

THE RUTHERFORD INSTITUTE

ABOUT US ISSUES LEGAL ASSISTANCE NEWSROOM RESOURCES PODCAST VIDEO SHOP

JOHN WHITEHEAD'S COMMENTARY



Total Tyranny: We'll All Be Targeted Under the Government's New Precrime Program

By John W. Whitehead & Nisha Whitehead
May 19, 2021

"There is now the capacity to make tyranny total in America."— James Bamford

It never fails.

Just as we get a glimmer of hope that maybe, just maybe, there might be a chance of crawling out of this totalitarian cesspool in which we've been mired, we get kicked down again.

In the same week that the U.S. Supreme Court unanimously declared that police cannot carry out warrantless home invasions in order to seize guns under the pretext of their "community caretaking" duties, the Biden Administration announced its plans for a "precrime" crime prevention agency.

Talk about taking one step forward and two steps back.

Precrime, straight out of the realm of dystopian science fiction movies such as *Minority Report*, aims to prevent crimes before they happen by combining widespread surveillance, behavior prediction technologies, data mining, precognitive technology, and neighborhood and family snitch programs to enable police to capture would-be criminals before they can do any damage.

This particular precrime division will fall under the Department of Homeland Security, the agency notorious for

The particular precrime doctrine will fall under the Department of Homeland Security, the agency responsible for militarizing the police and SWAT teams; spying on activists, dissidents and veterans; stockpiling ammunition; distributing license plate readers; contracting to build detention camps; tracking cell-phones with Stingray devices; carrying out military drills and lockdowns in American cities; using the TSA as an advance guard; conducting virtual strip searches with full-body scanners; carrying out soft target checkpoints; directing government workers to spy on Americans; conducting widespread spying networks using fusion centers; carrying out Constitution-free border control searches; funding city-wide surveillance cameras; and utilizing drones and other spybots.

The intent, of course, is for the government to be all-seeing, all-knowing and all-powerful in its preemptive efforts to combat domestic extremism.

Where we run into trouble is when the government gets overzealous and over-ambitious and overreaches.

This is how you turn a nation of citizens into snitches and suspects.

In the blink of an eye, ordinary Americans will find themselves labeled domestic extremists for engaging in lawful behavior that triggers the government's precrime sensors.

Of course, it's an elaborate setup: we'll all be targets.

In such a suspect society, the burden of proof is reversed so that guilt is assumed and innocence must be proven.

It's the American police state's take on the dystopian terrors foreshadowed by George Orwell, Aldous Huxley and Phillip K. Dick all rolled up into one oppressive pre-crime and pre-thought crime package.

What's more, the technocrats who run the surveillance state don't even have to break a sweat while monitoring what you say, what you read, what you write, where you go, how much you spend, whom you support, and with whom you communicate.

Computers now do the tedious work of trolling social media, the internet, text messages and phone calls for potentially anti-government remarks, all of which is carefully recorded, documented, and stored to be used against you someday at a time and place of the government's choosing.

In this way, with the help of automated eyes and ears, a growing arsenal of high-tech software, hardware and techniques, government propaganda urging Americans to turn into spies and snitches, as well as social media and behavior sensing software, government agents are spinning a sticky spider-web of threat assessments, behavioral sensing warnings, flagged "words," and "suspicious" activity reports aimed at snaring *potential* enemies of the state.

It works the same in any regime.

As Professor Robert Gellately notes in his book *Backing Hitler* about the police state tactics used in Nazi Germany: "There were relatively few secret police, and most were just processing the information coming in. I had found a shocking fact. It wasn't the secret police who were doing this wide-scale surveillance and hiding on every street corner. It was the ordinary German people who were informing on their neighbors."

Here's the thing as the Germans themselves quickly discovered: you won't have to do anything illegal or challenge the government's authority in order to be flagged as a suspicious character, labeled an enemy of the state and locked up like a dangerous criminal.

In fact, all you will need to do is use certain trigger words, surf the internet, communicate using a cell phone, drive a car, stay at a hotel, purchase materials at a hardware store, take flying or boating lessons, appear suspicious to a neighbor, question government authority, or generally live in the United States.

The following activities are guaranteed to get you censored, surveilled, eventually placed on a government watch list,

possibly detained and potentially killed.

Use harmless trigger words like cloud, pork and pirates: The Department of Homeland Security has an expansive list of keywords and phrases it uses to monitor social networking sites and online media for signs of terrorist or other threats. While you'll definitely send up an alert for using phrases such as dirty bomb, Jihad and Agro terror, you're just as likely to get flagged for surveillance if you reference the terms SWAT, lockdown, police, cloud, food poisoning, pork, flu, Subway, smart, delays, cancelled, la familia, pirates, hurricane, forest fire, storm, flood, help, ice, snow, worm, warning or social media.

