April 23, 2024

SENT VIA EMAIL

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Re: Complaint Against Rutgers University Concerning Anti-Palestinian Discrimination

Assistant Secretary Lhamon, et al.:

The American-Arab Anti-Discrimination Committee ("ADC") and the Council on American-Islamic Relations – New Jersey ("CAIR-NJ") write to make a complaint against Rutgers University ("Rutgers" or "the university") concerning anti-Palestinian discrimination that Rutgers students have been experiencing from and on its campuses over the course of this academic year. Through the Muslim Law Students Association ("MLSA") and the student chapter of the National Lawyers Guild ("NLG") of Rutgers University Law School - Newark ("Rutgers Law" or "the law school"), we have gained insight into systemic discrimination at Rutgers. The allegations in this complaint reflect an ongoing pattern and practice of direct and indirect discrimination by Rutgers, as well as Rutgers' deliberate indifference to a hostile learning environment on its campuses for students who hold, are perceived to hold, or are affiliated or associated with Palestinian identity. Such students include members of the MLSA and NLG and many other students involved this academic year in activism supporting Palestinian lives and liberation. Based on the allegations in this complaint, we urge systemic investigation of Rutgers and remediation under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *et seq*. ("Title VI"), its implementing regulations, and related policies and guidance of the Office for Civil Rights ("OCR") within the U.S. Department of Education ("DOE").

I. OCR's Jurisdiction

Rutgers is a public university that receives federal funding from DOE and is therefore subject to Title VI. 34 C.F.R. §§ 101.1–101.2. The allegations in this complaint reflect national-origin discrimination under Title VI against students who hold, are perceived to hold, or who are associated or affiliated with Palestinian identity, by virtue of their skin color, dress, the ancestry of their name(s), their religious practice(s), and/or their speech and activism in support of Palestinian lives. This complaint is timely because it alleges an ongoing pattern and practice of discrimination and a related hostile environment at Rutgers reflected in various incidents on and around the university, the most recent of which have occurred within 180 days. *Id.* § 100.7(b). ADC and CAIR-NJ have not raised the Title VI claims in this complaint against Rutgers to another agency or forum.

II. Factual Allegations

The allegations that follow come from Rutgers law and undergraduate students. The allegations include hyperlinks to public-source material and hyperlinks to sensitive, non-public materials in the possession of relevant students and undersigned counsel. Once OCR assigns this complaint a complaint number, undersigned counsel will provide relevant OCR personnel access to the non-public links via their OCR email addresses.

Introduction and background

1. We write as student members of the National Lawyers Guild Rutgers Law School Newark and the Muslim Law Students Association, on behalf of a diverse body of concerned students from various Rutgers campuses across the state. As aspiring legal advocates concerned with the prevention of harassment and discrimination, we are deeply troubled by the University's failure to protect students who hold, are perceived to hold, or who are associated or affiliated with Palestinian identity against discrimination and harassment by Rutgers personnel and third parties. In the months following the events of October 7, 2023, this class of students has been subject to increased harassment, discrimination, intimidation, and physical violence. The purpose of this complaint is to seek enforcement of the University's obligations under Title VI of the Civil Rights Act of 1964.

2. Students across Rutgers campuses in the State of New Jersey have stood in uncompromising solidarity with the Palestinian people in their national liberation struggle as they continue to resist US-backed Israeli colonization,

illegal military occupation, and apartheid before and after October 7th. No one and nowhere in Gaza is safe from Israeli military violence. Israel's genocide of the Gaza Strip has targeted Palestinians in their homes, colleges, churches, mosques, evacuation caravans, hospitals, refugee tents, UN shelters, food lines, and more in clear contravention of international law. Over 33,000 Palestinians have been killed and 77,000 injured in a campaign the world's highest court has recognized as plausibly genocidal.

3. While Palestinians in Gaza face genocide, Palestinians in the West Bank face ongoing military occupation and pogromist violence from settler mobs that act with impunity.

4. Rutgers is the flagship educational institution of the State of New Jersey, home to 67,200 students and over 10,000 educators across four campuses.

5. New Jersey is home to one of the largest communities of Arab Americans in the country, second only to Michigan. Paterson, New Jersey is home to one of the largest Palestinian populations in the country, second only to Chicago. New Jersey is also home to the highest concentration of Muslim residents in the United States.

6. Thousands of New Jerseyans who are Palestinian, perceived to be Palestinian, or are associated or affiliated with Palestinians—including many Arabs and Muslims—have cycled in and out of Rutgers to teach and learn.

7. For these members of the Rutgers community, it is our families, friends, and loved ones being killed. Palestinians in Gaza face a genocide while Palestinians in the West Bank face military occupation and pogromist violence from settler mobs. And due to the action and inaction of universities across the country, Palestinians in the United States face violence on their own campuses, simply for organizing against a genocide of their own people. The devaluation of Palestinian lives that lies at the root of Israel's genocide and international complicity extends to US college campuses.

8. As a result of the ongoing genocide in Gaza and mass murder of Palestinians, students across Rutgers campuses have exercised their right to engage in constitutionally protected speech to support Palestinians, as well as condemn the actions of Israel and the United States. Palestinian identifying or perceived students who choose to speak out against the genocide face an onslaught of

harassment, censorship, intimidation, and violence from fellow students and faculty, emboldened by the administration's failure to protect its students.

9. Rutgers has had ample notice of the ongoing pattern and practice of direct and indirect anti-Palestinian discrimination from the university and hostile on-campus environment. Nonetheless, Rutgers has failed to respond or take any meaningful steps to address it.

10. Rutgers' actions and inactions have been emboldening and exacerbating on-campus Anti-Palestinian discrimination in alarming ways. In this way, Palestinians have become defacto second-class students on their own campuses. Rutgers must engage in proactive protection, not reactive remedies.

11. The following factual allegations have been anonymized to protect the identities of all students referenced: both those experiencing discrimination and those inflicting it.

12. Given the fear that students feel for their physical safety because of doxxing and physical violence that has already occurred on campus, the anonymization of the identities of the people discriminating against them may help minimize the risk of retaliation and escalation from those people and/or third parties.

Allegations relevant to all Rutgers campuses

13. On October 9, 2023, President of Rutgers University, Jonathan Holloway, released a statement on circumstances in Israel and Gaza.

14. On October 11, 2023, President Holloway followed up with another statement, which was exclusively pro-Israel because it did not acknowledge Palestine (referring only briefly to Gaza) and did not acknowledge the nearly 1,000 Palestinians whom the Israeli military had killed within the past week. He wrote "What Hamas did in brutally murdering, torturing, and holding hostage innocent Israeli victims of all ages was unconscionable and an act of terrorism. That Hamas has reportedly threatened to murder the hostages one by one, and show them on film, only reinforces their brutality and terrorism. Our hearts go out to the people of Israel."

15. Immediately following this one-sided email, students, alum, and faculty alike emailed the President and his office, urging him to correct his statement and to address its impacts on many members of the university community. On October 13, 2023, Muslim alumni of Rutgers sent a letter to President

Holloway, writing "[President Holloway's] pro-Israel remarks not only are skewed and insensitive to the plight of millions of innocent brothers and sisters struggling and dying in Palestine, but are dangerous in that they perpetuate the stereotype of Palestinians as terrorists and create an unsafe environment for Muslims and Arabs on campus, in our home communities, and at large."

Allegations relevant to Rutgers Law School – Newark Campus

16. On October 11, 2023, the Dean of Rutgers Law School, Johanna Bond, followed up on President Holloway's statements by sending an email to the law school student body that mentioned neither Palestinians, Israelis, Israel, Palestine, or Gaza, stating, "Like all of you, I have been deeply saddened by the tragic loss of life in recent days in the Middle East." When offered the opportunity to correct President Holloway's one-sided message to the student body and to address its impacts on Palestinian and other students on campus, Dean Bond failed to use it.

17. On October 12, 2023, Palestinian law student D.A. urged President Holloway and law school deans Johanna Bond, Sarah Regina, and Shani King to protect the rights and safety of all students on campus, predicting President Holloway's email would lead to anti-Palestinian violence and discrimination against students:

> "Please see my email to President Holloway regarding this racist, inciting email against Palestinians, Arabs, and Muslims below. What is it that the university will be doing to ensure the safety of supporters of Palestinians rights - and those closely associated with Palestinians - in light of this sickening email? I am a student here, and just like anyone else, I expect that my identity as a Palestinian, my beliefs as a Muslim, and my viewpoints as a supporter of Palestinian freedom will be respected. This is not only my request, but my right as a student at a public university."

Deliberate Indifference to the Doxxing of a Palestinian, Muslim Student and of a South Asian, Muslim Student

19. On October 12, 2023, students A.A. and B.A. were doxxed by C.A., a peer in the law school student government known as the Student Bar Association ("SBA").

20. A.A. is an olive-skinned, Muslim, and Palestinian student with a beard.

21. B.A. is a brown-skinned, South Asian, Muslim student.

22. In an email directed to a large group, C.A. shared screenshots of messages of B.A. and A.A. from the SBA group chat, falsely asserting that they "supported Hamas," a designated Foreign Terrorist Organization ("FTO"). This email group included Dean Nikita Pandit and Professor T.A.

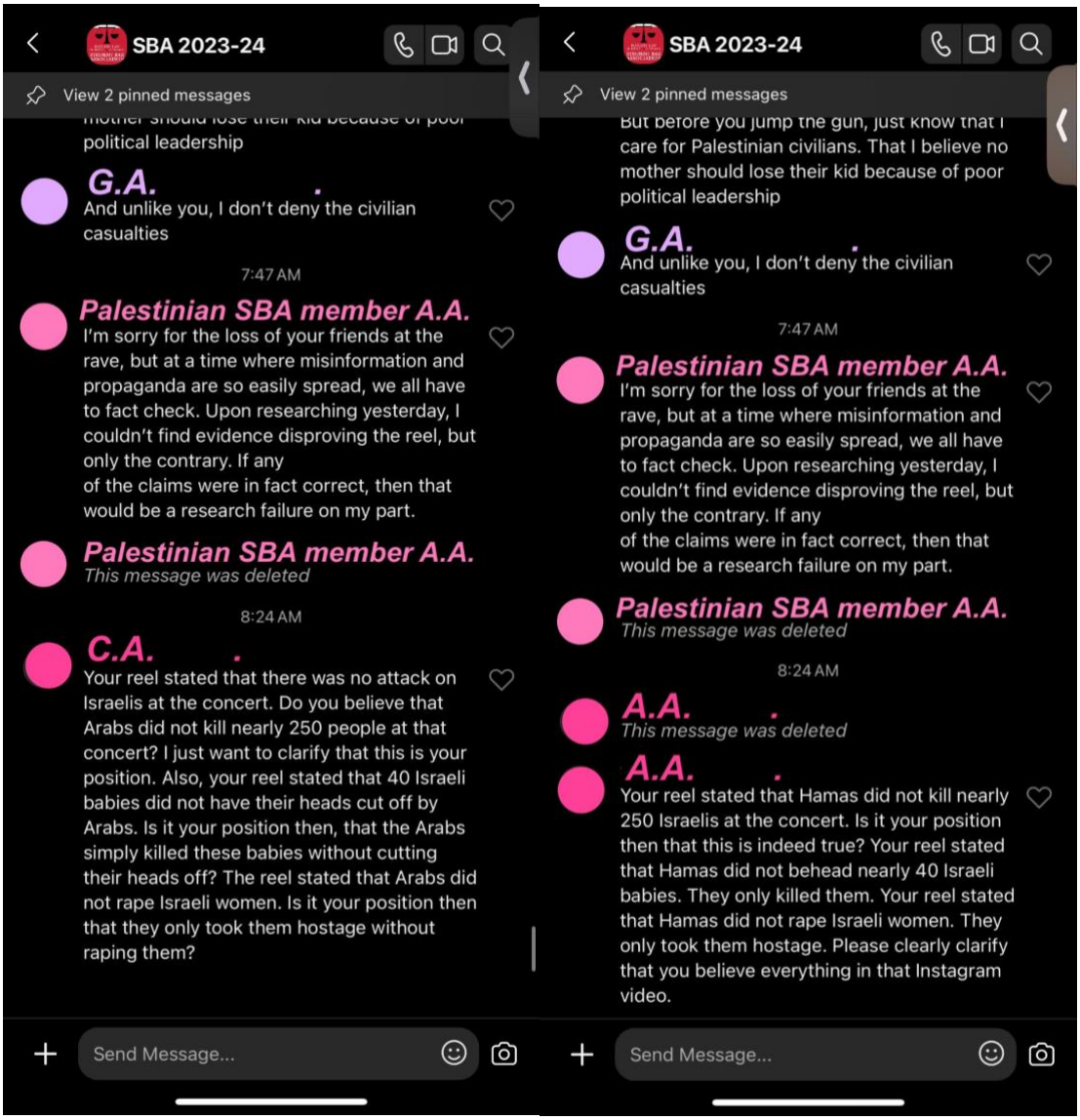
23. C.A.'s email had been prompted by an email from the Jewish Law Student Association ("JLSA"), encouraging its members to "take screenshots" and "make records" of pro-Palestinian activity.

