

Resolution Condemning NYPD Undercover Intelligence Gathering and Surveillance Activities on and off CUNY Campuses against CUNY Muslim Student Organizations and Students

Passed on November 20, 2015

- Plenary
- Executive Committee
- Steering Committee
- Constitution and Bylaws
- Grants
- Health & Wellness
- Outreach
- Student Services
- USS Advisory Committee
- Advocate Advisory Board
- OpenCUNY Board
- Governance Task Force
- EDLAB
- Student Tech Fee

WHEREAS, it was recently revealed in a Gothamist article dated October 29 2015¹, as well in conversation with sources at Brooklyn College and other CUNY campuses, that the New York Police Department (NYPD) has been involved in undercover intelligence gathering targeting Muslim students on-campus and off-campus of multiple campuses of the City University of New York (CUNY), including Brooklyn College, John Jay College of Criminal Justice, and Queens College; and

WHEREAS, it appears that these investigations are not based on specific allegations of criminal wrongdoing, or threats to public safety, but instead take the form of general background intelligence gathering; and

WHEREAS, the undercover agent attempted to elicit incriminating statements of support for terrorism as a form of entrapment; and

WHEREAS, the press reports indicate that these investigations may have been in collaboration with campus security officers without the knowledge of the targets of these investigations; and

WHEREAS, such collaboration between campus security officers and the NYPD may place CUNY in violation of the Family Educational Rights and Privacy Act, which would make CUNY vulnerable to losing all federal funding; and

WHEREAS, the presence of the NYPD violates the 1992 NYPD- CUNY Memorandum of Understanding Regarding Police Response to Incidents and Events Occurring at the City University of New York; and

WHEREAS, if the NYPD- CUNY Memorandum of Understanding Regarding Police Response to Incidents and Events Occurring at the City University of New York was not violated, then the presence of the NYPD appears to indicate that members of CUNY administration sanctioned undercover intelligence gathering targeting the university's students and faculty; and

WHEREAS, the use of undercover police agents in the reported circumstances has a chilling effect on academic freedom, academic integrity, freedom of expression, and the

¹ http://gothamist.com/2015/10/29/nypd_undercover_brooklyn.php

free exchange of ideas, which are necessary to higher learning and the academy for both students and faculty; and

WHEREAS, such surveillance violates constitutional protections that require specific search warrants; and

WHEREAS, the NYPD, from 2002 to 2014, engaged in spying on various NYC Muslim communities using a so-called "Demographics Unit" to infiltrate Muslim student groups, mosques and businesses, stigmatizing and traumatizing New York's Muslim communities, and further chilling freedom of speech and expression in these communities; and

WHEREAS, in response to the NYPD's spying on CUNY students and faculty, the Doctoral Students' Council passed a resolution calling upon CUNY's central administration to condemn the violation of the NYPD-CUNY Memorandum of Understanding Regarding Police Response to Incidents and Events Occurring at the City University of New York on October 28 2011; and

WHEREAS, the Doctoral Students' Council represents for over 4,000 members of the Graduate School many of whom are simultaneously students and faculty across the many CUNY campuses; therefore, let it be

RESOLVED, that the Doctoral Students' Council opposes the surveillance activities by the NYPD and affiliated agencies on CUNY campuses, either directly or through the use of informants, for the purposes of collecting information independent of a valid and specific criminal investigation; and

Further RESOLVED, that we call upon CUNY's central administration to condemn the violation of the NYPD- CUNY Memorandum of Understanding Regarding Police Response to Incidents and Events Occurring at the City University of New York; and

Further RESOLVED, that if the NYPD- CUNY Memorandum of Understanding Regarding Police Response to Incidents and Events Occurring at the City University of New York was not violated, we call upon CUNY's administration to account publicly for its role in this surveillance; and

Further RESOLVED, that we call upon CUNY's central administration to demand publicly that the NYPD inform those groups and individuals that they have been the subject of this surveillance and the nature of the information gathered; and

Further RESOLVED, that we call upon CUNY to remove all undercover NYPD police officers from all CUNY campuses; and

Further RESOLVED, that we call on Police Commissioner William Bratton to account publicly for the extent of NYPD surveillance of CUNY students and faculty; and

Finally RESOLVED, that we call on Mayor Bill de Blasio and the New York City Council to end the NYPD's surveillance activities targeting members of the CUNY community in our public university system and to conduct independent investigations.