local Police (http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)

Michigan

- Members of Mosques Asked to Monitor Their Fellow Congregants. In April 2009, the Council of Islamic Organizations of Michigan sent a letter to Attorney General Holder after mosques and other groups reported that their members have been asked by the FBI to monitor people coming to mosques and donations they make. Tags: FBI, DOJ (<http://www.cbsnews.com/stories/2009/04/16/national/main4949669.shtml>)

Minnesota

- FBI Seeks Informant for Surveillance at Vegan Potlucks. Prior to the 2008 Republican National Convention in St. Paul, the FBI Joint Terrorism Task Force attempted to recruit a University of Minnesota student arrested for vandalism to go undercover at “vegan pot-lucks” in order to spy

on groups organizing protests. Tags: FBI, JTTF (<http://www.citypages.com/2008-05-21/news/moles-wanted/>)

- *Police Conduct Pre-emptive Raids Against Video Journalists, Protest Groups.* The weekend before the start of the Republican National Convention, Ramsey County Sheriffs and St. Paul police conducted pre-emptive raids against a video journalist group, I-Witness, whose documentation of police misconduct during the 2004 Republican National Convention were instrumental in overturning criminal charges against protesters there. Police also conducted several other raids, apparently in coordination with the FBI, and made pre-emptive arrests of people planning to protest at the RNC. Tags: State and Local Police, FBI (http://www.alternet.org/rights/97110/rnc_raids_have_been_targeting_video_activists_/)
- *Police Conduct Mass Arrests of Protesters on Opening Day of Republican National Convention.* State and local police conducted pre-emptive mass arrests of more than 200 protesters and innocent pedestrians in Riverfront Park on the opening day of the Republican National Convention. Tags: State and Local Police (<http://minnesotaindependent.com/43406/class-action-lawsuit-filed-over-mass-arrest-on-first-day-of-rnc>)
- *Mass Arrests on Final Day of Republican National Convention Result in No Charges for 323 people.* On the final day of the RNC police conducted mass arrests, including 323 people gathered on the Marion Street and Cedar Street bridges. All 323 were later released without charge. Tags: State and Local Police (<http://minnesotaindependent.com/27157/rnc-aftermath-no-charges-from-323-arrests-on-final-day>)

Missouri

- *Fusion Center Profiles Modern Militia Movement.* The February 2009 Missouri Fusion Center report on "the modern militia movement" claimed militia members are "usually supporters" of presidential candidates Ron Paul, Chuck Baldwin and Bob Barr. Tags: Fusion Centers (<http://www.campaignforliberty.com/article.php?view=38>)

New Jersey

- *Municipalities Refuse to Disclose How They Determine "Potential Threat Elements."* In 2004, the ACLU of New Jersey sent open public records requests to the 50 largest New Jersey municipalities to obtain documents disclosing the identification of, or criteria for designating individuals as, "potential threat elements." Eight municipalities responded with refusals to disclose their records, claiming they were exempt from disclosure under New Jersey's Open Public Records Act (OPRA). Tags: State and Local Municipalities (<http://www.aclu.org/safefree/general/18727prs20041202.html>)

New Mexico

- *Military monitors Veterans for Peace Protest.* An April 2005 Department of Defense (DOD) Threat and Local Observation Notice (TALON) from an "active duty U.S. Army officer" reports on protests organized by the group Veterans for Peace (VFP), which the TALON describes as "a peaceful antiwar/ anti-military organization." Without any evident factual basis, the TALON states that although VFP is "a peaceful organization . . . there is potential [that] future protest[s] could become violent." Tags: DOD (<http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)
- *Albuquerque Police Department Infiltrates Anti-War Protest Planning Meetings.* An undercover Albuquerque Police Department detective attended organizing meetings for a protest against the Iraq war that was held on March 23, 2003. The detective used a false name, joined email

contact lists, and gathered intelligence about the organizers. Undercover APD officers also attended the demonstration posing as protestors. Tags: State and Local Police (<http://www.aclu.org/free-speech/aclu-new-mexico-sues-albuquerque-police-over-mistreatment-peaceful-protestors>)

