

Spying on First Amendment Activity - State-by-State

Updated December 19, 2012

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.

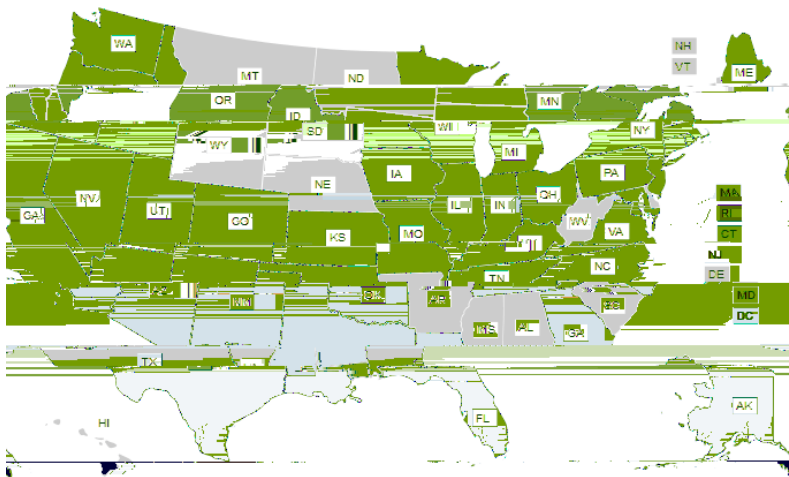
Unfortunately, it appears that these old tendencies have once again come to the fore. Law enforcement agencies across America continue to monitor and harass groups and individuals for doing little more than peacefully exercising their First Amendment rights.

A thorough search and review of news accounts by the ACLU reveals that these law enforcement behaviors have taken place in at least 36 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 2009, 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"
http://www.aclu.org/files/pdfs/spyfiles/ma_14furtherinformation_attach_guidelinesforinvestigationsinvolvingfirstamendactivity.pdf

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



Alaska

- x *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. (<http://rawstory.com/2010/02/military-spied-planned-parenthood-civilian-phone-calls/>)

Arizona

- x *Outrage at arrest intensifies*. Students upset by University of Arizona Police Department's arrest of a 24-year-old graduate student who used sidewalk chalk to advertise a protest Thursday, have been speaking out on campus and online. 9/28/2009 (<http://wildcat.arizona.edu/news/outrage-at-arrest-intensifies-1.556708#>)
- x *Maricopa County Sheriff Department Surveils Political Enemies*. An internal report accuses the Maricopa County's Chief Deputy Sheriff of using Maricopa's anti-corruption unit to conduct politically motivated investigations and of surveiling Maricopa County Sheriff Arpaio's political rivals. (<http://articles.latimes.com/2010/sep/17/nation/la-na-joe-arpaio-20100918>).

California

- x *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.' (http://www.usatoday.com/news/religion/2009-04-21-muslim-surveillance_N.htm and <http://www.presstv.ir/detail.aspx?id=87254§ionid=3510203>)
- x *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. (http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf and Appendix B at <http://online.wsj.com/public/resources/documents/mccarecommendation-06132008.pdf>)
- x *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.

<http://articles.latimes.com/2006/jul/01/local/me-security1>,
http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)

- x *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. ([http://www.aclusantacruz.org/node3\(i\(n\)2\(02 Tcia\(3\(i02 Tw -21.88 .8 \[\(n\)2\(02 Tci\(t\)-w\)2](http://www.aclusantacruz.org/node3(i(n)2(02 Tcia(3(i02 Tw -21.88 .8 [(n)2(02 Tci(t)-w)2))

Military Entrance Processing Station landed them as the first entry on a published Department of Defense (DOD) Threat and Local Observation Notices (TALON) extract. (<http://www.aclu.org/safefree/general/24272res20060227.html>)

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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." (pg. 7, http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)

- x *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. (pg. 18, http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)
- x *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. (pg. 11, http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)
- x *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. (pg. 6, http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)
- x *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." (pg. 6, http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf)
- x *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 i

- x *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. (pg. 10, http://www.aclunc.org/issues/government_surveillance/asset_upload_file714_3255.pdf and <http://www.aclu.org/safefree/spyfiles/24142res20060214.html>)
- x *LAPD Disrupts Bicycle Protest of BP Oil Spill.*

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://aclu-co.org/sites/default/files/imce/email_ahmad_81302_23571.pdf)

