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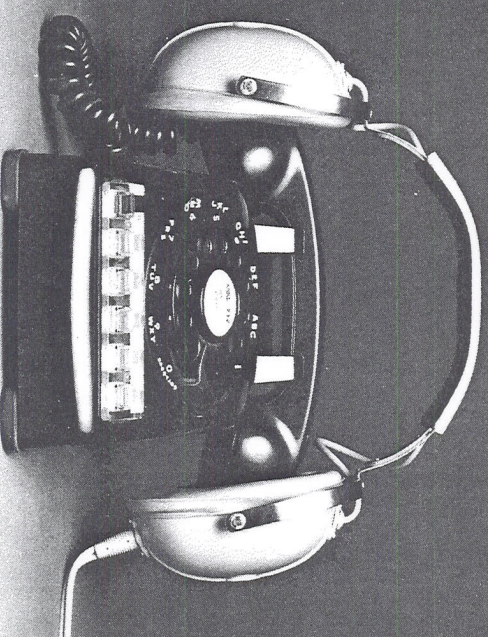
American Civil Liberties Union
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Photo by Robert Berger



Civilian and military intelligence agencies are spying on tens of thousands of law-abiding citizens — collecting, swapping and storing detailed data on their political and private lives. By the very act of snooping, these agencies caution the people. They warn they may sometime employ their force against individuals who lawfully use their freedoms of speech, conscience, press and assembly. The threat creates fear. Fear chills political dissent. And the chilling of dissent cracks the foundation of a democratic society, expanding the power of government beyond its lawful bounds to control its master, the people. The American Civil Liberties Union is dedicated to preserving the foundations of democracy. The ACLU is determined that the people shall think, speak and live freely and fearlessly.

This is what
the ACLU is doing to
stop surveillance.



Surveillance:
Is This the Law?

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Army Spying. ACLU branches are arguing two lawsuits, both before federal appellate courts, urging the destruction of the Army's computerized files on an estimated 18,000 civilians and the halting of future spying on law-abiding persons the Army considers radical or subversive—i.e., those who have expressed discontent with Administration policies. The Army admits it has a list of a million and a half political suspects. A national lawsuit of the ACLU Foundation attacks the Army's use of 1,200 agents for domestic spying and the maintenance of three computerized banks of data on dissenters. A lawsuit of the Illinois ACLU attacks Army spying on 800 civilians in that state, including political leaders. Both suits seek to insure that military forces will serve, not supervise, a civilian-controlled government. Despite its promises, the Army still engages in spying that serves no proper military purpose.

Federal Espionage. At least 20 federal agencies engage in surveillance. Chief among them is the FBI, with some 2,000 agents investigating political activities. Others are the Internal Revenue Service; the Department of Health, Education and Welfare (with ghetto monitoring units); the Secret Service; and the Civil Service Commission. The Law Enforcement Assistance Administration is providing federal grants to state surveillance units so they can collect information on protestors and disseminate it among police agencies. The ACLU Foundation is investigating the scope of these systems, and the Oklahoma CLU has sued to dismantle an LEAA funded surveillance network operated by the Oklahoma State government.

Police Dossiers. Urban "Red Squads" and their suburban satellites, as well as county and state intelligence units, maintain detailed dossiers on the identities, associations and activities of citizens and organizations they suspect of "radical" behavior or tendencies. Church and civic groups—as well as groups with political purposes—have been caught in the net. The dossiers indiscriminately mix fact, fiction, rumor and gossip about public and private affairs. Many are stored in computerized banks. Data is shared among intelligence agencies and is sometimes given to the press, employers, landlords and others who have power to harass and harm law-abiding dissenters. ACLU branches have instituted legal actions against these intelligence units in all parts of the country, asking destruction of the dossiers and court orders prohibiting police spying on lawful activities.

Wiretapping. An ACLU Foundation lawsuit, pending before a federal appellate court, sharply challenges the contention of U.S. Attorney General John Mitchell that the Justice Department and FBI, without court authorization, may tap the telephones of United States citizens whose activities they consider a threat to national security. The government has overstepped its power to stop foreign espionage by recording the conversations of domestic political dissenters. The ACLU has already won federal court recognition of the right of suspects in criminal cases to review all wiretap evidence that may be used against them, and courts may authorize police wiretapping only in strictly limited circumstances.

Photography, Licensing. A variety of techniques are used by police agencies to keep tabs on dissenters. These techniques intimidate protestors and yield information that is later compiled, filed and disseminated to weave webs of suspicion around persons engaged in innocent activities. Among the techniques challenged in ACLU lawsuits are police photography of persons who attend political rallies; and regulations that force persons who wish to demonstrate to give public licensing agencies details about their organization, its membership, its activities, its purposes. Both practices have been subjected to CLU legal actions throughout the country. One photography case, against the New Orleans police, is now pending before a federal appellate court. The CLU has successfully defended many dissenters who have been arrested for violating unconstitutional licensing regulations.

Infiltration. Intelligence agencies are training and using professional and amateur informers. These spies not only report on the organizations they infiltrate—they often instigate or perform illegal acts to discredit the groups and frame their members. The ACLU is unmasking the informers and exposing their roles. In one New York CLU defense of a black militant group, the jury decided a police infiltrator was responsible for the illegal acts and the accused dissenters were innocent of all but one minor charge. In another CLU case Alabama university students were ordered to disperse a peaceful demonstration because an agent, posing as a radical student, committed arson. The students were arrested.