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2/21/12

Office of Attorney General Eric Holder
U.S. Department of Justice,
950 Pennsylvania Ave. Washington, D.C. 20530

Dear Attorney General Holder:

On behalf of the Muslim Public Affairs Council, I am writing to you about a national security and civil liberties issue of mutual interest and great concern to our communities and the nation at large. For more than 20 years, our organization has built relationships with local, state and federal law enforcement agencies, including the FBI, and produced policy reports on countering violent extremism.

Recently, it has come to our attention that the New York City Police Department (NYPD) has engaged in extensive and wholesale surveillance of Muslim college and university student organizations without any factual predicate indicating criminal activity or intent. Further the surveillance operations in question extend throughout the entire U.S. Northeast region, as far as SUNY Buffalo and Yale University in Connecticut, well beyond the local jurisdiction of the NYPD.¹

According to a recent *Associated Press* investigative report:²

Police talked with local authorities about professors 300 miles away in Buffalo and even sent an undercover agent on a whitewater rafting trip, where he recorded students' names and noted in police intelligence files how many times they prayed.

Detectives trawled Muslim student websites every day and, although professors and students had not been accused of any wrongdoing, their names were recorded in reports prepared for Police Commissioner Raymond Kelly.

Hence, the latest reports of NYPD clandestine operations on MSAs are problematic on many levels:

1. A local police department, especially one as prestigious as NYPD, cannot establish regional or federal policy in our country. The top law enforcement officer in the country is the Attorney General. We want a clarification from your office on the legality of local police departments spying on campuses, and conducting surveillance outside their jurisdiction.

¹ "NYPD Monitored Muslim Students All Over Northeast." *Associated Press*, (February 19, 2012). Available at: <http://www.npr.org/templates/story/story.php?storyId=147097748>.

² Ibid.; Also see: Mahmood Ahmad, "N.Y.P.D. Secret: Weekly MSA Report." *New York City Police Department*, (November 22, 2006). Available at: <http://hosted.ap.org/specials/interactives/documents/nypd-msa-report.pdf>.

2. Campuses are the fountains where future leaders are produced. Interdiction of law enforcement on campuses is necessary on occasion. But the NYPD practices has violated the charters of all the campuses it has encroached upon. As a result, our students, our families, our global citizens have lost trust in local and federal law enforcement as protectors of their rights.
3. The Department of Justice has a duty to prosecute criminal activity and to preserve the civil liberties of the American people. When a local law enforcement agency has violated the rights of its citizens, the DOJ has stepped in to investigate, prosecute, and convict police officers who abuse their authority. We believe that reports of NYPD collaborating with the CIA against American citizens and spying on student groups necessitates at the least a report to the American people and at most an investigation of individuals involved in this espionage.

Also alarming was the justification, presented by NYPD spokesperson Paul Browne, who, “provided a list of 12 people arrested or convicted on terrorism charges in the United States and abroad who had once been members of Muslim student associations, which the NYPD referred to as MSAs.”³ That the actions of a dangerous, but tiny minority of individuals are used as justification for wholesale surveillance of thousands of productive and law-abiding members of society is not only contrary to our nations values, but counterproductive security policy.

Muslim Americans have been on the frontlines to keeping our nation safe and secure from terrorism. According to our “Post-9/11 Terrorism Incident Database,” nearly 2 out of every 5 al-Qaeda related plots threatening the American homeland since the September 11 attacks, have been foiled due to the tips provided by Muslim communities.⁴

Unfortunately is this only the latest revelation in a series of egregious behavior by the NYPD toward local and regional Muslim communities. Other ongoing issues of concern include:

- Wholesale surveillance of Muslim communities in New York without any factual predicate indicating criminal activity or intent
- Showing an anti-Muslim film as part of its training curriculum to over 1,500 officers
- Wholesale surveillance of Shi’a Muslim centers of worship and community within and beyond New York City

Therefore, we are asking for an immediate investigation into the civil rights implications of this particular matter. We hope you take these issues as a priority for the federal government. Your leadership can help resolve this conflict emanating from New York City, where the attacks on twin towers over 10 years ago have left wound on our country that has been unfortunately re-injured by divisiveness and opportunism in some sectors of our society, in the media, in politics and in law enforcement. It is our duty as Americans to work together against any threat to our democracy, be it terrorism or the erosion of our nation’s freedom and liberty.

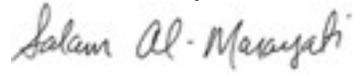
³ “NYPD Monitored Muslim Students”

⁴ Alejandro J. Beutel, “Post-9/11 Terrorism Incident Database.” *Muslim Public Affairs Council*, (January 2012). Available at: <http://www.mpac.org/assets/docs/publications/MPAC-Post-911-Terrorism-Data.pdf>.

We thank you for your time and consideration of this matter. We look forward to hearing from you.

Regards,

Salam Al-Marayati

A handwritten signature in cursive script that reads "Salam Al-Marayati".

President