

The 'Program':

A legal perspective

Ana Toledo, Esq.
26 Jan 2024

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The 'Program': Past & Present

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The Program's global scope aims to control and destroy opposition. Its predecessors:

- From 1953 to 1966, the Central Intelligence Agency (CIA) sponsored the MK-ULTRA program to control human behavior, developing brainwashing/interrogation techniques.
- During 1975-76, the Church Committee carried out an investigation that resulted in is apparent shut down.It never shut down.



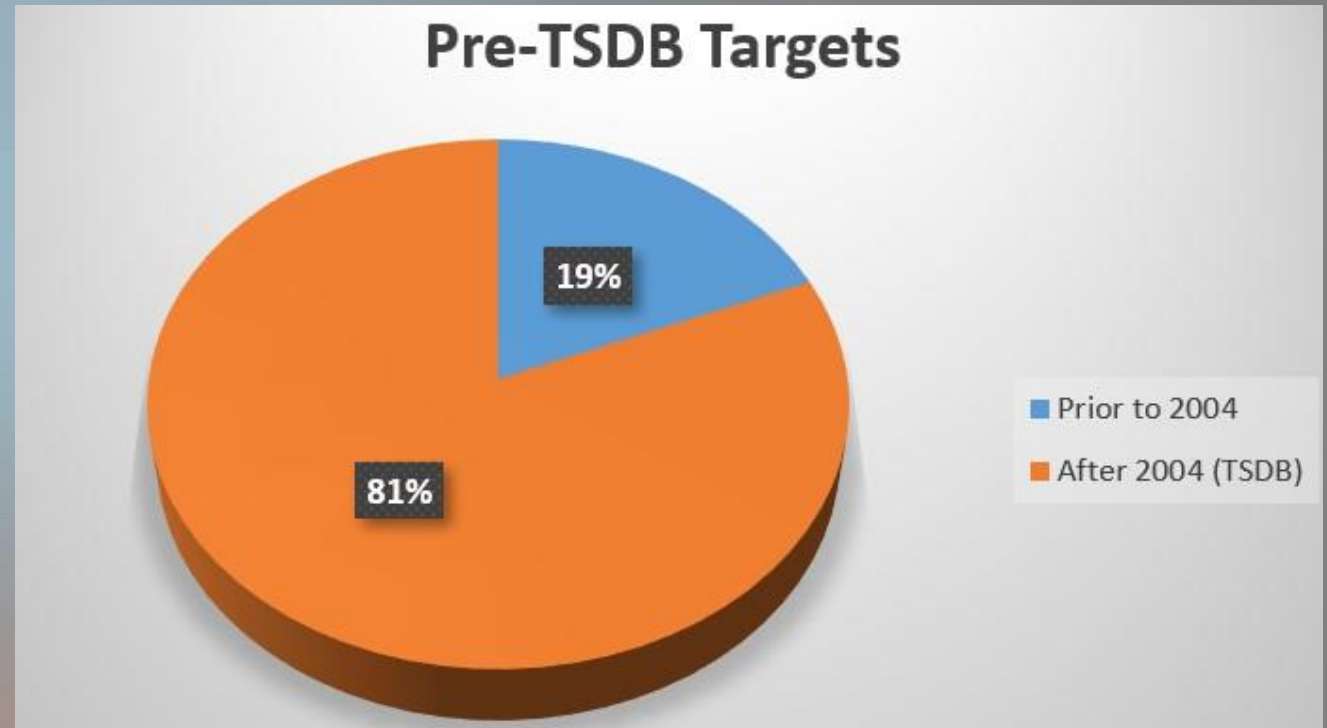
Predecessors...



- From 1956 to 1971, Federal Bureau of investigation (FBI) ran the Cointelpro program aimed at surveilling, infiltrating, discrediting, and disrupting domestic American political organizations.
- “(T)he FBI did operate a program that did tremendous destruction to many people, to the country and certainly to the FBI.”

