

Cinematheque and Special Programs & Fall 2016 Schomburg Series Present:
The Homeland Generation - Legacies of 9/11 Fifteen Years Later
Co-sponsored by Law & Society Program, SCOTUS, and Platinum Fund

Law, Media, & Social Justice

Program One:

Thursday, November 10
1 - 2 pm // Friends Hall

Case Study: Defeating Stop & Frisk

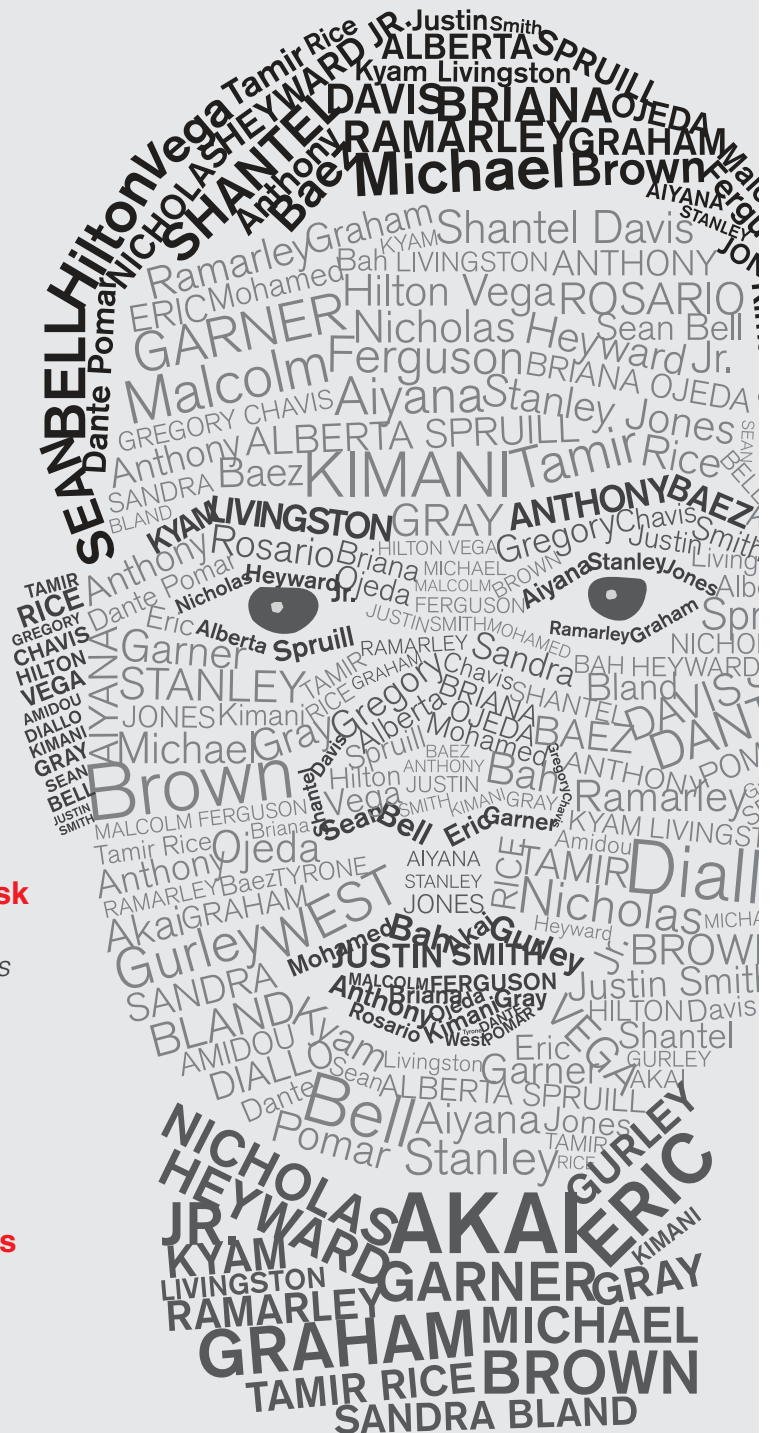
Chauniqua Young
Attorney, Center for Constitutional Rights

Program Two:

Tuesday, November 15
12 - 1:40 pm // Friends Hall

Lawyers, Filmmakers, & Communities: Post 9/11 Strategies Against Racial Profiling

Excerpts of *Profiled and Point of Attack*
Kathleen Foster, Director
Chauniqua Young, Attorney



To request disability-related accommodations,
please call at least 24 hours in advance:
(201) 684-6856.

