I’m Ellen Fisher with the Brennan Center for Justice. I’m pleased to be here in support of MACLC’s important work. The Brennan Center works to foster better public understanding of the importance of accountability, transparency, and checks and balances in the formulation and implementation of effective law enforcement practices. We believe that the policies that work best to secure our communities spring from productive partnerships between law enforcement officials and members of the communities they protect.

Days after the NYPD released its August 2007 report on the threat of homegrown terrorism, the Brennan Center voiced concern that the report seemed to advocate policing practices reflective of the dangerously misguided idea that the practice of Islam promotes terrorism. The Brennan Center worried then – and now – that the report would lead to an increase in illegal, unconstitutional, racial and religious profiling.

It is crucial that we call attention to the flawed basis for the report’s findings and to the conclusions themselves. Especially because the report and its impact extend far beyond New York. Despite its inaccurate guiding assumption and its flawed methodology, the NYPD report has influenced other police departments in the U.S. as well as law enforcement officials abroad. We fear that—if put into practice—the policing strategies endorsed in the NYPD’s report will harm minority communities and effective counterterrorism policy around the country.

The Brennan Center has served as an advisor to MACLC as they considered their response to the NYPD. Together, we’ve worked to minimize the potential for damage created by the NYPD report and its poorly supported and dangerous findings.

MACLC’s critique of the NYPD’s report is an essential first step in remedying damage the report has already caused by advocating for a sound, rights-respecting policy based on broad, public participation and informed discussion. We urge the NYPD to respond formally and publicly. We hope the NYPD will engage and consult with the Muslim community as well as community-based organizations as they formulate sound law enforcement policy that will promote both security and civil liberties.

Thank you.