

Federal authorities drop subpoenas to Iowa antiwar activists

Joanne Laurier
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Federal prosecutors February 10 effectively withdrew a subpoena demanding that an Iowa university hand over information on participants of a November 2003 antiwar forum. Subpoenas directed at four activists were also withdrawn. This extraordinary attack on democratic rights had provoked protests from civil liberties and antiwar organizations.

On February 4 federal authorities issued a subpoena to Drake University in Des Moines seeking all records concerning a November 15 conference against the war in Iraq. The event called, “Stop the Occupation! Bring the Iowa Guard Home,” was hosted by the Drake chapter of the National Lawyers Guild. The meeting was followed the next day by a demonstration at the Iowa National Guard Headquarters in Johnston where 12 protesters were arrested.

After subpoenaing the college, federal prosecutors then subpoenaed four activists involved in the weekend gathering, ordering Elton Davis, Patti McKee, Brian Terrell and Wendy Vasquez to appear before a federal grand jury.

US Attorney Stephen O’Meara denied that the incident was being investigated by the Joint Terrorism Task Force (JTTF—combining federal [FBI], state and local law enforcement agencies), but the National Lawyers Guild described the order issued to Drake officials as “an FBI Joint Terrorism Task Force subpoena” and noted that an officer with the JTTF served the subpoena to Vasquez.

The subpoenas were withdrawn Tuesday when O’Meara did not resist motions to suppress them. A federal judge also lifted a gag order on Drake, whose employees had been ordered not to discuss the federal investigation.

In a press release, Heidi Boghosian, Executive Director of the National Lawyers Guild, stated: “This is

a complete retreat by the US Attorney [for the southern district of Iowa] and an unequivocal victory for the National Lawyers Guild and the peace movement in general. The Guild is calling for congressional hearings to determine the extent to which the FBI and Justice Department are gathering information on student political groups.”

Boghosian told the WWS: “The membership of the Guild remains outraged that the government would even seek to obtain records related to its leadership, meetings and other activities as this is protected by the First Amendment.”

The subpoena issued to Drake University had extraordinary breadth. It sought “all records and documents in the possession of Drake University relating to the conference held on November 15, 2002,” as well as records “relating to the scheduling of the conference,” the identity of all “persons that actually attended the meeting,” the identity of the officers of the Drake chapter of the National Lawyers Guild, all “meeting agenda or annual reports of this organization filed with the University since January 1, 2002,” and all “records of Drake University campus security reflecting any observations made of the November 15, 2003 meeting, including any records of persons in charge or control of the meeting, and any records of attendees of the meeting.” The subpoena requested that the information be submitted by February 10.

“I’ve heard of such a thing, but not since the 1950s, the McCarthy era,” David D. Cole, a Georgetown law professor, told the *New York Times*. “It sends a very troubling message about government officials’ attitudes toward basic liberties.”

After the subpoena withdrawals, Ben Stone, Executive Director of the Iowa ACLU commented to this reporter that the case was not finished. “We are

going to ferret out what was behind this incident. It's a serious case and we are still investigating."

According to the FBI web site, the JTTFs are a "vast array of partnerships across the nation and around the world to disrupt and defeat terrorists." The task forces are important "'force multipliers' in the war on terror, pooling multi-agency expertise and ensuring the timely collection and sharing of intelligence absolutely critical to the prevention efforts." The web site points out that the first JTTF came into being in 1980 but that the total number of JTTFs has nearly doubled since September 11, 2001. Today, there are 66 JTTFs with more than 2,300 personnel nationwide.

Responding to the Drake affair, the National Youth and Student Peace Coalition (NYSPC) reported that as a result of government surveillance during last year's March 5 day of action against the Iraq war build-up, some 300 students were suspended, 151 were arrested and two schools were "locked down."

Brian Terrell, one of the four activists whose subpoena was withdrawn and an organizer of the Drake antiwar symposium, told the WSWS:

"When ACLU-types warned about the Patriot Act, Bush said that it was paranoid nonsense that the government would go to the universities and persecute students. But this incident in Des Moines showed what the Patriot Act really means. In this incident, Bush showed his cards.

"The timing of the subpoena withdrawal is interesting—it is the elections and questions about the war and Bush's lies are everywhere. Clearly, the government does not want people talking and thinking about Iraq.

"But the irony is that because of what has happened here, the awareness of what Bush's policies are about has been heightened. People all over the world know today that the population in Des Moines is fighting for an end to the occupation and for the troops to be brought back home.

"The withdrawal of the subpoenas was a victory, but unfortunately the war continues and gets more disgusting. Hopefully people are beginning to learn that the National Guard fighting in Iraq is not making us free. Freedom is something that has to be fought for here in the streets of America. We are the people fighting the real terrorists.

"Bush's policies both here and abroad are making

terrorism more likely. The courage of the troops and their lives are being wasted. If anything, we at home are fighting for the safety of the troops by demanding that they be sent back home.

"The slaughter of Iraqis will not insure our freedom—quite the opposite. I think this is what this case is really about."



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