The history of United States government domestic surveillance and spying is long. Over the years, the US government has launched covert and illegal projects whose purpose among other is to "expose, disrupt, misdirect, discredit, or otherwise neutralize" movements for justice and freedom. Lives have been destroyed, individuals have been smeared and liberties have been severely curtailed.

Launched in March 2008, LAPD Special Order 11 is one such “open” assault on people's privacy and freedom, done under the pretext of “national security and the war on terror”.

1798: Congress passes four laws which come to be known collectively as the **Alien and Sedition Acts**:

- **June 17, 1798**: The **Naturalization Act** increases the amount of time necessary for immigrants to become naturalized citizens in the United States from five to fourteen years; ¹
- **June 24, 1798**: The **Alien Friends Act** authorizes the president to deport any resident alien considered "dangerous to the peace and safety of the United States;"²
- **July 5, 1798**: The **Alien Enemies Act** authorizes the president to apprehend and deport resident aliens if their home countries are at war with the United States of America. This includes aliens who are not chargeable with actual hostility or other crime against the public safety;³
- **July 13, 1798**: The **Sedition Act** makes it a crime to "oppose any measure or measures of the government" as well as to publish "false, scandalous, and malicious writing" against the government or its officials. The Act is intended to stifle dissent.⁴

April 12, 1917: President Wilson persuades Congress to declare war on Germany and enter World War 1, but the American public is wary of the financial and military cost. Wilson creates the **Committee on Public Information (CPI)** through Executive Order 2594 to generate public support for increased federal spending and sending Americans to fight overseas by using propaganda. Some of CPI's tactics amount to the outright harassment and persecution of dissenters.⁵

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¹ An Act supplementary to, and to amend the act to establish a uniform rule of naturalization; and to repeal the act heretofore passed on that subject; ch. 54, 1 Stat. 566 ( 5th Congress, 2nd Session), available at http://en.wikisource.org/wiki/United_States_Statutes_at_Large/Volume_1/5th_Congress/2nd_Session/Chapter_54
² An Act Concerning Aliens; ch. 58, 1 Stat. 570 ( 5th Congress, 2nd Session) available at http://en.wikisource.org/wiki/United_States_Statutes_at_Large/Volume_1/5th_Congress/2nd_Session/Chapter_58
⁴ An Act for the Punishment of Certain Crimes against the United States; ch. 74, 1 Stat. 596 ( 5th Congress, 2nd Session) available at http://en.wikisource.org/wiki/United_States_Statutes_at_Large/Volume_1/5th_Congress/2nd_Session/Chapter_74
⁵ Records of the Committee on Public Information, National Archives, available at http://www.archives.gov/research/guide-fed-records/groups/063.html
April 14, 1917: The Bureau of Intelligence (which evolved into the FBI) develops a liaison with the conservative businessmen's organization, the American Protective League, to monitor trade unions and anti-war dissent throughout the United States.6

June 14, 1917: The Espionage Act prohibits any attempt to interfere with the war effort, to promote insubordination in the military, or to interfere with military recruitment. The law criminalizes taking pictures and making copies of plans and blueprints of infrastructural and military installments for the protection of “national defense”. 7

May 6, 1918: The Sedition Act extends the Espionage Act to cover a broader range of offenses, notably speech and the expression of opinion that casts the government or the war effort in a negative light or interferes with the sale of government bonds. It makes it a crime to "utter, print, write or publish any disloyal, profane, scurrilous, or abusive language" about the United States' form of government. The laws are intended to stifle dissent and anti-war protests from both citizens and non-citizens. The Act is used to prosecute and convict socialists, communists and labor reform advocates. More than 4,000 people are arrested and 2,000 are convicted.8

March 9, 1919: The Supreme Court upholds the conviction of prominent labor organizer and the Socialist Party presidential candidate, Eugene Debs. Debs is sentenced to ten years for delivering an anti-war speech.9