24. In his email, C.A., an elected representative and member of the SBA, doxxed A.A. and B.A. by encouraging everyone in the email group to widely share with their networks these students' names and faces: "Please add me to the WhatsApp group. I am taking receipts of the law school students who are publicly supporting Hamas. See the attached screenshots of these individuals. Please share with your friends."

25. A.A. and B.A. filed individual conduct and organizational conduct complaints against C.A. and the JLSA, respectively, on October 20, 2023, putting the Office of Student Conduct on notice as to the specifics of C.A.'s targeting of A.A. (Palestinian and Muslim) and B.A. (South Asian and Muslim).

26. As a result of being doxxed, A.A. and B.A. have been fearful of physical harm because of C.A.'s wrongly having labeled them to be supporters of an FTO. B.A. needed to consult with a mental health professional following a panic attack stemming from the doxxing. B.A. has reported being unable to sleep or focus on studying. The doxxing occurred during midterm exams, causing B.A.'s academic performance to suffer due to the anxiety surrounding this incident.

27. C.A. additionally sent a message in the SBA group chat directed to Palestinian student A.A. and conflating all Arabs with Hamas. C.A. had initially stated that "Arabs" had raped women, beheaded babies, and killed Jews and then deleted and re-sent the message, replacing "Arabs" with "Hamas."



28. On October 16, 2023, four Palestinian and Muslim students, including the two doxxed students (A.A., who is Palestinian and Muslim, and B.A., who is South Asian and Muslim), met with a number of law school deans, as well as members of the Division of Student Affairs at Rutgers Newark, which encompasses the Chancellor's office, Office of Student Conduct, and the Bias Education Response Team. These students met to directly discuss doxxing, hostility, and protection of students on campus who are Palestinian, perceived to be Palestinian, or associated or affiliated with Palestinians. The students expressed their concerns that President Holloway's one-sided email would operate as a green light for anti-Palestinian hostility to proliferate on campus, as suggested by the doxxing that had already happened to B.A. and A.A.. Students asked these officials to take a number of corrective actions, including:

a. Publishing a statement affirming the rights of student groups/students who have expressed support for Palestine to openly advocate for the rights of Palestinians;

b. Publishing a statement to condemn anti-Palestinian and other forms of racism and Islamophobia, which its students have been the target of since President Holloway's second university statement;

c. Apologizing for creating an environment that has encouraged further harassment and threats against students, particularly against students of color, Muslim students, and those connected to or supportive of the lives of Palestinians;

d. Providing resources for impacted students including channels for students to report incidents of discrimination or harassment and ensuring the reports are taken seriously and addressed promptly;

e. Conducting a thorough review of incidents of harassment and discrimination to ensure the rights of students are protected and the incidents are addressed appropriately;

f. Implementing educational initiatives and workshops aimed at fostering a culture of inclusivity, tolerance, and respect for students, including Palestinian students and their allies; and

g. Mandating trainings conducted by relevant advocacy organizations for university administration, staff, and faculty on the topics of anti-Palestinian racism and the Palestinian exception to free speech.

29. On October 18, 2023, Assistant Vice Chancellor and Dean of Students Erica Williams confirmed that the Office of Community Standards & Student Development was made aware of the incidents flagged to the deans on October 16, 2023, would address the individual cases, and would set up a meeting for the students with the Chancellor.

30. To date, the Palestinian and Muslim students who met with the deans on October 16, 2023, have still not received a resolution of their complaints or even an explanation about why the complaints have remained pending for over six months. Likewise, the law school has not held accountable or offered bias training to C.A. or any other members of the law school community who have harassed and doxxed Palestinian and allied students and has not scheduled

the requested follow-up meeting between the Chancellor and Muslim and Palestinian students.

Deliberate Indifference to Anti-Palestinian Discrimination Against an Anti-Zionist, Jewish Student

31. On October 12, 2023, F.A., a Jewish anti-Zionist student of the law school, stopped receiving emails on the JLSA email distribution after expressing solidarity with the Palestinian people. F.A. sent a text message to a member of the SBA, expressing concern that the removal was due to their solidarity with Palestine.

32. On October 13, 2023, a member of the SBA notified the administration on behalf of F.A. via email and was informed of the University's non-discrimination policy for student organizations on campus and that the administration was working on the reported issue, among others.

33. F.A. has not received any further emails from JLSA, while other JLSA members have continued to receive JLSA emails.

34. F.A. believes that JLSA is not welcoming of Jewish students like F.A. who reject the political ideology and ethno-centrism of Zionism, have a humanist perspective, and believe passionately in the lives and liberation of all people, including the Palestinian people.

35. JLSA's exclusion of F.A. from its emails and the law school's failure to remedy that exclusion sends the message to F.A. and other Jewish students like F.A. that supporting Palestinian freedom and rejecting Zionism come at the cost of losing access to meaningful aspects of campus life.

Deliberate Indifference to Anti-Palestinian Remarks Against a Student Group and Palestinian Student

36. On October 17, 2023, the student NLG chapter of the law school released a statement expressing solidarity with the Palestinian people in their continued struggle for liberation. This statement was circulated to the Rutgers Law Newark student body via email and group chat. The statement was also posted to the Minority Student Program official group chat, which includes approximately 300 students and some deans of the law school.

37. Later that day, in the Minority Student Program group chat, a JLSA member and student, G.A., accused the NLG chapter of the law school and another student, D.A., who is olive-skinned, Muslim, and Palestinian, of supporting terrorism: "I can't believe what I'm reading . . . It's beyond me how you [the NLG] could endorse a terrorist organization . . . . It's just how blatantly the statement you [D.A.] posted support [for] a terrorist organization that caught me by surprise."

38. Although D.A. was alarmed and offended by G.A.'s comments to her in the chat group, D.A. responded by inviting G.A.. and all students in the chat group to a teach-in on Palestine.

39. Dean Clifford Dawkins, the creator and moderator of the chat group, did not condemn, rebut, or acknowledge the remarks of G.A. to D.A. in the chat group or otherwise contact D.A. to gauge and address their impacts on her — although, earlier in the day, he had sent numerous messages in the chat group to urge civility and humanity there between students in their dialogue about the NLG statement.

40. D.A. was very troubled by Dean Dawkins' silence and non-engagement of G.A.'s remarks to her, given that the Minority Student Group is supposed to be a space committed to challenging racism and supporting students impacted by it. Instead of receiving support from Dean Dawkins, D.A. felt abandoned by him and left to conclude that racism against her did not matter to the dean.

41. On November 8, 2023, D.A. met with the Bias Education & Report Team ("BERT") of the law school about the bias incident in the Minority Student Program group chat and Dean Dawkins' failure to address G.A..'s comments to D.A. On November 12, 2023, December 11, 2023, and January 4, 2024, D.A. followed up with BERT staff to ask about any bias education interventions offered to or done with Dean Dawkins and G.A.. BERT did not respond to any of the emails from D.A.

JLSA Members' Contemplation of Doxxing NLG Members, in Retaliation for Their Support of Palestinian Lives and Liberation

42. On October 17 and 18, 2023, members of JLSA in the JLSA WhatsApp chat contemplated doxxing members of the NLG in retaliation for the NLG's pro-Palestinian statement.

43. Offering context to JLSA peers about the NLG, H.A., President of the JLSA, wrote in the chat: "[NLG] co-sponsored that event in the spring that [D.A.] did about Palestine and how the Jews are evil. Prof. [T.A.] went and she said it was awful" [sic].

44. JLSA member I.A. proposed about the NLG's statement, "Maybe we send this to some news outlet?"

45. G.A., the SBA representative who had discussed Palestinian classmate D.A. within the Minority Student Group chat space, asserting that D.A. supports terrorism, responded in the JLSA chat with a link to the Canary Mission page for D.A.

46. Canary Mission is a McCarthyite blacklist site that posts images and information of individuals who have been critical of Israeli governmental policies or practices. Canary Mission website listings are used by the Israeli government and border control to interrogate and deny entry of Palestinians and allies into Israel. Canary Mission maligns individuals by asserting them to be putative terrorists, putative Islamic extremists, and putative anti-Semites, and encouraging their large follower base to engage in targeted harassment.

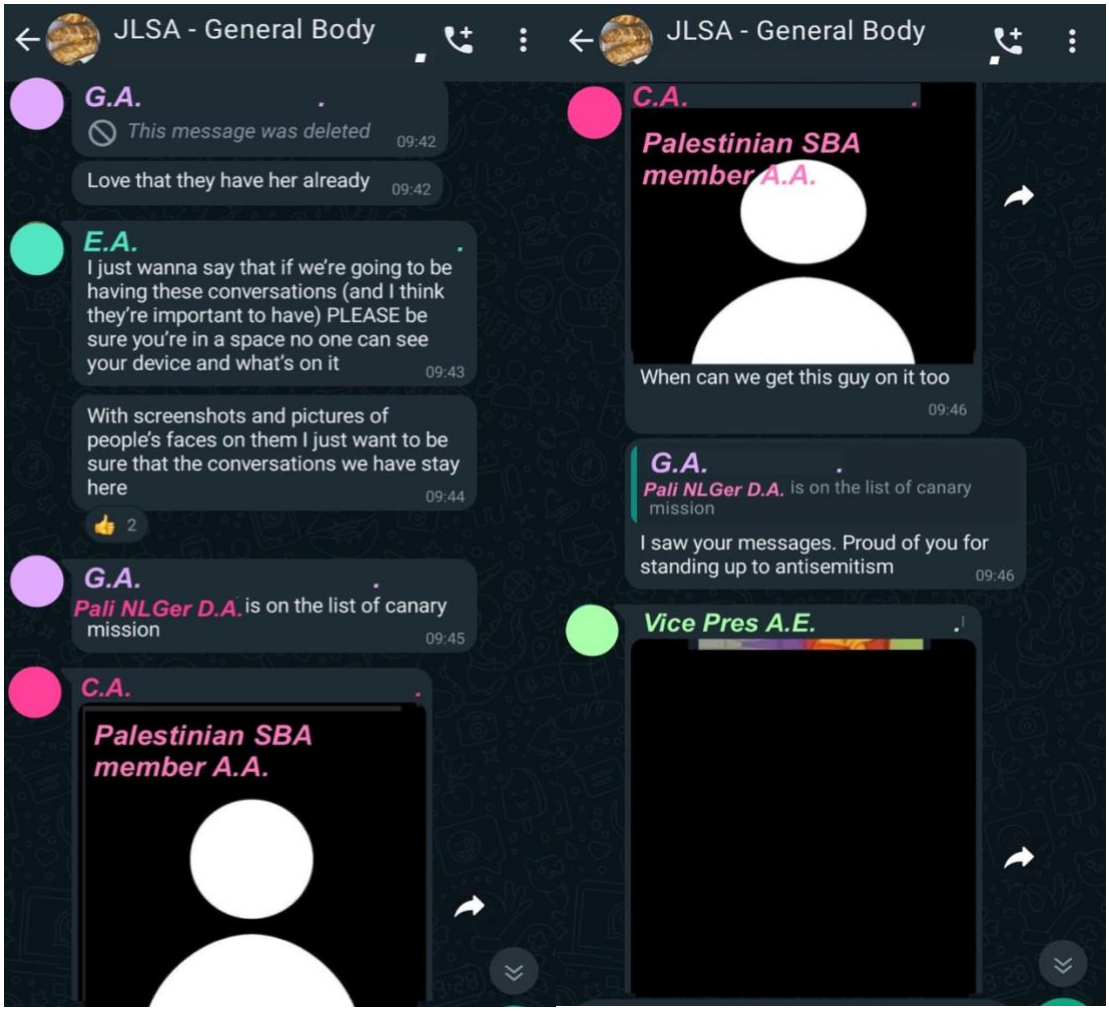
47. G.A. celebrated Palestinian student D.A.'s Canary Mission listing, writing in the JLSA chat, "Love that they have [D.A.] already."

