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Peace groups under watch

Authorities keep tabs on non-violent Seattle activists in hunt for al-Qaida

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P-I REPORTERS

In the post-9/11 world, some unlikely figures have attracted the attention of local police and federal agents: the Raging Grannies, known for musical satire, and Quaker peace activists, known for non-violence.

Recently disclosed FBI files show that in Seattle in recent years, federal agents and local police looked for signs of civil disobedience among activists preparing to protest Navy ships arriving for Seafair:

- Local anti-war groups such as the Raging Grannies, Not in Our Name and Ground Zero were watched for intent to disrupt Navy ships through civil disobedience such as chaining themselves to ships. It never happened.
- A Navy criminal investigator traveled to Eugene, Ore., to find out if anarchists blamed for violence at Seattle's 1999 World Trade Organization conference might return to protest the fleet. They never did.
- A law enforcement agent conducted surveillance as two small, Peace-Fleet boats were launched in West Seattle.

Authorities argue that they had a duty to protect Navy ships. They don't want to happen in Puget Sound what happened six years ago in Yemen when a small suicide boat blew a hole in a Navy destroyer, killing 17 sailors.

As the Bush administration and Congress argue about how far domestic spying to protect the nation should go, Seattle-area peace activists and constitutional watchdogs are concerned that programs intended to thwart al-Qaida could become a witch-hunt against American political dissenters. Concerns are heightened by the storage of massive amounts of raw information in government databases that have proliferated since 9/11.

One key Pentagon database was piloted here, the Joint Protection Enterprise Network. Its purpose is to share intelligence to safeguard military bases, including seven around Puget Sound. It's controlled by the Pentagon's secretive Counterintelligence Field Activity office. The Pentagon did not return numerous calls for an explanation about the database.

'Threat assessments'

"Surveillance of actual threats might be warranted. Surveillance of known, non-violent activists is not warranted and has a chilling affect on protest or demonstrations against our government," says Glen Milner, 53, an electrician from Shoreline.

Milner, a Quaker peace activist, was watched by local and federal law enforcement who feared his peace fleet protest boats could interfere with Navy ships at Seafair -- or worse be a Trojan horse for terrorists. The Coast Guard charged Milner with intruding into security zones around the Navy ships during the 2004 peace fleet demonstrations. Milner denies it.

Milner's name and those of local peace organizations appear throughout 18 pages of documents about government "threat assessments" of the 2003 and 2004 peace fleet demonstration. The papers were acquired through the Freedom of Information Act by the American Civil Liberties Union of Washington last year on Milner's behalf.

"This is part of a troubling pattern by the government of spying on peaceful groups," said Kathleen Taylor, executive director of the ACLU of Washington.

Keeping watch on "groups like Raging Grannies doesn't make us safer," she said. "And it interferes with people's right to protest government policies. When government believes that advocacy of peace is a threat, we are going in the wrong direction. The government needs to focus on real threats to public safety rather than to presume that anyone who objects to government action is a safety threat."

Duke University law professor Scott Silliman, executive director of the Center on Law, Ethics and National Security, sees no legal problem with the actions of Seattle-area police and federal agents surrounding Seafair. The retired Air Force lawyer said agents watching protesters in a public place is not against the law. "It's the same thing as a bunch of cops watching," Silliman said. "It may be intimidating, but it's nothing illegal."

In the wake of 9/11, the Bush administration responded to its failure to detect the attacks by broadening the rules for the FBI to open a national security investigation.

The old guidelines required that a crime had been committed or was being planned. The new guidelines create a category called "threat assessment," and no crime has to be committed or planned to perform a threat assessment.

Under a threat assessment, a federal criminal justice source said, agents can attend public meetings without identifying themselves and conduct such simple surveillance as watching a protest march.

The Naval Criminal Investigative Service and the FBI acknowledged that their agencies collect and disseminate information on U.S. political activists. But the agencies say that they only gather information on those who either break laws or plan to do so.

The FBI "has no interest in investigating individuals engaged in the exercise of their constitutional rights," said Laura Laughlin, special agent-in-charge of the FBI's Seattle office. "We are interested in individuals or groups who are actively conspiring to commit criminal acts. Our investigations are intelligence-driven and predicated on specific information about potential criminal acts."