MK Ultra/COINTELPRO never stopped

TJ Census: 1883 TIs
Prior to 2004: 353
After 2004 (TSDB): 1530



Today's human experimentation roster:

Listed individuals on the TSDB since 2004

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The roster today: FBI-managed Terrorist Screening Database

- Not an act of Congress: egregious abuse of the Administrative State
- HSPD-6 authorized in 2003 the creation of the TSDB.
- Consolidated 14 different lists

For Immediate Release
Office of the Press Secretary
September 16, 2003

Homeland Security Presidential Directive/Hspd-6

Subject: Integration and Use of Screening Information

To protect against terrorism it is the policy of the United States to (1) develop, integrate, and maintain thorough, accurate, and current information about individuals known or appropriately suspected to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism (Terrorist Information); and (2) use that information as appropriate and to the full extent permitted by law to support (a) Federal, State, local, territorial, tribal, foreign-government, and private-sector screening processes, and (b) diplomatic, military, intelligence, law enforcement, immigration, visa, and protective processes.

This directive shall be implemented in a manner consistent with the provisions of the Constitution and applicable laws, including those protecting the rights of all Americans.

What do we know about the Watchlist?

March 11, 2019 Statement under penalty of perjury by Timothy Groh, former Terrorist Screening Center Deputy Director given in Elhady v. Piehota, 1:16-cv-00375 (E.D.VA)

8. The TSDB, commonly referred to as the “Terrorist Watchlist”, contains both biographic and biometric identifying information (e.g., name, date of birth, photographs, iris scans, and/or fingerprints) of known or suspected terrorists.³

Listed individuals that never get screened...because they do not represent a threat to national security

In that same statement, Mr. Groh added:

3 Additionally, the TSDB includes identifying information of certain individuals who are **not categorized as known or suspected terrorists**. These limited exceptions are more fully described in FN 7.

7 **Limited exceptions to the reasonable suspicion standard** exist for the sole purpose of supporting **certain special** screening functions of DHS and State (such as determining eligibility for immigration to the U.S.). Individuals