48. D.A.'s McCarthyite dossier on Canary Mission lists her alleged associations, affiliations, education, work, social contacts, social media accounts, and screenshots from her private social media.

49. A student named E.A. warned others in the JLSA chat to cover their tracks, stating "I just wanna say that if we're going to be having these conversations (and I think they're important to have) PLEASE be sure you're in a space no one can see your device and what's on it[.] With screenshots and pictures of people's faces on them I just want to be sure the conversations stay here[.]"

50. G.A. reiterated to the group that "[D.A.] is on the list of canary mission[.]"

51. JLSA member C.A. replied to G.A.'s message, stating "I saw your messages. Proud of you for standing up to antisemitism[.]" C.A. then posted the photo and name of Palestinian student A.A., stating "When can we get this guy on it too." These messages of C.A. were subsequently deleted from the chat.

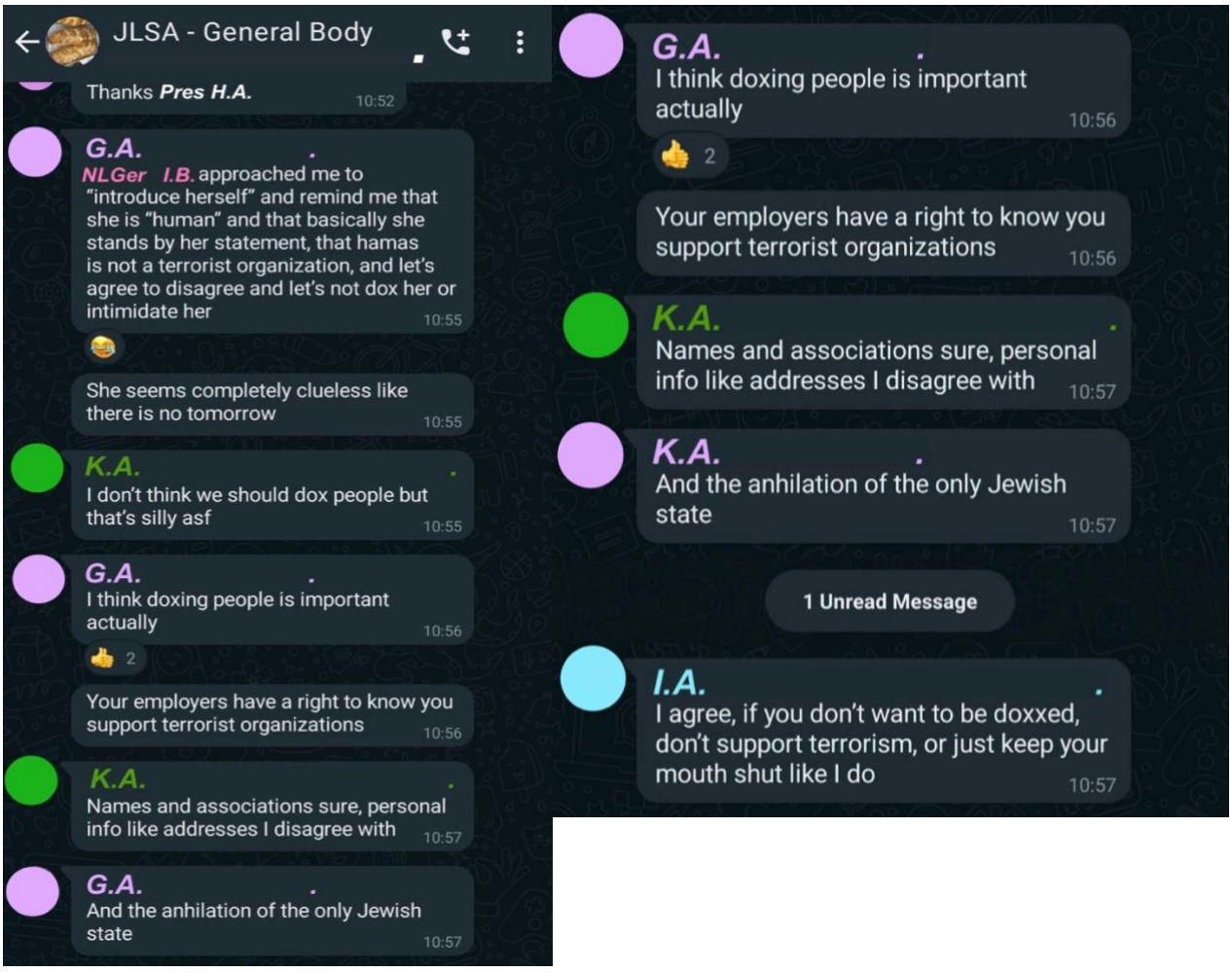


52. G.A. wrote about NLG member I.B. in the JLSA chat, stating: "[I.B.] approached me to 'introduce herself' and remind me that she is 'human' and that basically she stands by her statement . . . and let's agree to disagree and let's not dox or intimidate her[.] She seems completely clueless like there is no tomorrow."

53. Elsewhere in the chat, G.A. stated: "I think doxxing is important actually[.] Your employers have a right to know you support terrorist organizations[.]"

54. A student named K.A. in the chat agreed, but only in part, "Names and associations sure, personal info like addresses I disagree with[.]"

55. A student named I.A. in the chat stated, "I agree, if you don't want to be doxxed, don't support terrorism, or just keep your mouth shut like I do[.]"



56. G.A. got more concrete about how JLSA members could dox students who are Palestinian or perceived to be or associated or affiliated with Palestinians, writing: "What I had in mind was share the names of the E-Board of NLG to Canary Mission, StopAntisemitism.org, etc[.]"

57. Like Canary Mission, StopAntisemitism.org aims to silence Palestinians and allies with accusations of support for terrorism and anti-Semitism and encouraging their large follower base to engage in targeted harassment. The average tweet on @StopAntisemitism garners hundreds of thousands of views.

58. Both Canary Mission and StopAntiSemitism have targeted Palestinian, Arab, and Muslim professors and students at Rutgers, across its law school and undergraduate campuses.

59. A student named L.A. in the JLSA chat expressed interest in G.A.'s references to Canary Mission and StopAntiSemitism, asking, "Yeah, we can't inform employers?"

60. G.A. explained to her JLSA peers, "[T]hey usually inform employers, current and potential."

61. L.A. stated in the chat, "If I was an employer I would like to know if I was hiring a terrorist sympathizer[.]"

62. On the morning of October 18, 2023, NLG members, including Palestinian student D.A., received screenshots of the aforementioned JLSA chat and spoke in person with Deans Bond, King, and Regina to inform them of the related doxxing risks facing NLG students because of their support for Palestinian freedom.

63. During the meeting, D.A. emailed the deans a copy of the screenshots and reiterated to the deans that both President Holloway's one-sided email decrying only the loss of Israeli life and the university's inaction in response to the doxxing of A.A. (a Palestinian and Muslim student) and B.A. (a South Asian and Muslim student) had turned on a green-light for the proliferation of anti-Palestinian hostility on campus. D.A. again urged the deans to take concrete, swift action to stand against anti-Palestinian racism, again sharing the suggestions shared already with the Assistant Vice Chancellor and Division of Student Affairs.

64. Once NLG members knew of JLSA members' discussions about doxxing them, they grew very fearful, especially on campus. For example, a student named A.D. was unable to leave home in the days that followed and missed an exam and classes due to paralyzing fear, emailing the dean to express being gripped by distress. Other NLG members feared that abusers from whom they had fled would again find them because JLSA students would widely publicize their respective addresses.

65. In fear for their safety and their families' safety, NLG members taught one another how to remove their information from people search websites to prevent their classmates from accessing their private information.

66. All students of the law school have access to Lexis PeopleSearch, a robust search for public records operated by subscription. NLG students urgently emailed their Lexis representative to remove their information from this database from which they could not opt-out on their own.

67. Overall, NLG members felt anxious, distracted from their schoolwork, isolated, alienated, and on edge, for fear that JLSA members would go through with doxxing them in retaliation for their support of Palestinian lives and liberation.

NLG Students' Efforts to Seek Accountability through the SBA for Anti-Palestinian Racism and Related Targeting

68. On October 26, 2023, the SBA held an open meeting. In attendance were NLG members, who attended the meeting to request that C.A. and G.A. be impeached from their SBA positions, given their involvement in doxxing and/or their encouragement of doxxing, despite the prohibitions on doxxing reflected in the Rutgers Code of Student Conduct and the Anti-Discrimination Clause of the SBA Constitution.

69. Following the SBA meeting, C.A. filed a complaint against the SBA, the NLG, and members of the NLG who had spoken out against C.A. for doxxing students who are Palestinian, perceived to be Palestinian, or associated or affiliated with Palestinians by virtue of their activism.

70. Subsequently, the Office of Student Conduct imposed an immediate suspension on the SBA without any hearing and ceasing all SBA communications public or private (including group chats and emails to the school), meetings, and any SBA business (including delivery of a donation).

71. The SBA appealed its suspension, and a related hearing occurred on November 15, 2023. The SBA's suspension was lifted, but the SBA remains prohibited from holding the impeachment vote on SBA members C.A. and G.A. until the complaints are resolved.

Deliberate Indifference to JLSA Members' Contemplation of Doxxing NLG Members for Their Support of Palestinian Freedom

72. Doxxing is prohibited under Rutgers University Policy 10.2.11, Code of Student Conduct, Sections 6(VI)(A, E, H, and J). The prohibitions defined in the Code of Student Conduct apply both to individual students and to student groups. Section 6(III)(A) specifies the university's authority to enforce its policies both on its premises and in connection with off-campus conduct that affects a "University Interest." Under Section 6(II), the university's interests should be understood to extend to doxxing because of its implications for student safety and security.

73. Prior to October 19, 2023, students who are Palestinian, perceived to be Palestinian, or associated or affiliated with Palestinians asked university officials to affirm students' right to not face anti-Palestinian discrimination on campus, urging them to take measures to protect students from it. In response, Dean Bond sent an October 19 communication to the law school, in which the dean professed assorted commitments that students who are Palestinian, perceived to be Palestinian, or associated or affiliated with Palestinians have yet to see materialize meaningfully.

74. In response, such students again urged Dean Bond to make a specific and clear statement to the university community (1) defending their right to engage in advocacy in support of Palestinian lives and liberation and (2) condemning the doxxing of students specifically for being Palestinian, being perceived to be Palestinian, or associating or being affiliated with Palestinians.

75. Palestinian student D.A. emailed Dean Bond specifically to reiterate the dangers of law students' engaging in doxxing against her and her peers: "As law students, every single one of us has access to Lexis PeopleSearch which has private information, including my address. These students can now put me and my family in harm's way, regardless of whatever efforts I personally make."

76. Other students also emailed the dean to reiterate the need for a clear and specific statement from her to the law school community.

77. Dean Bond never replied to these requests from D.A. and other students.

78. On February 16, 2024, the Rutgers University Senate passed a resolution defending academic freedom, "urg[ing] the Rutgers administration to take more proactive and effective measures to prevent members of the Rutgers community from being doxxed and harassed for exercising their right to free speech, and to protect those who have already been targeted," and "encourag[ing] the Rutgers administration to provide comprehensive support to students, staff, and faculty members who have been publicly maligned or defamed . . . includ[ing], but not be limited to, academic assistance, mental health services, and legal resources to ensure their well-being and the continuation of their academic and professional pursuits without fear of retribution or stigma."

79. To date, university officials have not affirmatively reached out to offer support or assistance to the two doxxed students (A.A., who is Palestinian and Muslim, and B.A., who is South Asian and Muslim) or the students whom JLSA members contemplated doxxing (the members of NLG, who support Palestinian lives and liberation).

80. Since October 2023, assorted NLG members have filed complaints to the campus in connection with JLSA-related conduct, including the following five NLG members: N.A., I.B., O.A., D.A., and A.D..

81. The students understand from law school personnel that complaints made against individuals are treated as individual-conduct complaints and that complaints made against student organizations are treated as organizational-conduct complaints.

82. On October 16, 2023, Dean Katherine Perez interviewed N.A. concerning N.A.'s JLSA-related complaint. During that meeting, N.A. relayed to Dean Perez the understanding that Palestinian student A.A. had already been doxxed by JLSA member C.A., in a situation stemming from a JLSA email thread, and N.A. encouraged Dean Perez to investigate the situation further.

83. In response, Dean Perez conveyed to N.A. that the campus's complaint process constituted an accountability mechanism and would provide complainants the opportunity to seek accountability.

84. In the remainder of October 2023, the Office of Student Conduct interviewed I.B., O.A., and D.A. in connection with their JLSA-related complaints.

