

Who's Listening In? –Electronic Surveillance in the USA

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The Fourth Amendment states that American citizens' rights to privacy may not be breached without a warrant. However, the Foreign Intelligence Surveillance Act signed by President Bush in 2008 lowered judicial authority in monitoring the government's wiretapping actions. The Patriot Act was signed by President Obama on May 27, 2011, continuing the government's ability to gain the personal records of ordinary Americans from libraries and internet providers.

In June 2010, it was reported that both the CIA and Google had been financing a program called *Recorded Future*, gaining access to personal blogs, websites, and Twitter accounts.¹ Through these privately blocked personal webpages, the CIA can obtain people's personal information, can track their movements, can investigate associations with other groups, and go onto other personal webpages belonging to the person's friends. The Street View option in Google maps can show pictures of streets and people's front yards to anyone on the Internet. Google's wi-spying technology lets CIA members read Gmail accounts, map searches, and regular Google searches.

All of these activities can and are being done without warrants, without accusations, and without arrests.

¹ Simpson, John. Noah Shachtman. "Google Teams Up with CIA to Fund "Recorded Future" Startup Monitoring Websites, Blogs & Twitter Accounts" *Democracy Now* Amy Goodman, Juan Gonzalez. Aired July 30, 2010.

Chief Judge Vaughn Walker of the San Francisco Federal District Court deemed the United States government's warrantless wiretapping to be illegal when presiding in *Al-Haramain v. Bush*.² In 2004, the Islamic charity Al-Haramain was being spied upon without a warrant. Incriminating documents proved that conversations between charity directors and lawyers were wiretapped, but when brought to trial the government refused to allow the documents be used as evidence. The government cited the "state secrets privilege," or the right for the government to block evidence being used in a trial, for fear that the evidence will threaten national security. Al-Haramain representatives continue to push for justice, but the Obama administration is also using the state secrets privilege to block the case.

The FBI also has strengthened its ability to spy on citizens without any evidence of breaking the law. *The New York Times* on June 2, 2011, reports that the FBI revised manual allows FBI agents to infiltrate organizations, tap into internet databases, search through trash, and spy on people's homes.³ Such actions were taken against Scott Crow, an activist labeled as a domestic terrorist by the FBI from 2001 to 2011. Because of the Freedom of Information Act, Crow gained access to FBI documents proving that he and visitors to his home were being watched, his trash was searched and FBI agents had infiltrated some of Crow's activist groups. Further, Scott was being investigated for crimes he did not commit; neither was he arrested for those crimes. He fears that these practices are going on throughout the United States without people's knowledge. This behavior initiated by the FBI infringes on citizen's rights to be politically active without fear of illegal government spying, a clear contradiction to the intent of the Fourth Amendment, a law that prohibits unreasonable searches and seizures without a court order and a probable cause.

² Goldberg, Stephen "Attorney in Wiretapping Case Says Obama Admin as Bad or Worse than Bush on State Secrets" *Democracy Now* Amy Goodman, Juan Gonzalez. Aired April 7, 2010

³ Savage, Charles "F.B.I. Agents Get Leeway to Push Privacy Bounds" *The New York Times* June 12, 2011