Connecticut

- x *Activist Arrested for Photographing Governor at Public Event*. Hartford Police arrested political activist after he photographed Connecticut Governor Jodi Rell at a public event. Connecticut State Police monitored the activist's blog, which was critical of the Governor, and sent local police his photograph as a potential threat to the Governor. (http://www.the40yearplan.com/CNN_on_Fusion_Centers.php)
- x *Activist Claims State Police Engaged in Political Spying Online*. The activist who was arrested for photographing Governor Jodi Rell at a public event 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. (<http://www.courant.com/shopping/hc-kraeske-charges-police-1220.artdec20,0,3377048.column>)

Florida

- x *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. An affiliated activist 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". (<http://www.aclu.org/safefree/general/24251res20060224.html>)
- x *JTF and US Army Recruiting Command Briefed on Anti-War Guerilla Theater*. The Broward Anti-War Coalit 0.002 Tc12 7e6t f B-6(a)4andeo r2(he)4(F)6(r)3((r)-1(.)12(To(but)-2.

- x *Undercover Police Used Smartphones to Monitor RNC Protests.* Police officers spied on protestors at the Republican National Convention in Tampa, FL, photographing activists for identification with facial recognition software, and recording “evidence-quality” video, voice, and data with enhanced smartphones. The surveillance effort, sponsored by private companies, served as a pilot for the development of a National Public Safety Broadband Network, which will link law enforcement surveillance and communications around the country. (<http://www.nationaljournal.com/tech/smartphones-used-to-monitor-tampa-protests-20120917>; <http://www.nationaljournal.com/blogs/techdailydose/2012/09/aclu-public-safety-network-raises-police-surveillance-concerns-18>)

Georgia

- x *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. (pg. 5, <http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)
- x *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. (<http://www.aclu.org/safefree/spying/25442prs20060504.html> and <http://www.aclu.org/safefree/spying/25436res20060504.html>)
- x *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

Pentagon surveillance when she participated in a protest near an Army Recruiting Station in Atlanta, GA on Ponce de Leon Avenue.

(<http://www.aclu.org/safefree/spyfiles/24155res20060215.html>)

- x *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.

(http://www.nytimes.com/2009/12/17/us/17disclose.html?_r=2&ref=todayspaper).

- x *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. (<http://gawker.com/5329187/fbi-agent-thinks-the-green-party-is-a-terrorist-group-with-nukes>).

Hawaii

- x *Man Stranded on Hawaii Island by No Fly List*. The husband of a Navy lieutenant was stranded in Hawaii for six days because he was inexplicably placed on the "No Fly List" in between connecting flights on a trip to Japan. He believes he was barred from flying because of political views. (<http://bigstory.ap.org/article/no-fly-list-strands-man-island-hawaii-0>)

Idaho

- x *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

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." (pg. 3, <http://www.aclu.org/safefree/spyfiles/27988pub20070117.html>)

- x *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.

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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.

(<http://www.aclu.org/FilesPDFs/in%20free%20speech%20district%20court.pdf>)

- x *IDP Raids Solidarity Books Collective*. The IPD raided Solidarity Books Collective (SBC), a local political awareness group.

(<http://www.aclu.org/FilesPDFs/in%20free%20speech%20district%20court.pdf>)

Iowa

- x *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.

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- x *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." (pg. 14, http://www.aclu.org/pdfs/privacy/fusioncenter_20071212.pdf)

Maryland

- x *Maryland State Police Lists Activist Groups as Security Threats.* The Maryland State Police listed the All People's Congress, American Friends Services Committee, A.N.S.W.E.R, and the Campaign to End the Death Penalty are listed in a database as "Security Threat Groups." Anti-Death Penalty information was also entered into the High Intensity Drug Trafficking Agency (HIDTA) Database, thereby linking advocacy with drug dealing, murder, and gang activity.
(<http://www.indybay.org/newsitems/2010/08/05/18655440.php>)
- x *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 1(oups)-1(e-8(o)-4(I

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. (pg. 7, http://www.aclu.org/pdfs/privacy/fusion_update_20080729.pdf)

x *Fusion Center's Standard Operating Procedures Allow Undercover Police Monitoring of First Amendment Activities.*

Center for Investigative Reporting (CIR) and National Public Radio (NPR) revealed that the Mall of America runs a suspicious activity reporting (SAR) program that violates innocent shoppers' First and Fourth Amendment rights. Approximately 1,200 shoppers are stopped each year by the mall's private secu

<http://www.aclunv.org/press/aclu-seeks-information-fbi-investigation-american-indian-movement>)

New Jersey

- x *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

<http://www.aclu.org/free-speech/aclu-new-mexico-sues-albuquerque-police-over-mistreatment-peaceful-protestors>)

New York

- x *Military Spies on Veterans for Peace Lecture*. On April 20, 2005, 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, he learned that the SUNY Albany event was one of the events that had been monitored. (hac7h 0 Td (-)Tj -0.004 Tc 0.001d. (

Occupy Wall Street protestors as well.