85. On November 15, 2023, Dean Perez interviewed A.D. in connection with A.D.'s JLSA-related complaint. In the meeting, A.D. asked Dean Perez if she was the final NLG student being interviewed in connection with complaints against JLSA and/or JLSA members.

86. Dean Perez confirmed to A.D. that hers was the last such interview.

87. On November 9, 2023, N.A. followed up with Dean Perez for a status-update, and the dean conveyed to N.A. that the JLSA-related investigations were still ongoing.

88. On November 29, 2023, N.A. again followed up with Dean Perez on the status of the JLSA-related complaints. Dean Perez replied to N.A. on November 30, 2023, stating, "Good Morning [], Thank you for your email and for following up. I can let you know that we have wrapped up our meetings with all parties involved and will be moving forward with a decision shortly."

89. NLG students received no further communication from the law school on the status of their complaints against JLSA and/or its members until February 28, 2024—when Palestinian student D.A. received notification, without explanation, that her complaint had been transferred by the General Counsel of the university to Rutgers New Brunswick on February 6, 2024.

90. Since then, the law school has serially scheduled and canceled hearings on the NLG students' JLSA-related complaints.

91. To date, no hearings have occurred.

92. In contrast to the 60-day time-frame for the resolution of student conduct complaints that university personnel had stated to students was typical, approximately 182 days (6 months) have passed since the filing of the NLG students' JLSA-related complaints.

93. To date, C.A. has not faced accountability for doxxing a Palestinian, Muslim classmate (A.A.) and a South Asian, Muslim classmate (B.A.) or for putting NLG members, who are associated with Palestinian identity by virtue of their activism in support of Palestinian lives, at risk for doxxing by JLSA members.

94. To date, G.A. has not faced accountability for maligning Palestinian classmate D.A. in the Minority Student Group chat space or for putting NLG members, who are associated with Palestinian identity by virtue of their activism in support of Palestinian lives, at risk for doxxing by JLSA members.

95. Other JLSA members and JLSA as a student organization have not faced accountability for putting NLG members, who are associated with Palestinian identity by virtue of their activism in support of Palestinian lives, at risk for doxxing by JLSA members.

96. With no accountability yet for JLSA's conduct targeted to NLG members and other students supporting Palestinian lives and liberation, anti-Palestinian racists on campus have grown emboldened to further target, silence, censor, and harass Palestinians and those perceived to be or associated with Palestinians, in escalating ways, as this complaint details.

Anti-Palestinian Censorship by the Law School

97. On October 30, 2023, NLG displayed a memorial in the law school atrium listing the names of the over 6,000 people who had been killed so far in the genocide of the Israeli government against Palestinians in Gaza. The memorial consisted of a list of names, hanging down over three stories from the railings on the spiral staircase at the center of the atrium. Two security guards had been on duty while students were installing the memorial, one of whom checked the students' IDs to ensure they were permitted to be there.

98. On October 31, 2023, the Rutgers University Police Department ("RUPD") removed and confiscated the Palestinian genocide memorial.

99. The Dean of Students, Sarah Regina, stated that RUPD had removed the memorial without being asked to by the law school and that she had asked the Chief of RUPD to find out where the memorial was so that it could be returned to NLG's possession.

100. Following the removal of the Palestinian genocide memorial, MLSA and NLG members P.A., R.A., Q.A., and S.A. met with RUPD to assess why the memorial had been removed. RUPD told Q.A. and S.A., who is Arab and Muslim, that it had thought someone had broken into the law school and that if there had been a visual indication that NLG had placed the memorial where it was, RUPD would not have removed it.

101. RUPD further detailed it had removed the genocide memorial at 6 a.m., following a report from a security guard that morning. RUPD explained that the memorial and/or its installation had been flagged as a "suspicious incident."

102. Arab Muslim student S.A. asked RUPD why the memorial's installation had been deemed "suspicious." The RUPD officer answered that something may have seemed "out of place."

103. In the past, other installations by students in and around the atrium and unrelated to the ongoing genocide of Palestinians in Gaza had not triggered suspicion and/or led to removal by RUPD.

104. For instance, in the weeks prior to RUPD's removal of the Palestinian genocide memorial, another student group, the Women's Law Forum, had hung t-shirts, without issue, on the same staircase where the memorial had been.

105. Additionally, on April 5, 2024, the Asian-Pacific American Law Student Association and the South Asian Law Students Association held their annual Mela gala, for which students had hung paper lanterns from the library's staircase banisters and railings, spanning the library's atrium, without issue.

106. Likewise, students involved in the annual Public Interest Law Fundraiser had, without issue, hung stringed lights from the library's staircase banisters, spanning the library's atrium.

107. On November 14, 2023, NLG again installed the genocide memorial in the atrium to mourn the lives of the over 11,000 people killed in the ongoing genocide of the Israeli government against Palestinians in Gaza.

108. This iteration of the memorial included a sign at the entrance of the library on an easel customarily used by members of the law school community to advertise daily announcements or programming happening that day at the law school.

109. On November 15, 2023, with very little notice, Associate Dean for Student Affairs, Sarah Regina, informed NLG member Q.A. via email that the Palestinian genocide memorial needed to be removed, on the recommendation of the General Counsel of the university, and would be removed by university personnel if NLG did not remove it by the time specified. The Dean's email did not cite to any university policies or suggest any modifications or additions to the memorial that might incline the university to allow it to remain in place.

110. University personnel proceeded to remove the memorial; in the course of its removal, Professor T.A. took the cardboard sign that NLG had placed by it.

111. During the removal of the Palestinian genocide memorial, another faculty member who stated to students that she had family members who had been killed in Israel confronted a Palestinian student and two allied NLG members, calling the genocide memorial "hateful."

112. The Palestinian student, who had lost family members to Israeli military violence, and the two NLG allies were bewildered by the professor's comment and understood it to reflect anti-Palestinian racism.

113. Professor T.A. also addressed NLG members on the scene, including NLG member Q.A., stating "I would never put up something that offends you," to which one member replied, "You are ma'am" (conveying offense at the professor's offense).

114. At least one student submitted a related bias complaint against Professor T.A., which, as far as the student is aware, did not result in meaningful accountability for Professor T.A.

115. Dean Regina asserted that Professor T.A. had taken the sign on her own initiative and not on behalf of the law school. The NLG later requested Dean Regina recover the sign, which she did, subsequently restoring possession of it to the NLG, via NLG member Q.A.

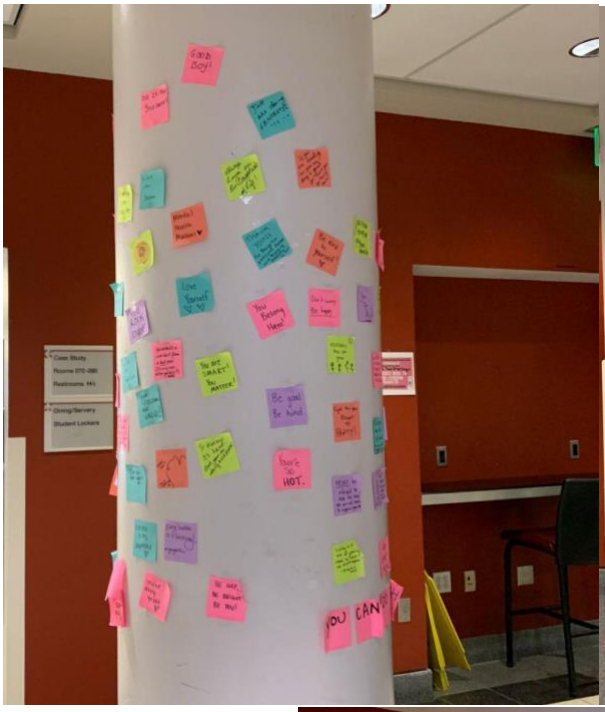
116. Deans Bond and Regina informed students that the basis for the removal of the Palestinian genocide memorial was a law school policy providing that:

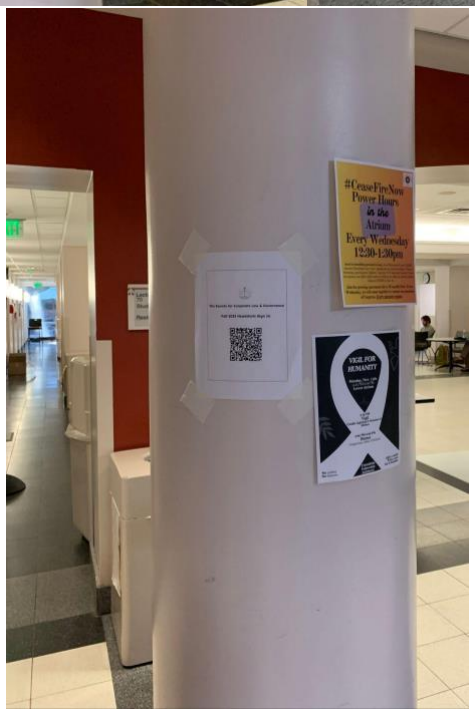
> "No signs or posters may be attached to walls, floors, ceilings, columns, or locker structures at any time. Neither may they be hung outside windows, or in any way that might create a dangerous situation. Those who do so will be charged the expense of removing such signs. Please use the bulletin boards and please use thumb tacks, not staples."

117. The law school had not provided this policy to students during the orientation for student groups this academic year, had not made the policy sufficiently accessible to students and faculty this academic year, and had not otherwise been enforcing the policy.

118. Indeed, other students, without issue, had been hanging flyers, messages, and advertisements on walls, columns, doors, elevators, and other areas beyond the

bulletin boards. The following photos from November 15–17, 2023, reflect this to be the case.





119. A meeting regarding the memorial's censorship took place on November 20, 2023, between the MLSA, NLG, concerned students, faculty, and administration. At the meeting, Dean Bond conveyed that there was no

existing campus policy exactly responsive to the Palestinian genocide memorial and that administration was in the process of developing a relevant policy.

120. When students and faculty inquired if the Palestinian genocide memorial would remain censored while a policy was developed, rather than permitted to remain on display, in the interim—the administration provided no meaningful response.

121. A professor in attendance at the meeting asserted that he did not see a clear basis for preventing the memorial from going back up immediately. Another professor asserted that while it could be reasonable to permit postings and installations only by law-school-affiliated persons or organizations, limitations on speech based on content and/or viewpoint are presumptively unreasonable and unconstitutional, under the circumstances.

122. Another professor clarified that even if there had been ambiguity around applicable campus rules or policies, it would be helpful to know why the default was to take the memorial down while the rules were being interpreted and clarified—particularly given the students' hard work in creating and installing the memorial and the pain inflicted on the members of the law school community by forcibly removing the memorial.

123. Finally, in response to a suggestion that the size of the memorial was at issue, a professor made note that the genocide memorial was not larger than many other installations that had featured in the atrium, and a student stressed that its size is part of its message, conveying the number of Palestinian lives lost so far in the ongoing genocide.

124. NLG informed administration during the meeting that, given the discussion and in light of the circumstances, it planned to reinstall the memorial.

125. Late in the evening of November 20, 2023, the NLG again hung up the memorial—which RUPD subsequently removed at Dean Bond's request.

126. On November 20, 2023, X.A., an Armenian student wearing a keffiyeh, asked an RUPD officer removing the display why it was being removed. Instead of answering her inquiry, the officer became agitated, stating he would not speak with the student because the building was closed and she could not stay.

127. X.A. informed the officer that she is a law student and that campus policy permits her to remain in the building after hours but that she would still leave, given his request for her to do so.

128. X.A. again asked the officer to tell her who had ordered the memorial's removal. The RUPD officer informed her that the dean of the law school had.

129. On November 21, 2023, NLG and MLSA members P.A., B.A., and R.A. spoke with Dean Bond, asking her why the Palestinian genocide memorial had been removed for the third time.

130. Dean Bond asserted to them that the law school was a limited public forum and that areas like the display board by the atrium were not a typical place for student speech. She explained that existing law school policy permitted students to turn the genocide memorial into a tabling display that students could attend to and monitor, in order to discourage its removal. She also stated that the staircase banisters and the atrium space themselves were not an open forum and claimed she was unfamiliar with the examples that students offered her to reflect that it had been used as a public forum.

131. On November 21, 2023, NLG member V.A. emailed Dean Bond, asking why the Palestinian genocide memorial was censored, given there was no directly controlling policy to justify its removal. Dean Bond simply responded that the genocide memorial was taken down for the third time for the same reason previously provided: its noncompliance with the existing policy in the student handbook.