Use a cell phone: Simply by using a cell phone, you make yourself an easy target for government agents—working closely with corporations—who can listen in on your phone calls, read your text messages and emails, and track your movements based on the data transferred from, received by, and stored in your cell phone. Mention any of the so-called “trigger” words in a conversation or text message, and you'll get flagged for sure.

Drive a car: Unless you've got an old junkyard heap without any of the gadgets and gizmos that are so attractive to today's car buyers (GPS, satellite radio, electrical everything, smart systems, etc.), driving a car today is like wearing a homing device: you'll be tracked from the moment you open that car door thanks to black box recorders and vehicle-to-vehicle communications systems that can monitor your speed, direction, location, the number of miles traveled, and even your seatbelt use. Once you add satellites, GPS devices, license plate readers, and real-time traffic cameras to the mix, there's nowhere you can go on our nation's highways and byways that you can't be followed. By the time you add self-driving cars into the futuristic mix, equipped with computers that know where you want to go before you do, privacy and autonomy will be little more than distant mirages in your rearview mirror.

Attend a political rally: Enacted in the wake of 9/11, the Patriot Act redefined terrorism so broadly that many non-terrorist political activities such as protest marches, demonstrations and civil disobedience were considered potential terrorist acts, thereby rendering anyone desiring to engage in protected First Amendment expressive activities as suspects of the surveillance state.

Express yourself on social media: The FBI, CIA, NSA and other government agencies are investing in and relying on corporate surveillance technologies that can mine constitutionally protected speech on social media platforms such as Facebook, Twitter and Instagram in order to identify potential extremists and predict who might engage in future acts of anti-government behavior. A decorated Marine, 26-year-old Brandon Raub was targeted by the Secret Service because of his Facebook posts, interrogated by government agents about his views on government corruption, arrested with no warning, labeled mentally ill for subscribing to so-called “conspiratorial” views about the government, detained against his will in a psych ward for having “dangerous” opinions, and isolated from his family, friends and attorneys.

Serve in the military: Operation Vigilant Eagle, the brainchild of the Dept. of Homeland Security, calls for surveillance of military veterans returning from Iraq and Afghanistan, characterizing them as extremists and potential domestic terrorist threats because they may be “disgruntled, disillusioned or suffering from the psychological effects of war.” Police agencies are also using Beware, an “early warning” computer system that tips them off to a potential suspect's inclination to be a troublemaker and assigns individuals a color-coded threat score—green, yellow or red—based on a variety of factors including one's criminal records, military background, medical history and social media surveillance.

Disagree with a law enforcement official: A growing number of government programs are aimed at identifying, monitoring and locking up anyone considered potentially “dangerous” or mentally ill (according to government standards, of course). For instance, a homeless man in New York City who reportedly had a history of violence but no signs of mental illness was forcibly detained in a psych ward for a week after arguing with shelter police. Despite the fact that doctors cited no medical reason to commit him, the man was locked up in accordance with a \$22 million program that monitors mentally ill people considered “potentially” violent. According to the Associated Press. “A judge

program that monitors mentally ill people considered "potentially violent." According to the Associated Press, a judge finally ordered his release, ruling that the man's commitment violated his civil rights and that bureaucrats had meddled in his medical treatment."

Call in sick to work: In Virginia, a so-called police "welfare check" instigated by a 58-year-old man's employer after he called in sick resulted in a two-hour, SWAT team-style raid on the man's truck and a 72-hour mental health hold. During the standoff, a heavily armed police tactical team confronted Benjamin Burruss as he was leaving an area motel, surrounded his truck, deployed a "stinger" device behind the rear tires, launched a flash grenade, smashed the side window in order to drag him from the truck, handcuffed and searched him, and transported him to a local hospital for a psychiatric evaluation and mental health hold. All of this was done despite the fact that police acknowledged they had no legal basis nor probable cause for detaining Burruss, given that he had not threatened to harm anyone and was not mentally ill.

Limp or stutter: As a result of a nationwide push to certify a broad spectrum of government officials in mental health first-aid training (a 12-hour course comprised of PowerPoint presentations, videos, discussions, role playing and other interactive activities), more Americans are going to run the risk of being reported for having mental health issues by non-medical personnel. Mind you, once you get on such a government watch list—whether it's a terrorist watch list, a mental health watch list, or a dissident watch list—there's no clear-cut way to get off, whether or not you should actually be on there. For instance, one 37-year-old disabled man was arrested, diagnosed by police and an unlicensed mental health screener as having "mental health issues," apparently because of his slurred speech and unsteady gait, and subsequently locked up for five days in a mental health facility against his will and with no access to family and friends. A subsequent hearing found that Gordon Goines, who suffers from a neurological condition similar to multiple sclerosis, has no mental illness and should not have been confined.