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SCHEDULE OF EVENTS

Stop & Frisk Lawyer, Award-Winning Filmmaker
Explore Links between Law, Media, and Social Justice

MONDAY, 11/10 @ 1-2PM – FRIENDS HALL

PROGRAM #1: DEFEATING STOP AND FRISK

Attorney Chauniqua Young, former Bertha Justice Fellow with the Center for Constitutional Rights (CCR), will discuss her work as part of the CCR team that brought the successful federal lawsuit against the New York Police Department's (NYPD) "stop and frisk" policies. At its height in 2011, the NYPD conducted approximately 685,000 stops and frisks, 85 percent of which targeted Black and Latino people, with a yield of only 1.14 percent that found weapons or contraband. Young will also discuss the role of organized pressure from communities and social movements in supporting legal challenges, and how lawyers are using their expertise to make a difference.

TUESDAY, 11/15 @ 12-1:40 PM – FRIENDS HALL

PROGRAM #2: LAWYERS, FILMMAKERS, AND COMMUNITIES: POST-9/11 STRATEGIES FOR CHALLENGING RACIAL PROFILING

Chauniqua Young and Kathleen Foster will screen and discuss excerpts from two of Foster's films that criticize the expanded surveillance of citizens and non-citizens after 9/11 as part of the "War on Terrorism." *Point of Attack* (2004) shows the profiling and detention of Arab and Muslim men after 9/11 and documents the growing legal and social movements challenging their legality and effectiveness. *Profiled* (2016) knits the stories of mothers of youth murdered by the NYPD into a powerful personal story and political indictment that situates racial profiling and police brutality within the context of slavery, Jim Crow segregation, mass incarceration, and the emergence of new social movements challenging them.

FALL 2016 SCHOMBURG SERIES:

THE HOMELAND GENERATION: LEGACIES OF 9/11 FIFTEEN YEARS LATER – THE 'FOREVER WAR,' ECONOMIC INSECURITY, & THE RISE OF NEW SOCIAL MOVEMENTS

The Fall 2016 Distinguished Schomburg Visiting Fellows Series coincides with the 15th anniversary of the 9/11 World Trade Center attacks. The series is directed toward Ramapo students -- the "Homeland Generation" -- who were only toddlers in 2001. Four Distinguished Fellows -- scholars, filmmakers, lawyers, and scientists -- explore the legacies of 9/11 fifteen years later, including the impact of continuing military involvement in the Middle East and Asia and their economic and political consequences at home; the current legal debates and challenges related to violations of human rights, surveillance, police brutality and racial profiling; the ways that social movements have developed in the post 9/11 era to challenge policies of mass incarceration, increased police militarization, and economic insecurity; how changes in the international system post-9/11 have shaped America's foreign relations with major Eurasian powers and regional economic/security organizations; and whether the global war on terrorism, international financial crises, and political social unrest have led to the reemergence of protectionism, isolationism, and hyper-nationalism in America and abroad. Faculty organizers include Dean Chen, Rebecca Root, Pinar Kayaalp, SSHGS; Erin Augis, SSHS, and Bonnie Blake, Renata Gangemi, and Pat Keeton, CA.

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ABOUT THE ISSUES: **PROFILED**

LINKS/SUMMARIES OF ARTICLES: INEQUALITY, RACIAL PROFILING, POLICE BRUTALITY

“Fatal Force 807: Police shootings 2016 database.” (Interactive Graphics).

Summary: Database compiled by *The Washington Post* that includes an interactive graphic for each of the 807 individuals who have been shot and killed by police in 2016, with a graphic box link to each victim, which shows the state, gender, race, age, mental illness of individual, weapon or not, police body camera or not, if fleeing scene, and name of officer if identified. The database is based on news reports, public records, social media and other sources. Links are provided for the methodology, downloading the data, and related articles.