132. On November 21, 2023, in response to the third removal of the Palestinian genocide memorial, MLSA and NLG turned the memorial into a tabling display in the atrium.

133. In response to the tabling display, a student created a counter-display in the same space. It involved a series of flyers with different statements; one of them included information from a poll putatively reflecting Palestinian civilian support for Hamas, thereby suggesting that references to "Hamas" in every other flyer should be understood to refer to Palestinians writ large. Among the materials on display was a flyer with the phrase "DIRTY SAVAGE" (visible in the bottom right of the hyperlinked photo).

134. The flyers of the counter-display were hung on columns and walls in violation of existing law school policy and were not removed for the entirety of the day,

despite the administration's awareness of their non-compliance with existing policy. Students filed a number of complaints asserting anti-Palestinian racism reflected in the contents of the counter-display.

135. On November 22, 2023, posters relating to Palestinians killed by Israeli military violence and placed on bulletin boards in accordance with the existing law school policy were selectively removed from bulletins around the law school, while other posters, including those clearly violating the school's policy, were not removed by the administration, even after they were reported..

136. Palestinian student D.A. emailed Dean Bond, Dean King, and Dean Regina to notify them of censorship and policing of Palestinians on campus, encouraged by the administration's discriminatory enforcement of policy. D.A. noted the double standard;

> "Our speech is so policed . . . to the extent that our memorial won't even remain up for 2 hrs before you order it removed [. . .] Meanwhile, pure hate speech against Palestinians, postings that violated the tabling policy which silenced **us**, is permitted to stay up the entire day [referencing the posters using the language 'DIRTY SAVAGE']."

137. On November 27, 2023, Dean Bond introduced an "interim posting policy." This policy permits postings only on bulletin boards or on the exterior of the glass wall of the library on the second floor, which students rarely use and which a massive staircase largely blocks. The policy restricts postings on bulletin boards to announcements of law school events, activities, and programs and relegates postings containing any other speech to the glass wall that is largely blocked from view.

138. On November 16, 2023, NLG participated in the Law Students for a Free Palestine National Day of Action against the ongoing genocide of Palestinians in Gaza. Palestinian, Muslim, and keffiyeh-clad students held a rally to demand an end to the devastating losses. In the course of the rally, students lined up to coordinate carrying the memorial banner listing the names of the over 11,000 Palestinian lives lost so far to the genocide, and they marched with the banner to the Paul Robeson Campus Center to bring extra foot traffic to Students for Justice in Palestine – Newark's bake-sale to raise funds for humanitarian relief for Palestinians. Students had chanted as they entered and then folded up the memorial and put cardboard signs under their arms while they perused the bake-sale.

139. RUPD arrived and began to order the Palestinian, Muslim, Arab, and keffiyeh-wearing students to leave, asserting that chanting and cardboard signs were not permitted inside the building.

140. A.D. asserted to RUPD that the chanting was over, and the signs were folded, and RUPD relented.

Anti-Palestinian Conduct from Faculty

141. On November 16, 2023, NLG participated in the Law Students for a Free Palestine National Day of Action against the ongoing genocide of Palestinians in Gaza.

142. Professor G.D. was observed photographing students gathering in support of Palestine, in contravention of guidance and policy in the faculty handbook concerning recording-device usage on campus; he was also heard later to be cursing the students, calling them "bitches."

143. On November 29, 2023, from the center of the atrium on the lower level of the Center for Law and Justice of the law school, the NLG, MLSA, and other student organizations on campus read aloud the names of Palestinians killed by Israeli military violence since October 2023. These students decided to do name-readings to honor Palestinians killed in the ongoing genocide in Gaza, because the law school otherwise had repeatedly censored the students' genocide memorial and because the tabling display of the memorial had been met with a student counter-display that included content in which many students saw anti-Palestinian racism.

144. U.A., a South Asian, Muslim student read the names, while Palestinian students, including D.A., and students in keffiyehs listened.

145. During this event, Professor T.A. was observed to be recording students without their consent, contrary to guidance and policy in the faculty handbook concerning recording-device usage on campus.

146. Some students, including U.A., filed bias complaints against Professor T.A. for her impermissible filming of them without their consent.

147. Professor T.A.'s recording of students during the name-reading action of the NLG alarmed other students, too, given other actions of Professor T.A., including those listed below, that had also alarmed them:

    a. Professor T.A. had been on the October 12, 2023, group email in which JLSA member C.A. had doxxed A.A., a Palestinian and Muslim student, and B.A., a South Asian and Muslim Student.

    b. An October 15, 2023, JLSA group chat asserted that Professor T.A. had attended an NLG co-sponsored event in the spring that featured the

perspectives of Palestinian student D.A. and that Professor T.A. had described to be "awful."

c. On November 15, 2023, Professor T.A. had removed and taken possession of the cardboard sign of the NLG students that they had used to accompany their Palestinian genocide memorial, expressing to some of them, "I would never put up something that offends you."

148. NLG member N.A. reported the behavior of Professors T.A. and G.D. via email to Dean Bond and Dean Regina on November 29, 2023, requesting information on what was being done to educate faculty on engagement with students expressing support for Palestinian lives and liberation.

149. The deans did not engage N.A.'s inquiry.

150. On December 22, 2023, U.A.—a South-Asian, Muslim student who on November 29, 2023, had read the names of Palestinian victims of the genocide as Professor T.A. recorded students—emailed Dean Bond and Dean Regina to inquire about any accountability for Professor T.A.'s actions.

151. Dean Bond informed U.A. that she had spoken with Professor T.A. and "d[id] not expect to see this [conduct] again," which Dean Bond considered "unacceptable."

152. To date, students have not received any assurances from campus administration confirming that Professors G.D. and T.A. have deleted the images that they captured of students who hold, are perceived to hold, or who are associated or affiliated with Palestinian identity.

Anti-Palestinian Targeting of Students Wearing Keffiyehs

153. On November 20, 2023, an RUPD officer ordered Armenian student X.A. to leave the building from which the officer had been removing the Palestinian genocide memorial.

154. Under applicable campus policy, a student like X.A. was supposed to be able to remain in the building after it was closed to the public.

155. When the officer nevertheless instructed her to leave, X.A. was wearing a keffiyeh.

156. X.A. subsequently filed a bias report against the officer, asserting anti-Palestinian bias.

157. On November 29, 2023, a group of approximately ten students, all wearing keffiyehs, gathered in a room on the law school campus for a study break with a professor of color.

158. After the gathering got underway, a campus officer told everyone to leave the room. The faculty member communicated to the officer that they had reserved the room, but the officer persisted, resulting in a back-and-forth of exchanges between the professor and the officer that grew heated and that alarmed the students before the officer eventually relented and left. Some of the students filed related bias complaints to the campus about the officer's behavior.

Deliberate Indifference to the Anti-Palestinian Racism that Many Students Discerned in a Campus-Wide Statement Made by JLSA

159. On December 1, 2023, JLSA sent a campus-wide email to the law school community. Within it, JLSA stated: "As is true of any group, sometimes our members say things they do not mean. But to hold Jews to a different standard than any other group of persons is to engage in an ugly form of bias. No one wishes to be judged solely by their private musings during their best or worst moments."

160. Many students on the law school campus who hold, are perceived to hold, or are associated or affiliated with Palestinian identity understood this language from the JLSA statement to constitute an attempt to characterize as anti-Semitic the efforts by students to hold accountable—through sanctioned channels on campus, including the SBA—those JLSA members who had contemplated the doxxing of Palestinian and allied students on campus.

161. D.A., a Palestinian student, emailed the deans of the law school on December 1, 2023, to express concern about the implications of the JLSA statement for ongoing student experiences of anti-Palestinian racism on campus.

Deliberate Indifference to a Professor's Request that the NLG Retract or Clarify Its Pro-Palestinian / Anti-Zionist Commentary About an Event Featuring an Attorney from the Zionist Organization of America and Hosted by the Professor

162. On January 23, 2024, the NLG sent an email to students, about an event that Professor T.A. was scheduled to host, writing:

> "[W]e encourage everyone to attend Professor Freund's event tomorrow, January 24, at 12:45pm in Room 010 where an attorney with the Zionist Organization of America will speak on the current genocide in Gaza. This talk purports to illuminate the current conflict in Gaza from the ideological and political perspective of Zionism. We are excited to more deeply explore and unpack Zionism as an ideology and colonial political project this semester, beginning with our hosting of a screening of Israelism on Tuesday, February 20th at 6pm."

163. The January 23, 2024, email of the NLG did not claim that the NLG was co-sponsoring Professor T.A.'s event. It simply quoted the event information and offered a viewpoint and commentary about the event, encouraging students to attend it, in order to engage critically with its ideas.

164. NLG's expression of its commentary and viewpoint was in keeping with the principles of academic freedom and free speech that Rutgers claims to uphold.

165. Later that day, Professor T.A. emailed the NLG, cc'ing Dean Bond, and stating: "Hi. I am not familiar with your organization but I do not approve of your email linking my program to any of yours. Please issue an email indicating that I am in no way part of your cease fire, or any other initiative."

166. On January 24, 2024, Professor T.A. again emailed the NLG, cc'ing Dean Bond, and stating: "I am still waiting for a retraction of the email characterizing my program as addressing the 'genocide in Gaza.' It is not acceptable to post such an announcement without my permission. Several students have contacted me, asking what this meant, whether this event was sponsored by the NLG, and how could the ZOA be talking about a 'genocide' in Gaza."

167. Although Dean Bond had been cc'd on both of Professor T.A.'s emails to the NLG, the dean did not reply-all on the thread or otherwise reply directly to the NLG or any of its members.

168. In light of the dean's silence and the positions of power held by the dean in her role and by Professor T.A. as a faculty member, the NLG felt it had to capitulate, and it did so by emailing to the student listserv on February 7, 2024, a clarification that it considered unnecessary and would not have sent had it not felt compelled to do so.

169. When Palestinian student D.A. asked Dean Bond on February 8, 2024, about whether and how the law school administration was addressing student complaints asserting anti-Palestinian bias from Professor T.A., Dean Bond replied, "This involves a personnel matter that I am not at liberty to discuss."

Deliberate Indifference to Peer-to-Peer Censorship in Which Various Students Discerned Anti-Palestinian Racism

170. On October 17, 2023, Palestinian student D.A. shared about a labor event on Palestine within a law student organization group chat about labor rights, run and managed by Rutgers law students. Moderator and JLSA member F.B. deleted D.A.'s message.

171. On December 1, 2023, in the same labor rights-related student group chat, D.A. shared labor news tying to support for Palestinian lives and liberation. Again, moderator and JLSA member F.B. deleted D.A.'s message.

172. By contrast, that same day, a Korean student of the law school shared news in that group chat, concerning Palestine and labor. Moderator and JLSA member F.B. did not delete that student's message.

173. Later that same day, white student R.A. shared news within the group chat about Black liberation and labor. Moderator and JLSA member F.B. did not delete his message.

174. D.A. reported this peer censorship, asserting it to reflect anti-Palestinian bias. The university took no responsive action.

175. On February 19, 2024, in anticipation of a February 20, 2024, screening with Sam Eilertson, director of *Israelism*, a documentary about how young Jewish Americans "are raised to defend the state of Israel at all costs," Palestinian student D.A. sent a message to promote the film with a student-run, class-wide group chat with over 200 members.

176. Echoing the promotional materials for the documentary, D.A. wrote in her message to the class-wide group chat, "Happening tomorrow 🗣️🗣️🗣️ Light dinner and a talkback with the director, talking about the brainwashing of American Jewry into becoming foot soldiers for Israel. This film has been canceled at a number of schools bcz of the backlash against any pro Palestine speech PSPSPS see you there."

177. For the past three years, the class-wide group chat group had functioned as an open forum for students for communication about a variety of topics: political, racial, promotional, and otherwise.

178. JLSA member Z.A. deleted D.A.'s message from the class-wide group chat. After censoring D.A.'s message, Z.A. then proceeded to characterize D.A. within the class-wide group chat as being "anti semitic" and "demoniz[ing] American Jews."

179. Back on October 17, 2023, when JLSA members were contemplating within a group chat doxxing NLG students "one by one" in retaliation for the NLG's statement supporting Palestinian lives and liberation, Z.A. had asked his JLSA peers in the chat, "Is there a way to know who signed that statement?"

180. In response to Z.A.'s comments maligning her in the class-wide group chat, D.A. invited everyone in chat to engage the screening and talkback with the director and to otherwise voice and discuss their perspectives.