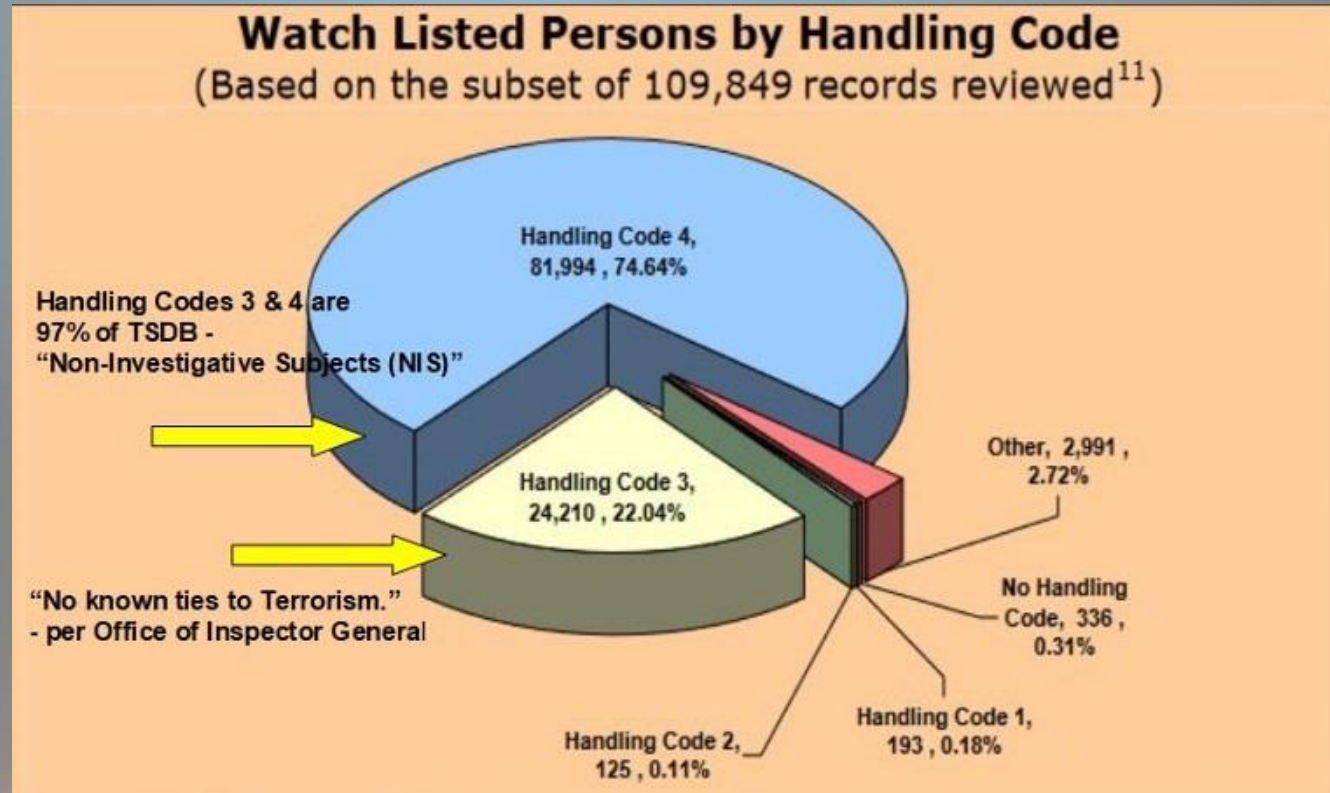
included in the TSDB pursuant to such exceptions are **not considered "known or suspected terrorists"** and are **not screened as such**. As a result, any U.S. person who is in the TSDB pursuant to an exception to the reasonable suspicion standard would not be required to undergo heightened aviation security screening at airports on that basis (but could be selected for other unrelated reasons, such as random selection).

FBI admits it lists non-terrorist individuals on the TSDB under 'secret criteria'

In other words, these individuals are not considered “known or suspected terrorists” (KSTs) and are not screened as such. As a result, any U.S. person who is in the TSDS pursuant to an exception to the reasonable suspicion standard would not generally be subject to heightened aviation security screening at airports. In order to maintain the effectiveness of these special screening functions, details regarding the method by which individuals are identified for watchlisting exceptions must not be disclosed and are properly categorized as law enforcement sensitive.

WHERE DOES THE PROGRAM'S ROSTER COME FROM?

The Watchlist is not the entire TSDB – only .29% of it



Handling Codes 3 and 4 estimates:

- 400,000 in the United States
- 6 million around the world

Since Handling Code 4 listed individuals undergo slight torture, it is likely around 300,000 Americans and 4.5 million around the world do not know they are targeted individuals.

Although listed individuals are not screened at airports...

They are labeled as ‘suspected terrorists’ on the TSDB.

Their names are distributed along those of actual KST’s through the National Crime Information Network

The list is distributed to over 18,000 law enforcement agencies, 532 corporations and 1440 organizations as well as 60 countries.



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The transformation of the US into a Stasi state



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Financial incentives to private corporations to find targets, delegating “intelligence” for financial gain

Targeting Officer

AEVEX Aerospace

Washington, DC 20001 (Shaw area)

Pay information not provided

Full-time

➤ Easily apply

- Directly support and drive complex global, strategic-level operations against high priority threats to U.S. national security.