June 1, 1919: Bombs go off in eight cities, including Washington DC, where the home of A. Mitchell Palmer, Wilson's Attorney General is partially destroyed. It is unclear who set the bombs. Although there are only about 70,000 self-professed Communists in the U.S., Palmer views them as responsible for a wide range of social ills, including the bombings. Encouraged by Congress, Palmer begins a series of showy and well publicized raids against radicals and leftists, which have come to be known as the Palmer Raids. Striking without warning and without warrants, Palmer's men smash union offices and the headquarters' of Communist and Socialist organizations. They concentrate whenever possible on aliens rather than citizens, because aliens have fewer rights. In December, in their most famous act, Palmer's agents seize 249 resident aliens. Those seized are placed on board a ship, the Buford, bound for the Soviet Union. Deportees include Emma Goldman, the feminist, anarchist and writer who later recalled the deportation in her autobiography.10

November 10, 1919: Congress refuses to seat Victor Berger, the duly elected socialist from Wisconsin. Berger, a founding member of the Socialist Party, was sentenced to twenty years under the Espionage Act for opposing WW1, but his conviction was overturned two years later by the Supreme Court. In spite of his being under indictment, the voters of Milwaukee elect Berger to the House of Representatives. When he arrives in Washington to claim his seat,
Congress forms a special committee to determine whether a convicted felon and war opponent should be seated as a member of Congress. They concluded that he should not, and declared the seat vacant. Wisconsin promptly holds a special election to fill the vacant seat, and on December 19, 1919, elect Berger a second time. On January 10, 1920, the House again refuses to seat him, and the seat remains vacant until 1921.\(^{11}\)

**May 26, 1938:** Congress forms the **House Committee on Un-American Activities (Dies Committee)**, a special House committee to investigate "subversive activities," focusing on labor unions, federal employees, and youth organizations. \(^{12}\)

**June 27, 1940:** The **Alien Registration Act (or Smith Act)**, makes it illegal to advocate, aid, or teach the desirability of overthrowing the government and requires all non-citizens residents over the age of 14 to register with the government. Within four months, 4,741,971 aliens register. The law is used against political organizations and figures, with approximately 215 Americans indicted under the legislation. Prosecutions continue until a series of United States Supreme Court decisions in 1957 reversed a number of convictions as unconstitutional. However, the statute has not been repealed. \(^{13}\)

**October 31, 1940:** The FBI continues its practice of allying with citizen groups that can operate outside official sanction by allying itself with the **American Legion**. The American Legion Contact Program uses local American Legion post members as potential "confidential sources" in their communities. The sources are used to provide information without payment on domestic security matters. The program was terminated on August 17, 1954, but FBI Field Offices were instructed to maintain contact with American Legion officials in their areas. \(^{14}\)

**February 14, 1942:** President Roosevelt signs **Executive Order 9066**, which authorizes the internment of 110,000 U.S. residents of Japanese descent. The executive order also authorizes a smaller internment program for German and Italian nationals in the country. Thousands of Latin American residents of Japanese and German descent were forcibly sent to internment camps in the United States. \(^{15}\) The Japanese and German internees are allowed to return home in 1944. In December 1982, the Commission on Wartime Relocation and Internment of Civilians issues its findings, concluding that the incarceration of Japanese Americans had not been justified by military necessity. The report determines that the decision to incarcerate was based on "race prejudice, war hysteria, and a failure of political leadership."

**January 2, 1945:** The **House Un-American Activities Committee (HUAC)** is created, succeeding the **Special Committee on Un-American Activities (Dies Committee)**, which had existed since 1938. **HUAC** is charged with uncovering and identifying "anti-American" or "pro-communist" activities. The HUAC initially investigates both left-wing and right wing political groups. Some call for the leaders of the Ku Klux Klan to be interrogated by the HUAC.

