



NEW YORK STATE SENATOR

Kevin S. Parker

## Senators Urge Attorney General Schneiderman to Investigate NYPD Profiling and Surveillance of Muslims

KEVIN S. PARKER October 5, 2011

| ISSUE: **HUMAN RIGHTS**



(Brooklyn, NY) Today, Senator Kevin Parker was joined by Senators Ruth Hassell-Thompson, Shirley Huntley, Liz Krueger, Velmanette Montgomery, Bill Perkins, and Gustavo Rivera in a letter to Attorney General Eric Schneiderman seeking an investigation into the New York City Police Department's (NYPD) potentially unlawful covert surveillance operations of the Muslim community in New York City and other jurisdictions.

This issue came to light after an eight month investigation by the Associated Press that included interviews of forty current and former officials in the NYPD and federal law enforcement. The report details far-reaching operations by the NYPD that include surveillance of hundreds of mosques, businesses, non-profits, and individuals by using undercover officers known as “rakers,” without evidence of any criminality or wrongdoing. The Department created files tracking daily life in bookstores, restaurants, barber shops, and gyms, as a part of a human mapping program. According to press reports, the Federal Bureau of Investigation (FBI) does not accept this information from the NYPD due to legal infirmities.

These troubling reports come in the context of legislative hearings targeting Muslims earlier this year by Congressman Peter King and State Senator Greg Ball, as well as a rising anti-Sharia movement. We are witness to a phenomenon that seeks to isolate Muslims and portray them as a threat. Two dozen states seek to ban the application of Islamic law and some seek to criminalize it. Thus, it is not surprising that in this atmosphere there is a dramatic increase in hate crimes and discrimination against Muslims but also those that appear to be Muslim, including Sikhs and Arabs.

“I am greatly troubled that the NYPD seeks to criminalize an entire faith tradition,” said Senator Parker. “The message seems to be if you are Muslim, you are guilty until proven innocent. New York, and Brooklyn in particular, is home to one of the largest Muslim populations in the nation. We face serious security challenges; unfortunately this approach by the Department may not only violate the law but also focuses resources on law abiding citizens rather than targeting those who seek to do us harm,” continued Parker.

“Many legal scholars and law enforcement agencies such as the FBI have questioned the constitutionality of the actions taken by the NYPD under the guise of counter-terrorism. Accordingly, such a blatant disregard for our Constitution by the NYPD warrants a

comprehensive investigation. Respecting and abiding by the Constitution during times of peace and prosperity is often easier than doing so in times of war and uncertainty, but it is during such times of war and uncertainty that the need for constitutional reverence is needed most," argued Senator Bill Perkins.

"The investigative article published by the Associated Press regarding alleged improper police practices by the NYPD warrants further investigation by the Attorney General. The fact that we live in a world of potential threats to security at home does not give anyone a license, let alone the New York City Police Department, to allegedly disregard the constitutional rights and liberties which make our nation free from improper intrusions into houses of worship, student associations and organized public opinion. To permit the police such unbridled power to disrupt the civil liberties of people innocent of any wrongdoing would make a mockery of what it means to be an American. Accordingly, I urge the Attorney General to launch a more critical investigation into the allegations raised by the Associated Press reporters," contended Senator Ruth Hassell-Thompson

"The NYPD exists to enforce the law, not to ignore it. Racial profiling of any ethnic group and clandestine unconstitutional actions, for whatever reason, are totally unacceptable. These allegations must be investigated, and if true, stopped immediately," said Senator Velmanette Montgomery.

Senator Gustavo Rivera echoed these concerns. "Local law enforcement relies on the trust and cooperation of all communities in New York, including the Muslim community. That trust is critical in order for NYPD to do its job, but unfortunately, that trust is eroding as reports of questionable behavior and surveillance have made Muslim New Yorkers feel that local law enforcement has used profiling to make assumptions and target their community. I encourage the Attorney General to look into these questionable tactics in order to ensure that all New Yorkers' civil rights are protected and to foster an environment where New

Yorkers feel that local law enforcement is working to protect all of our communities."

Hundreds of thousands of Muslim Americans are a part of the fabric of New York City. They are our neighbors, physicians, entrepreneurs, educators, legislators, and serve in law enforcement. "However, the policies of Commissioner Ray Kelly and Deputy Commissioner David Cohen reflect a view that Muslims are a fifth column. Not only is this false but as heads of other law enforcement agencies noted, this approach will alienate communities and reduce cooperation with police. My colleagues and I look forward to the results of Attorney General Schneiderman's investigation."

### **About Senator Parker**

Senator Kevin S. Parker is intimately familiar with the needs of his ethnically diverse community that consists of 311,000 constituents in Flatbush, East Flatbush, Midwood, Ditmas Park, Kensington and Borough Park. He represents the largest expatriate Pakistan community in the United States, the majority of whom are Muslim. He is the Ranking Member of the Senate Energy and Telecommunications Committee, former Majority Whip and First Vice Chair of the Association of Black, Puerto Rican, and Asian Legislators.