181. On February 19, 2024, D.A. emailed deans about Z.A.'s recent censorship of her as a Palestinian, flagging how, by failing to respond to doxxing, intimidation, and harassment against Palestinians, the administration emboldened students like Z.A. to continue to take actions that made students like D.A. who hold, are perceived to hold, or are associated or affiliated with Palestinian identity feel targeted and maligned.

182. Through assorted student conduct complaints, the administration had known since October 2023 about Z.A.'s inclusion in the group of JLSA students who had contemplated the doxxing of NLG students. However, as of the February 19, 2024, the date of Z.A.'s censorship of J.M.'s message in the student-wide group chat, the law school administration had not, as far as any of the complainants against JLSA and/or its members are aware, meaningfully engaged Z.A. in reference to the complaints.

183. Between October 2023 and February 2024, students of the law school watched their university dehumanize Palestinians in one-sided communications, repeatedly silence their mourning for Palestinians killed, and suspend Students for Justice in Palestine on the undergraduate campus.

184. All the while, Rutgers failed to address doxxing, censorship, harassment, and intimidation of students who hold, are perceived to hold, or are associated or affiliated with Palestinian identity.

185. Under such circumstances, students feared, and, indeed, predicted, that members of the law school community would only grow more emboldened to silence, censor, and target Palestinians and allies on campus.

Deliberate Indifference to On-Campus Vehicular Endangerment of Palestinian Student D.A.

186. On February 26, 2024, at approximately 8:15 p.m., Palestinian student D.A. was walking into Rutgers Newark Parking Deck II, an on-campus parking lot. As D.A. crossed the threshold into the parking deck, the Vice President of JLSA, A.E., was in her car, seemingly in order to leave the parking deck. A.E.'s car came to a stop a short distance from D.A. while still inside the parking deck. While the car was stopped, A.E. and D.A. made eye contact, after which A.E.'s vehicle charged forward, on course to collide with D.A. as it accelerated. Reactively, D.A. found herself trying to avoid harm by pressing her body against the wall of the narrow gap where she found herself, hoping to avoid contact with A.E.'s car as it accelerated toward her, praying the car would just pass and not hit her. A.E.'s passenger-side mirror nevertheless did hit D.A.'s arm.

187. A.E. and D.A. are known to one another and shared every class their first year of law school.

188. In October 2023, D.A. had reported A.E. and other JLSA members for their contemplation of doxxing her and other NLG members.

189. As of February 26, 2024, when D.A. could have been badly injured by A.E.'s car, the law school administration had not yet held A.E. accountable in connection with D.A.'s JLSA-related complaint or even held a hearing on the complaint. The same remains true as of the date of this filing.

190. At the instruction of the Newark Police Department, D.A. reported the incident to the RUPD and university administration. In fear of her physical safety on campus, D.A. acquired a no-contact order against A.E. and changed her habits. D.A. no longer parks at Parking Deck II, the most convenient deck for her needs. In order to maintain her safety, D.A. now attempts to avoid shared workspaces on campus, even where this proves impracticable at the law school.

191. In the aftermath of the incident, on the morning of February 27, 2024, D.A. appeared at the police precinct to give RUPD her statement. Before D.A. could

finish giving her statement, an RUPD officer berated her and accused her of lying about A.E.'s speeding vehicle striking her. He claimed he had reviewed the footage and that it showed "there was no contact" between A.E.'s car mirror and D.A.'s arm.

192. D.A. requested the footage of the incident, but the officer denied her access to it. The officer asserted that D.A., as the complainant making the report, had to file an Open Public Records Act ("OPRA") request for access to the footage of the very incident that had brought her to the precinct.

193. D.A. filed two OPRAs for the footage: one on February 27, 2024, and another on March 14, 2024. RUPD denied both requests.

194. On February 29, 2024, D.A. reached out to the law school deans, in the hopes that the snowballing from A.E.'s upstream contemplation of doxxing students like her to, now, D.A.'s having felt the force and impact of A.E.'s car against her arm would finally persuade the deans to take meaningful action to ensure D.A.'s safety and the safety of every student on campus like her who holds, is perceived to hold, or is associated or affiliated with Palestinian identity. D.A. remarked to the deans:

> Students on campus have stated clearly their intention to hurt me, they're making their plans to do so based partially off what some of your faculty are telling them about me, then one of them actually tries to physically hurt me. RUPD gives me the run around. Student conduct has done nothing with my case and refuses to even speak to me --- on order of [Office of the General Counsel] (orders I know you have received as well Dean Bond). [Bias Education & Response Team] literally doesn't even open my emails. Dean Bond, you tell me I am not permitted to know about "personnel matters" when I'm the matter concerning your personnel. What am I supposed to do? What more is this university waiting for? What more do I need in order to be treated like any other student, and not some sort of third class pariah? Hope you're all enjoying your vacations.

195. As of the date of this filing, A.E. has not faced any accountability or even a hearing on campus in connection with the complaints that Palestinian student D.A. and others have made asserting anti-Palestinian bias reflected in A.E.'s contemplation of doxxing her and other NLG students and in D.A.'s being confronted with the terrifying force of A.E.'s car.

196. Troublingly, instead, the university bestowed an award on A.E.

197. On April 10, 2024, D.A. met with Minority Student Program Dean Clifford Dawkins upon hearing that A.E. was slated to receive the Dream Leader Award for her achievements and contributions on campus.

198. Seeking to share material information perhaps not yet known to Dean Dawkins and based on her personal experiences, D.A. first elaborated to him how A.E. had participated in the contemplated doxxing of her and other NLG students supportive of Palestinian lives and liberation. Dean Dawkins conveyed his prior awareness of what D.A. was communicating. D.A. then shared with Dean Dawkins how A.E. had nearly run her over in Parking Deck II. Instead of offering D.A. meaningful support in reference to an incident that had terrified D.A. and her family, Dean Dawkins accused D.A. of being a victimizer, "setting [her] sights on MSP [his office] as a target." D.A. frankly and respectfully reminded Dean Dawkins of his failure to intervene when G.A. accused D.A. of supporting terrorism in the MSP group chat. Despite being the dean of a program to challenge racism in the legal profession, Dean Dawkins claimed that it was not his responsibility to "police discourse" and did not otherwise respond to the question of whether A.E. had engaged in anti-Palestinian racism within the chat, on his watch. Instead, Dean Dawkins then berated D.A., scolding her that her tone "will not give [her] the results [she is] looking for."

199. Understanding there was no hope for meaningful engagement from Dean Dawkins under the circumstances, D.A. concluded the meeting, and Dean Dawkins stated that he would "do what's in the best interest of the institution."

200. On April 11, 2024, Dean Dawkins awarded A.E. the Dream Leader award.

Delay and Narrowing of the Hearings on the Complaints Asserting Anti-Palestinian Discrimination

201. On February 27, 2024, D.A. asked the Office of Student Conduct for the Newark campus of the law school about the status of her complaints concerning anti-Palestinian bias. D.A. received no response back from the Newark office.

202. On February 28, 2024, NLG students, including Palestinian student D.A., who had made complaints against JLSA members concerning anti-Palestinian racism received an email from Dean Michelle Jefferson that the cases had been

transferred to Rutgers New Brunswick on February 6, with no explanation about the delay in the scheduling of the hearing or reason for the transfer.

203. D.A. emailed Dean Jefferson, asking:

    a. Why was the complaint moved from Newark to New Brunswick?
    b. From whom did New Brunswick's office receive the case?
    c. When did the transfer take place?
    d. When did this decision happen?
    e. Whether all parties including the doxxing students had been notified?
    f. Whether all the complainants have been interviewed?
    g. Whether all students who were the subjects of the complaints had yet been interviewed?
    h. Since the standard timeline for conduct cases is 60 days, why had the University taken more than triple that and what had been done on the complaints in the four months of their pendency?

204. Eventually, on March 4, 2024, Dean Jefferson emailed D.A., telling her to contact her no further. "In this matter, I am taking direction from the Office of General Counsel only. There is no need to further contact me with questions that are not pertinent to the scheduling of this hearing."

205. On March 4, 2024, D.A. replied to ask the dean what avenues were left, if the dean would not enforce the university's policies and practices for timely reviewing conduct complaints, speak with her, or give her an alternative administrator from whom to seek help. Expressing the danger she felt herself and other students to be in, D.A. wrote,

> "If you will not answer my questions and Dean Perez has also been directed not to speak with me, then who can I contact? Who can I speak to? Who will answer my questions? Who will provide me a status update on my case where I was the victim of a plan to harm me? It's been over 4 months since I was targeted and the university has not shown it takes any of these incidents where Palestinians are the victims seriously at all.
>
> One week ago, one of the students in this complaint and part of this plan to hurt me tried to hit me with her car. I was met with hostility from RUPD, I was ignored by the BERT team, and - as you may now know - the conduct office has delayed my hearing for months with no movement or communication. And now my requests for information - as is my right

> under RU's own procedures for complaints - are being rejected. The attack against me on Monday could have and would have been prevented had this student felt there were consequences for hurting me."

206. On March 29, 2024, NLG complainants received access to the evidence for the hearings to be held on their complaints, finally scheduled for April 9 and April 16, 2024.

207. In this correspondence, the students discovered that the university unilaterally had opened only *organizational* cases and related investigations concerning the JLSA-related complaints, where only the JLSA president would appear at the hearing.

208. The JLSA president whom the university specified in the correspondence was not the president who had presided over JLSA in the fall when JLSA members had contemplated doxxing NLG students in retaliation for their support of Palestinian lives and liberation.

209. Other, pertinent JLSA members would not be involved in the hearing or face related, individual accountability.

210. In the months since October 2023, and notwithstanding regular inquiries by D.A. and other NLG students about the status of their complaints, this was the first time the complainants were receiving notice that the university would only proceed with a review of JLSA's organizational conduct and that only the JLSA president would be present at the related hearing.

211. On. April 1, 2024, the NLG complainants wrote to law school administration requesting their doxxing complaints be handled individually. They have received no response from the university indicating when individuals will be investigated for the doxxing, although campus policy indicates the university is to render decisions in response to such requests (and presumably communicate the decisions to the requesting students).

212. On March 23, 2024, Dean Bond sent an email to the law school on "Community Support & Discourse," thanking students for being "less acrimonious" towards one another as they discuss Israel/Palestine and using the memory of a beloved, recently deceased 2L as a springboard.

213. Given their experiences of the campus climate, students, including NLG member N.A., emailed Dean Bond informing her of the hostile reality of the campus climate for students who are or are perceived to be or affiliated with Palestinians and explaining why the dean's reference to a fellow classmate's death to deflect from the hostile climate on campus was upsetting.

Expeditious Handling of an Ultimately Dismissed Counter-Complaint of a JLSA Student Against an NLG Student Supporting Palestinian Lives and Liberation

214. On February 22, 2024, JLSA member C.A. filed a student conduct complaint against I.B., a student perceived as Palestinian due to her association and affiliation with Palestinians, as a member of the NLG.

215. On April 11, 2024, within 7 weeks or 49 days of C.A.'s complaint, the university conducted a related hearing via Zoom, which ultimately resulted in the dismissal of all charges against I.B.

216. By contrast, the university still has not gone forward with a hearing on the complaint that I.B. had filed over six months ago against C.A. and other JLSA members who had contemplated the doxxing of I.B. and other NLG students because of their statement in support of Palestinian lives and liberation.

Concerns of the MLSA about Anti-Palestinian Discrimination by and on the Campus and Facing Its Members and Other Students

217. On April 4, 2024, law deans met with the MLSA in a meeting that Dean Bond initiated to discuss how best to support Muslim students.

218. Many members of the MLSA board hold, are perceived to hold, or are associated or affiliated with Palestinian identity and had experienced related discrimination on and by the campus.

219. Students at the meeting addressed issues like prayer-space access and reasonable accommodations for, to which the deans seemed responsive.

220. When students began to discuss how anti-Palestinian racism and discrimination by the university personnel, faculty, and students impacted them, the deans did not engage them meaningfully.

221. The MLSA board addressed with the deans its concerns about selective enforcement of the school's posting policy reflecting disparate impacts on

students who hold, are perceived to hold, or are associated or affiliated with Palestinian identity.

222. The deans denied disparate treatment but conceded it was possible the administration had not enforced the policy by routinely checking for violative postings.

223. The MLSA board members also brought up safety concerns in the April 4 meeting with the deans. As Palestinians, South Asians, Arabs, and Muslims, many MLSA board members had been subject to doxxing or were threatened with doxxing for their association or affiliation with Palestinians. The board members urged the deans, as they had the first week of October 6 months prior, to educate and hold to account anti-Palestinian racism and harassment through established university procedures like the bias and conduct processes.