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\(^{11}\) Wisconsin Historical Society; http://www.wisconsinhistory.org/topics/vberger/


\(^{14}\) “Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, United States Senate” (the Church Committee), Book III, April 23, 1976, available at http://www.icdc.com/~paulwlf/covertpro/churchfinalreportIIId.htm


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However, the chairman of Committee, Martin Dies, is a supporter of the Klan and speaks at several of its rallies. Other members of the HUAC such as John Rankin and John S. Wood are also Klan sympathizers. Wood defends the Klan by arguing that: "The threats and intimidations of the Klan are an old American custom, like illegal whisky-making." 16

July, 1945: The National Security Agency formalizes Project Shamrock illegally monitoring overseas communications through the accumulation of all telegraphic data entering into or exiting from the United States. The NSA receives copies of millions of telegrams and makes them available for analysis and dissemination according to NSA's selection criteria, which includes watch lists. Information is provided by telegraph companies despite advice from attorneys that the activity is illegal. The NSA routinely intercepts international communications of Americans as part of its foreign intelligence collection activity. The operation's main purpose is to link the civil rights movement and anti-war protests to international communism. Project Shamrock continued till 1975 when it was exposed by the Church Committee. 17

February 26, 1946: FBI Director J. Edgar Hoover authorizes a secret "education campaign" to "influence public opinion" about the "seriousness of the Communist threat and their liberal elements." The FBI influences public opinion by disseminating material to domestic media outlets and educational institutions. The campaign creates nearly four-hundred media-directed items, including films, radio and television programs, books, as well as articles in law reviews, news magazines, pop-cultural magazines, and newspapers. The FBI leaks derogatory information regarding leftist organizations to the media and Congress. 18

March 21, 1947: Truman issues Executive Order 9835, initiating a program to search out any "infiltration of disloyal persons" in the U.S. government. A federal employee loyalty program is instituted to preclude the employment of "disloyal Americans." Local governments, public institutions, and private companies, as well as universities and labor unions, quickly fall in line by instituting their own loyalty programs and dismissing employees suspected of having ties to communism. 19

March 26, 1947: FBI Director J. Edgar Hoover assists HUAC’s efforts to publicize the ‘communist influence’ in Hollywood. The FBI provides HUAC with lists of suspects and names of cooperative witnesses. The pattern of FBI and HUAC cooperation lasted for three decades. 20

March, 1947: HUAC begins investigating the entertainment Industry, citing the danger of communist infiltration. 21

17 “Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, United States Senate” (the Church Committee), Book III, April 23, 1976, available at http://www.icdc.com/~paulwolff/countelpro/churchfinalreportIII.htm
21 http://www.spartacus.schoolnet.co.uk/USAhuac.htm

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April 10, 1947: Ronald Reagan and wife Jane Wyman provide to the FBI names of Screen Actors Guild (SAG) members believed to be communist sympathizers.  

September 1947: HUAC interviews 41 people who are working in Hollywood. These people attend voluntarily and become known as "friendly witnesses". During their interviews they name several people who they accuse of holding left-wing views.  

November 24, 1947: Ten writers and directors are cited for contempt of Congress for refusing to give testimony to HUAC (although they invoke their Fifth Amendment right). They are jailed for between six months and one year. A group of studio executives announce the firing of the artists (who come to be known as the Hollywood Ten).  

November 25, 1947: The HUAC investigations have a tremendous effect. Hollywood execs, fearing the loss of profits, create a blacklist containing the names of hundreds of actors, directors, and screenwriters who are shut out of employment, thus ending their careers. In a short time, television and radio do the same. Over 320 people are placed on a 'black list' that stops them from working in the entertainment industry.  

February 9, 1950: Sen. Joseph McCarthy (R-Wis.) makes a speech in Wheeling, W.Va., falsely claiming that the State Department employs 205 known communists.  

September 23, 1950: Congress passes the Internal Security Act (the McCarran Act), requiring communists and members of various other political organizations to register with the Subversive Activities Control Board and authorizing the detention of suspected subversives. Truman vetoes the bill, calling it the greatest danger to freedom of speech, press, and assembly since the Alien and Sedition Acts of 1798. Congress overrides the veto by large margins.  

June 7, 1951: The California Senate Subcommittee on Un-American Activities accuses University of California officials of aiding subversive campus groups.  

June, 19 1953: Julius and Ethel Rosenberg, convicted under the Espionage Act, are executed.  

December 2, 1954: The Senate issues a condemnation of McCarthy for two counts of conduct unbecoming a U.S. senator.  

