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ACLU Seeks Data on Spying for 32 Groups

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The [American Civil Liberties Union](#) of Maryland yesterday demanded that the state police disclose under public information laws whether 32 grass-roots advocacy and political activist groups that have held large public protests in recent years have been targets of spying by undercover agents.

Yesterday's request follows revelations in July that state police officers posing as activists conducted surveillance in 2005 and 2006 on war protesters and death penalty opponents.

Information is being sought on behalf of groups ranging from Silver Spring-based Progressive Maryland, which promotes liberal causes, to Defend Life, a Washington area anti-abortion coalition. The organizations include immigrant advocacy group CASA of Maryland, PeaceAction Montgomery, Christian Peace Witness for Iraq, the gay rights group Equality Maryland and a coalition formed to fight high electricity rates in the Washington-Baltimore area.

As a result of July's disclosures, [Stephen H. Sachs](#), a former U.S. attorney and former state attorney general, was appointed to head an independent review of state police intelligence-gathering. Sachs and Gov. [Martin O'Malley](#) (D) are scheduled to release the findings today.

Sachs is expected to explain why officers assigned to the Division of Homeland Security and Intelligence infiltrated organizational meetings, rallies and e-mail group lists when [Robert L. Ehrlich](#) (R) was governor and to comment on whether they broke any laws.

The state [Senate Judiciary Committee](#) has scheduled a hearing on the spying for Tuesday.

More than 100 grass-roots groups contacted the ACLU out of concern that their protests have been targets. Two of the groups learned that they were under police surveillance, ACLU officials said.

State police leaders have said that death penalty opponents were monitored in response to a series of protests of a scheduled execution and that undercover work is an integral part of police intelligence-gathering. The ACLU and other civil liberties groups said the monitoring was not warranted because the protests were nonviolent.

"The police said they were spying because they were worried about disruptive or violent anti-death penalty protests," ACLU staff attorney [David Rocah](#) said. "If that worry was the true motive, it could exist with respect to any and all of the groups we are filing for. . . . All of these are pretty hot-button issues."

If police say they were not tracking other groups, "they will still have some explaining to do" as to why they chose to spy on some protesters and not others, Rocah said.

State police spokesman [Greg Shipley](#) said the agency "will address the requests and provide any information [the ACLU] is entitled to under the law."

ACLU officials also said yesterday that they are seeking a sponsor for state legislation to protect the activities of nonviolent protest groups from police surveillance.

Children First, a Baltimore group that has protested lead in the city's drinking water, is one of the organizations seeking information about possible surveillance. Director Tyrone Powers, a former [FBI agent](#), said Baltimore detectives visited his home before a rally outside school system headquarters in 2003 and asked him to call it off. He declined, and the officers told him that they had a file on him, he said.

Jack Ames, a founder of Defend Life, said the arrest of 18 group members at a protest in [Harford County](#) made him wonder whether police were monitoring him. Loitering and disorderly conduct charges against the members were later dropped by the state's attorney's office.

Rocah said ACLU found that state police conducted surveillance on a worker-owned Baltimore bookstore named Red Emma's, which had not been the site of a protest but which hosts lectures on politics.

When the ACLU released 46 pages of documents in July on surveillance of anti-death penalty and antiwar groups, Red Emma's workers looked back at e-mails they had received from one of the agents, who used the alias Lucy Shoup. Shoup inquired about a scheduled speech by Bernardine Dohrn, a law professor at [Northwestern University](#) and former member of the radical group Weather Underground.

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