Posted 1 day ago

Targeting Officer 2

Amentum

Falls Church, VA

Pay information not provided

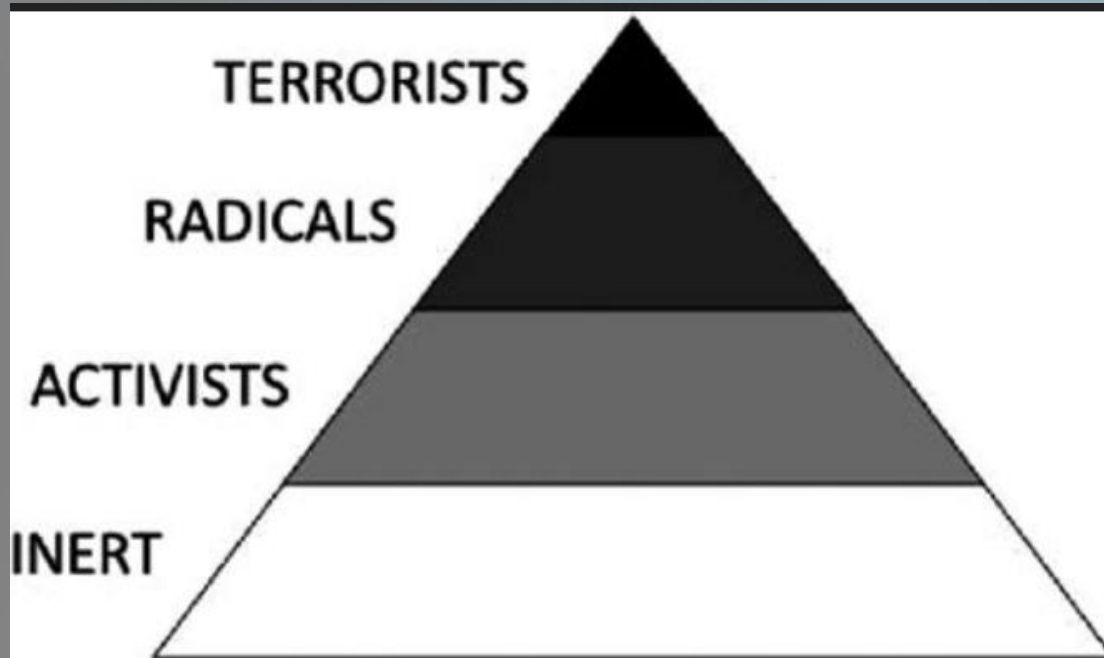
Full-time

- Experience identifying **targeting** leads through the exploitation of all-source databases.
- Falls Church, Virginia, United States.

Posted 1 day ago

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DHS “Targeted Violence and Terrorism Prevention Grant Program”



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How come no one has shut it down (yet)?

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Hundreds of district court cases dismissed following a pattern:

- Pro se plaintiffs
- Dismissed in unpublished opinions
- In forma pauperis/higher threshold/screening pursuant to 28 U.S.C. § 1915(e)(2)(B).
- Most dismissed before defendants' reply

Common language of hundreds of federal court opinions:

- “Fantastical, delusional, implausible, bizarre, haphazard and disconnected allegations are baseless, irrational, and wholly incredible. “
- No imposition of sanctions for frivolous filing

#TJ v. Garland: based on uncontroverted admissions and documents

- Seeks National Injunction to declare unconstitutional Handling Codes 3 and 4, and removal of TJ members' names therefrom.
- Seeks declaratory judgment, damages and *Bivens* remedy against public officials responsible

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Case: 23-20342 Document: 16 Page: 1 Date Filed: 09/05/2023

No. 23-20342

In the

United States Court of Appeals

For the Fifth Circuit

Targeted Justice, Incorporated; Winter O. Calvert; Dr. Leonid Ber; Dr. Timothy Shelley; Karen Stewart; Armando Delatorre; Berta Jasmin Delatorre; J. D., A minor; Deborah Mahanger; L. M., A minor; Lindsay J. Penn; Melody Ann Hopson; Ana Robertson Miller; Yvonne Mendez; Devin Delaineey Fraley; Susan Olsen; Jin Kang; Jason Foust; H. F.,
Plaintiffs – Appellants

v.