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23 http://www.spartacus.schoolnet.co.uk/USAhuac.htm  
27 “Enemies from Within”: Senator Joseph R. McCarthy’s Accusations of Disloyalty, available at http://historymatters.gmu.edu/d/6456  
30 The Rosenberg Trial, Faculty Project, University of Missouri-Kansas City, available at http://law2.umkc.edu/faculty/projects/ftrials/rosenb/ROSENB.HTM  
31 http://www.history.com/this-day-in-history/mccarthy-condemned-by-senate  

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August 1956: FBI Director J. Edgar Hoover authorizes COINTEL PRO, a secret FBI program designed to neutralize political dissidents by sowing seeds of dissention within organizations and leaking derogatory information to the media and law enforcement. The American Communist Party, other left-wing organizations, and minority groups - including African-Americans, Native Americans, and various immigrant groups - become targets of suspicion, surveillance, and infiltration. COINTELPRO continued till 1975 when it was exposed by the Church Committee, which revealed that FBI tactics during the 15 year secret program had included discrediting targets through psychological warfare, planting false reports in the media, smearing through forged letters, harassment, wrongful imprisonment, extralegal violence and assassination.32

August, 15 1967: Operation CHAOS first uses CIA stations abroad to report on antiwar activities of United States citizens traveling abroad, employing methods such as physical surveillance and electronic eavesdropping, utilizing "liaison services" in maintaining such surveillance. The operation expands and builds a network of informants for the purposes of infiltrating various foreign antiwar groups located in foreign countries that might have ties to domestic groups. Later CIA officers expand the program to include other leftist or counter-cultural groups, such as groups operating within the women's liberation movement. Operation CHAOS continued till 1975 when it was exposed by the Church Committee which found “Operation CHAOS was not an intelligence mission sought by the CIA. Presidents Johnson and Nixon pressed the Director of CIA, Richard Helms, to determine the extent of hostile foreign influence on domestic unrest among students, opponents of the Vietnam war, minorities and the "New Left." By all the testimony and available evidence, it was this pressure which led to the creation and expansion of a special office in the CIA to coordinate the efforts to respond.”33

July 1, 1969: The National Security Agency formalizes Project Minaret, which involves intercepting electronic communications that contained the names of US citizens and passing them to other government law enforcement and intelligence organizations. Intercepted messages are disseminated to the FBI, CIA, Secret Service, Bureau of Narcotics and Dangerous Drugs, and the Department of Defense. The names are on "watch lists" of American citizens, generated by Executive Branch law enforcement and intelligence agencies, to detect communications involving the listed individuals. There is no judicial oversight, and the project has no warrants for interception. The project’s main purpose is to link the civil rights movement and anti-war protests to international communism. Project Minaret continued till 1975 when it was exposed by the Church Committee.34

32 “Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, United States Senate” (the Church Committee), Book III, April 23, 1976, available at http://www.icdc.com/~paulwolf/cointelpro/churchfinalreportIIId.htm
33 “Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, United States Senate” (the Church Committee), Book III, April 23, 1976, available at http://www.icdc.com/~paulwolf/cointelpro/churchfinalreportIIIi.htm
34 “Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, United States Senate” (the Church Committee), Book III, April 23, 1976, available at http://www.icdc.com/~paulwolf/cointelpro/churchfinalreportIIIj.htm

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December 4, 1969: Black Panther Party leader Fred Hampton is killed in a raid by Chicago police. In 1976, as a result of the Church Committee hearings, Americans learnt that Hampton's bodyguard was an FBI agent provocateur.  

May 4, 1970: The Ohio National Guard opens fire on Kent State University students protesting the Vietnam War, killing four students and wounding nine others. College campuses across the United States erupt in protest, leading to early termination of the school semester.

1971: A Senate subcommittee chaired by Sam Ervin Jr (Dem.) reveals that the U.S. Army has been secretly and illegally monitoring protests and anti-war groups.

1975-76: The Select Committee to Study Governmental Operations with Respect to Intelligence Activities (the Church Committee) reports to Congress that "domestic intelligence activity has threatened and undermined the constitutional rights of Americans to free speech, association and privacy. It has done so primarily because the constitutional system for checking abuse of power has not been applied."