SOURCE: Fatal Force 807: Police shootings 2016 database. (7 July 2016). *Washington Post*
At <https://www.washingtonpost.com/graphics/national/police-shootings-2016/>

“Ferguson is Everytown, U.S.A.”

Summary: The tragic killing of college-bound teenager Michael Brown has raised questions about the frequency with which police kill unarmed black men in America. The answer, unfortunately, is far too often. The killing of black men in incidents that begin as investigatory police stops are anything but unusual in America. In this sense, Ferguson is Everytown, U.S.A. There is a reason for this. More than 240 years of slavery and 90 years of legal segregation in this country have created a legacy of racialized policing. Killings and beatings lie at one end of a spectrum in which black people — and young black men in particular — are routinely stigmatized, humiliated, and harassed as targets for police stops, frisks, and searches, even when they are doing nothing wrong.

SOURCE: Choudhury, N. (2014, August 8). Ferguson is Everytown, U.S.A. *American Civil Liberties Union* at <https://www.aclu.org/blog/racial-justice-criminal-law-reform-free-speech/ferguson-everytown-usa>

“Stop and Frisk: The Human Impact: The Stories Behind the Numbers.”

Summary: This report of interviews with people stopped and frisked by the NYPD documents widespread civil and human rights abuses, including illegal profiling, improper arrests, inappropriate touching, sexual harassment, humiliation and violence by police officers. The majority of those were Black or Latino people, but the report also abuses of other groups such as LGBTQ/GNC people, non-citizens, homeless people, religious minorities, low-income people, residents of certain neighborhoods and youth.

SOURCE: Center for Constitutional Rights. (July 2012). Stop and Frisk: The Human Impact: The stories behind the numbers | The effects on our communities. 40 pages. Study funded by Atlantic Philanthropies. At <http://www.atlanticphilanthropies.org/app/uploads/2015/09/the-human-impact-report.pdf>

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“It Would Take African-Americans 228 Years to Reach the Same Level of Wealth as Whites.”

Summary: This article, which summarizes a new study by the Institute of Policy Studies on the racial divide, explores the ways in which race is how economic class is lived in America. Slavery, Jim Crow, and continuing discrimination in hiring, promotion, banking, housing and labor markets maintain a black/white wealth gap that would take Blacks 228 years to bridge.

SOURCE: Devega, C. (21 Aug. 2016). *White privilege as economic reality: It would take African-Americans 228 years to reach the same level of wealth as whites.* *Salon*. At <http://www.salon.com/2016/08/21/white-privilege-as-economic-reality-it-would-take-african-americans-228-years-to-reach-the-same-level-of-wealth-as-whites/>

“Floyd, et al. v. City of New York at a Glance. Case Timeline.”

Summary: This provides a timeline, background, and overview of the “stop and frisk” case, Floyd, et al. v. City of New York by the Center for Constitutional Rights, including the August 12, 2013 court judge ruling that the City was liable for constitutional violations and charged to implement remedies.

SOURCE: Center for Constitutional Rights. (9 August 2016). *Floyd, et al. v. City of New York at a Glance. Case Timeline.* At <https://ccrjustice.org/home/what-we-do/our-cases/floyd-et-al-v-city-new-york-et-al>

“Where Do We Go from Here? Mass Incarceration and the Struggle for Civil Rights”

Summary: The root cause of the hyperincarceration of blacks (and in particular black men) is society’s collective choice to become more punitive. These tough-on-crime laws, which applied to all Americans, could be maintained only because of the dual legal system developed from the legacy of racism in the United States. That is, race allowed for society to avoid the trade-off between societies’ “demand” to get tough on crime and its “demand” to retain civil liberties, through unequal enforcement of the law. In essence, tying crime to observable characteristics (such as race or religious affiliation) allowed the majority in society to pass tough-on-crime policies without having to bear the full burden of these policies, permitting these laws to be sustained over time.”

Source: Cox, R. (2015, January 16). *Where Do We Go from Here? Mass Incarceration and the Struggle for Civil Rights.* *Economic Policy Institute*. At <http://www.epi.org/publication/where-do-we-go-from-here-mass-incarceration-and-the-struggle-for-civil-rights/>

“DOJ must Investigate Arrests of Citizens who Document Police Killings”

Summary: The International Documentary Association petitions the Department of Justice to investigate arrests of citizen journalists who videotape police killings of citizens in marginalized communities.