Merrick B. Garland, Attorney General of the United States; Federal Bureau of Investigation; Christopher Wray, Director of Federal Bureau of Investigations; Charles Kable, Jr., Director of the Federal Bureau of Investigation's Terrorist Screening Center; United States Department of Homeland Security; Secretary Alejandro Mayorkas, Secretary of the Department of Homeland Security; Kenneth Wainstein, Department of Homeland Security's Under Secretary for Intelligence and Analysis,
Defendants - Appellees

Appeal from the United States District Court
for the Southern District of Texas

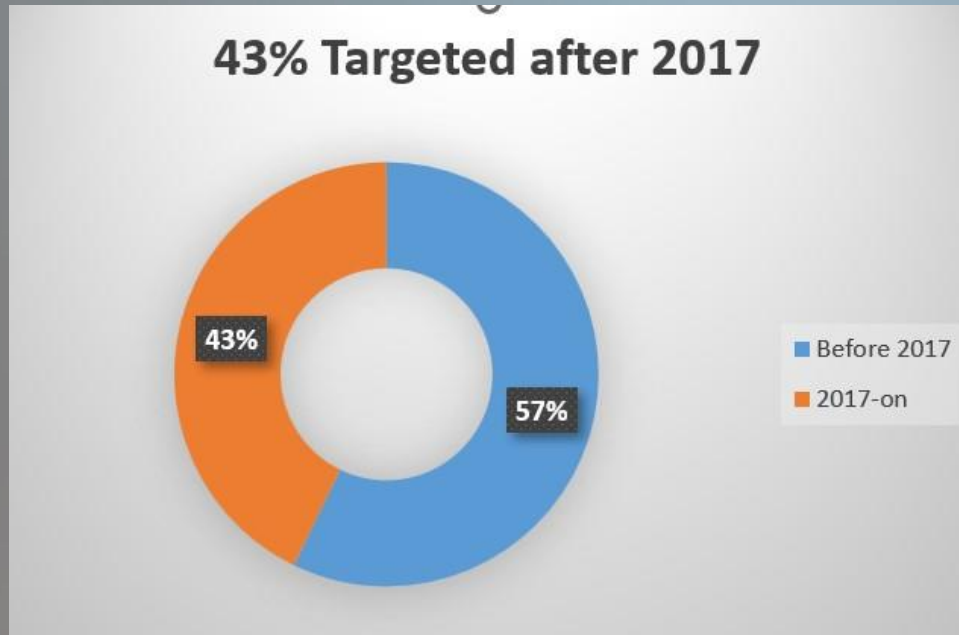
OPENING BRIEF OF PLAINTIFFS-APPELLANTS

September 5, 2023	Ana Luisa Toledo PO Box 15990 Houston, TX 77220-1590 (832) 247-3046 <i>Counsel for Plaintiffs-Appellants</i>
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How is TJ v Garland different from previous dismissed cases?

BASED PRIMARILY ON UNCONTROVERTED
ADMISSIONS OF FACT, UNCONTROVERTED,
OFFICIAL UNITED STATES DOCUMENTS
ESTABLISHING THE SECRET LIST OF NON-
TERRORISTS WITHIN A TERRORIST DATABASE
PURSUANT TO “SECRET CRITERIA”

TJ v. Garland: Filed on January 11, 2023:



- By January 31, 2023 the 6-year Terrorist Screening Center Director Charles Kable retired.
- Pursuant to TJ statistics, 43% of targeted individuals report to have been targeted since 2017, the year Kable began to direct the TSC.

**ULTIMATE GOAL:
NO NAMES, NO TARGETS.**



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Looking Forward:

What comes next?

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People are waking up...

- Pending: Oral argument date in TJ v. Garland, before 5th Cir.
- Pending: Oral argument (3/2024) before 5th Cir. Kovac v. Wray
- Pending: Supreme Court decision in FBI v. Fikre
- Pending: Peters' Intelligence Committee investigation on "Labeled as a Threat"
- Khairullah v. Garland, USDC MA, filed 9/23

THANK-YOU!

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