October 25, 1978: Congress passed the Foreign Intelligence Surveillance Act (FISA), which prescribes procedures for the physical and electronic surveillance and collection of "foreign intelligence information" between "foreign powers" and "agents of foreign powers" (which may include American citizens and permanent residents). The Act was amended in 2001 by the USA PATRIOT Act, primarily to include terrorism on behalf of groups that are not specifically backed by a foreign government.

May 1, 1981: The American public becomes aware of U.S. support for the military governments in El Salvador and Guatemala through a congressional lawsuit filed against the Reagan administration for violating the War Powers Resolution.

March 24, 1982: The Southside Presbyterian Church in Tucson, Arizona, begins sheltering refugees who have become victims of violent struggles between guerillas and the U.S. backed governments of Guatemala and El Salvador. The refugees are considered illegal immigrants by the government and deported home, where they face persecution. The Sanctuary Movement grows out of the American public's increasing anger over U.S. support for the fighting.


35 Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, United States Senate” (the Church Committee), Book III, April 23, 1976, available at http://www.icdc.com/~paulwolf/cointelpro/churchfinalreportIIIc.htm
37 Internet Archive, http://ia600303.us.archive.org/4/items/militarysurveill00unit/militarysurveill00unit.pdf
38 Church Committee Reports, available at http://www.aarchlibrary.org/publib/contents/church/contents_church_reports.htm

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March, 1984: The U.S. government sets up Operation Sojourner to infiltrate the Sanctuary Movement. 43

July, 1985: Based on information from informants and surveillance, 16 Sanctuary workers are indicted, and several convicted, for "transporting and harboring fugitives." 44

April 24, 1996: The Antiterrorism and Effective Death Penalty Act of 1996 is passed following the Oklahoma City bombing. Many proposed clauses that were left out were incorporated into the 2001 USA PATRIOT Act. 45

1998: The Computer Assisted Passenger Prescreening System (CAPPS) is a counter-terrorism system, which authorizes the Transportation Security Administration (TSA) to maintain a watchlist of "individuals known to pose, or suspected of posing, a risk of air piracy or terrorism or a threat to airline or passenger safety." The list is used to pre-emptively identify terrorists and to mitigate perceived threats. CAPPS systems rely on what is known as Passenger Name Records (PNR). Identifying information (e.g. names and addresses) about a person booking a flight is collected by airlines and this information is used to check against watchlists to assign a terrorism "risk score" to that person. High risk scores require the airline to subject the person to extended baggage and/or personal screening, and to contact law enforcement if necessary. 46

September 11, 2001: Nearly 3,000 people die in the September 11 attacks.

October 7, 2001: The United States invades Afghanistan in response to the attacks, beginning the “war on terrorism”. 47

October 26, 2001: Congress passes the Uniting (and) Strengthening America (by) Providing Appropriate Tools Required (to) Intercept (and) Obstruct Terrorism Act (USA PATRIOT Act). The Act dramatically reduces restrictions on law enforcement agencies' ability to search telephone, e-mail communications, financial, medical, and other records; expands the Treasury’s authority to regulate financial transactions, particularly those involving foreign individuals and entities; eases restrictions on foreign intelligence gathering within the U.S.; and broadens the discretion of law enforcement and immigration authorities in detaining and deporting immigrants suspected of terrorism-related acts. The Act also expands the definition of terrorism to include domestic terrorism, thus enlarging the number of activities to which the USA PATRIOT Act’s expanded law enforcement powers can be applied. 48


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June, 2002: The National Security Entry-Exit Registration System (also known as Special Registration or NSEERS) is initiated, requiring males over the age of 16 from 25 designated countries — 24 of which are predominantly Muslim — to register with the INS, now under Department of Homeland Security (DHS), which houses the U.S. Citizenship and Immigration Services. While NSEERS has technically been ended, DHS retains the right to recall any individual who registered with NSEERS at any time for further investigation.49

