

Documents Obtained by ACLU Expose FBI and Police Targeting of Political Groups

ACLU Files Federal Lawsuit and FOIA Request in Pennsylvania to Uncover More Files

FOR IMMEDIATE RELEASE

May 18, 2005

WASHINGTON – The American Civil Liberties Union charged today that the FBI and local police are engaging in intimidation based on political association and are improperly investigating law-abiding human rights and advocacy groups, according to documents obtained through a series of Freedom of Information Act (FOIA) requests. The ACLU of Pennsylvania and nine other ACLU affiliates today filed FOIA requests seeking similar documents.

“Peaceful protest is a protected right in this country, not a basis for suspicion,” said ACLU of Pennsylvania Staff Attorney Mary Catherine Roper. “When FBI and local law enforcement target groups explicitly committed to peace and nonviolence, these agencies create an atmosphere of intimidation in which many will be afraid to speak out.”

In response to widespread complaints from students and political activists who said they were questioned by FBI agents in the months leading up to last summer’s political conventions, the ACLU filed FOIA requests in six states and the District of Columbia in December 2004 on behalf of more than 100 groups and individuals. To date, the ACLU has received fewer than 20 pages in response to the FOIAs.

The ACLU charges that the FBI is wrongfully withholding thousands of pages of documents, and today filed a lawsuit in federal court to compel the FBI to comply with the FOIA requests. Organizations throughout Pennsylvania have filed FOIA requests, including Philadelphia’s Bread and Roses Community Fund, the Pittsburgh-based Thomas Merton Center, the Lehigh-Pocono Committee of Concern (LEPOCO) and two York-based organizations: the Coalition for Immigrants’ Rights at the Community Level (CIRCL) and the York County Committee against Racism. Three organizations from Erie County are also participants: the Lake Erie Region Conservancy, the Allegheny Defense Project and the Erie County Environmental Coalition.

The ACLU said that the few documents received to date through the December FOIA requests shed light on the FBI’s misuse of Joint Terrorism Task Forces (JTTF) to engage in political surveillance. In Colorado, one memo indicates an ongoing federal interest in Food Not Bombs, a group that provides free vegetarian food to hungry people and protests war and poverty.

“The FBI is taking tax dollars and resources established to fight terrorism and instead spying on innocent Americans who have done nothing more than speak out or practice their faith,”

ACLU Associate Legal Director Ann Beeson said. “By recruiting the local police into these activities, they are also sowing dissent and suspicion in communities around the country.”

In addition to Pennsylvania, the FOIA requests filed today include requests from individuals and groups in Georgia, Idaho, Kentucky, Maine, Massachusetts, Missouri, North Carolina, Rhode Island and Wisconsin. The FOIAs seek two kinds of information: the actual FBI files of groups and individuals targeted for speaking out; and information about how the practices and funding structure of the JTTF, may be encouraging rampant and unwarranted spying.

The ACLU’s clients comprise a Who’s Who of national and local advocates for well-known causes, including the environment, animal rights, labor, religion, Native American rights, fair trade, grassroots politics, peace, social justice, nuclear disarmament, human rights and civil liberties. Requests also were filed on behalf of numerous individuals.

Among the organizations seeking FBI documents is the Thomas Merton Center, a peace and justice center committed to non-violence and interfaith work. The Secret Service has repeatedly visited the center and staff members’ homes to inquire about organized peace rallies. A similar peace organization, LEPOCO, reports that attendees at their peace marches have been consistently photographed by state and local law enforcement. Staff members at CIRCL, an advocacy organization for immigrants, and visitors to their office have also been photographed and undercover local law enforcement officers have attended CIRCL planning meetings. The groups said that such undue attention from a wide array of agencies have led them to request comprehensive information on surveillance.

The controversial FBI-led task forces came under renewed scrutiny last month after 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. The JTTF partnerships between the FBI and local police, in which local officers are “deputized” as federal agents, are intended to identify and monitor individuals and groups implicated in terrorism. But the ACLU charges that these task forces are allowing local police officers to target peaceful political and religious groups, such as LEPOCO, with no connection to terrorism.

The documents obtained by the ACLU are not the only evidence that the FBI is building files on activists, Beeson said. A classified FBI intelligence memorandum disclosed publicly in November 2003 revealed that the FBI has actually directed police to target and monitor lawful political demonstrations under the rubric of fighting terrorism. This memo is available at <http://www.aclu.org/SafeandFree/SafeandFree.cfm?ID=14450&c=206>.

For details and legal papers regarding the FOIA requests filed today by ACLU affiliates around the country, including a list of clients, go to www.aclu.org/spyfiles.