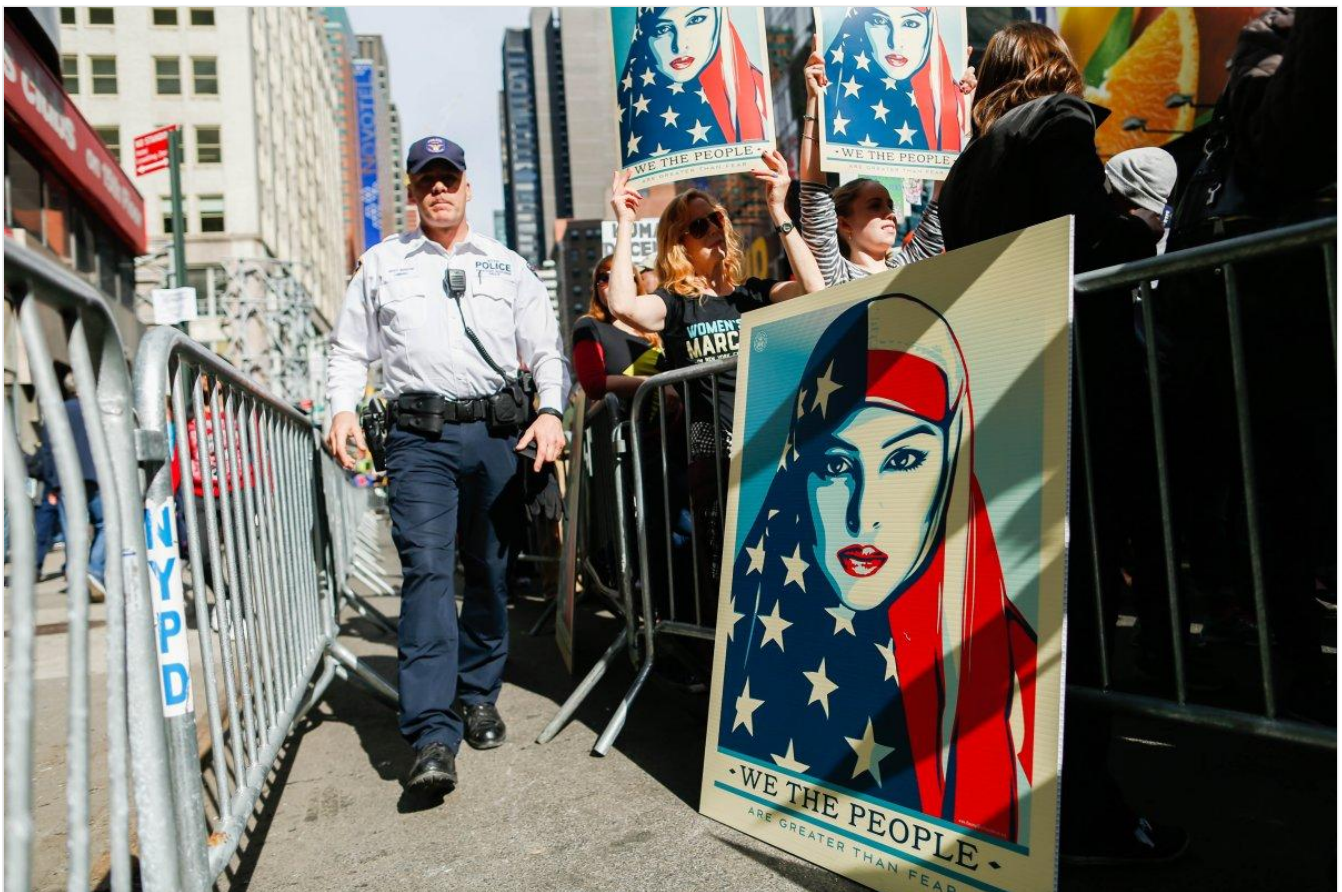


---

# Judge approves civilian watchdog on NYPD surveillance of Muslims

BY VICTORIA BEKIEMPIS

NEW YORK DAILY NEWS Tuesday, March 14, 2017, 2:39 PM



Under the agreement, the civilian monitor would sit on the NYPD committee that reviews surveillance ops. (EDUARDO MUNOZ ALVAREZ/GETTY IMAGES)

A federal judge has formally approved a settlement that installs a civilian watchdog on an NYPD surveillance panel to protect Muslims from unconstitutional monitoring, the Daily News has learned.

Federal court Judge Charles Haight green-lighted the settlement late Monday — a week after civil rights lawyers pitched their deal with the NYPD to him, according to court documents.

Under the agreement, the civilian monitor would sit on the NYPD committee that reviews surveillance ops — and would have the power to directly tell the court about his or her concerns over the constitutionality of ongoing operations.

This watchdog can't be taken off the committee without a judge approving his or her removal.

The agreement also resolved several lawsuits that accused the NYPD of trampling on the constitutional rights of some Muslims after the Sept. 11, 2001 attacks.

“I am very pleased that the added protections we achieved for the members of the class will now go into effect,” said Jethro Eisenstein, the lead civil rights lawyer who argued the case.

NYPD Deputy Commissioner of Legal Matters Lawrence Byrne previously said the department backed the agreement — but stressed that the NYPD didn't admit to any wrongdoing in its surveillance tactics.

“We think it's a fair settlement,” he said last week. “There's no admission of liability. No admission of wrongdoing.”

A spokesman for Mayor de Blasio said Tuesday that “We are pleased that the court approved the settlement, which expands the role of the civilian representative. We remain committed to strengthening the relationship between our administration and all communities so that residents of every background feel respected and protected.”



John Miller (l.) and Lawrence Byrne (r.) hold a media briefing in New York. (ALEC TABAK/FOR NEW YORK DAILY NEWS)

Haight's decision comes several months after he shot down a settlement proposed in January 2016.

Under the terms of that deal, the city would pick a civilian lawyer to monitor the NYPD's counter-terrorism surveillance, and agreed not to initiate investigations because of ethnicity, religion, or race.

Haight said that deal didn't go far enough.

He also ruled that the civilian monitor must make sure that the NYPD follows the 1983 Handschu Guidelines, which limit the NYPD's surveillance of activities protected by the First Amendment.

The lawsuits that ultimately led to the deal came after the Associated Press published a series alleging that the NYPD spied on Muslims.

The NYPD did so by putting cops in Muslim student associations, as well as enlisting informants in mosques, the AP reported.

The PD denied any wrongdoing.

