

NYPD did no wrong in secretly surveilling N.J. Muslims, attorney general report says

by [Ted Sherman](#)

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c. 2012 Religion News Service NEWARK, N.J. (RNS) Islamic leaders say they are shocked that a review by New Jersey's state attorney general into the New York Police Department's secret surveillance operation targeting Muslim businesses and mosques in New Jersey found the NYPD did nothing wrong.

The three-month probe, ordered by Attorney General Jeffrey Chiesa, concluded there was no evidence to show the NYPD's activities in the state violated New Jersey's civil or criminal laws.

"Based on what we saw, their conduct was permissible," said one of the officials involved with the review who was not at liberty to discuss the report publicly. "There was no evidence of illegal wiretaps or search and seizures. We're not seeing any violations of law."

Members of the Muslim community -- summoned to Trenton on Thursday (May 24) to be briefed on the review -- reacted to the findings with anger and disappointment.

"We thought the AG was on our side," said Aref Assaf, president of the American Arab Forum, who called the revelations at the meeting "stunning and offensive. ... I was ready to walk out."

"American Muslims are easy game right now in New Jersey," Assaf said.

Nadia Kahf, who chairs the New Jersey chapter of the Council on American-Islamic Relations, said she and other community leaders are now exploring legal options -- perhaps a lawsuit challenging the six-year-long surveillance of their community.

"After two months of fact-finding, they have come up with absolutely nothing? No criminal or civil violations? That was very hard to accept," she said.

Ed Barocas, legal director for the American Civil Liberties Union of New Jersey, questioned the findings as well.

"The New Jersey attorney general's statement that the NYPD violated no New Jersey laws by spying on Muslim houses of worship comes as cold comfort to anyone who found themselves under a microscope based solely on their religious beliefs," he said. "The issue still remains that the police were targeting religious and ethnic minorities, and New Jersey should have no part in enabling the discriminatory practices of the NYPD or any other law enforcement agency."

He said that if New Jersey police departments, which are subject to the state's discrimination laws, were to target people or groups based on religion or ethnicity as the NYPD did, they would be in violation of New Jersey law.

The fact-finding review ordered by the attorney general was sparked by disclosures by The Associated Press that the New York Police Department had been running an aggressive domestic intelligence operation that extended into New Jersey, targeting ethnic communities in Newark, the campus of Rutgers University and elsewhere.

In Newark, the NYPD cataloged every mosque and Muslim-owned business in the city -- from fried-chicken joints to houses of worship located in private homes -- in a 60-page report later obtained by the AP. The report identified the work as "a joint operation with the Newark Police Department's Criminal Intelligence Unit" with the aim of identifying "the existence of population centers and business districts of communities of interest."

Most of the properties listed in the NYPD report were Islamic cultural centers, restaurants and stores where members of Newark's Muslim community went to pray, eat or shop.

NYPD officials have repeatedly defended the program as legal and justified, and have been backed strongly by New York Mayor Michael Bloomberg, who maintains the NYPD can gather intelligence anywhere in the country it wants without any requirement to tell local authorities.

Gov. Chris Christie, questioned at a press conference in Atlantic City, had little to say about the findings.

"I have complete confidence in Attorney General Chiesa. I have every reason to believe that he's correct," the governor said. "I'll leave it at that."

Chiesa said the state did reach an agreement with the NYPD that will "strengthen the lines of communication" between New Jersey law enforcement officials and the city. The attorney general is also planning to establish an outreach committee with the Muslim community.