July, 2002: Operation TIPS (Terrorist Information and Prevention System) a domestic intelligence-gathering program is designed by Bush. The program's website implies that US workers who have access to private citizens' homes, such as cable installers and telephone repair workers, will be reporting on what was in people's homes if it is deemed "suspicious". The operation is criticized by many due to the civil liberties concerns it poses and is officially cancelled when the Homeland Security Act is passed.50

November, 2002: TSA begins development of the Computer Assisted Passenger Pre-Screening Program (CAPPS-II), which relies on PNR used by CAPPS to uniquely identify people attempting to board aircraft. CAPPS-II expands the PNR field to include full street addresses, dates of birth, and home telephone numbers, and then cross-reference these fields with government records and private sector databases to ascertain the identity and determine a number of details about that person. The program is terminated in 2004 after protests from a coalition of civil rights organizations, including the ACLU. However, a similar government program, Secure Flights, replaced it.51

November 25, 2002: The Homeland Security Act creates the Department of Homeland Security and involves the largest federal government reorganization since the Department of Defense was created via the National Security Act of 1947. The Homeland Security Act includes many of the organizations under which the powers of the USA PATRIOT Act are exercised.52

March 20, 2003: U.S. and “coalition of the willing” forces invade Iraq.53

2005: The Bush administration authorizes the National Security Agency (NSA) to intercept electronic communications without complying with the Foreign Intelligence Surveillance Act (FISA).54


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March, 2005: **Secure Flight** an airline security program which is a renamed and slightly modified version of **CAPPS-II** is proposed by the TSA.\(^{55}\)

December 14, 2005: The existence of a secret Pentagon program called **Threat and Local Observation Notice (TALON)** is revealed. TALON databases collect information on anti-war protests and rallies, particularly actions targeting military recruitment.\(^{56}\)

2006: The Departments of Justice and Homeland Security produced a report, “Fusion Center Guidelines: Developing and Sharing Information and Intelligence in a New Era”, which establishes guidelines for the establishment of fusion centers. Fusion centers are intended to be hubs where intelligence that is gathered by law enforcement agencies may be stored and analyzed and accessed by federal, state and local law enforcement and intelligence agencies and the military.\(^{57}\)

March 7, 2006: The USA PATRIOT Act is renewed.\(^{58}\)

May 11, 2006: The media reports that phone companies have been handing over private customer calling records to the National Security Agency (NSA).\(^{59}\)

August 5, 2007: The **Protect America Act** a controversial amendment to the Foreign Intelligence Surveillance Act (FISA) is enacted. It removes the warrant requirement for government surveillance of foreign intelligence targets "reasonably believed" to be outside of the United States.\(^{60}\)

July 9, 2008: The **FISA Amendments Act of 2008** repeals the **Protect America Act**, but replaces it with similar provisions in **FISA**.\(^{61}\)

March 5, 2008: Special Order 11 is issued by LAPD chief William Bratton, authorizing his officers to gather intelligence information on everyday “non-criminal” activities. Just a few weeks before the LAPD order is issued, the Director of National Intelligence publishes new “functional standards” for suspicious activity reports that programs like the LAPD’s will generate. Suspicious Activity Reports generated under Special Order 11 may be shared between federal, state and local agencies and stored at fusion centers.

January, 2010: An investigation and report by the Department of Justice found that Telecommunications companies have contracted with the National Security Agency to assist with its warrantless intelligence collection efforts, and they contracted with the FBI to

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\(^{56}\) “Is the Pentagon spying on Americans?” available at http://www.msnbc.msn.com/id/10454316/#.TqeTs5sr2so


[www.stoplapdspying.org](http://www.stoplapdspying.org)
circumvent the **Electronic Communications Privacy Act** by using “exigent letters” (letters signed by FBI counterterrorism personnel not authorized to sign national security letters which assure telephone companies on the receiving end that investigators face an emergency situation and that subpoenas or national security letters will follow). According to the account of the more than 700 such letters, many times there are no urgent circumstances, and many times the promised follow-up authorization never happened.  

**May 26, 2011**: The **USA PATRIOT Act** is renewed.

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