New York

- *Military Spies on Veterans for Peace Lecture.* On April 20, 2005, John Amidon, a member of Veterans For Peace, spoke to about 75 students and community members at SUNY Albany. Seven months later, when NBC News aired a story about groups being spied on by the government, Amidon learned that the SUNY Albany event was one of the events that had been monitored. Tags: DOD (<http://www.aclu.org/safefree/general/24185res20060217.html>)
- *Military Monitors War Resisters League Peaceful Protest.* A February 2005 Department of Defense (DOD) Threat and Local Observation Notice (TALON) focuses on protests planned by the War Resisters League (WRL) near New York City recruiting stations. The document describes WRL as advocating "Gandhian nonviolence." CODEPINK and United for Peace and Justice are mentioned as joining WRL in protest events. Tags: DOD, State and Local Police (<http://www.aclu.org/safefree/general/24185res20060217.html>)
- *NYPD Infiltrates Republican National Convention Protest Groups.* For at least a year prior to the 2004 protests at the Republican National Convention in New York City, undercover NYPD officers fanned out across the country from Albuquerque to Miami and, posing as activists and sympathizers, infiltrated hundreds of groups planning to attend the protests. Tags: State and Local Police (<http://www.aclu.org/free-speech/federal-judge-orders-release-rnc-intelligence-documents>)
- *NYPD Arrests Free Speech Activist and Confiscates Chalk-Writing Bike.* A student who created an internet-connected bicycle that printed messages in water-soluble sidewalk chalk as he rode was arrested by the NYPD while he was demonstrating the device to a news reporter. The arrest was not spontaneous, but was arranged by the NYPD's RNC Intelligence Unit, which had collected a file on him. The arrest disrupted his plan to ride around during the Republican National Convention, printing sidewalk messages sent in via his website. He was released the following day without charge but the bike was not returned. Tags: State and Local Police (http://www.wired.com/politics/onlinerights/news/2007/04/kinberg_0410)
- *Police Detain Muslim-American Journalism Student for Taking Photos for a Class Assignment.* Mariam Jukaku, a 24-year old Muslim-American journalism student at Syracuse University, was stopped by Veterans Affairs police in New York for taking photographs of flags in front of a VA building as part of a class assignment. After taking her into an office for interrogation and taking her driver's license, the police deleted the photographs from her digital camera before releasing her. Tags: State and Local Police, Federal Police (http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)

North Carolina

- *Pentagon Surveils Veteran.* Debbie Clark, who was honorably discharged from the US army after eight years of active duty and who is married to an active duty military man, found herself under Pentagon surveillance when she participated in a protest at Fort Bragg in March 2005 led by veterans and military families. Tags: DOD (<http://www.aclu.org/safefree/spyfiles/24155res20060215.html>)
- *TALON Report on Peaceful Protest.* A planned demonstration at Fort Bragg, North Carolina, was listed in the TALON database, though it had been determined not to be a credible threat

because of its "peaceful" nature. Tags: State and Local Police, DOD
(<http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)

Ohio

- *Military Monitors Anti-War Protest.* A protest entitled "Stop the War NOW!" was reported as a potential terrorist threat in a March 2005 Department of Defense (DOD) Threat and Local Observation Notice (TALON). The TALON describes the protest, aimed at a military recruiting station and federal building in Akron as including a rally, march, and "Reading of Names of War Dead." Tags: JTTF, FBI (<http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)

Oregon

- *Portland Withdraws from JTTF.* In April 2005, Portland, Oregon became the first city in the nation to withdraw local law enforcement participation from the JTTFs rather than allow them to participate without proper oversight. Tags: JTTF, FBI (http://www.aclu.org/spyfiles/ri_pressrelease.pdf)
- *Federal Protective Service engages in undercover surveillance of Oregon rally.* On May 30, 2008 a Federal Protective Service officer engaged in undercover surveillance of a peaceful anti-pesticide rally in Eugene, Oregon, located several blocks from any federal building. The FPS officer called Eugene Police Department officers to the scene and pointed to an individual who EPD immediately arrested. Tags: FPS, State and Local Police (http://acluor.convio.net/site/DocServer/Letter_DeFazio_072908.pdf?docID=3362)