Source: International Documentary Association. (12 Aug. 2016). *#RIGHT TO RECORD: DOJ must Investigate Arrests of Citizens who Document Police Killings.* At <https://boingboing.net/2016/08/12/the-frontline-filmmakers-dema.html>

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ABOUT THE ISSUES: **POINT OF ATTACK**

LINKS/SUMMARIES OF ARTICLES: THE PATRIOT ACT, ITS EFFECTS, TAKING ACTION

Surveillance Under the PATRIOT Act (with Infographic)

Summary: The American Civil Liberties Union details how The PATRIOT Act enables the government to surveil innocent American citizens. Between 2003 and 2006, the 192,499 National Security Letters (NSLs), without a judge's approval, to obtain personal information – which led to only one terror-related conviction. Link to infographic about what the PATRIOT Act allows the government to do

Overview of the PATRIOT Act and Its Effects: The events of 9/11 resulted in a surge of concern for Americans' safety and a need for protection against future terroristic threats. In 2001, Congress and then President George W. Bush responded to this fear by passing "The PATRIOT Act", or in full, "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001." The objectives of this law were to minimize terror threats through surveillance, detentions and deportations, and to increase the government's intelligence gathering ability. This law has resulted in racial and religious profiling that disproportionately targets Muslim, Arab, and South Asian immigrants and citizens. Muslim and Arab men were obligated to register with the US Government and be fingerprinted, have been subjected to special screening and intense questioning, and have been unjustifiably detained or deported. The law has been criticized as violating essential civil liberties, by limiting the right to privacy and undercutting First Amendment rights. The "War on Terrorism" has resulted in a "war" against civil liberties that, while predominately affects Muslims, Arabs, and South Asians, also has grave implications for all Americans.

The Public's Response: The federal government's suspicion and action against Muslims, Arabs, and South Asians has stoked the public's fear and hatred of these individuals. In the decade after 9/11, hate crimes and workplace discrimination towards these groups, specifically Muslims, increased by dramatic percentages (500% and 150% respectively). Islamophobia is a persistent force in the US even today, 15 years after 9/11. Several groups and institutions that seek to protect civil liberties and prevent anti-Muslim discrimination have sought to expose, investigate, and attempt to stop such racially and religiously fueled actions within government security agencies. The Muslim Public Affairs Council (MPAC), the American Civil Liberties Union (ACLU), and the American-Arab Anti-Discrimination Committee (ADC) are a few of the groups who have filed requests with the FBI in order to determine the context and quantity of intelligence gathering specific to First Amendment related activity. Such requests, utilizing the Freedom of Information Act, sought to increase the FBI's transparency, and confirm Constitutional rights were not being infringed upon. The Justice Department was also petitioned by civil rights groups to investigate the NYPD's use of surveillance and mapping of New York's Muslim community, regardless of any verifiable suspicion. While the 2015 appellate court case *Hassan v. City of New York* determined that such surveillance is discriminatory, there is no evidence that the NYPD has abandoned tactics that target the Muslim community.

Source: American Civil Liberties Union. (2016). Surveillance Under the Patriot Act. At

<https://www.aclu.org/infographic/surveillance-under-patriot-act>

Over 120 Rights, Faith, and Community Groups Ask Justice Department to Investigate.

Summary: The American Civil Liberties Union describes how a coalition of religious and rights groups petitioned the Justice Department to investigate the NYPD for information gathering tactics fueled by discrimination against Muslims.

Source: ACLU. (2013, October 24). Over 120 Rights, Faith, and Community Groups Ask Justice

Department to Investigate NYPD for Muslim Surveillance. Retrieved October 25, 2016, from

<https://www.aclu.org/news/over-120-rights-faith-and-community-groups-ask-justice-department-investigate-nypd-muslim>

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LINKS/SUMMARIES OF ARTICLES: THE PATRIOT ACT, ITS EFFECTS, TAKING ACTION

“Critics say bill would turn communities into ‘mini-surveillance states.’”

