

Fusion Centers raise privacy questions

Tulsa Beacon - September 10, 2009 <http://www.tulsabeacon.com/?p=2868#more-2868>

The director of the Oklahoma State Bureau of Investigation said there is a constant balancing act between the basic rights of Americans and the need to investigate and prevent crime.

A controversial aspect to 21st Century crime fighting is the development of “fusion centers” across the country.

In fact, the OSBI created such a center in its headquarters in Oklahoma City.

A fusion center is defined as a “collaborative effort of two or more agencies that provide resources, expertise, and information to the center with the goal of maximizing their ability to detect, prevent, investigate, and respond to criminal and terrorist activity.” Among the primary focuses of fusion centers are the intelligence and fusion processes, through which information is collected, integrated, evaluated, analyzed and disseminated.

The 4th Amendment of the Constitution states “the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

DeWade Langley, director of the OSBI, said he understands the concerns of Oklahomans about federal intrusions but he is confident that there are sufficient safeguards to prevent the violation of personal rights.

Others aren't so sure.

Two groups - the American Civil Liberties Union and OK-SAFE - could not be further apart in their political philosophies. The ACLU is liberal and OK-SAFE is conservative.

Yet they have joined in voicing their concerns about the growing number of fusion centers and how they share information with the federal government and local law enforcement.

“Privacy is really not a left-right issue,” said Jay Stanley, an ACLU spokesman in Washington told the Oklahoman newspaper. “We’ve never had a domestic spy agency in this country that looks over our own population.

“Our concern is that the government is kind of under the radar setting up a whole new set of institutions that threaten to add up to really a domestic intelligence agency - which is something that Americans have never had and never wanted - that will monitor and spy on innocent Americans who aren't involved in wrongdoing,” he said.

Amanda Teegarden, executive director of the Tulsa-based nonprofit group Oklahomans for Sovereignty and Free Enterprise, agrees and she has some evidence that supports that view.

Earlier this year, five U.S. Senators - including Tom Coburn and Jim Inhofe of Oklahoma - wrote a letter to Department of Homeland Security Secretary Janet Napolitano challenging a report issued to fusion centers across the country about “right-wing threat assessment.”

That letter states:

“.....First, your report states that “rightwing extremists will attempt to recruit and radicalize returning veterans in order to exploit their skills and knowledge derived from military training and combat”. Using the DHS rationale, do you also believe that weapons familiarity and tactical training means local, state and federal law enforcement personnel, and members of the National Guard, are also being recruited? To suggest a soldier returning from combat tour is more prone to join an extremist group is unconscionable and insulting to our brave men and women who risk their lives protecting our freedom.

“Second, the report states that millions of Americans who believe in the Second Amendment are a potential threat to our national security. Why? Do you have statistics to prove that law-abiding Americans who purchase a legal product are being recruited by so-called hate groups? If so, please present us with DHS’s independent data.

“Third, the report identifies those individuals who believe in such issues as pro-life legislation, limited government, legal verses illegal immigration and limited federal government as potential terrorist threats. We can assure you that these beliefs are held by citizens of all races, party affiliations and sex, and should not be listed as a factor in determining potential terror threats. A better way to describe them is as citizens exercising their First Amendment rights.”

Missouri Information Analysis Center (MIAC) issued the report that listed Republican Presidential candidate Congressman Ron Paul and his supporters, Libertarian Party Presidential candidate, ACLU advisor, and former Georgia Republican Congressman Bob Barr and Constitution Party Presidential candidate and Baptist minister Chuck Baldwin as potential suspects.

The report alleged that anyone who supported these legitimate political candidates were suspicious “people of interest.” The report also targeted pro-life activists, America-first immigration control groups, Second Amendment supporters, as well as “anyone who professes knowledge of the Constitution” and other patriotic groups. The report included charts, maps and color photos.

Langley said he cannot account for actions of a fusion center in Missouri. He said that while he is in charge of the OSBI, it won’t happen in Oklahoma.

Langley said his agency won’t collect data on a citizen unless there is “a reasonable suspicion of a crime” and his agents will not proceed without proper warrants issued by a judge.

Even though the Oklahoma Fusion Center gets some federal funding, Langley said he will follow the law if there is a conflict with federal officials seeking improper information.

Oklahoma's Fusion Center has an extensive privacy policy designed to protect law-abiding citizens.

In 2007, there were 58 fusion centers in the United States. Now there are 72.

The ACLU has sent a series of letters to Homeland Security about fusion centers telling local police to investigate nonviolent political activists and religious groups in Texas, including surveillance of third-party presidential candidate supporters in Missouri.

Fusion center critics say there simply isn't enough terrorist activity in America to warrant such intrusion.

This entry was posted on Thursday, September 10th, 2009 and is filed under <http://www.tulsabeacon.com/?cat=5>