

Monitoring Protesters: Targets of surveillance

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Targets of surveillance

BETTY ANN BOWSER: For most of her 50 years as a nun, Sister Antonia Anthony has been speaking out against violence.

SISTER ANTONIA ANTHONY: As John Paul II has said, war is always a defeat for humanity.

BETTY ANN BOWSER: Recently, the 74- year-old Denver activist joined hundreds of others in protesting a possible war with Iraq. She never had any reason to worry about this kind of dissent, that is until last year when she discovered that those political activities had landed her in a Denver police file.

It says here you're a criminal extremist.



SISTER ANTONIA ANTHONY: Well, of course that's just totally a lie, you know. That's totally wrong. Of course we aren't. We have never attempted to do any criminal activity, to harm anybody.

BETTY ANN BOWSER: Sister Antonia is just one of over 3,000 activists in Denver who have been the targets of police surveillance since the 1950s. Political science Prof. Glenn Morris is another. As a leader in the American Indian movement, he has organized rallies and protests against government polices, all the while being watched by the Denver police.

GLENN MORRIS, American Indian Movement: It's always a little shocking to see yourself in black and white in a police intelligence... particularly a politically motivated intelligence file.

BETTY ANN BOWSER: What do you mean politically motivated?



GLENN MORRIS: There was no reasonable suspicion or probable cause that criminality was being engaged in or was imminent. And so what were they doing? They were criminalizing dissent. In essence, they were saying, "we're going to come to your events, we're going to make sure that the people who are attending the events know that they're under surveillance," and that has a chilling effect on the First Amendment.

The ACLU lawsuit

BETTY ANN BOWSER: The American Civil Liberties Union thought so, too. A year ago it filed

[Denver's Spy Files](#)



a lawsuit against the city of Denver, claiming the files violated the civil rights of many Denver residents. And it demanded the files be released to the people who were spied upon. Mark Silverstein is the legal director of Colorado's ACLU.



MIKE SILVERSTEIN, American Civil Liberties Union: We have police keeping files on people when there is absolutely no suspicion at all of any link to criminal activity. The police have acknowledged that. They don't even have an unreasonable suspicion of activity. They have kept files on peaceful activists who are doing nothing more than exercise their constitutionally protected right to demonstrate, to rally, to criticize the government.

BETTY ANN BOWSER: The mayor and the police chief declined interview requests because of the pending lawsuit. But Mayor Wellington Webb did issue a statement, saying he is particularly sensitive to the issue because he and other civil rights leaders were the subject of an FBI spy operation in the '70s. He also said that no information about political activities should be collected unless it relates to criminal activity.

The response of political leaders

ED THOMAS, Denver City Council: Is there going to be time for me to do this or are you going to do it?

BETTY ANN BOWSER: But Ed Thomas, who served on the police force for 22 years, said it's not always easy to make that distinction. He's now a city councilman, running for the auditor's office. He says the police must gather intelligence on demonstrators to prevent a riots from breaking out, like those that took place at the World Trade Organization meeting in Seattle.



ED THOMAS: There were fire bombs, you know, at these rallies. There were, you know, people assaulted in the crowd, police officers that were assaulted. There were people wearing masks. There are people that are very well meaning that go to a lot of these rallies, that very well truly believe in the issues that they're coming up with. But then there are also people that are hell-bent on the destruction of this

country at any cost. And do they need to be monitored? You bet.

BETTY ANN BOWSER: Thomas is quick to point out that he thinks the Denver police went too far in some instances, like the case of Sister Antonia, and he thinks the police should have more oversight.

ARI ZAVARAS, Former Denver Police Chief: Hi, sir. How are you?

BETTY ANN BOWSER: Ari Zavaras also thinks the police need to be better monitored, but he whole-heartedly defends the need for police surveillance. He was the chief of police and the city's manager of safety for many of the years the files were being kept. He's now one of eight candidates running for mayor.



ARI ZAVARAS: Intelligence files, information gathering is the lifeblood, it's one of the staples of law enforcement and police work. We in law enforcement circles— and I have almost a 37-year history in

it— have always realized it. The world got its eyes opened about the importance of intelligence as a result of 9/11.

Activist speak out

BETTY ANN BOWSER: And in fact, it's the fear of increased police surveillance in the wake of 9/11 that has some Denver activists worried.



SISTER ANTONIA ANTHONY: It could start a pattern of behavior that could even increase. I could see us becoming a police state, almost a totalitarian state.

BETTY ANN BOWSER: You mean that in the interest of trying to root out terrorism this could happen?

SISTER ANTONIA ANTHONY: That's it. That's it. And I see the police spy files as part of that.

BETTY ANN BOWSER: Activists are also concerned about how the information was used and disseminated, and with the passage of the Patriot Act, how information could potentially be misused by law enforcement agencies in the future.



GLENN MORRIS: In our files, we have at least 20 different police— local, state and federal agencies— with whom this information was shared, without verifying it; there are many, many inaccuracies in our files. And we know now that that kind of information finds itself in a massive database that is used for a variety of purposes. The Transportation Safety Administration just announced that it's creating a huge database of information that determines whether or not you can fly on an aircraft. And it doesn't matter if that information is inaccurate or incorrect or labels you a criminal extremist when you've never been convicted of a crime.

BETTY ANN BOWSER: Zavaras agrees that there is a real potential for the misuse of information collected in such files. He says police should continue to monitor demonstrations but only keep information if there is evidence of criminal activities.



ARI ZAVARAS: If they're monitoring a peaceful demonstration, and that's exactly what it is, peaceful, there's no outbreak of violence, it would be inappropriate to classify that information and keep it. You would want to discard it. You would want a policy in place that allowed for immediate purging of that.

STEVE NASH: Let me get a shot of the police right now.

BETTY ANN BOWSER: Steve Nash, one of the original plaintiffs to the lawsuit, says he doesn't trust Zavaras or the law enforcement community to make any meaningful changes to surveillance policy. He's a member of a group called Copwatch, which monitors police actions. Five months ago the city was supposed to enlist an independent agency to audit the training of intelligence officers. But that hasn't happened. Nash hopes the Denver case will make people in the rest of the country realize the need for increased police accountability.



STEVE NASH: I think if we're going to give more power to the police

and to intelligence, we need to make sure there's civilian controls on them that are effective. Right now police departments operate pretty independently, so does the FBI and the CIA. If we're going to increase security here in the United States, we have to have democratic control over our security institutions. Otherwise what we're going to end up here with is a police state.

BETTY ANN BOWSER: Former Police Chief Zavaras admits police intelligence is a constant balancing act.

ARI ZAVARAS: We need to be very vigilant, as I say, for the safety of not just of our citizens, but how it may connect in some international movement. By the same token, we cannot throw out the Constitution. And we have to be very careful not to cross any of those boundaries.

BETTY ANN BOWSER: A settlement to the lawsuit could come later this month.

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