Scott Jacobs, former special agent in charge of the Naval Criminal Investigative Service in Bremerton, agreed. "If I were a citizen protester, I wouldn't want people reporting on me, and we don't. ... Ground Zero has had a regular protest activity at the Bangor (submarine base) front gate. We don't collect on any one of those individuals out there. They are exercising their rights and are peaceful demonstrators," said Jacobs, now chief of anti-terrorism activities at Naval Criminal Investigative Service headquarters in Washington, D.C.

But Jacobs drew a bright line between protesting at the base front gate and launching peace vessels to protest Navy warships.

"If you get within 500 yards of a naval vessel, you're breaking the law," Jacobs said. "If we have information that folks are going to disrupt that flotilla, we would collect information on that specifically. We don't know who is on those demonstrators' boats. They could be a terrorist group trying to get closer to our vessels under the guise of a protest activity."

Getting in the database

It's unclear whether information about local political activists has been collected in the database intended for military installations to use to share intelligence. The Pentagon did not make itself available to answer the question.

The database is fed raw, unclassified information from another government database, said a federal criminal justice source. That second database often contains unverified information about possible threats to military installations. If you get off the wrong exit on Interstate 5, pull up to the Fort Lewis gate, then turn around and leave, guards might enter your license and vehicle description in that database.

In general, "civil disobedience on a federal reservation," such as a military base, could be enough to prompt collecting intelligence on an individual or activist group, said Dave Gomez, the FBI assistant special agent in charge in Seattle.

"We don't investigate people's exercise of First Amendment rights. We investigate criminal activity and the potential for criminal activity."

One of the documents in Milner's FBI file, says the Naval Criminal Investigative Service, mindful of Seattle's violent World Trade Organization confrontations, sent an agent to Eugene, Ore., in July 2000 to gauge anarchists' intentions.

Milner said the peace fleet protests at Seafair have been held since 2000 without incident until 2004 when he was charged with violating the security zone around the Navy ships in his small boat. He believes flawed intelligence was exaggerated and created a confrontational climate that led to the charge.

"Personally, I tend to be one of those people who feels that if you aren't doing anything wrong, you should have nothing to fear. In this case their intelligence was faulty and used against me," he said.

A year earlier, a memo apparently from a police member of the FBI's Washington Joint Analytic Center says: "The Snohomish County Peace Action of Edmonds is a merge between the Lynnwood SNOW and Peace Action of Snohomish County. They support the anti-war, anti-Bush, anti-nuclear, anti-weapons movements."

The memo from an unknown local police agency to the FBI says Milner was the speaker at a May 2003 potluck attended by the Raging Grannies, older women who dress outlandishly and oppose war through humorous song.

Raging Granny Shirley Morrison, 83, of Seattle says it was a Mother's Day potluck. She's not surprised to find that the Grannies are mentioned in FBI files. "Frankly, we've been expecting to be in a database," Morrison said. "We're all going to be investigated under this administration."

An FBI memo dated a few days later says its domestic terrorism squad had opened a "special events investigation" into possible civil disobedience during Seafair's public tours of Navy ships. Other memos from various federal and local agencies in the bureau files discuss demonstration plans of local peace groups including Ground Zero, Not In Our Name and Peace Action of Snohomish County.

Most information in the police and federal investigative agency memos about the 2003 Peace Fleet demonstrations appears to have been gleaned from activist Web sites.

But on July 30, 2003, Peace Fleet activists were watched as they launched their small vessels.

"Yesterday (redacted) conducted surveillance at the boat launch on Alki Beach," said one memo in FBI files. "Two 16-18 foot boats launched at approximately 11:00 a.m. Each boat had three individuals aboard, and each boat was flying a blue flag with 'NO WAR IN IRAQ.' "

The memo cited "uncorroborated information" indicating plans for a sit-in during public tours of the Navy ships, perhaps by an "attempt to secure themselves (via handcuffs or other means) inside the vessels."

It was the FBI, however, that counseled against violating protesters' civil liberties.

"It may be advisable to allow the activist groups to conduct as much exercise of their First Amendment rights as possible and avoid confrontation, only becoming involved in issues of safety and national security," the FBI said.

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