Pennsylvania

- *FBI Investigates Thomas Merton Center for Peace & Justice.* Two documents released in March 2006 reveal that the FBI investigated gatherings of the Thomas Merton Center for Peace & Justice (TMC) because the organization opposed the war in Iraq. The FBI memo points out that the Merton Center "is a left-wing organization advocating, among many political causes, pacifism." Several members of TMC have found themselves under surveillance. Tags: FBI, JTTF (<http://www.aclu.org/safefree/spying/24528prs20060314.html> and <http://www.aclu.org/safefree/general/24287res20060227.html>)
- *FBI Monitors Anti-War Leafleting.* Tim Vining is the former Director of the Thomas Merton Center for Peace and Justice. He was at a protest on November 24, 2002 that the FBI was monitoring despite the fact that TMC often advises the police of what they're planning. The protest consisted of handing out anti-war flyers at a shopping mall. Tags: FBI (<http://www.aclu.org/safefree/spying/24522res20060314.html>)
- *Penn State Senior Arrested for Taking Photo of Police Activity.* A 21-year-old Penn State senior was arrested in his own backyard in Philadelphia for snapping a picture of police activity in his neighborhood with a cell phone camera. He was taken to the police station where police threatened to charge him with conspiracy, impeding police, and obstruction of justice, but he was later released without charge. Tags: State and Local police (http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)
- *Muslim-American's Security Clearance Revoked After Questioning on First Amendment Activities.* After making public comments criticizing the FBI's treatment of Muslims in Pittsburgh, Dr. Moniem El-Ganayni, a nuclear physicist and naturalized American citizen, had his security clearance improperly revoked by the U.S. Department of Energy (DOE) despite 18 years of dedicated service. Though they never told him the reason his clearance was revoked, during seven hours of interviews, representatives from the DOE and the FBI never alleged a breach of

security but instead questioned El-Ganayni about his religious beliefs, his work as an imam in the Pennsylvania prison system, his political views about the U.S. war in Iraq, and the speeches he'd made in local mosques criticizing the FBI. Tags: FBI
(http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)

Rhode Island

- *Middle Eastern Man Arrested by JTTF.* A Pawtucket resident was arrested by the Rhode Island JTTF for failing to appear in court on a minor larceny charge. The involvement of the JTTF in this case is puzzling, and the Middle Eastern name of the person arrested suggests the use of racial profiling in the JTTF's activities. The ACLU of Rhode Island filed a FOIA request in May 2005 seeking information about this particular arrest as well as information about how the practices and funding structure of the JTTFs. Tags: JTTF, FBI
(http://www.aclu.org/spyfiles/ri_pressrelease.pdf)
- *Military surveillance of Rhode Island Community Coalition for Peace.* The Department of Defense (DOD) Threat and Local Observation Notice (TALON) database includes a report of a December 2004 protest outside of a National Guard recruitment station organized by Rhode Island-based Community Coalition for Peace (RICCP). The TALON document begins by stating that it is being provided "only to alert commanders and staff to potential terrorist activity or apprise them of other force protection issues." Tags: State and Local Police, DOD
(<http://www.aclu.org/safefree/spyfiles/27267prs20061101.html>) and
(<http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)

