


Utahns sue feds over alleged spying during 2002 Winter Olympics

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SALT LAKE CITY — A diverse group of Utahns has sued the federal government over alleged widespread surveillance of telephone calls, emails and text messages during the 2002 Winter Olympics.

The class-action lawsuit filed in U.S. District Court in Salt Lake City this week claims the FBI and the National Security Agency carried out the blanket spying without probable cause and search warrants.

"Not to stand up to the government when it's acting with such gross criminality and with such disregard of our fundamental freedoms is a betrayal to our constitution and our very system of government," said former Salt Lake City Mayor Rocky Anderson, an attorney now in private practice who filed the complaint.

Plaintiffs are state Sen. Howard Stephenson, R-Draper, former Salt Lake City Councilwoman Deeda Seed, former Utah Democratic Party official Josie Valdez, historian Will Bagley, University of Utah professor Tom Huckin and attorney Daniel Darger.

Defendants include former President George W. Bush, former Vice President Dick Cheney and former NSA Director Michael Hayden. Despite their positions, the lawsuit contends they had no legal authority to authorize the surveillance.

The Wall Street Journal reported in 2013 that FBI and NSA arranged with Qwest Communications International Inc. to use intercept equipment for a period of less than six months around the time of the 2002 Winter Games. It monitored the content of all email and text communications in the Salt Lake area.

Stephenson said when he read that, he thought the government needed to be challenged in court. When he later learned Anderson was looking for plaintiffs, he said he was eager to join the lawsuit.

"Orwell's '1984' is alive and well in Utah, at least during the Olympics, and that cannot be allowed to stand," he said.

A conservative and a Bush supporter, Stephenson said he doesn't see it as a partisan issue.

"This issue is not Republican or Democrat, conservative or liberal. This issue is a recognition that government should not be able to violate the rule of law, especially when it comes to ignoring the constitutional protections that were put in by the founders," he said.

Stephenson said the federal government's violation of Fourth Amendment rights is just as serious as threats from terrorists.

In addition to the lawsuit, Anderson filed 192 claims with FBI, NSA, the Justice Department and the Executive Office of the President for people who contend their rights were violated. The claims seek at least \$10,000 in damages per person for each violation of federal surveillance laws.

The NSA and the FBI intercepted and analyzed data on every phone conversation to or from the Salt Lake area and each Olympic venue, and some targeted cases recorded the calls, according to a letter Anderson wrote accompanying the claims.

Anderson described the agencies' actions as the "most massive indiscriminate spying in this country by our government than anybody had ever known about."

The rule of law, he said, is at the core of the issue, "whether we're going to accede to tyranny in the executive branch or whether we're going to insist that nobody in this country is above the law."

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