Summary: The Brennan Center for Justice at NYU School of Law released an open letter signed by a coalition of 42 civil rights organizations, that opposes a proposed bill designed to counter violent extremism on the basis that it threatens “freedom of speech, association, and religion,” while doing little to actually combat terrorism. The bill would create a new government Office of Countering Violent Extremism (CVE), which the letter says is based on a theory of countering extremism that is backed by little empirical data. The bill would identify “religious and political views” as markers of pre-terrorism “that must be reported,” which would stifle public discourse while stigmatizing entire communities.

Source: Hussain, M. (15 July 2015). Critics say bill would turn communities into ‘mini-surveillance states.’ *The Intercept*. At <https://theintercept.com/2015/07/15/civil-rights-groups-blast-proposed-government-office-countering-violent-extremism/>

ADAMA (2011, David Sutcliffe, USA, 56:38m, documentary)

Summary: On March 24th, 2005, Adama Bah, a 16-year-old Muslim girl, awoke to see nearly a dozen armed agents inside her family’s apartment in East Harlem. She was arrested and taken to a maximum-security juvenile detention center in Pennsylvania. An FBI document leaked to the press mysteriously identified her as a “potential” suicide bomber and “imminent threat to the security of the United States.” After six weeks she was released with an ankle bracelet and a deportation order, but no terrorist charges. *Adama* captures her desperate efforts to keep her family from unraveling.

Source: Akitobi, E. (19 Aug. 2015). Watch ‘Adama’ – 55-Minute Film about 16-Year Old Muslim Girl Mysteriously Tagged a Suicide Bomber. At <http://www.indiewire.com/2015/08/watch-adama-55-minute-film-about-16-year-old-muslim-girl-mysteriously-tagged-a-suicide-bomber-151805/>

(T)ERROR. (2014, David Sutcliffe/Lyric Cabral, USA, 85m, documentary)

Summary: *(T)ERROR* is the story of a 62-year-old Black Panther-turned-counterterrorism informant for the Federal Bureau of Investigation. “Shariff” has been an FBI informant for decades, but the mounting strain and his acquaintance with a filmmaker leads him to document his last counterterror assignment, aware of the repercussions he’ll face. The result is a look into the shadowy process by which the government tries to address potential jihadist threats, and puts a human face on the people recruited to do its bidding, risking their reputations and lives. **Streaming on Netflix.**

Source: *(T)ERROR* at <http://terrordocumentary.org/>. Also see interview on *Democracy Now!* (20 April 2015). At http://www.democracynow.org/2015/4/20/fbi_informant_exposes_sting_operation_targeting

“US’ top terror cities: Old practice, new discourse”

Summary: An article first published in *The Intercept* exposed “Barack Obama’s Secret Tracking System,” documenting greater surveillance dedicated to monitoring Muslims, especially in large cities with sizeable Muslim-American populations. Yet, even before the Patriot Act, COINTELPRO drove government monitoring of Black Muslims in the early 1950s and 1960s, and in 1978, the [Federal Investigative Surveillance Act](#) (FISA) gave the government authority to spy on “foreign powers” and their “agents”, including US citizens. In 1995, the Antiterrorism and Effective Death Penalty Act (AEDPA) disproportionately affected Muslim-American defendants accused of terrorism although a white American did the Oklahoma City bombing that prompted its passage.

Source: Beydoun, K.A. (18 Aug. 2014). “US’ top terror cities: Old practice, new discourse. *Opinion. Al Jazeera*. At <http://www.aljazeera.com/indepth/opinion/2014/08/us-top-terror-cities-old-practi-201481875322766485.html>

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ABOUT FILMMAKER KATHLEEN FOSTER



Since the mid-1980's, Kathleen Foster has been making films for community organizations and producing independent documentaries that combine elements of history, current events and individual stories, focusing on grassroots struggles for change. Her films have been screened at such prestigious venues as the Museum of Modern Art, the Asia Society, Queens Museum, Anthology Film Archives, and Brecht Forum. She has spoken at screenings of her films at universities around the country including NYU, Columbia, Boston, MICA, UCLA, Howard, and Princeton. She has received grants from the New York State Council on the Arts, the Funding Exchange, The Paul Robeson Fund, the Yip Harburg Foundation, Lifebridge Foundation, and the Experimental Television Center. She is the

recipient of Women In Islam's 2006 Compass Award, given to women, in celebration of the example and legacy of Dr. Betty Shabazz,. Her photos have appeared in *The New York Times*, *Scholastic* magazines, *Time*, *Village Voice*, *Food and Wine*, *Fortune*, *Institutional Investor* and *Z Magazine*.