(http://www.nytimes.com/2011/11/18/nyregion/occupy-wall-street-protesters-even-in-churches-cant-escape-watch-of-police.html?_r=1&hpw)

- x *NYPD Document Recommends Targeting Dozens of Shiite Muslim Mosques for Surveillance.* A New York Police Department document recommended targeting dozens of Shiite Muslim mosques from Pennsylvania to Connecticut for surveillance in a search for possible Iranian terrorists, though no evidence of such a threat existed. (http://www.huffingtonpost.com/2012/02/02/nypd-document-gather-inte_n_1250386.html); view document here: <https://www.documentcloud.org/documents/288719-nypd-iranian-intel.html?key=9a9ba0d2ea8a33e7dce6>)
- x *White House Helps Pay for NYPD Muslim Surveillance.* The NYPD used grants from the White House High Intensity Drug Trafficking Area program (HIDTA) to fund its secretive surveillance operations targeting Muslim communities throughout the northeastern United States. The NYPD Intelligence Unit used HIDTA funds to purchase cars that undercover police officers used to conduct surveillance of American Muslim neighborhoods, mosques and businesses, and utilized HIDTA office space, supplies and equipment in conducting these clandestine operations. The NYPD's surveillance of Muslim communities was not mentioned in annual HIDTA reporting to Congress. (<http://www.ap.org/content/ap-in-the-news/2012/white-house-helps-pay-for-nypd-muslim-surveillance>)
- x *NYPD Infiltrated Liberal Political Groups.* Undercover officers for the NYPD engaged in unconstitutional surveillance of the lawful activities of liberal political activist groups,

searchable database called the Enterprise Case Management System. When a cell phone is reported stolen the NYPD uses subpoenas to collect all calls to and from the phone, including calls made or received by the victim in the hours before the phone was stolen. Sometimes the victims' call information continues to be collected when they change the number to a new phone. These subpoenas are often issued without the

- x *Muslim Civil Right Activist Wrongfully Place on Terrorist Watchlist and Detained at U.S.-Canadian Border.* A Muslim civil rights activist and interfaith community leader prevailed in court in her effort to sue the Department of Homeland Security (DHS) after she was wrongfully placed on at least one terrorist watch list, and wrongfully detained, questioned, and searched at the Canadian-US border. The ruling could have a significant impact on the way that individuals obtain information about themselves from the government. (http://blog.cleveland.com/metro/2011/06/julia_shearson_tells_how_a_wee.html)

Oklahoma

- x *Citizen Journalist Arrested at Halliburton Protest.* A citizen journalist who left the designated protest area during a rally outside a Halliburton Shareholders Meeting was arrested while other journalists were allowed to come and go from the protest area, and pro-Halliburton protestors were not confined to a protest area at all. A judge later found the journalist not guilty. (<http://daily.lawton-constitution.com/Repository/ml.asp?Ref=VExDLzIwMDYvMDYvMDkjQXIwMDEwNA==&Mode=HTML&Locale=english-skin-custom>)
- x *Musician Arrested for "Trampling a Flag".* The Cherokee Nation Marshal Service arrested the lead guitarist of the band Smunty Voje for trampling an American flag during his act at the Cherokee Casino. (http://www.tulsaworld.com/news/article.aspx?subjectid=11&articleid=20090721_11_A1_CATOOS78367)

Oregon

- x *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. ([http://aclu.org/scenarios/TT21/4.06-10\(I\)11\(wM\)-3\(DE](http://aclu.org/scenarios/TT21/4.06-10(I)11(wM)-3(DE)

- x *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. (<http://www.aclu.org/safefree/spying/24528prs20060314.html> and <http://www.aclu.org/safefree/general/24287res20060227.html>)
- x *FBI Monitors Anti-War Leafleting.* The former Director of the Thomas Merton Center for Peace and Justice 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.