Texas

- *Fusion Center Describes Conspiracy to Spread Tolerance.* In February 2009, a DHS-supported North Central Texas Fusion System intelligence bulletin described a purported conspiracy between Muslim civil rights organizations, lobbying groups, the anti-war movement, a former U.S. Congresswoman, the U.S. Treasury Department, and hip hop bands to spread tolerance in the U.S. The bulletin was reportedly distributed to over 100 different agencies. Tags: DHS, Fusion Centers (<http://www.aclu.org/privacy/gen/38835prs20090225.html>)
- *Fusion Center Power Point Presentation Describes Searching Web for "Threatening Words" Such as "Protest."* An inadvertently released power point presentation by the North Central Texas Fusion Center describes searching "blogs" and "websites" for threatening words like "protest" and "hate." A category for processing is "expressed opinion on HLS [Homeland Security] issues." Tags: Fusion Centers (<http://www.aclu.org/blog/free-speech-technology-and-liberty/little-privacy-invading-snowflakes>)
- *Texas DHS Tries To Create Massive Database of Law Enforcement, Government, and Private Data.* In the wake of the influx of evacuees after Hurricane Katrina, the Texas Department of Homeland Security contracted with Northrop Grumman Corporation for a \$1.4 million database project that would bring together a wide variety of law enforcement and government data, as well as consumer dossiers gathered by the private data company ChoicePoint. The project was intended to create a "global search capability," which would then be made available to the Texas Fusion Center. The project failed due to concerns over the security of the data: "it was not clear who at Northrop had access to the data, or what had become of it." Tags: State and Local Police, Fusion Centers (http://www.aclu.org/pdfs/privacy/fusioncenter_20071212.pdf)
- *Military monitors Anti-Recruitment Protest.* The Department of Defense (DOD) Threat and Local Observation Notice (TALON) database includes a report on a counter-recruitment/anti-war

protest at a recruitment station in Austin. Tags: DOD
(<http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)

- *Sheriffs Stop Al-Jazeera From Filming on Public Road.* Sheriff's deputies in Texas stopped an Al-Jazeera television crew that was filming on a public road more than a mile away from a nuclear power plant and conducted "extensive background checks" on them. The police said they "found no criminal history or other problems." Tags: State and Local Police
(http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)
- *FBI Infiltrates Austin Protest Groups in Advance of Republican National Convention.* The FBI utilized a prominent and influential activist as an informant against Texas activists for 18 months prior to the RNC. FBI reports produce by the informant include "dozens of people, most of whom have never been charged with a crime." Tags: FBI
(<http://www.nytimes.com/2009/01/05/us/05informant.html>)

Utah

- *U.S. Joint Forces Command Disseminates Information on Planned Parenthood and National Alliance.* The U.S. Joint Forces Command liaison, working with the FBI's Olympic Intelligence Center, collected and disseminated information on members of Planned Parenthood and National Alliance, a white supremacist group, regarding their involvement in protests and distributing literature as part of the government's security preparations for the 2002 Olympics. Tags: FBI, DOD (<http://www.wired.com/threatlevel/2010/02/military-spied-on-plannet-parenthood> and <http://rawstory.com/2010/02/military-spied-planned-parenthood-civilian-phone-calls/>)

Virginia

- *Fusion Center Describes Universities and Diversity as Threats.* The Virginia Fusion Center's March 2008 terrorism threat assessment described the state's universities and colleges as "nodes for radicalization" and characterized the "diversity" surrounding a Virginia military base and the state's "historically black" colleges as possible security threats. Tags: Fusion Centers (<http://www.aclu.org/safefree/general/39501prs20090430.html> and <http://www.aclu.org/privacy/gen/39333prs20090406.html>)
- *Fusion Center Detains Muslim Man Photographing Chesapeake Bay Bridge.* Asked by the *Washington Post* for an example of a successful use of a fusion center, the best one official could apparently come up with was the arrest and detention of a Muslim man spotted videotaping the Chesapeake Bay Bridge. But the *Post* goes on to note that the person in question, a U.S. citizen, was quickly released and never charged with any crime. Tags: Fusion Centers (http://www.aclu.org/pdfs/privacy/fusioncenter_20071212.pdf)