224. The deans, in turn, engaged only by remarking on the inefficiency of the existing processes.

225. Dean Bond suggested that one measure for safety for Muslim students could be cameras and lights in parking decks, so that any future vehicular assaults would be brightly lit when captured on camera.

226. This suggestion struck the students at the meeting, given that D.A., a MLSA board member who had narrowly avoided debilitating vehicular force against her at the hands of a fellow student, had yet to receive the footage of the incident or any related assistance from the deans in securing it.

227. Muslim students are impacted by anti-Palestinian racism because it relies on the same false tropes that animate anti-Muslim dehumanization. These centuries-old tropes cast Islam and its largely non-white, non-European adherents—including Arabs categorically and Palestinians specifically—as inherently vile, alien, unassimilable, dangerous, and the very antithesis of "civilization."

228. On campus this year, sadly, many students have experienced the dehumanization of such tropes in wrongly being labeled as putative supporters of terrorism and facing flyers insinuating that every Palestinian is a "DIRTY SAVAGE."

Deliberate Indifference to Witch-hunt Against Cherished Professor Who is Muslim and Arab

229. Rutgers students who hold, are perceived to hold, or are associated or affiliated with Palestinian identity are very troubled by the university's refusal to voice any public support for a cherished professor subject to a politically motivated witch-hunt.

230. Professor Sahar Aziz, an ethnically Egyptian, Muslim, olive-skinned professor of the law school and an invaluable mentor to Black, Palestinian, North African, Southwest Asian, and South Asian students on campus, has been the repeated target of an anti-Muslim, anti-Palestinian attacks.

231. Republicans in the Judiciary Committee of the U.S. are currently targeting her, conflating her criticism of the Israeli government with anti-Semitism and accusing her of promoting putative terrorism for her critical scholarship on the racialization of Muslims.

232. Separately, she had been the target of a campaign to have her removed from her position on the Westfield, New Jersey, Board of Education and to have her tenure at Rutgers revoked.

233. Despite repeated attacks on Professor Sahar Aziz's character, identity, and scholarship, the Rutgers administration has never publicly come to her defense or affirmed her right to academic freedom.

234. By contrast, when a transphobic professor authored an offensive article, the administration did publicly come to his defense, stating the university supports free speech principles.

235. As a result, students on campus who hold, are perceived to hold, or are associated or affiliated with Palestinian identity are left to conclude that the university considers them and any professor like them second-class members of the Rutgers community and undeserving of the support the university provides to other members of its community.

Facts relevant to Rutgers University – New Brunswick Campus

Harassment Targeted to the Campus Chapter of the Palestinian Children Relief Fund

236. On October 11, 2023, student members of the Rutgers chapter of the Palestinian Children Relief Fund ("PCRF") held a bake sale on campus to raise funds for humanitarian relief for Palestinian children, over 12,000 of whom are trying to survive injuries resulting from the Israeli government's bombardment of Gaza.

237. During the course of the PCRF bake sale, the students helming it faced myriad harassment, including being spat on by an unidentified man, dealing with someone who extensively feigned interest in supporting the relief fund until retracting their contribution and saying "nevermind, this money is for Israel," and otherwise being yelled and spat at by numerous people driving past the bake sale.

Vandalism of the Campus Location Announced for an SJP Action

238. After circulating a one-sided, exclusively pro-Israel statement campus-wide on October 11, 2023, Rutgers University President Jonathan Holloway sent a university-wide community advisory notifying all three campuses that College Avenue between Morrell Street and Senior Street would be closed on October 12, 2023, in connection with a protest and teach-in at Brower Commons, located on College Avenue, to be held by the Rutgers New Brunswick chapter of Students for Justice in Palestine ("SJP").

239. Two hours before SJP's October 12 action, the exterior of Brower Commons was vandalized with graffiti that repeated unsubstantiated claims by the Israeli Defense Forces that Hamas had beheaded Israeli babies. As a result, SJP was forced to move the event online to ensure the safety of organizers and attendees alike.

Professor's Disparate Treatment of a Student Visibly Supportive of the Lives and Liberation of Palestinians

240. On October 18, 2023, a South Asian student, B.B., wearing a scarf with the Palestinian flag colors and imagery of Al-Aqsa mosque, spoke in the doorway of a small classroom with their friend before class started, stating "From the river to the sea," expressing solidarity with the Palestinian people in the wake of the unfolding genocide.

241. After B.B.'s friend walked away and B.B. sat down to settle in for class, Professor D.B. turned to B.B. and stated, "I will not tolerate antisemitism."

242. Since the October 18, 2023 incident, Professor D.B. would still call on B.B. in class discussions but ignore B.B.'s points and move onto the next student.

243. On November 27, 2023, Professor D.B. asked only keffiyeh-wearing B.B. to turn off her laptop while other students used their laptops and cellphones to take notes in class.

244. Professor D.B. insisted that B.B. was using their laptop for activities other than note-taking in class, even without walking over to look at her screen.

245. Later in the class period, B.B. quietly sighed and Professor D.B.. shouted at B.B., "[B.B.], I am trying to teach a class here!" When a bewildered classmate asked why Professor D.B. was shouting at B.B. for sighing, Professor D.B.. simply mimicked B.B.'s sigh and stated that it was distracting. The classmate then let Professor D.B. know that B.B. was sighing due to back pain and other health issues.

246. B.B. struggled for the rest of the semester to feel comfortable and safe in class. The incidents with Professor D.B. were distressing, led to doubt that she would be graded fairly, and made it harder for her to complete assignments.

247. On April 13, 2024, she submitted a related complaint to Rutgers concerning Professor D.B.

Peer Hostility Against Students Supportive of Palestinian Freedom

248. On October 19, 2023, a Jewish group on campus, Chabad, posted a photograph on Instagram captioned "STRAPPED. ARMED. LOCKED AND LOADED," with protestors supporting Palestinian freedom seen in the background. The Jewish student in the photograph wears a Tefillin (a prayer accessory consisting of straps containing verses of the Torah), and the post can be understood to be making a double-entendre for gun violence against Palestinians and using the Tefillin straps in prayer. Rutgers has yet to conduct an investigation into Chabad's threatening post.

249. On October 25, 2023, a student was walking on campus and tore down a "Kidnapped" poster hanging on campus. A man charged toward her and

threatened to cause her physical harm and bodily injury. RUPD responded to the scene, and the student subsequently filed a police report.

250. Over the last six months, SJP has received direct messages from peers calling SJP students antisemitic and terrorists.

Censorship and Harassment of Students Supportive of Palestinian Lives and Liberation

251. On October 25, 2023, facilities staff on campus erased chalk messages supporting the lives and liberation of Palestinians. In a statement the university made to the Daily Targum, the university acknowledged that, although it had approved the chalking, the approval was rushed, not realizing the chalking violated a provision of applicable policy governing how close chalkings can be to foliage.

252. On October 26 and 27, 2023, the Center for Islamic Life ("CIL") and Center for Latino Arts and Culture ("CLAC") invited students to chalk outside of the respective cultural centers.

253. After posting online in support of SJP on or about February 28, 2024, the employee for the CLAC who single-handedly created and maintained the CLAC's Instagram page for 12 years was removed from the account, due to posting in solidarity with SJP.

254. On November 1, 2023, a Rutgers professor accosted a Rutgers student in Princeton, New Jersey, at a protest supporting Palestinian lives and liberation and calling for a ceasefire. The Professor stole the student's cell phone, pulled her hair, and ran away with the student's stolen property.

255. On November 10, 2023, at approximately 9:30pm, campus facilities staff removed chalking that served to provide education and awareness about the increasing loss of Palestinian life in Gaza.

256. On November 14, 2023, without explanation, Rutgers facilities staff removed from the Voorhees Mall the SJP's exhibit of Palestinian flags honoring the over 11,000 Palestinians in Gaza killed by the Israeli government since October.

257. On December 11, 2023, during the final exam period, SJP members were silently studying in the Rutgers library, collectively wearing keffiyehs, and displaying signs that read "Divest Now" to bring awareness to Rutgers'

complicity in profiting from Palestinian suffering. Library administrators pulled two SJP members into a private room to ask them to remove the signs.

258. On February 29, 2024, and March 1, 2024, Rutgers Facilities once again removed chalking that advocated for Palestine without allowing the chalking to remain up for the allowed 5 five days.

Disparate Treatment of Graduate Worker Who Is Supportive of Palestinian Lives and a Member of SJP

259. E.B. is a Rutgers graduate student who had been working in the Office of the Dean of Students within the Office for Student Affairs on the undergraduate campus in New Brunswick.

260. E.B. wears a hijab, and is Muslim, Arab, and Egyptian. She had been hired by the university, in part, to help it to serve its large Arab and Muslim student populations.

261. E.B. is also an SJP member whom Senior Associate Dean of Students, Jeff Broggi, had assured could participate in SJP in her student capacity, provided no conflicts of interest arose and she limited her participation to outside her working hours.

262. In the course of her employment, on November 29, 2023, E.B. met with an Arab student experiencing harassment from Zionist students.

263. Due both to the complexity of the bias case the Arab student presented to E.B. and because Sandra Rosillo Castro, who typically handled bias complaints, was out of office that day—E.B. reached out to Dean Broggi, to consult with him about the Arab student's case.

264. Dean Broggi, in turn, reached out to Vice Chancellor Anne Newman for consultation, given the complexity of the Arab student's situation, encompassing a bias incident against her, claims from her concerning biased speech targeted to her, and the specter of Title XI arising from the sexual nature of the biased speech that the Arab student experienced.

265. Dean Broggi asserted to E.B. a potential conflict of interest with E.B.'s working with certain students, implying E.B. would be "biased" working with Arab students on bias matters due to her "proximity."

266. The graduate student responded to the dean expressing confusion and seeking a resolution to the conflict of interest alleged by Dean Broggi.

267. On November 29, 2023, Dean Kerri Wilson of the Demonstration and Response Committee notified Vice Chancellor Newman that E.B. was attending a sit-in at the business building as an SJP member. Later while still at the sit-in, E.B.'s direct supervisor Halston Fleming contacted E.B. to meet. Upon meeting on or about December 1, 2023, Fleming stated that he would not pursue a formal conduct process against E.B. but stated that she would no longer be permitted to counsel SJP members in her professional capacity because doing so would violate the code of ethics in counseling. Additionally, Fleming asked E.B. for the names of all SJP members. On two separate occasions, E.B.'s Academic Program Coordinator Stephanie Brescia and Fleming separately told E.B. that she was on professional probation.

268. When E.B. asked what policy she had violated, none was provided—instead she was told, "check your contract it's probably in there." The sit-in occurred on a Wednesday and E.B. only worked Mondays, Thursdays, and Fridays.

269. Notably, Fleming's assertions were in direct conflict with E.B.'s previous conversations with Dean Broggi, in which Dean Broggi asserted that E.B. was fully within her rights to participate in SJP in her student capacity, provided there is no conflict and she participates outside of her working hours.

Campus Suspension of SJP

270. On November 29, 2023, a coalition of students led by the SJP held a sit-in at the Business School from 11:00am to 10:35pm The building closes to students at 10:30pm. On December 5, 2023, students received notice that a conduct-review proceeding was initiated against them for this sit-in.

271. On November 30, 2023, two student organizations on campus disrupted a pro-Israel history lecture on campus. This event, and the decision to disrupt the lecture, was in no way connected to or organized by SJP.

272. On December 5, 2023, SJP received notice that the event's disruption was wrongfully imputed to them and a bias complaint was incorrectly lodged against SJP. An initial December 7, 2023, hearing for all three proceedings was rescheduled for December 20, 2023. On December 8, 2023, a request for an art event by SJP was canceled, citing the need to resolve outstanding proceedings before reserving spaces; no mention was made of a possible suspension.

273. On December 11, 2023, keffiyeh-wearing, Muslim, Arab, and Palestinian students and their allies held a "study in," in which they gathered at Alex Library and silently studied while holding signs with phrases such as, "Divest Now," to bring awareness to Rutgers' complicity in profiting from Palestinian suffering. Library administrators pulled two members of SJP into a private room to ask them to remove the signs. Upon learning of the study-in, SJP advisor Dean Kerri Wilson emailed students asking them "not to gather as an organization to avoid further conduct issues."

274. On December 11, 2023, the Department of Education Office of Civil Rights opened a Title VI investigation into Rutgers University's Newark Campus alleging a hostile education environment for students on the basis of their shared Jewish and/or Israeli ancestry.