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environmentalists and drilling companies. (http://www.huffingtonpost.com/jay-stanley/drilling-opponents-spied_b_719567.html)

- x *Pennsylvania OHS Lists Activists, Jewish and Muslim Holidays as Security Threats.* OHS documents list "demonstrations by anti-war groups, deportation protesters in Philadelphia, mountaintop removal mining protesters in West Virginia and an animal rights protest at a Montgomery County rodeo" as well as "Burn the Confederate Flag Day," and Jewish and Muslim holidays as "potential security concerns" and included warnings concerning "anarchists and Black Power radicals."
(<http://publicintelligence.info/complete-pennsylvania-homeland-security-intelligence-bulletins-october-2009-september-2010/>)
- x *Pennsylvania Homeland Security Monitored Residents' Tweets.* Emails recently released from a Right-To-Know request show that the Pennsylvania Department of Homeland Security monitored the twitter activity of law-abiding citizens.
(www.rawstory.com/rs/2010/11/pa-homeland-security-monitored-tweets/)

Rhode Island

- x *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.
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- x *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. (<http://www.aclu.org/privacy/gen/38835prs20090225.html> and http://www.privacylives.com/wp-content/uploads/2009/03/texasfusion_021909.pdf)
- x *Fusion Center Power Point Presentation Describes Searching Web for "Threatening Words" Such as "Protest"*. An inadvertently released power point presentation by the

- x *FBI Visits Texas Photographer for Taking Pictures of Clouds.* An FBI Joint Terrorism Task Force agent questioned a photographer for taking pictures of storm clouds near a refinery in response to a suspicious activity report (SAR). (<http://rt.com/usa/news/texas-man-fbi-galindo-949/>)

Utah

- x *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. (<http://www.wired.com/threatlevel/2010/02/military-spied-on-planned-parenthood>)

Virginia

- x *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. (<http://www.aclu.org/safefree/general/39501prs20090430.html>, <http://www.aclu.org/privacy/gen/39333prs20090406.html>, and <http://www.infowars.com/media/vafusioncenterterrorassessment.pdf>)
- x *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

- wa.org/library_files/r_2007%20March%2015%20Evergreen%20Prof%20u-c.pdf and <http://www.theolympian.com/2010/08/04/1326232/documents-reveal-surveillance.html>)
- x *Joint Base Lewis-McChord Fusion Center Warns of FOIA Request*. A March 29, 2010, bulletin originating from Joint Base Lewis-McChord's Fusion Center warned the Naperville, Illinois police department of public records requests by a "local activist group." (pg. 2, http://www.aclu-wa.org/library_files/Naperville%20IL%20PD%20-%20Ft.%20Lewis%20Fusion%20Center%20PRA%20Report.pdf, and <http://www.theolympian.com/2010/08/04/1326232/documents-reveal-surveillance.html>)
 - x *Tacoma Police Department Contemplates Giving Misinformation to Activist Groups*. During a Tacoma Police Department "Homeland Security Meeting," a police captain, "wondered if it is legal for someone to provide false information to these 'protestor-type' websites or blogs to throw them off as to events that are happening." Minutes of the meeting were circulated to Department supervisors. (http://www.aclu-wa.org/library_files/r_TPD%20HSC%20Response%20-%20Undercover%20Bloggers.pdf and <http://www.theolympian.com/2010/08/04/1326232/documents-reveal-surveillance.html>)
 - x *Tacoma Police Infiltrate Anti-War Group*. An Aug. 5, 2008, document contained a quote from an undercover officer who had infiltrated an anti-war group. The quote stated, "It was very funny to watch them on Friday night, just so you know, they are scared sh*tless of TPD, that's pretty much all they talked about. Then they try to psych each other up enough to take one for the team, the car ride to the tide flats was hilarious ..." (http://www.aclu-wa.org/library_files/TPD%20Email%20-%20Aug%205%202008%20email%20re%20u-c%20in%20car.jpg and <http://www.theolympian.com/2010/08/04/1326232/documents-reveal-surveillance.html>)
 - x *Federal Way Police Department Collects Personal Information and Photographs of Environmental Activists*. 2007 Intelligence files contain photographs, birthdates and other information about Seattle Rainforest Action Group (SEARAG) members, notwithstanding SEARAG's non-criminal, "respectful" protest from the prior year. (http://www.aclu-wa.org/library_files/r_Fed%20Way%20-%20SEARAG%20Intel%20File%20Photos.pdf)
 - x *FOIA Request Shared with the Military and Misattributed to "Activist Group"*. A March 29, 2010, Daily Intelligence Bulletin, shows that local law enforcement shared information on a series of public records request with Ft. Lewis. Though the request was made by a local college student performing an independent study, the bulletin attributes the request to an "activist group." The bulletin then warns law enforcement agencies about the dangers of public disclosure. It is unclear why the local law enforcement agencies initially forwarded information about the request to the military, and why the military then shared this "warning" with the rest of the country. (pg. 2, http://www.aclu-wa.org/library_files/Naperville%20IL%20PD%20-%20Ft.%20Lewis%20Fusion%20Center%20PRA%20Report.pdf)
 - x *Tacoma Police Department Monitors Jobs With Justice Protest*. Officers at a November 8, 2007 Homeland Security Committee meeting discussed a Jobs With Justice protest, focusing on a "known protestor" who videotaped the event. Officers also noted the fact that the protest was not "posted on the usual websites," but rather was coordinated using a "phone tree." (http://www.aclu-wa.org/library_files/TPD%20HSC%20Response%20-%20Known%20Protester.pdf)

