



DEFENDING DISSSENT

foundation



SEPTEMBER 2011 NEWSLETTER

Dear Troublemakers,

The Washington Post, NPR, and other media outlets are all in a tizzy over the Inspector General's most recent revelations of DOJ misdeeds: \$16 muffins! \$8 coffee! \$5 meatballs! And other extravagant expenses at DOJ-sponsored conferences and meetings! Now, I'm as outraged as the next guy over \$16 muffins, but these muffins didn't abuse anybody's constitutional rights or teach FBI agents that all American Muslims are the enemy. There are real scandals at the Department of Justice, many of which have been exposed by the Inspector General, but none of which get the same attention as that muffin.

In Solidarity,

Sue

EXECUTIVE

Stop Vilifying Islam and American Muslims

The Defending Dissent Foundation issued a press release on September 16 calling on the FBI to immediately review its counterterrorism training curriculum to ensure that all materials and trainers accurately identify terrorist threats rather than relying on trainers and materials that vilify Islam and Muslim-Americans. At a subsequent press conference in front of FBI headquarters, DDF called upon Congress to undertake a thorough investigation of problematic training as well as the investigative practices in the field that have been influenced by hate-filled trainings.

DDF made the call in response to an expose on Wired.com of FBI training materials that teach agents that "main stream (sic) American Muslims are likely to be terrorist sympathizers." DDF advocates a counterterrorism policy based on proven indicators of criminal activity rather than using religion or ideology to malign whole groups of people. "The training material, aside from being offensive and counterproductive, is designed to lead FBI agents down a road which violates the Constitutional rights of Americans who practice Islam," said Sue Udry, DDF's Executive Director, "in fact, the FBI has consistently and inappropriately targeted Muslim Americans for surveillance, including infiltrating houses of worship."

In the press release, DDF noted that the problem of biased training material is not limited to the FBI, it is a national problem involving all levels of the homeland security apparatus. Even Senators Susan Collins (R-ME) and Joe Lieberman (I-CT) have voiced their concern, writing to John Brennan, Assistant to the President for Homeland Security and Counterterrorism and Deputy National Security Advisor on September 12, noting "cases of trainers spewing inaccurate or even bigoted information to state and local law enforcement personnel, stigmatizing Muslim-Americans generally, and in effect, lending support or the false narrative that we are "at war" with Islam."

Please visit our website to read the full press release, and to find out more about the how cops are being trained to hate Muslims.

NYPD + CIA = TROUBLE

What happens when the New York City Police Department gets together with the CIA? They create an unconstitutional domestic intelligence program based on racial, ethnic, religious and political profiling, that extends even beyond the borders of New York. According to an investigative report by the Associated

Press into the secret program, the CIA helped the NYPD set up an intelligence unit after September 11, providing advice, training and even personnel in violation of the prohibition against CIA domestic intelligence activity.

According to the AP, New York police officers in the "Demographics Unit" spread throughout the city and beyond, infiltrating Muslim neighborhoods, monitoring everyday legal activity in order to map the ethnic neighborhoods in New York, New Jersey and Connecticut. The mapping focused on activity protected by the First Amendment, and was based on profiling, not criminal activity. "Mosque crawlers" were used to "monitor weekly sermons and report what was said" to produce an analytical report on every mosque within 100 miles of the City. "Rakers" were undercover cops sent to Muslim neighborhoods and ethnic businesses to look for "hot spots" and signs of radicalization (such as looking at "radical literature"). According to police documents, they were told to engage in social activities such as cricket, analyze religious institutions, locations and congregations, and "identify businesses and or employment that is indicative of a specific ethnicity (Pakistani cab drivers)".

In order to recruit the informants the program relied on, police turned to blackmail; NYPD sent officers to Pakistani neighborhoods and "instructed them to look for reasons to stop cars: speeding, broken tail lights, running stop signs, whatever. The traffic stop gave police an opportunity to search for outstanding warrants or look for suspicious behavior. An arrest could be the leverage the police needed to persuade someone to become an informant." NYPD also targeted Pakistani taxi drivers, looking for ways to blackmail them into becoming informants, as well.

Without evidence of wrongdoing or intent to commit a crime, the intelligence unit has targeted whole communities based on their religion, ethnicity, country of origin or politics. Many readers will remember the 1985 Handshu order, which prohibited NYPD from engaging in intelligence gathering without a criminal predicate. That order was modified in 2003 when police claimed it made it "virtually impossible" to detect terrorist plots... thus opening the door to rampant profiling. Unfortunately, the police don't understand the problem. A retired NYPD intelligence agent asserts, "It's not a question of profiling. It's a question of going where the problem could arise."

