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NYPD re-affirms Commitment to Protecting the City from Terrorism with Constitutional Policing
Announcement of the Settlement of Hassan case in the District Court of New Jersey

New York, New York—Today the City of New York and the New York City Police Department announced the settlement of the six-year long litigation. For the past two years, officials and lawyers for the City and the NYPD have met with counsel for the plaintiffs to discuss the facts and policies relevant to the lawsuit's allegations that the NYPD had engaged in unconstitutional information-gathering regarding Muslim communities in New Jersey. The District Court dismissed the case on February 20, 2014, and it was later reversed and remanded by the Third Circuit on October 13, 2015. In the settlement, filed with the court on Thursday, April 5th, the City of New York and the NYPD did not admit to any violation of law or misconduct.

"The resolution of this case affirms and enhances the NYPD's commitment to conducting effective investigations to prevent crime and terrorism," said **Police Commissioner James P. O'Neill**. "This has occurred while also protecting the constitutional rights and freedoms that every NYPD employee takes a sworn oath to uphold."

"The City, the NYPD and the plaintiffs worked long and hard, in good faith, to achieve a settlement that provides for more transparency around the policies and practices of the Intelligence Bureau while not hampering our ability to conduct authorized investigations under the Handschu Guidelines," said **Deputy Commissioner for Intelligence and Counterterrorism John J. Miller**. "Forging partnerships and maintaining the confidence of all communities is an essential element in fighting crime and terrorism."

"This settlement demonstrates a continued commitment by the NYPD to safeguard individual constitutional rights while keeping New York the safest city in America," said **Corporation Counsel Zachary W. Carter**. The settlement builds upon the changes reached in previous cases to further strengthen police-community relations. The agreement calls for the Handschu Guidelines to be followed whenever the NYPD conducts counter-terrorism investigations in New Jersey and affords the plaintiffs' counsel with the opportunity to provide feedback on new NYPD Intelligence Bureau policies and training materials. An additional component of the settlement is holding a community meeting between high-ranking members of the NYPD and the plaintiffs, allowing for an additional forum for communication between the Muslim community and the police department."

In resolving the Hassan case, the NYPD has agreed that the Police Commissioner or a high-ranking NYPD official from the Intelligence Bureau will attend a public meeting with plaintiffs and members of the New Jersey community to hear about issues that concern them. The NYPD also agreed that the department's training materials will positively emphasize the City's interest and obligation in protecting the Constitutional rights of all individuals regardless of their race, religion, ethnicity and avoid racial, ethnic and religious stereotyping. Counsel for the plaintiffs will have an opportunity to offer feedback on policy and training materials, which NYPD will discuss and respond to in good faith.

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Further, the City and the NYPD confirm that investigations by the NYPD involving political activity taking place in New Jersey are subject to the Revised Handschu Guidelines, including review and participation by a Civilian Representative on the Handschu Committee, which reviews all NYPD investigations involving political activity.

In resolving the Hassan case, the NYPD has further agreed that the Police Commissioner or a high-ranking official from the Intelligence Bureau will attend a public meeting with Plaintiffs and members of their New Jersey community to hear about issues that concern them.

Pursuant to the settlement, the NYPD also agrees that training materials shall emphasize existing rules and guidelines including the City's interest and obligation in protecting the Constitutional rights of all individuals regardless of race, ethnicity or religion, and avoiding racial, ethnic, and religious stereotyping. The NYPD further agrees that written policy must reflect the NYPD Intelligence Bureau's compliance, absent exigent circumstances, with N.J.S.A. 2A:156A-35 through -37, regarding proposed entry into New Jersey for law enforcement purposes. Counsel for the plaintiffs will have the opportunity to offer their additional feedback on key Intelligence Bureau policy and training materials, which the NYPD will discuss and respond to in good faith. The City and the NYPD agree and re-affirm that all NYPD law enforcement activities related to investigations involving political activity in New Jersey must have a valid law enforcement purpose and conform to the Constitution and laws of the United States, including activities protected by the First Amendment, and that the NYPD shall not conduct investigations in which race, religion or ethnicity is a substantial or motivating factor.

The City and the NYPD will use reasonable and diligent efforts to expunge certain information pertaining to Muslim communities in New Jersey that was collected a decade ago by the Intelligence Bureau. This information was primarily gathered by the Zone Assessment Unit (formerly known as the Demographics Unit), which was disbanded in early 2014.

In resolving the case, the City will pay a combined total of \$75,000 in damages to the plaintiffs. Plaintiffs' counsel will be paid legal fees of \$950,000.