Appear confused or nervous, fidget, whistle or smell bad: According to the Transportation Security Administration's 92-point secret behavior watch list for spotting terrorists, these are among some of the telling signs of suspicious behavior: fidgeting, whistling, bad body odor, yawning, clearing your throat, having a pale face from recently shaving your beard, covering your mouth with your hand when speaking and blinking your eyes fast. You can also be pulled aside for interrogation if you "have 'unusual items,' like almanacs and 'numerous prepaid calling cards or cell phones.'" One critic of the program accurately referred to the program as a "license to harass."

Allow yourself to be seen in public waving a toy gun or anything remotely resembling a gun, such as a water nozzle or a remote control or a walking cane, for instance: No longer is it unusual to hear about incidents in which police shoot unarmed individuals first and ask questions later. John Crawford was shot by police in an Ohio Wal-Mart for holding an air rifle sold in the store that he may have intended to buy. Thirteen-year-old Andy Lopez Cruz was shot 7 times in 10 seconds by a California police officer who mistook the boy's toy gun for an assault rifle. Christopher Roupe, 17, was shot and killed after opening the door to a police officer. The officer, mistaking the Wii remote control in Roupe's hand for a gun, shot him in the chest. Another police officer repeatedly shot 70-year-old Bobby Canipe during a traffic stop. The cop saw the man reaching for his cane and, believing the cane to be a rifle, opened fire.

Stare at a police officer: Miami-Dade police slammed the 14-year-old Tremaine McMillian to the ground, putting him in a chokehold and handcuffing him after he allegedly gave them "dehumanizing stares" and walked away from them, which the officers found unacceptable.

Appear to be pro-gun, pro-freedom or anti-government: You might be a domestic terrorist in the eyes of the FBI (and its network of snitches) if you: express libertarian philosophies (statements, bumper stickers); exhibit Second Amendment-oriented views (NRA or gun club membership); read survivalist literature, including apocalyptic fictional books; show signs of self-sufficiency (stockpiling food, ammo, hand tools, medical supplies); fear an economic collapse; buy gold and barter items; subscribe to religious views concerning the book of Revelation; voice fears about Big Brother or big government; expound about constitutional rights and civil liberties; or believe in a New World Order

conspiracy. This is all part of a larger trend in American governance whereby dissent is criminalized and pathologized, and dissenters are censored, silenced or declared unfit for society.

Attend a public school: Microcosms of the police state, America's public schools contain almost every aspect of the militarized, intolerant, senseless, overcriminalized, legalistic, surveillance-riddled, totalitarian landscape that plagues those of us on the "outside." From the moment a child enters one of the nation's 98,000 public schools to the moment she graduates, she will be exposed to a steady diet of draconian zero tolerance policies that criminalize childish behavior, overreaching anti-bullying statutes that criminalize speech, school resource officers (police) tasked with disciplining and/or arresting so-called "disorderly" students, standardized testing that emphasizes rote answers over critical thinking, politically correct mindsets that teach young people to censor themselves and those around them, and extensive biometric and surveillance systems that, coupled with the rest, acclimate young people to a world in which they have no freedom of thought, speech or movement. Additionally, as part of the government's so-called ongoing war on terror, the FBI—the nation's de facto secret police force—has been recruiting students and teachers to spy on each other and report anyone who appears to have the potential to be "anti-government" or "extremist" as part of its "Don't Be a Puppet" campaign.

Speak truth to power: Long before Chelsea Manning and Edward Snowden were being castigated for blowing the whistle on the government's war crimes and the National Security Agency's abuse of its surveillance powers, it was activists such as Martin Luther King Jr. and John Lennon who were being singled out for daring to speak truth to power. These men and others like them had their phone calls monitored and data files collected on their activities and associations. For a little while, at least, they became enemy number one in the eyes of the U.S. government.

Yet as I point out in my book *Battlefield America: The War on the American People*, you don't even have to be a dissident to get flagged by the government for surveillance, censorship and detention.

All you really need to be is a citizen of the American police state.

WC: 2566

ABOUT JOHN W. WHITEHEAD

Constitutional attorney and author John W. Whitehead is founder and president The Rutherford Institute. His books *Battlefield America: The War on the American People* and *A Government of Wolves: The Emerging American Police State* are available at www.amazon.com. He can be contacted at johnw@rutherford.org. Nisha Whitehead is the Executive Director of The Rutherford Institute. Information about The Rutherford Institute is available at www.rutherford.org.

Publication Guidelines / Reprint Permission

John W. Whitehead's weekly commentaries are available for publication to newspapers and web publications at no charge. Please contact staff@rutherford.org to obtain reprint permission.

**Help Us Keep
Freedom Alive.**

DONATE NOW