Virginia police agencies are coordinating with a state anti-terrorism center to monitor residents opposed to a major pipeline that will transport large volumes of natural gas from West Virginia into Virginia. Civil liberties advocates are concerned that the collaboration represents another example of U.S. police agencies seeking to crack down on peaceful environmental protests.

The anti-terrorism unit, known as the Virginia Fusion Center, is partnering with sheriffs along the route of the proposed Mountain Valley Pipeline and EQT Midstream, the primary sponsor of the pipeline, to conduct surveillance of pipeline protesters. Documents obtained by the Climate Investigations Center and provided to the Richmond Times Dispatch reveal close coordination between the Virginia Fusion Center and EQT Midstream, a subsidiary of Pittsburgh, Pa.-headquartered EQT Corp.

There are 79 state fusion centers across the country. The collaboration among pipeline companies, private security companies, and fusion centers has become increasingly common as opposition has grown to the massive build-out of energy infrastructure across the nation. These centers have also been known to share tips and lessons learned with centers in other states to
help them conduct surveillance of participants of protest campaigns.

In Virginia, the records show that the Virginia Fusion Center distributed “pipeline situation reports” that included information on how many people on Facebook were “interested” in meetings of groups such as the Sierra Club, Chesapeake Climate Action Network (CCAN), and Preserve Floyd — a grassroots organization created to preserve the rural nature of Floyd County, Virginia.

Anti-pipeline activists in VA face fines for protesting on their own land

Mountain Valley’s proposed 42-inch-diameter natural gas pipeline will extend 300 miles from Summers County, West Virginia to Franklin County, Virginia. A 70-mile expansion into North Carolina has also been proposed as part of the project.

The $3.5 billion pipeline project will be constructed and owned by Mountain Valley Pipeline LLC, a joint venture between EQT Midstream Partners LP, NextEra US Gas Assets LLC, Con Edison Transmission Inc., WGL Midstream, and RGC Midstream, LLC. EQT Midstream Partners will operate the pipeline and own a significant interest in the joint venture.

Resistance to the Mountain Valley Pipeline has grown over the past year after federal regulators approved the project. Local residents and environmentalists have lobbied against the pipeline, arguing it is a costly and risky endeavor, one they say did not undergo a thorough approval process.

Some residents have taken to tree-sitting in national forests and on their own private property to impede construction of the pipeline project. They have faced fines and threats of jail time for protesting the pipeline project.

After an article appeared in the Richmond Times-Dispatch on June 1 describing the surveillance activities, CCAN and Preserve Floyd issued a call to Virginia Gov. Ralph Northam (D) to end all surveillance of the pipeline protest groups.

“The documents reported on by the Richmond Times Dispatch reveal that the state is working with EQT, the developer of the Mountain Valley Pipeline, to surveil and monitor purely peaceful groups who support clean energy, work for climate justice, and oppose the Mountain Valley Pipeline,” CCAN and Preserve Floyd said Wednesday in a joint statement.

The criminalization of environmental protest in Trump’s America

“The idea that our activities, which include prayer vigils, peaceful sit-ins, and music concerts, rise to the level of ‘violent extremism’ would be laughable if it weren’t so chilling,” the groups said. “This spying is un-American and an enormous waste of taxpayer money.”
In a statement emailed to ThinkProgress on Friday, EQT spokesperson Natalie Cox said the Mountain Valley Pipeline “appreciates the effort of state and local authorities to uphold the law and protect public safety.”

“Our first priority remains the safety of workers, contractors, law enforcement officers, residents and others, including protestors, as we continue with construction along the route,” Cox said. “Unfortunately, some opponents have engaged in trespassing, harassment, and other illegal and threatening behavior.”

The actions of Mountain Valley Pipeline opponents “have forced public agencies to devote significant time and resources to maintain safety and order,” she added. But the activists contend safety and order is being threatened by EQT, not peaceful protesters.

A fusion center is a collaborative effort of state and federal agencies that share resources, expertise, and information on alleged terrorist and criminal activity. Many state fusion centers were jointly created starting in the mid-2000s in coordination with the U.S. Department of Homeland Security and the U.S. Department of Justice.

The stated goal of the centers is fighting terrorism. But much of the fusion centers’ work has been focused on non-terrorist criminal activity as well as targeting the Occupy Wall Street, Black Lives Matter, and environmental movements.

The dozens of fusion centers have been easily folded into what experts refer to as the “surveillance-industrial complex” in which law enforcement, private security companies, and corporations work together to track the actions of private citizens that could harm the profits of large corporations.

**Dakota Access developer calls environmentalists ‘terrorists’, sues for at least $300 million**

A state police spokesperson told the Richmond Times-Dispatch that the Virginia Fusion Center “has evolved to its current status of aiding local, state and federal public safety agencies [to] address all crimes and all hazards, including threats posed by violent extremists regardless of ideology.”

This description of the fusion center’s mission, especially given its involvement in the monitoring of the Mountain Valley Pipeline protesters, shows that “peaceful tree-sitting is being interpreted by the fusion center as an action of violence,” Brendan McQuade, an assistant professor of sociology at the State University of New York, Cortland, said Friday in an interview with ThinkProgress.
The Mountain Valley Pipeline has huge capital interests behind it, he noted, and the fusion center “has been effectively deputized to help squash the political opposition to it,” he said. McQuade, who views fusion centers as weapons for criminalizing dissent, is working on a book about the centers and the expansion of the intelligence capacities of state and federal agencies.

North Dakota’s fusion center worked closely with the developers of the Dakota Access Pipeline and the company’s private security firm to crack down on anti-pipeline activists. The center has worked with officials in other states concerned about protests.

In April 2017, the North Dakota State and Local Intelligence Center and the Central Florida Intelligence Exchange — two Department of Homeland Security-recognized fusion centers — issued a joint intelligence bulletin that provided “situational awareness regarding the criminal activities” surrounding the Dakota Access Pipeline (DAPL) and its impact on the Sabal Trail Pipeline in Florida.

In the intelligence bulletin, obtained by The Intercept, the two fusion centers noted that even though the Sabal Trail Pipeline does not connect to the Dakota Access Pipeline, “there have been several social media posts and comments regarding those involved in the DAPL traveling to and supporting” the Sabal Trail Pipeline protest activities. Sabal Trail is a proposed 515-mile pipeline that would cross Alabama and Georgia, with its end point in Florida where it would deliver natural gas to power plants in the state.

In Pennsylvania, the state’s Office of Homeland Security was caught in 2010 tracking and circulating information about legitimate protests by anti-fracking activist groups that did not pose a threat to public safety. At the time, Pennsylvania Gov. Ed Rendell said he was “appalled” and “embarrassed” by his administration’s Office of Homeland Security’s conduct.

His Office of Homeland Security had been paying an outside company to track a long list of activists, including groups that oppose drilling in the Marcellus Shale, animal-rights advocates, and peace activists.

The Virginia Fusion Center has been immersed in controversy since its inception in 2005. In 2009, for example, the center was found to be exaggerating the threat of terrorism in the state.

At the time, the Virginia Fusion Center issued an internal report that focused on a wide assortment of anarchist, environmentalist, animal rights, militia, white supremacist, and computer hacker groups that have a presence in Virginia. The report’s authors treated all of them as “terrorist and extremist groups” with no attempt to draw a distinction between violent criminals and nonviolent activists.

“The fact that you have a network of these multi-million dollar intelligence centers across the country,” McQuade said, “monitoring constitutionally protected, nonviolent civil disobedience or speech — and then labeling it terrorism or anarchist extremism — sends the message that these people are threats and extremists who are not to be reasoned with.”

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