

## Civil Rights, Community Groups Respond to Second NYPD Spying Report

[NEW YORK, NY, 07/18/2019] -- Today, a coalition of community and civil rights organizations responded to the second annual public report on the New York City Police Department's (NYPD) intelligence operations from Stephen Robinson, the Civilian Representative on the NYPD's "Handschu Committee." Mayor de Blasio appointed Robinson as the Civilian Representative in 2017. The position came as part of a series of reforms resulting from community mobilization in reaction to widespread NYPD spying on Muslim communities. The Handschu Guidelines were revised to limit surveillance of religious and political activity. Judge Robinson issued his first report in 2018. The second report covers the period March 2018 to March 2019.

"While we appreciate the progress that Judge Robinson has been able to achieve thus far, we remain dismayed about the activities of the Intelligence Bureau, particularly as it relates to American Muslims in our city and beyond." said Fahd Ahmed of DRUM. "The NYPD Inspector General found in August 2016 that 95 percent of the NYPD's surveillance activities were focused on Muslims. Nothing in the first report from 2018 or today's report from the Civilian Representative's disabuses us of that notion."

"Only 12 pages long, the Civilian Representative's second annual report provides less public insight into the NYPD's surveillance of constitutionally-protected activity than last year's report", said Albert Cahn, of the Surveillance Technology Oversight Project at the Urban Justice Center. "It's unclear just what impact the Civilian Representative is having. While the average length of NYPD surveillance operations went down 38 days from last year, the number of approved requests to extend investigations increased by 30%. The Civilian Representative is not doing his job if he just rubber stamps the NYPD's surveillance."

"We welcome Judge Robinson's efforts at transparency," said Naz Ahmad of the CLEAR project. "But, in meetings with Judge Robinson, community members raised concerns about the reliability and bias of leads triggering NYPD investigations. His report is completely silent with respect to the oversight that the rules require on this issue. Further, amidst generalized concern about information sharing with Immigration and Customs Enforcement (ICE), his report does not reference Section VIII of the Handschu Guidelines, concerning how information is shared with other federal law enforcement agencies, leaving us to wonder whether he has exercised any oversight at all in this area."

Last year, community groups [voiced similar concerns](#), including the issue of the demographics of the targets of these investigations, which remains unaddressed. This pattern of focus on one faith-based group further underlines the dire need for a tireless Civilian Representative.

Originally ordered by consent decree in 1985, the Handschu Guidelines are the result of a class action lawsuit, *Handschu v. Special Services Division*, which established important limits on NYPD intelligence operations. The new safeguards— including the placement of a Civilian Representative within the Handschu Committee overseeing Intelligence Bureau surveillance of constitutionally protected religious and political organizing— were introduced into the Guidelines as part of the joint settlement process of an enforcement motion in the Handschu class action and the *Raza v. City of New York* case.

SEE: Report Says NYPD Muslim Surveillance Has Decreased

<https://www.wnyc.org/story/report-says-nypd-muslim-surveillance-has-decreased/>

As part of his duties, the Civilian Representative is required to file an annual report on the NYPD's compliance with the Handschu Guidelines. Community and civil rights organizations look forward to continuing to meet on a regular basis with the Civilian Representative.

The coalition includes:

Arab American Association of New York (AAA-NY)

Arab American Bar Association (AABA)

American Arab Anti-Discrimination Committee (ADC)

The Campaign to Take on Hate

Communities United for Police Reform

Council on American Islamic Relations, New York (CAIR-NY)

Creating Law Enforcement Responsibility and Responsibility project (CLEAR)

DRUM Organizing Center

Jews for Racial and Economic Justice (JFREJ)

Jewish Voice for Peace – New York (JVP)

MPOWER Change

Muslim Community Network (MCN)

Surveillance Technology Oversight Project (STOP)

Yemeni American Merchants Association (YAMA)

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