

The Department of Homeland Security (DHS) Routinely Spies upon and Disrupts “Occupy” Protests

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Global Research, May 19, 2013

Region: [USA](#)

Theme: [Police State & Civil Rights](#)

The Department of Homeland Security (DHS) has been engaged in massive surveillance of peaceful protesters which undermines protections enshrined in the First and Fourteenth Amendments.

Two recent studies raise serious questions about the way the DHS has reacted to Occupy style protests. Let us not forget the primary mission of the DHS is to “safeguard the United States against terrorism.”

In August of 2012 the bipartisan think tank The Constitution Project issued a [report](#) on DHS counter-terrorism fusion centres. It notes how there are 77 active fusion centres in the US which are information sharing hubs where DHS, FBI and state/local law enforcement agencies can pool intelligence and coordinate their activities. This report investigates the use of counter-terrorism fusion centres and notes that many:

”pose serious risks to civil liberties, including rights of free speech, free assembly, freedom of religion, racial and religious equality, privacy, and the right to be free from unnecessary government intrusion. Several fusion centers have issued bulletins that characterize a wide variety of religious and political groups as threats to national security. In some instances, state law enforcement agencies that funnel information to fusion centers have improperly monitored and infiltrated anti-war and environmental organizations.”

The report further notes that many fusion centres are keeping files upon people without proper justification. Racial, political and religious profiling of ordinary citizens is being carried which undermines First Amendment rights to freedom of association, freedom of religious and political beliefs.

Apparently, there are numerous examples of counter-terrorism fusion centres targeting a wide variety of different political groups for surveillance and infiltration. For example, between 2005-2007 the DHS and Maryland State Police spied upon and infiltrated anti-war, anti-death penalty and animal rights groups. Despite the fact that these were peaceful protesters who engaged in no criminal activity the surveillance went on for several years with many activists being designated terrorists. The report observes that: “All told, data characterizing 53 peaceful activists (including two nuns) as “terrorists” was transmitted to at least seven federal and state agencies, including the National Security Agency.”

The Constitution Project report into DHS counter-terrorism fusion centres concludes with the

recommendation that,"Congress, DHS or DOJ should commission an independent study of fusion center performance, sustainability and impact upon civil liberties."

This violation of civil liberties is further confirmed by the release of DHS documents released by the [Partnership for Civil Justice](#) on 2 April 2013. Freedom of Information Act requests saw the DHS release hundreds of pages of heavily redacted documents that reveal the routine surveillance and disruption of free speech Occupy protests by DHS agents in collaboration with local law enforcement agencies.

Back in December, documents received by the Partnership for Civil Justice revealed the [role of the FBI](#) in monitoring and disrupting peaceful Occupy protests. They clearly show how the FBI regarded Occupy protestors as potential terrorists and criminals despite acknowledging that Occupy Wall Street movement consistently called for peaceful protests.

In the last few months of 2011 Occupy Wall Street faced a coordinated violent crackdown to evict protesters from public spaces by DHS, FBI and local law enforcement agencies. This violent crackdown had a stunning effect upon the peaceful Occupy movement which it has still not fully recovered from.

The [recently released DHS documents](#) show it devoted a lot of time, energy and resources to the constant surveillance of Occupy style protests in cities and towns across America. The DHS was obsessed with the question of whether any protests were receiving media coverage and if they were targeting federal property.

Before examining the nature of DHS activities during this phase of the Occupy movement it is worthwhile bearing in mind a comment made by DHS secretary [Janet Napolitano](#) on 2 April 2013:

"DHS is mindful that one of its missions is to ensure that privacy, confidentiality, civil rights and civil liberties are not diminished by the Department's security initiatives".

The surveillance of the Occupy Portland movement during October-November 2011 serves to illustrate the nature of DHS activities during this phase of the Occupy Wall Street movement which undermined First Amendment rights to freedom of speech and association.

In early October 2011 Occupy Portland was just getting going and DHS devoted considerable time to monitoring its twitter and face book activities. The main focus of its energies were daily surveillance of the various demonstrations and encampments that were set up in city parks and Terry Shrunken Plaza. The DHS was particularly concerned by the encampment on Terry Shrunken Plaza. DHS inspectors worked in shifts to carry out this round the clock surveillance. They were instructed to come with riot gear and be armed.

On the 5 October one agent's report reads:

"300 turned up for last week's planning session. This is triple the turnout for a similar event for a planning counsel. Event organizer's have been heard discussing the coming wet weather...I think it is likely this event will affect federal property." [He calls for extra agents to be sent to Portland for]"civil disturbance operations".

A report on 31 October 2011 with the heading "Crime/Incident: Demonstration-Violent" notes that DHS agents and Portland police told 200 protesters to leave Terry Shrunken Plaza. The agent says that the DHS,

"Acting Area Commander [redacted] advised that the demonstrators appear to have a mob mentality....Portland Police Commander [redacted] wants to coordinate with FPS [read DHS agents] an early morning removal of the tent and protesters tomorrow morning. Michael Moore (Hollywood Film Director) is at Terry Shrunken Plaza right now and is getting the crowd excited and having them bring more tents..."

On 1 November another report notes how DHS agents and Portland police were working together to remove Occupy protesters from Terry Shrunken Plaza:

"[DHS] inspectors entered Terry Shrunken Plaza and began announcing that everyone needed to leave and take down their tents or they would be arrested. 10 subjects refused to leave the property. ...We handcuffed and transported all 10 subjects to Gus Solomon courthouse where we processed them. All of the subjects were cited and released for failure to conform to Lawful Direction."

One could be forgiven for asking why are DHS agents spying upon peaceful protesters and then breaking up their free speech protests with arrests? The mission charter of the Department of Homeland Security says nothing about its role being to police free speech protests. One can only draw the conclusion that the DHS regards free speech protests as potential terror threats hence why it devoted such large amounts of energy and resources to mass surveillance of Occupy Wall Street during the autumn and winter of 2011.

[Maria Verheyden-Hillard](#), Executive Director of the Partnership for Civil Justice has observed that DHS agents during this period were

"functioning as a secret police force against people participating in lawful free speech activity.... The federal agencies' actions were not because Occupy represented a "terrorist threat" or a "criminal threat" but rather because it posed a significant grass roots political challenge to the status quo"

These reports show how the third biggest government department is obsessed with peaceful Occupy protests. The Department of Homeland Security spends a large amount of time and resources in undermining the civil liberties of peaceful protesters that have nothing to do with its official mandate of fighting terrorism.

It is clear that the 1% who make up the ruling class of America feel threatened by the political awakening that is represented by the growing Occupy movement.

The growing wave of protests against murderous drone strikes, against home foreclosures, against the destruction of the environment and public services all show how the American people are slowly moving on to the scene of history. When the giant, that is the American working class, moves en masse on to the political scene no force on earth will stop it from sweeping the ruling class away into the dustbin of history.

The Department of Homeland Security declined the offer of commenting upon issues raised

in this article.

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