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Spies Among Us: How Community Outreach Programs to Muslims Blur Lines between Outreach and Intelligence

By Cora Currier

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Last May, after getting a ride to school with his dad, 18-year-old Abdullahi Yusuf absconded to the Minneapolis-St. Paul airport to board a flight to Turkey. There, FBI agents stopped Yusuf and later charged him with conspiracy to provide material support to a foreign terrorist organization—he was allegedly associated with another Minnesota man believed to have gone to fight for the Islamic State in Syria.

To keep other youth from following Yusuf’s path, U.S. Attorney Andrew Luger recently said that the federal government would be launching a new initiative to work with Islamic community groups and promote after-school programs and job training—to address the “root causes” of extremist groups’ appeal. “This is not about gathering intelligence, it’s not about expanding surveillance or any of the things that some people want to claim it is,” Luger said.

Luger’s comments spoke to the concerns of civil liberties advocates, who believe that blurring the line between engagement and intelligence gathering could end up with the monitoring of innocent individuals. If past programs in this area are any guide, those concerns are well founded.

Documents obtained by attorneys at the Brennan Center for Justice at New York University School of Law, and shared with the *Intercept*, show that previous community outreach efforts in Minnesota—launched in 2009 in response to the threat of young Americans joining the al-Qaeda-linked militia al-Shabab, in Somalia—were, in fact, conceived to gather intelligence.

A grant proposal from the St. Paul Police Department to the Justice Department, which the Brennan Center obtained through a Freedom of Information Act request to the FBI, lays out a plan in which Somali-speaking advocates would hold outreach meetings with community groups and direct people toward the Police Athletic League and programs at the YWCA. The proposal says that “the team will also identify radicalized individuals, gang members, and violent offenders who refuse to cooperate with our efforts.”

“It’s startling how explicit it was – ‘You don’t want to join the Police Athletic League? You sound like you might join al-Shabab!’” said Michael Price, an attorney with the Brennan Center.

The Islamic State may be the new face of religious extremism, but for a number of years, law enforcement in St. Paul and Minneapolis have had to contend with the appeal of al-Shabab to members of the country’s largest Somali population—more than 20 young men have reportedly left Minnesota to fight with the group since 2007.

Dennis Jensen, St. Paul’s former assistant police chief, had spent years studying relations between police and the city’s Somali community, which is largely composed of recent immigrants from a war zone who have little reason to trust the authorities. But the al-Shabab threat galvanized the Department to see their work as a frontline for counterterrorism. Jensen told the Center for Homeland Defense and Security in 2009 that extremist recruitment added “a greater sense of urgency about what we are doing,” he said. “We’re up front about what our

intentions are. It's not a secret we're interested in radicalized individuals." (Jensen did not respond to emailed questions from the *Intercept*.)

Jensen helped design a new program for St. Paul—a two-year initiative called the African Immigrant Muslim Coordinated Outreach Program, which was funded in 2009 with a \$670,000 grant from the Justice Department.

The outreach push would help police identify gang members or extremists, using “criteria that will stand up to public and legal scrutiny,” according to the proposal submitted to the Justice Department. “The effort of identifying the targets will increase law enforcement’s ability to maintain up-to-date intelligence on these offenders, alert team members to persons who are deserving of additional investigative efforts and will serve as an enhanced intelligence system,” the proposal reads. The Center for Homeland Defense and Security, in the 2009 interview with Jensen, characterized it as “developing databases to track at-risk youth who may warrant follow-up contact and investigation by law enforcement.”

Asad Zaman, executive director of the Muslim American Society of Minnesota, said that his organization got funding through the program to hire a police liaison. They held meetings once or twice a month for two years, usually involving 20 or so community members and a few local cops. “The officers talked about drug enforcement and gangs and recruitment and domestic violence. Everyone loved it when they brought their bomb-sniffing robot once,” he recalled.

He said he was not told about an intelligence component, though he had been asked to keep track of attendees at outreach meetings. “Several times [the police department] asked me whether that was possible to turn over the list of people at the programs, and I said, ‘It ain’t gonna happen,’” Zaman said.

