



March 27, 2009

David D. Gersten  
Director for Civil Rights and Civil Liberties Programs  
Office for Civil Rights and Civil Liberties  
U.S. Department of Homeland Security  
Washington, DC 20528

Dear Mr. Gersten:

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TREASURER

The American Civil Liberties Union (ACLU) requests an Office of Civil Rights and Civil Liberties investigation into an inappropriate intelligence report produced by the Missouri Information Analysis Center.

The February 20, 2009 "Strategic Report" purports to describe security threats posed by the "modern militia movement." However, it inappropriately includes references to social, religious and political ideologies, including support of third party presidential candidates, as possible indicators of misconduct. Naming innocent people and organizations in an intelligence report subverts democratic processes and chills free speech and association. We are concerned that information disseminated through this report will increase the chances that law enforcement agencies receiving it will initiate investigations of individuals not because they are suspected of wrongdoing, but because they are associated with the organizations or ideologies it describes.

We ask that your office investigate how and why this document was produced, to whom it was disseminated and whether any law enforcement action was taken by any agency in response. We further ask that you review other intelligence products produced by this or any other fusion center that utilizes DHS resources or personnel to determine the scope of the problem. Please also inform us of remedial action taken or to be taken by DHS to ensure that this type of inappropriate material is not produced by fusion centers in the future.

Thank you for your attention to this matter. We look forward to hearing from you. Please contact Michael German at (202)544-1681 if you require additional information.

Sincerely,

Michael W. Macleod-Ball  
Chief Legislative and Policy Counsel

Michael German  
Policy Counsel