

US Department of Homeland Security spied on Black Lives Matter protesters

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Documents obtained by the *Intercept* establish that the US Department of Homeland Security (DHS) has been spying on Black Lives Matter protesters since anti-police-brutality protests erupted following the police killing of Michael Brown in August 2014.

The *Intercept* obtained the documents through a Freedom of Information Act request to the DHS's Office of Operations Coordination, which combines information from intelligence and law enforcement agencies to provide "situational awareness" among the DHS agencies. These agencies include the Federal Emergency Management Agency (FEMA), the Transportation Security Administration, and US Customs and Border Protection.

The DHS "frequently collects information, including location data, on Black Lives Matter activities from public social media accounts, including on Facebook, Twitter, and Vine, even for events expected to be peaceful," the *Intercept* reports. "The reports confirm social media surveillance of the protest movement and ostensibly related events in the cities of Ferguson, Baltimore, Washington, DC, and New York."

For example, one document reports on incidents of "CIVIL UNREST [sic]" on August 11, 2014, in which police used tear gas and riot gear against protesters in response to police-incited "violence, rioting and, looting." The information was collected by FEMA from local news and social media, including Twitter and Vine.

On August 14, 2014, the DHS sent an email to undisclosed law enforcement agencies regarding vigils held in remembrance of Michael Brown and Trayvon Martin. Cities across the country were listed as locations for the "National Moment of Silence," including Baltimore, Chicago, Detroit, New York, Philadelphia, Seattle, St. Louis and Washington, DC.

The NYPD's private security coordination program, NYPD SHIELD, was also "monitor[ing] ... the situation," according to the email.

This expansive monitoring of protests and gatherings included surveillance of public events that were expected to be peaceful as well as events bearing no direct relation to protests at all. One example is the DHS-funded DC Homeland Security and Emergency Management Agency's monitoring of "a larger than expected Funk Parade" in the aftermath of the Baltimore police killing of Freddie Gray. The agency apparently targeted the parade because of its temporal proximity to the April 2015 killing of Gray and its occurrence in the majority-black neighborhood of U Street. A walk to end breast cancer was also surveilled.

A high-importance Joint Intelligence Bulletin created by the FBI and sent to DHS officials noted that "a review of social media suggested that an unidentified group planned to conduct a First Amendment-protected event to protest the death of Freddie Gray." The bulletin claims that it "is not intended to associate otherwise protected First Amendment activity with criminality or a threat to national security, but instead is included only for the purpose of providing situational awareness of activities that may lead to violent action ..."

Nevertheless, "counterterrorism" agencies' conscious targeting of activities explicitly recognized as First Amendment-protected do "associate otherwise protected First Amendment activity with criminality," to use the bulletin's cynical phrase.

The DHS also used Google Maps to create maps of planned activities in order to visualize protest activity and coordinate with federal, state and local law enforcement, often through minute-by-minute monitoring of protesters' locations.

Law enforcement agencies, including the DHS, regularly use claims of “situational awareness” and concerns of “outside agitators” as pretexts for the dragnet surveillance of protests. This surveillance of constitutionally protected free speech and assembly has a chilling effect on the exercise of protesters’ rights to freedom of speech and assembly.

These revelations come less than two weeks after the police murder of Sandra Bland, who was an activist in the Black Lives Matter movement. Arresting officer Brian Encinia became even more aggressive and provocative toward Bland after he checked her license and records in his squad car. It is entirely possible that, upon checking Bland’s license, Encinia obtained information about her social media postings or political activity.

The DHS’s surveillance and the heavy-handed response to anti-police-brutality protests recalls the tactics of the FBI’s COINTELPRO operations, which targeted left-wing political organizations, including the Socialist Workers Party and the Black Panther Party, for infiltration and disruption. The FBI also spied on Dr. Martin Luther King, Jr., and attempted to blackmail him into committing suicide.

The DHS was formed in the aftermath of the 9/11 terror attacks, with the ostensible purpose of enabling information sharing between the many intelligence and law enforcement agencies for counterterrorism operations. However, it has become increasingly clear that the primary purpose of the DHS is not prosecuting the “war on terror,” but strengthening the intelligence capabilities of the American government in preparation for social upheaval.

For example, Boston Police Commissioner Edward Davis told the House Homeland Security Committee that the Boston Police Department was not informed by DHS prior to the 2013 Boston Marathon bombings about the Tsarnaev brothers, despite Tamerlan Tsarnaev’s known connections to Chechen Islamist separatists and warnings from the Russian and Saudi governments.

However, the DHS did extensively monitor the Occupy Wall Street protests in 2011-2012, with DHS “fusion centers” coordinating police repression of the protest movement. Despite the fact that the DHS acknowledged that Occupy Wall Street was “mostly peaceful,” law enforcement agencies extensively

monitored activities ranging from sit-ins to yoga classes.



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