The NYPD Intelligence Division had a budget of \$62 million last year, but it has never been audited. The City Council has never held hearings or conducted any oversight; neither has Congress, the DOJ or DHS. Sensing a PR problem, the CIA announced it will

undertake an internal investigation to determine whether any laws were broken. "It's my own personal view that that's not a good optic, to have CIA involved in any city-level police department," said James Clapper, the U.S. Director of National Intelligence, "...but I think CIA is going to address that."

We don't have faith that the CIA is going to "address that" to our satisfaction, so we're demanding answers, oversight and accountability.

Top Secret

The Director of National Intelligence reported to Congress this month that the number of people with security clearances to access classified information is 4.2 million, and 1.4 million have Top Secret Clearance... Kind of makes one wonder how secret this info really is!

ACTIVISTS

Shame on BART!

On August 11, the Bay Area Rapid Transit System (BART) cut off cell phone service in order to prevent a protest. That's bad enough, but then officials took to the airwaves to demonize the protesters by claiming the protests could have turned violent. The irony is that the protests were all about BART police violence: the killing of an unarmed passenger on July 3. BART's tactic was a temporary success, and the protests failed to materialize on the 11th, but since that date, protestors have organized successful weekly protests at BART stations. The transit system has come under a storm of criticism, and the Federal Communications Commission is investigating the shutdown of cell service.

\$\$ Awards in Two RNC Lawsuits

Activists are still winning cases stemming from law enforcement raids during the Republican Convention in 2008. Earlier this summer, the ACLU of Minneapolis announced that three plaintiffs won \$50,000 for politically motivated raids on their home. In another case, six activists won a \$27,000 settlement stemming from the seizure of constitutionally protected literature during the execution of search warrants in the days leading up to the 2008 RNC.

Celia Kutz, one of the six plaintiffs, stated "We took on this case because we knew that the police raids, mass arrests and indiscriminate collecting of information was a violation of our rights. In this case Ramsey County used fear, by the way of raids and false accusations, as a tactic to intimidate people speaking up for justice. We chose to not be intimidated and want this to serve as a reminder... that there is a cost to illegally suppressing political organizing."

LEGISLATION

A Commission on "Domestic Radicalization"?

A measure attached to the Intelligence Authorization Bill (passed by the House on September 9) will create a *Counterterrorism Competitive Analysis Commission*, or a 'Team B' of outsiders tasked with second-guessing Intelligence analysts. Many readers will remember the original 'Team B', created during the cold war by our good buddies Dick Cheney and Don Rumsfeld, who thought CIA analysts were too soft on the Soviet Union. They needed a commission that could validate their view that Moscow was militarily dominant, so they created the commission, got the answers they wanted, publicized the findings and drove up the military budget. Problem is, that 'Team B' got it wrong.

Fast-forward to the war on terror, and an Administration that Representative Frank Wolf (R-VA) thinks is soft on terror—or more specifically, soft on American Muslims.

He needs a commission to provide an official platform and credibility for his views and those of the entire Islamaphobia industry. The language of the amendment obscures Wolf's agenda, stripping it of all reference to Islam, asserting that "terrorism and domestic radicalization represent evolving and dynamic threats to the United States."

Take Action:

Call Senator Diane Feinstein, Chair of the Senate Intelligence Committee, at 202-224-1700. Ask her to scrap the Wolf amendment (technically, Section 310 of the Intelligence Authorization Bill).

Talking points:

- The Wolf amendment is all about political and religious ideology, which is protected by the Constitution. Government efforts to fight terrorism should focus on criminal behavior, not constitutionally protected beliefs.
- Representative Wolf's fear-mongering agenda and attempts to vilify Muslims should not be given an official platform.
- We don't need a 'Team B' of political appointees to second guess professional U.S. Intelligence analysts.

WORD OF THE MONTH

Extremist Violence: The term civil libertarians encourage enlightened members of Congress, the media and law enforcement to use, instead of *violent extremism* or *domestic radicalization*, because it puts the emphasis where it belongs – on the violent act, rather than ideology.

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In Memory of Frank Wilkinson, Director Emeritus, and Chauncey Alexander, President Emeritus, and all who went before