ABOUT ATTORNEY CHAUNIQUEA YOUNG



CHAUNIQUEA D. YOUNG is currently an associate at Outten & Golden LLP. A member of the firm's Class Action Practice Group, she represents employees in discrimination and wage and hour litigation. Before joining the firm in 2014, she was a Bertha Justice Fellow at the Center for Constitutional Rights. She successfully litigated federal class action lawsuits on behalf of victims of discrimination, represented employees on workplace retaliation issues, and represented prisoners challenging procedural due process and First Amendment violations. She was honored at the National Lawyers Guild – New York City Chapter 2014 Spring Fling for her work on *Floyd v. City of New York*, No. 08 Civ. 1034 (S.D.N.Y.), one of the Center for Constitutional Rights' cases. She received her B.A. from Sarah Lawrence College and J.D. and Certificate in Dispute Resolution from Benjamin N. Cardozo School of

Law. During law school, Ms. Young worked at the International Commission for Labor Rights, the Restaurant Opportunities Center of New York and plaintiff-side labor and employment law firms; served as an advocate in the Suspension Representation Project and the Cardozo Human Rights and Genocide Clinic; and served as a mediator in the Cardozo Mediation Clinic. She also served as President of the Cardozo Black Law Students Association in 2010-2011 and the Cardozo Labor and Employment Law Society in 2011-2012. She received the E. Nathaniel Gates Award for her work in the Cardozo Human Rights and Genocide Clinic and the Cardozo Black Law Students Association. She is a member of the National Employment Lawyers Association and its New York affiliate, the National Lawyers Guild, the New York City Bar Association, and the American Bar Association.



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ABOUT THE FILM: *PROFILED*

In ***PROFILED*** (2016, USA, 54m) racial profiling and police brutality are explored through the stories of black and Latin mothers of unarmed victims of fatal police shootings. Six months ago their ordeal was little known outside their communities. Today, with the widely circulated video of Eric Garner on Staten Island, killed in a police officer's chokehold, followed just days later by the killing of Michael Brown in Ferguson, Missouri, the issues and concerns raised by the women resonate across the nation. Demonstrations against police brutality that previously attracted only hundreds of protestors have now swelled to thousands.

Information about the film and press kit at <http://www.kathleenfoster.com/>

ABOUT THE FILM: *POINT OF ATTACK*

POINT OF ATTACK (2004, USA, 46m) chronicles the post-9/11 racial profiling, large-scale round-ups, detentions and mass deportations of Arab, Muslim and South Asian men as part of the U.S. government's "War on Terrorism," framing the plight of these immigrant communities within the broader context of the U.S. government's "other war" against civil liberties being waged via the USA Patriot Act. *Point of Attack* was selected by the American Library Association's Notable film List of 2005. The annual list recognizes non-feature titles that expand viewer knowledge on new and difficult topics, contribute to the resolution of contemporary problems, expand the boundaries of visual media, and demand artistic and visual merit. Distributed by Cinema Guild at www.cinemaguild.com/catalog

ABOUT THE CENTER FOR CONSTITUTIONAL RIGHTS

The Center for Constitutional Rights, (CCR), is dedicated to protecting the rights guaranteed by the Constitution and Declaration of Human Rights. CCR is a non-profit legal organization that is committed to utilize law as a positive catalyst for social change. Attorney's that helped represent the civil rights movement founded CCR in 1966. CCR aims to empower poor communities and communities of color in order to guarantee the rights of those with few protections and lack of access to legal resources. The innovative strategies have provided education to the next generation of human rights attorneys, to strengthen the movement for social justice. CCR accepts cases based on the value, not based on calculations of possible success. Changes can happen inside and outside the courtroom, and CCR will stand by the cause and the client no matter how long it will take. CCR will continue to defend movements for social change, and will continue to devise strategies so many, not just privileged, can enjoy rights.