



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

LINDA L. KELLY
ATTORNEY GENERAL

March 29, 2012

Civil Rights Enforcement Section
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Reginald T. Shuford, Executive Director
American Civil Liberties Union of Pennsylvania
P.O. Box 4008
Philadelphia, PA 19106

Dear Mr. Shuford:

You recently contacted the office of the Attorney General (OAG) and complained that the New York Police Department ("NYPD") was involved in "abusive surveillance practices" in Pennsylvania. You refer to several articles which have appeared in the Associated Press alleging that a certain unit in the NYPD was engaged in monitoring Muslim college students at the University of Pennsylvania. Your letter referred to an AP article, which reportedly states that the detectives routinely trawled Muslim student organizations, websites and blogs at universities including Penn, Rutgers, Yale and Columbia.

In your correspondence you note that officers in the NYPD had been shown a film "The Third Jhad" containing "inaccurate and inflammatory depictions of Islam and Muslims seeking world domination." You say that these actions are inconsistent with the values of the Commonwealth and requested that the OAG conduct "an immediate investigation into the practices outlined above."

The OAG appreciates the concern that you have expressed and thanks you for providing to the OAG the information that you have furnished. We have received other reports on the matter, and have carefully reviewed each with the understanding that they discuss serious materials that this office should be aware of.

On the other hand a review of the Commonwealth Attorneys Act which was the legislation that created the OAG and supplied it with its powers does not authorize the OAG to take the actions that you have requested. In addition, evidence that the NYPD has been engaged in the breach of any person's civil or constitutional rights in Pennsylvania has not been provided.

The Commonwealth Attorneys Act gives the OAG power to deal with requests from the Governor or the head of any Commonwealth agency concerning legal advice; it creates the obligation of the OAG to review all Commonwealth proposed rules and regulations as to form and legality; it creates the obligation to collect the Commonwealth's debts; it inculcates in the OAG the obligation to administer the Office of Consumer Affairs; it limits the power of the OAG to act in certain civil financial matters, and requires the OAG to review as to form and legality all Commonwealth deeds, leases and contracts.

No other statute which enables the OAG to act is relevant to your request, and as noted your letter refers only to articles that have appeared in various newspapers and does not include specific actions of the NYPD which have violated anyone's constitutional or civil rights.

Again, I want to thank you for your vigilance, and feel free to contact this office in the future.

Very truly yours,



Harold E. Dunbar
Chief Deputy Attorney General
Civil Rights Enforcement Section

HED/dc