

US: civil liberties group charges FBI intimidation of political activists

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The American Civil Liberties Union charged Wednesday that the FBI and local police departments have engaged in intimidation tactics against human rights, civil liberties, antiwar and other advocacy groups based on political association. The ACLU allegations are based on documents obtained under Freedom of Information Act (FOIA) requests filed late last year by the civil liberties group.

To date, the ACLU has received fewer than 20 pages from the FBI in response to their FOIA requests. But even these documents reveal a pattern of coercion and intimidation of individuals and groups who have committed no crime or “terrorist” activity, but rather have been targeted for their political beliefs. ACLU affiliates on Wednesday filed FOIA requests in 10 states seeking similar documents.

The ACLU filed the FOIA requests last December following widespread complaints from students and political activists who said they were visited and questioned by FBI agents in the months leading up to the 2004 Democratic and Republican presidential nominating conventions. The requests were filed in six states and Washington, DC, on behalf of more than 100 organizations and individuals.

The ACLU charges that the FBI is withholding thousands of pages of relevant documents. The group filed a federal lawsuit on Wednesday aimed at compelling the FBI to comply with the ACLU’s FOIA requests. They are seeking FBI files kept on the ACLU itself, Greenpeace, United for Peace and Justice and the American-Arab Anti-Discrimination Committee, as well as many other environmental, animal rights, fair trade, labor, religious, Native American rights, nuclear disarmament and other advocacy groups.

In particular, the documents obtained so far show that the FBI has mobilized its Joint Terrorism Task Force

(JTTF), working with local police authorities, to spy on, interrogate and otherwise threaten antiwar protesters and disrupt their activities. These spying and intimidation operations were not triggered by terrorist or criminal actions on the part of these groups and individuals, but were aimed at silencing opposition to government policy.

One memo shows FBI fixation on the Food Not Bombs organization in Colorado. On its web site, the group describes itself as a collection of “hundreds of autonomous chapters sharing free vegetarian good with hungry people and protesting war and poverty throughout the Americas, Europe, Asia and Australia.”

ACLU Associate Legal Director Ann Beeson commented: “Since when did feeding the homeless become a terrorist activity? When the FBI and local law enforcement target groups like Food Not Bombs under the guise of fighting terrorism, many Americans who oppose government policies will be discouraged from speaking out and exercising their rights.”

The same memo on the FBI’s Colorado activities concerns a visit by police agents last summer to the Denver home of 21-year-old Sarah Bardwell, an intern with the American Friends Service Committee, a nonviolent Quaker group. Ms. Bardwell told the ACLU at the time that she and her housemates were approached by four FBI agents and two Denver police officers who told her they were “doing some preventive measures and investigating.”

According to the ACLU, the questions the agents asked were consistent with those asked of others interrogated by the JTTF, such as: “Are you planning to be involved in any criminal acts at the national convention? Are you aware that if you assist or know anybody planning any criminal acts and do not report them, it’s a crime?”

The heavily censored memo from the FBI's Denver field office described these interrogations as "pretext interviews." It confirms that the JTTF visit to Sarah Bardwell and her housemates was carried out for the express purpose of intimidation.

The ACLU writes of the memo in their May 18 press release: "The FBI notes that although they did not obtain information about criminal activity from either student, it was unnecessary to contact others in the area, as 'the purpose of the interviews was served.'" In other words, the agents felt an adequate measure of coercion and bullying had been utilized.

Another individual seeking additional documents as part of the ACLU's FOIA request is Reverend Raymond Payne, a United Methodist minister from Russell, Kentucky. Rev. Payne says he was detained for over an hour as he attempted to enter Canada with his wife for a vacation last October. He told the ACLU that border officials informed him he was targeted because he is the subject of an FBI file. "Reverend Payne has never been arrested, been charged with a crime, or even participated in protest," the ACLU press release states.

Although the Joint Terrorism Task Force was established in 1980, the Bush administration seized on the September 11 terrorist attacks as a pretext to accelerate its integration of federal, state and local police agencies. The total number of JTTFs has more than doubled since 9/11, to 66, including one in each of the FBI's 56 main field offices, with more than 2,300 personnel working on these task forces nationwide.

The FBI's web site describes the JTTFs as "important 'force multipliers' in the war on terror, pooling multi-agency expertise and ensuring the timely collection and sharing of intelligence absolutely critical to prevention efforts." In reality, what has multiplied is the unconstitutional assault upon protections of free speech and freedom of association. The basic premise is that domestic dissent—the expression of opinions counter to the Bush administration's foreign or domestic policy—is tantamount to aiding and abetting "terrorism."

On October 15, 2003, the FBI circulated an "Intelligence Bulletin" concerning "tactics used during protests and demonstrations," giving police detailed instructions on how to target and monitor lawful political demonstrations. The memorandum was circulated in advance of antiwar protests planned for

Washington, DC, and San Francisco.

The memo cites lawful and peaceful methods of protest organizers, such as use of the Internet to raise funds and recruit protesters, using cell phones to organize protests, and videotaping police to document brutality. It points out that activists are unlikely to cooperate with law enforcement agencies after demonstrations and that "[p]ost-demonstration activities can include fundraising in support of the legal defense of accused protestors and demonstrations of solidarity calling for the release of the accused."

While none of these activities are described by the FBI as illegal, the memo directs police agencies to "be alert to these possible indicators of protest activity and report any potentially illegal acts to the nearest FBI Joint Terrorism Task Force."

It was revealed last year that local police in Denver participating in the JTTF turned over the names and license numbers of individuals involved in peaceful protests who had committed no crimes and had not been arrested. Denver police kept a list of 7,000 people—divided into eight categories of "extremists"—who were then added to the FBI's "Violent Gang and Terrorist Organization File."

Last month, the Portland (Oregon) City Council voted 4-1 to withdraw two city officers from the JTTF, becoming the first city to pull out of the network. Mayor Tom Potter had come under pressure to recommend the withdrawal following the wrongful arrest last year of Portland attorney Brandon Mayfield as a suspect in the March 11, 2004, Madrid train bombings. The two officers will reportedly now work with the FBI on a case-by-case basis.



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