



FOR IMMEDIATE RELEASE

May 18, 2005

ACLU of Kentucky Joins in Requests to Uncover More FBI Spy Files

Kentucky minister detained for unknown reasons by Canadian border officials

LOUISVILLE – The American Civil Liberties Union of Kentucky today joined the national ACLU and ACLU affiliates in nine other states seeking FBI files on several individuals and organizations, including a Greenup County minister who was detained for more than an hour by Canadian border officials while trying to enter the country last fall on a sightseeing trip.

Rev. Raymond Payne of Russell has never been arrested, has never been charged with a crime, and has never even participated in a protest. In fact, he has received only one traffic ticket in his lifetime. But border officials told him that he was being detained because he is the subject of an FBI file.

Rev. Payne believes he may have come under federal scrutiny immediately after September 11 when he ordered books over the Internet about the Islamic religion, including several copies of the Koran. He did so – at the request of his congregation – to help the church members gain a better understanding of the faith.

“The FBI seems to be on a fishing expedition and law-abiding citizens are the target,” said Lili S. Lutgens, staff attorney for the ACLU of Kentucky. “Why Rev. Payne would even have an FBI file is a mystery, but this kind of spying by the federal government has got to stop.”

According to documents obtained through a series of Freedom of Information Act (FOIA) requests filed last December, the ACLU charges that the FBI and local police are engaging in intimidation based on political association and are improperly investigating law-abiding human rights and advocacy groups.

The ACLU’s clients comprise a Who’s Who of national and local advocates for well-known causes, including the environment, animal rights, labor, religion, Native American rights, fair trade, grassroots politics, peace, social justice, nuclear disarmament, human rights and civil liberties. Requests also were filed on behalf of numerous individuals.

In addition to Rev. Payne, the ACLU of Kentucky is seeking FBI files on several Kentucky groups and individuals who have been active in the peace movement and a variety of other social justice causes throughout Kentucky.

The ACLU filed the first round of FOIA requests in December on behalf of more than 100 groups and individuals in six states and the District of Columbia in response to widespread complaints from students and political activists who said they were questioned by FBI agents in the months leading up

to last summer's political conventions. To date, the ACLU has received fewer than 20 pages in response to the FOIA requests.

Also today, the ACLU charged that the FBI is wrongfully withholding thousands of pages of documents, and filed suit in federal court to compel the FBI to comply with the FOIA requests. The complaint seeks files kept by the FBI on the ACLU, as well as Greenpeace, United for Peace and Justice, People for the Ethical Treatment of Animals and the American-Arab Anti-Discrimination Committee.

The ACLU said that the few documents received to date through the December FOIA requests shed light on the FBI's misuse of Joint Terrorism Task Forces to engage in political surveillance. In Colorado, one memo indicates an ongoing federal interest in Food Not Bombs, a group that provides free vegetarian food to hungry people and protests war and poverty.

The same memo suggests that FBI interviews of two students prior to last fall's political conventions were intended as a means of intimidation. The FBI notes that although they did not obtain information about criminal activity from either student, it was unnecessary to contact others in the area as the "purpose of the interviews was served."

"The FBI is taking tax dollars and resources established to fight terrorism and instead spying on innocent Americans who have done nothing more than speak out or practice their faith," said national ACLU Associate Legal Director Ann Beeson said. "By recruiting the local police into these activities, they are also sowing dissent and suspicion in communities around the country."

In addition to Kentucky, the FBI files requested today are from individuals and groups in Missouri, Georgia, Idaho, Maine, Massachusetts, North Carolina, Pennsylvania, Rhode Island and Wisconsin. The FOIA requests seek two kinds of information: the actual FBI files of groups and individuals targeted for speaking out and the information about how the practices and funding structure of the task forces, known as JTTFs, may be encouraging rampant and unwarranted spying.

The controversial FBI-led task forces came under scrutiny last month after Portland, Oregon became the first city in the nation to withdraw local law enforcement participation from the JTTFs rather than allow them to participate without proper oversight. The JTTF partnerships between the FBI and local police, in which local officers are "deputized" as federal agents, are intended to identify and monitor individuals and groups implicated in terrorism. But the ACLU charges that these task forces are allowing local police officers to target peaceful political and religious groups with no connection to terrorism.

The documents obtained by the ACLU are not the only evidence that the FBI is building files on activists, Beeson said. A classified FBI intelligence memorandum disclosed publicly in November 2003 revealed that the FBI has actually directed police to target and monitor lawful political demonstrations under the rubric of fighting terrorism.

This memo is available at <http://www.aclu.org/SafeandFree/SafeandFree.cfm?ID=14450&c=206>

For details and legal papers regarding the FOIA requests filed today by ACLU affiliates around the country, including a list of clients, go to www.aclu.org/spyfiles

###