- x *Fort Lewis Force Protection Member Infiltrates OlyPMR*. 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. He was one of several OlyPMR listserv administrators and therefore had direct access to OlyPMR membership lists.
<http://www.theolympian.com/southsound/story/922995.html>

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-

document to suggest illegal activity might occur at any of these demonstrations. The ACLU filed complaints in response to this improper intelligence gathering, and the DHS Office of Civil Rights and Civil Liberties concluded its review, determining that information like that will no longer be distributed regionally or nationally, and will only be distributed locally to those who have a situational awareness need for the information. (<http://www.aclu.org/privacy/gen/39226prs20090401.html> and <http://www.aclu.org/national-security/letter-aclu-dhs-office-civil-rights-and-civil-liberties-regarding-surveillance>)

- x *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. (<http://gawker.com/5329187/fbi-agent-thinks-the-green-party-is-a-terrorist-group-with-nukes>)
- x *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. (http://www.nytimes.com/2009/12/17/us/17disclose.html?_r=2&ref=todayspaper).
- x *FBI Spies on Activists Involved in First Amendment Activities and Mischaracterizes Civil Disobedience.* The FBI improperly spied on American activists involved in First Amendment-protected activities, mischaracterized nonviolent civil disobedience as terrorism, and improperly placed activists on terrorist watch lists, according to a report by the Justice Department's Inspector General (IG). The IG found the improper investigations were often opened based on "factually weak" or even "speculative" justifications and were sometimes extended in duration without sufficient basis. (<http://www.nytimes.com/2010/09/21/us/politics/21fbi.html>, <http://www.washingtonpost.com/wp-dyn/content/article/2010/09/20/AR201009...>, http://blog.washingtonpost.com/spy-talk/2010/09/fbi_cover-up_turns_laugh..., <http://online.wsj.com/article/SB1000142405274870398930457550419230689262...>, and <http://www.latimes.com/news/nationworld/nation/la-na-fbi-activists-20100...>).
- x *Senate Security Will Use Internet Data Mining to Identify Lawmaker Threats.* Senate Sgt. at Arms plans to contract with a private company to data mine the internet and social media sites to search keywords such as lawmakers' names, and "slash" or "shoot" to identify potential threats. (<http://thehill.com/blogs/hillicon-valley/technology/155881-senate-security-will-conduct-internet-data-mining-to-identify-lawmaker-threats>)
- x *Homeland Analysts Told to Monitor Policy Debates in Social Media.* The Department of Homeland Security produced reports on information drawn from internet blogs and social networking sites such as Facebook and Twitter concerning policy debates on its activities. (http://www.nytimes.com/2012/02/23/us/house-questions-homeland-security-program-on-social-media.html?_r=2&ref=todayspaper&)
- x *FBI Targeted Peaceful Environmental and Animal Rights Activists for Investigation.* The 1(c)4hto(22.4)-

http://www.washingtonpost.com/national/health-science/as-eco-terrorism-wanes-governments-still-target-activist-groups-seen-as-threat/2012/02/28/gIQAA4Ay3R_story_1.html)

- x *Fusions Centers Violate Internal Policies and Privacy Act in Intelligence Effort, According to Senate Report.* The Senate Homeland Security and Government Affairs Permanent Subcommittee on Investigations issued a report on fusion centers which concludes they have violated Americans' civil liberties and are ineffective at producing or sharing information about potential terrorist threats. Fusion centers produced reports on First Amendment protected activities like a speaking event at a mosque and a group's book recommendations. The subcommittee also concluded that the Department of Homeland Security violated its internal policies and the Privacy Act by indefinitely storing reports they deemed inappropriate for dissemination due to privacy or civil liberties concerns. (<http://finance.yahoo.com/news/intelligence-effort-named-citizens-not-terrorists-234755138.html>); http://www.coburn.senate.gov/public/index.cfm?a=Files.Serve&File_id=2e7ffc62-f7d9-46ff-8405-871391158cbe; <http://www.aclu.org/blog/national-security-technology-and-liberty/fusion-centers-too-much-bad-information>)