Washington

- *Fort Lewis Force Protection Member Infiltrates OlyPMR.* John J. Towery, a civilian employee of Fort Lewis assigned to "Fort Lewis Force Protection," posed undercover as an anarchist using the name "John Jacob" and took part in Olympia Port Militarization Resistance's (OlyPMR) activities from 2007 until June 2009. Towery was one of several OlyPMR listserv administrators and therefore had direct access to OlyPMR membership lists. Tags: DOD
(<http://www.theolympian.com/southsound/story/922995.html>)
- *Police Detain Artist for Taking Photos of Power Lines.* Shirley Scheier, a 54-year-old artist and Associate Professor of Fine Art at the University of Washington, was stopped by police for taking pictures of power lines as part of an art project. Police frisked and handcuffed Scheier, and

placed her in the back of a police car for almost half an hour. She was eventually released, after officers photographed maps that Scheier used to find the power station. The officers also told her she would be contacted by the FBI about the incident. Tags: FBI
(http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)

- *State Patrol Arrest Activist In Transit to Anti-War Protest.* Philip Chinn, a 22-year old anti-war activist from The Evergreen State College, was arrested while traveling to an anti-war protest at the Port of Grays Harbor in Aberdeen. Aberdeen Police acknowledged that detectives had been watching Chinn and others as they prepared for the protest and, on the day of, broadcasted an "attempt to locate" his car, which was described as containing "three known anarchists." Criminal charges were dismissed after tests showed Chinn had no alcohol or drugs in his system. Tags: State and Local Police
(http://seattletimes.nwsourc.com/html/localnews/2011780363_spysettle05m.html)

Washington DC

- *DC City Council Report Reveals Metropolitan Police Department Failed to Protect Privacy, First Amendment Rights of Protesters.* In March 2004 a Committee of the DC City Council reported the Metropolitan Police Department used undercover officers to infiltrate protest groups without evidence of criminal wrongdoing, repeatedly took pre-emptive actions to prevent demonstrations, including arrests, and failed to protect the free speech and assembly rights of protesters. Tags: State and Local Police
(<http://epic.org/privacy/surveillance/spotlight/1205/mpdrep5304.pdf>).
- *DHS Tracks Anti-War Group.* DHS tracked the protest plans of the DC Anti-War Network (DAWN), a peaceful antiwar group, and passed the information to the Maryland State Police, which had previously labeled the activists as terrorists in an intelligence file. Tags: DHS
(http://www.washingtonpost.com/wp-dyn/content/article/2009/02/16/AR2009021601131_pf.html)
- *FBI Bulletin on Anti-War Protests.* On October 15, 2003, the FBI issued Intelligence Bulletin no. 89, entitled "Tactics Used During Protests and Demonstrations." Bulletin 89 advised that "mass marches and rallies against the occupation in Iraq" were scheduled to occur on October 25, 2003, in Washington, D.C, and San Francisco, and although the FBI had no information indicating that "violent or terrorist activities [were] being planned as part of these protests, the possibility exists that elements of the activist community may attempt to engage in violent, destructive, or disruptive acts." The protest tactics identified in Bulletin 89 included, Internet activity to recruit, raise funds, and coordinate activities; false documentation to gain access to secure facilities; marches, banners, and sit-ins; vandalism, physical harassment, and trespassing; drawing large numbers of police officers to a specific location in order to weaken security at other locations; use of homemade bombs; and intimidation of law enforcement through videotaping, without distinguishing between First Amendment-protected activity and criminal acts. Tags: FBI, JTTF (Memorandum for Glenn A. Fine, Inspector General *Re: Constitutionality of Certain FBI Intelligence Bulletins*, April 5, 2004:
<http://www.docstoc.com/docs/19849237/CONSTITUTIONALITY-OF-CERTAIN-FBI-INTELLIGENCE-BULLETINS>)

Wisconsin

- *DHS Threat Assessment on Pro- and Anti-Choice Groups.* A Department of Homeland Security intelligence official assigned to the Wisconsin Statewide Information Center produced a "threat assessment" about a February 2009 rally involving local pro- and anti-choice groups even though the groups posed no threat to homeland security. A lawyer representing the groups has filed a

request for the report through Wisconsin open records laws, but local officials have refused to release it, citing “sensitive law enforcement information.” Tags: DHS, Fusion Centers (<http://dailyherald.com/story/?id=357811>).