Steve Linders, a St. Paul Police spokesman, said that “the intelligence aspect never came to fruition. The program evolved away from that.” He said that they would sometimes pass information that community members brought to their attention to the FBI, but that was the extent of the bureau’s involvement.

Linders said that people were not required to sign in to outreach meetings and there was no list of people who refused to participate, as originally proposed. “It was a conscious decision,” not to follow the plan laid out in the grant application, Linders said. “We frankly got more out of the program when we viewed it more as a way to get [community groups] resources and get their trust and partnership,” he said.

For the Brennan Center’s Price, the shifting description just underlines how such programs can mislead the public. “I’m glad to hear they appear to have had a change of heart,” he said, “but it would be in everybody’s interest to clarify at the outset that they are collecting information for intelligence purposes, or that they are not.”

The program “still raises questions for me,” Price added. “What led them to at first propose intelligence gathering, and then do an about face?”

Around the same time that St. Paul developed its program, the FBI was leading a parallel push to leverage community outreach for intelligence. In 2009, it launched “Specialized Community Outreach Teams,” which would “strategically expand outreach to the Somali community to address counterterrorism-related issues” in Minneapolis and several other cities around the country. Then-FBI director Robert Mueller described the teams as part of an effort “to develop trust, address concerns, and dispel myths” about the FBI.

In an internal memo obtained by the Brennan Center, however, the teams were called a “paradigm shift,” allowing “FBI outreach to support operational programs.”

The co-mingling of intelligence and outreach missions would appear to run afoul of the FBI’s own guidelines for community engagement, the 2013 version of which state that officers must maintain “appropriate separation of operational and outreach efforts.”

The FBI would not say if the “Specialized Community Outreach Teams” (which have ended) would be allowed under the new guidance, though in a statement, the FBI said the guidance “does not restrict coordination with operational divisions to obtain a better understanding of the various violations (i.e. terrorism, drugs, human trafficking, white collar crime, etc.) which may be impacting communities.”

“If the guidance would allow this program to continue, then it just confirms that it’s full of loopholes,” said Price, of the Brennan Center.

This isn’t the first FBI outreach program to raise these concerns. The American Civil Liberties Union has documented cases in recent years in San Francisco and San Jose where federal agents visited mosques and attended Ramadan dinners in the name of outreach, all the while keeping records on the participants.

Some of the programs were well-meaning attempts at educating Islamic leaders about the threat of hate crimes, but nonetheless ended up collecting private information, according to Mike German, a former FBI agent who worked on this issue for the ACLU (he is now also with the Brennan Center). In other cases, “FBI agents were going out with outreach officers or mimicking community outreach to exploit it for intelligence purposes,” he said.

Lori Saroya, until recently executive director of the Council on American-Islamic Relations Minnesota, said that people weren’t always aware of their rights when faced with outreach visits. “We had cases of people inviting FBI agents in for tea or to have dinner, not knowing they didn’t have to let them in,” she said.

It’s this precedent that gives pause to critics of a new White House initiative to “counter violent extremism.” Though it is ostensibly aimed at extremists of all stripes, the outreach push has largely framed the involvement of Islamic community groups as key to helping authorities “disrupt homegrown terrorists, and to apprehend would-be violent extremists,” in Attorney General Eric Holder’s words.

Luger's plan for the Minneapolis area is part of this initiative, run jointly between the Justice Department, National Counterterrorism Center, and the Department of Homeland Security. Los Angeles and Boston are the other pilot cities. Details about the undertaking are still vague, though the attacks in Paris this month refocused attention on the issue, and the White House abruptly scheduled a summit on the topic for February (it was postponed last fall, without explanation.)

German is doubtful about the prospects. "Countering violent extremism" is a relatively young science, and he points to studies that have failed to identify predictable indicators of what makes someone decide to commit ideologically motivated violence.

Pumping resources into underserved communities is great, says German, but some of these programs may end up just alienating the communities they are intended to work with. "It suggests that the entire community is a threat, or a potential threat, and something to be managed," he said.