



September 19, 2014

The Honorable Lisa O. Monaco
Assistant to the President for Homeland Security and Deputy National
Security Adviser
Office of the Homeland Security Advisor
1650 Pennsylvania Avenue, NW
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Via Email, Mail and Facsimile

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Re: White House Summit on Countering Violent Extremism

Dear Ms. Monaco,

Earlier this week the Attorney General announced that in October, the White House will host a summit on Countering Violent Extremism (CVE). Beyond the Administration's intention to highlight a new pilot initiative and "other domestic and international efforts," no information about the goals, focuses and agenda of the summit has been shared with the public yet. With October fast approaching, we write to convey our initial concerns and request a meeting with you or your staff to provide our input on the agenda, participants and focuses of the summit.

We have repeatedly raised concerns about domestic counterterrorism policies and programs that treat entire minority communities as suspect and target individuals and communities based on mere association and activities that are protected by the First Amendment, including their political activism and religious observance and worship. Our concerns extend to any CVE program that, among other problems, encourages communities to report to law enforcement on the expressive or associational activities or beliefs of their members.

Yet we have also welcomed the Administration's commitments, reiterated in the CVE context, to prioritize civil liberties protections and be more responsive to complaints from minority communities about government actions. In line with these commitments, we urge you to make human rights and civil liberties protections a primary focus of the CVE summit. The ACLU, community-based organizations, scholars and observers have raised serious human rights and civil liberties concerns about the premise, tactics and operation of CVE programs. Without a full airing of these concerns, any discussion of CVE would suffer from an unrealistic, potentially biased and incomplete appraisal. We would welcome the opportunity to contribute to a discussion of best practices and vital safeguards for civil liberties.

At the summit and as a general matter, Administration officials should also address abusive and discriminatory surveillance, monitoring and investigation practices that necessarily undermine the purported goals of CVE. Under the guise of community outreach, the FBI has targeted mosques and Muslim community organizations for intelligence gathering. It has pressured law-abiding American Muslims to become informants against their own communities, often in coercive circumstances. It has sent undercover FBI employees and informants to infiltrate mosques and community centers in what appear to be virtual fishing expeditions. It has targeted individuals for sting operations based on their religious or political beliefs, often without apparent regard for their capacity or pre-existing intent to engage in criminal activity. Agencies have also stigmatized innocent Muslims by placing them on the No Fly List and other watch lists.

These activities have not only led to constitutional violations, they have tainted all community partnership efforts as insincere. Some American Muslims fear that engaging with law enforcement could lead them to be targeted—either to become an informant or to be prosecuted. This fear and distrust are inimical to community policing of any kind. While we do not endorse CVE programs, we emphasize that they are bound to fail unless the government ends abusive counterterrorism practices that fuel distrust in law enforcement.

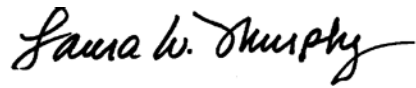
We also urge the White House to avoid describing the CVE summit in terms that have the effect of stigmatizing American Muslim communities and playing into the hands of those who seek to promote anti-Muslim hate. Crimes motivated by religious, racial or other biases do not occur in a vacuum. They occur in the context of a broader public discourse in which members of minority communities are frequently vilified, stereotyped, and demeaned. Particularly in the current climate of heightened public concern, you and other senior officials can profoundly impact the way that Americans understand racial, ethnic, and religious differences.

We appreciate that the Attorney General's announcement of the summit did not single out American Muslim communities or Islam. We are also aware that the White House summit and CVE pilot programs have been under development for some time. Yet timing the announcement of the White House CVE summit with military actions against ISIL sends the wrong message. It links the government's engagement with American Muslim communities—and these communities themselves—to ISIL and its atrocities. It also undermines the President and Secretary of State Kerry's message that ISIL has nothing to do with Islam.

Furthermore, while senior officials have assured the public that ISIL does not pose a credible threat of attack within the United States, the use of inflammatory rhetoric like "homegrown terrorists" undercuts that assurance and plays into fear-mongering about American Muslim communities. These harmful associations are amplified by media and can be exploited by individuals and groups who promote anti-Muslim hate.

We would appreciate the opportunity to discuss these matters with you or your staff further. If we can provide any information in advance of the meeting or scheduling details, please contact ACLU Legislative Counsel Naureen Shah at 202-675-2327.

Sincerely,

A handwritten signature in black ink that reads "Laura W. Murphy". The signature is written in a cursive style with a long horizontal flourish at the end.

Laura Murphy
Director
Washington Legislative Office

A handwritten signature in black ink that reads "Naureen Shah". The signature is written in a cursive style with a long horizontal flourish at the end.

Naureen Shah
Legislative Counsel
Washington Legislative Office