Nationally

- *DHS Reports Warns of Veterans.* DHS’s “Right-Wing Extremism” Report warned that right-wing extremists might recruit and radicalize “disgruntled military veterans.” Tags: DHS (<http://www.washingtontimes.com/news/2009/apr/14/federal-agency-warns-of-radicals-on-right/>)
- *DHS Report Warns of Environmental Groups.* DHS’s Contractor Eco-Terrorism Report described environmental organizations like the Sierra Club, the Humane Society, and the Audubon Society as “mainstream organizations with known or possible links to eco-terrorism.” Tags: DHS (<http://www.unbossed.com/index.php?itemid=2546>)
- *DHS Keeps Calendar of Peaceful Protests.* DHS’s March 2006 “Protective Intelligence Bulletin” lists several advocacy groups that were targets of the Maryland State Police operations, including CODEPINK, Iraq Pledge of Resistance and DAWN, and contains a “civil activists and extremists action calendar” that details dozens of demonstrations planned around the country, mostly peace rallies. Federal Protective Services apparently gleans this information from the Internet. There is no indication anywhere in the document to suggest illegal activity might occur at any of these demonstrations. Tags: DHS, FPS (<http://www.aclu.org/privacy/gen/39226prs20090401.html>)
- *FBI Lists Green Party as Target for Eco-Terrorism Investigation.* The FBI Field Intelligence Group lists the Green Party as potential future target of eco-terrorism investigation. Tags: FBI (<http://gawker.com/5329187/fbi-agent-thinks-the-green-party-is-a-terrorist-group-with-nukes>)
- *DHS Reports on Nation of Islam in Violation of its own Protocols.* In October 2007, DHS sent a report, “Nation of Islam: Uncertain Leadership Succession Poses Risks,” to hundreds of federal officials despite the fact that Department guidelines had called for the files to be destroyed because the assessment of the group had lasted more than 180 days without uncovering evidence of potential terrorism. Tags: DHS (http://www.nytimes.com/2009/12/17/us/17disclose.html?_r=2&ref=todayspaper).

Appendix 1: Glossary of Terms

California Anti-Terrorism Information Center (CATIC): Created on September 25, 2001, by then–Governor Gray Davis and Attorney General Bill Lockyer, the center was instituted to collect and disseminate terrorist related information to local law enforcement. (http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)

California Office of Homeland Security (OHS): OHS was developed to coordinate “the activities of all [California] agencies pertaining to terrorism-related issues.” Then–Governor Gray Davis created the office by executive order in 2003. OHS initially functioned largely as a clearinghouse for disbursing federal homeland security grant money to local agencies. More recently, however, California’s OHS appears to have played a larger role in intelligence analysis. (http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)

Denver Intelligence Unit: The intelligence branch of the Denver Police Department that works with Denver’s JTTF. (<http://www.aclu-co.org/spyfiles/fbifiles.htm>)

FBI Field Intelligence Group: Field Intelligence Groups take raw information from local cases and make big-picture sense of it, fill gaps in national cases with local information, and share their findings, assessments, and reports with fellow Field Assessment Groups across the country and other partners in law enforcement and intelligence. Some are dedicated to the big picture—others are actually “embedded” in squads to work with street agents on specific counterterrorism, counterintelligence, and criminal cases. (<http://www.fbi.gov/page2/april05/fig042705.htm>)

Federal Protective Service: The Federal Protective Service (FPS) is a component of Immigration and Customs Enforcement (within DHS) and is responsible for law enforcement and security for federally owned and leased buildings, facilities, properties and other federal assets. (http://www.ice.gov/pi/fps/org_hfs.htm)

Fusion Centers: These state, local and regional institutions were originally created to improve the sharing of anti-terrorism intelligence among different state, local and federal law enforcement agencies. Though they developed independently and remain quite different from one another, for many the scope of their mission has quickly expanded—with the support and encouragement of the federal government—to cover “all crimes and all hazards.” The types of information they seek for analysis has also broadened over time to include not just criminal intelligence, but public and private sector data, and participation in these centers has grown to include not just law enforcement, but other government entities, the military and even select members of the private sector. (http://www.aclu.org/pdfs/privacy/fusioncenter_20071212.pdf)

IPD Intelligence Unit: The Indianapolis Police Department Intelligence Unit consists of a group of officers responsible for providing counterintelligence services for the police and the city. (<http://www.aclu.org/FilesPDFs/in%20free%20speech%20district%20court.pdf>)

Information Synchronization, Knowledge Management and Intelligence Fusion program: California’s Fusion program, billed as a “one-stop shop for local, state and national law enforcement to share information.” (http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)

Intelligence Bureau Information Summary: Intelligence reports compiled by the Denver Police Department. (<http://www.aclu-co.org/spyfiles/Documents/ccconference.pdf> and http://www.aclu-co.org/spyfiles/Documents/Springs_CISPES_plates.pdf)

Joint Terrorism Task Force (JTTF): Joint Terrorism Task Forces (JTTFs) are small cells of highly trained, locally based, investigators, analysts, linguists, experts, and other specialists from dozens of U.S. law enforcement and intelligence agencies. It is a multi-agency effort led by the Justice Department and FBI designed to combine the resources of federal, state, and local law enforcement. (<http://www.usdoj.gov/jttf/>)

Los Angeles County Terrorism Early Warning Center (LACTEW): Established in 1996, LACTEW has been described as the first Fusion Center. (http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)

National Crime Information Center (NCIC): NCIC is a computerized index of criminal justice information (i.e.- criminal record history information, fugitives, stolen properties, missing persons). It is available to

Federal, state, and local law enforcement and other criminal justice agencies and is operational 24 hours a day, 365 days a year. (<http://www.fas.org/irp/agency/doj/fbi/is/ncic.htm>)

National Security Agency (NSA): The NSA’s mission is to protect U.S. national security systems and to produce foreign signals intelligence information. (<http://www.nsa.gov/about/index.shtml>)

Threat and Local Observation Notice (TALON): Threat and Local Observation Notices, or TALON, began in 2003 to collect intelligence about possible threats to military bases within the United States, but was expanded to include reports by local law enforcement agencies and military security personnel about nonviolent demonstrations and rallies. (<http://www.aclu.org/natsec/gen/29495prs20070425.html>)

Violent Gang and Terrorist Organization File (VGTOF): The VGTOF provides law enforcement with identifying information about violent criminal gangs and terrorist organizations and the members of such groups. This information may warn law enforcement officers about the potential danger posed by violent individuals, and allow for the exchange of information about these groups and members to aid criminal investigations. The information listed in this file is investigative/intelligence information that has not been subjected to an independent judicial review. Under no circumstances should information from this file be disseminated to non-law enforcement/criminal justice personnel. (<http://www.doj.state.wi.us/dles/cibmanuals/files/TIME/HTML/violentgangterroristorganizationfilevgtof.htm>)

Wisconsin Statewide Information Center (WSIC): The Wisconsin Statewide Information Center (WSIC) was formed after the U.S. Department of Homeland Security mandated establishment of intelligence fusion centers in every state. WSIC serves as the primary intelligence-gathering entity for the State of Wisconsin, working with state, local, military and federal agencies. WSIC offers sophisticated intelligence-gathering efforts statewide, and produces intelligence briefings for the Governor, top law enforcement officials and partner agency heads throughout Wisconsin. WSIC also serves as the Wisconsin liaison for INTERPOL, which promotes mutual assistance among international law enforcement authorities in the prevention of international crimes. (<http://www.doj.state.wi.us/dci/tech/>)

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¹ Specific County not specified.

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² Specific city not specified.

³ Specific city not specified.

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