275. On December 12, 2023, at 11:07am, a reporter from NJ.com emailed a student in SJP, sharing she had "received a copy of this letter below this morning," requesting comment from the students on any "description of the activities the group allegedly did that caused the concern."

276. The letter, dated December 11, 2023, from Michelle Jefferson, Associate Dean of Students/Director of Student Conduct, states that SJP is immediately suspended for "multiple cases of disrupting classes, a program, meals, and students studying" and allegations of "vandalism occurring at the Rutgers Business School." The letter identified the email of the president of SJP.

277. The alleged suspension letter was shortly thereafter published online, along with widespread commentary on anti-Israel activity and alleged anti-Semitism on campus.

278. The students were unable to comment, as this was the first communication they received of their suspension.

279. Students' identities and the suspension letter were leaked to the press, before the letter had even been distributed to SJP, putting these students in fear for their safety.

280. The university administration alleged that SJP violated the following conduct policies: disruptive or disorderly conduct; failure to comply with university or civil authority; guest responsibility; and inappropriate use of space.

281. None of the allegations are substantiated by date, testimony, or description of incidents.

282. According to the letter, the allegations reflect "complaints," by other Rutgers students, faculty, or staff, which may be no more than a viewpoint disagreement. Nothing in the letter indicates how these allegations "pose a substantial and immediate threat to the safety and well-being of others."

283. Actions organized by Rutgers SJP in recent months have included peaceful protests in designated "free-speech" areas, sit-ins that dispersed at the command of RUPD, and study sessions at the library that displayed signs reading "Divest Now."

284. After the appeal process for the suspension was held on December 19, 2023, SJP students were forced to participate in individual conduct hearings during the height of final exams.

On-Campus Doxxing of Students Supportive of Palestinian Freedom

285. On March 8, 2024, the President of the Rutgers University Student Assembly became the subject of a targeted harassment and intimidation campaign organized by an external Zionist organization known as the Israel War Room. The Israel War Room weaponizes Islamophobic stereotypes to claim that Muslims and Palestinians as "terrorists" and "radical extremists."

286. On March 27, 2024, trucks covered in large and illuminated, hateful and racist propaganda circulated on the New Brunswick campus. The trucks displayed messages like "Hamas orphans children," and "Hamas rapes women," with a keffiyeh-patterned background. The messages reference now-debunked claims that even the IDF has rescinded. Given that the messages were displayed with a keffiyeh pattern that conflated Palestinians with Hamas, Muslim, Palestinian, and perceived Palestinian students felt targeted and ostracized, stating the trucks endangered the safety of Palestinian identifying and perceived students.

Extreme Vandalism of the Muslim Chaplaincy House of the Campus's Center for Islamic Life, in the Early Hours of the Islamic Holiday Marking the End of the Holy Month of Ramadan

287. On April 10, 2024, in the early morning hours of Eid al-Fitr, a Muslim holiday marking the end of the holy month of Ramadan, the Muslim Chaplaincy house at the Center for Islamic Life at the Rutgers University New Brunswick campus was broken into and ransacked.

288. The perpetrator vandalized the Center, tearing down a Palestinian flag on display, smashing a television and glass items, destroying artwork hung on the walls containing Muslim prayer, and "trashed the place," according to Chaplain Kaiser Aslam.

289. Following this incident of extreme bias, many students who hold, are perceived to hold, or who are associated or affiliated with Palestinian identity—including many Muslim students—have reported feeling unsafe on campus in ways that are impacting their participation in campus life, classes, and programs:

> "It's so disheartening and scary because it just solidifies the fact that we aren't safe here."
>
> "It's like I can't even feel safe in my own campus."

"Maybe it's just best if I stay at my dorm all day long."

Allegations relevant to overall harm facing Rutgers students who hold, are perceived to hold, or are associated or affiliated with Palestinian identity

290. As a result of the University's failure to protect Palestinian, Arab, and Muslim identifying students, as outlined above, the impacted students identified in this writing have experienced bodily harm and threats to their person, emotional distress requiring mental health treatment, and exposure to a campaign of harassment and intimidation from students and faculty alike that has negatively impacted their education and the benefits they are entitled to through the school. These students were fearful of and declined to register for certain classes because professors who have harassed and intimidated Palestinian, Arab, and Muslim identifying students are the exclusive educators for those courses. Several students were robbed of invaluable studying time during final exams because they were dragged into frivolous conduct hearings. Students were forced to take incompletes, delay their graduations, and pay extra semesters of tuition because of the disruption to their education by University action and inaction. After some students were advised by the University to take incompletes to deal with conduct hearings fall semester, they faced consequences as a result, with one student almost losing her Resident Assistant position, and thus her housing, because Residence Life alleged that incompletes taken as a result of the conduct hearings being scheduled during final exams put her beneath the GPA requirement. Another student was barred from the Residential Assistant application process, citing the outstanding SJP organizational conduct issues. On many occasions, Palestinian, Arab, and Muslim students were intimidated at their own campus events, and were specifically asked not to hold certain events on campus for fear of how the community would respond to Palestinian content. Students were forced to change their online presence for fear of cyber-harassment including deleting social media, Linkedin, and engaging outside services to wipe their online content out of fear of their safety.

291. B.A. was doxxed on October 12, and capturing how many Palestinian and allied students have felt on campus, described its impact in a report to the University which has yet to be resolved;

> *After I received the email that discussed sharing my personal information with my name and face (as a visible and clearly identifiable Muslim based on my name and background) as a supporter of terrorism, I had a panic attack and had to speak with*

my therapist to cope. I am also experiencing a loss of sleep and waking up in the night worried about what I will endure in school the next day and if I am safe to attend class. My mental health and well-being have been severely harmed due to C.A.'s actions.

I became scared and paranoid that I would be a victim of a violent attack on my way to class, whenever I would leave my dorm room, and on my walk back from class. I feared I'd be attacked by an individual who was invited to harm me because the students in the email thread were distributing my private information because they said I supported "terrorism" for liking a message. In a climate of rising Islamophobic attacks, I was fearful for my physical safety. My safety and security had been threatened. My sense of physical safety and security has been harmed due to C.A.'s actions.

After I read the emails about planning to distribute my personal information publicly as a terrorist sympathizer, I was so anxious that it was impossible to study and complete my assignments. I had a midterm the next day on Monday, October 16th in Contracts and could not study because I was so consumed by my fear. My academic performance has been severely harmed due to C.A.'s actions. I deactivated my social media accounts and removed my name from the profiles and usernames. I removed all my pictures from social media in fear that someone would use these to create a public profile of me and blacklist me, as the group conspired to do in their email thread. My privacy has been severely harmed due to C.A.'s actions.

292. A.A., another student who was doxxed, captured the alienation and isolation he felt as a Palestinian being targeted by anti-Palestinian racism on campus, writing in an incident report in mid October, to which the University has yet to resolve;

Because of C.A.'s messages on GroupMe and the proceeding email that he sent, I was scared of being physically harmed or killed, isolated in SBA, and ostracized from the Rutgers Newark Law community for being Palestinian. C.A.'s conflation of Hamas and Arabs was extremely offensive and advances the notion that I am a Hamas supporter, as well as that all Arabs - and specific to this context, all Palestinians- are Hamas. For students, like C.A. and those in the email thread, this means

that I am a supporter of terrorism, if not a terrorist myself since all "Arabs" are synonymous with Hamas.

I didn't feel physically safe on and around campus. Due to C.A.'s broadcast that I support Hamas, I was constantly worried that someone would attack me on campus or on my way to my car, especially since I always park a walking distance of 7-15 minutes…. C.A.'s broadcast also pressured me into silence when I was on campus. I was afraid of being labeled a terrorist by simply mentioning Palestine. I was afraid to speak up about the thousands of Palestinian lives lost and homes destroyed, including my family in Palestine. This constant fear of injury or death alongside the mental distress that suppressing my thoughts and beliefs about Palestine cause[s] took a significant toll on my academic performance. I was unable to do my reading assignments efficiently, I was not participating in class as often, and I decided to skip a class once. Moreover, C.A.'s insinuations that I only joined SBA to talk about Palestine made me feel more fearful of injury or death and even more pressured into silence.

Finally, I was worried that I was going to be kicked out of SBA for being Palestinian and speaking up about my beliefs. C.A.'s messages suggested that I was not there to serve the student body on committees, but only for my own political gain, despite the fact that I am Palestinian and we do have Palestinian students, as well as students closely associated with Palestinians as part of the student body. This initiated my fear of being ostracized in SBA which eventually grew into the fear of being physically harmed when C.A. implied the following day in the same GroupMe chat that I am a supporter of Hamas because "Arabs are Hamas" and I am an Arab. The fear cemented into a constant fear when I received screenshots of C.A.'s email where he explicitly claims that I am a Hamas supporter.

293. Rutgers University has been repeatedly placed on notice in the form of formal Complaints via the appropriate University channels and via emails directed to the Deans and Administration detailing the harassment.

294. Despite being placed on actual and constructive notice of the treatment of Palestinian and perceived Palestinian students, the Administration has failed to prevent further harm and has created an environment where staff and students feel empowered to subject Palestinian, Arab, and Muslim identifying students and those perceived to be Palestinian, Arab, and Muslim to discriminatory and demeaning behavior.

III. *Prima Facie* Violations of Title VI that Warrant Investigation by OCR

A university recipient of federal funding like Rutgers can be liable for national-origin discrimination against students under Title VI in one of two ways: if it directly discriminates against students or if it permits third-party harassment of students that is based on the actual, perceived, or associated national origin of the students and is "sufficiently severe, pervasive, or persistent" to impact the students' access to educational programs, benefits and services that the campus provides. A university recipient that has actual or constructive knowledge of a hostile environment must take prompt and effective steps that are reasonably calculated to end the harassment, eliminate the hostile environment, prevent its recurrence, and remedy its effects, by ensuring that students are not restricted from participating in or benefiting from educational opportunities as result of a hostile environment. A university that responds with deliberate indifference or fails to take appropriate responsive action to a known hostile environment violates Title VI and risks losing federal financial assistance.

The allegations in this complaint *prima facie* establish (1) a pattern and practice of ongoing discrimination by Rutgers against students who hold, are perceived to hold, or are associated or affiliated with Palestinian identity and (2) Rutgers' willful failure to prevent severe third-party harassment on campus that has contributed to a learning environment hostile for such students. Indeed, such students have not received equal access to the educational programs, benefits, and services of Rutgers. Instead, they have faced a variety of harms while, at the same time, persevering in the exercise of their First Amendment rights—in order to express support for the lives and liberation of the Palestinian people, who are desperately struggling to survive overwhelming state violence, including genocide and famine.

IV. Remedies Requested

We urge OCR to conduct an investigation, and, after making appropriate findings, require Rutgers to eliminate its discriminatory policies and practices and its hostile environment against students who hold, are perceived to hold, or are associated or affiliated with Palestinian identity—including members of the MLSA, NLJ, SJP, and any/all other students who have been visible and/or vocal on campus this year in their support of Palestinian lives and liberation.

The students whose interests this complaint asserts urge the following remedies from Rutgers:

1. A statement from Rutgers President John Holloway and Rutgers Law School Dean Johanna Bond condemning and apologizing for harassment and discrimination against students who are or are perceived to be Palestinian, Arab, and/or Muslim;

2. A statement from Rutgers President John Holloway and Rutgers Law School Dean Johanna Bond affirming the rights of student groups and students to openly advocate for the lives and liberation of Palestians;

3. Establishment of an anti-doxxing task force consisting of students, faculty, and administrators on all Rutgers campuses and designed to investigate and prevent cyber-harassment and doxxing;

    a. The task force's creation, governance, and decision making should meaningfully include students;

    b. The task force should have the responsibility of creating anti-doxxing policies for the campus and educating all members of the university about the harms of doxxing;

4. Cost-free, university-wide therapy services that are culturally competent and specifically equipped to address the unique needs of Palestinian, Arab, and Muslim students;

5. Appropriate, timely, and fair investigation into incidents of anti-Palestinian, anti-Arab, and anti-Muslim harassment;

6. Redress for students who either missed exams or whose performance on exams was severely impacted due to the administration's improper handling of the events relevant to and referenced within this complaint;

7. Redress for students' who had their employment and/or housing impacted;

8. Training of all Rutgers faculty and staff on the protections of free speech and academic freedoms, with the express understanding that viewpoint discrimination is presumptively illegal;

9. Establishment of an anti-discrimination and free speech task force whose governance and decision-making include students;

a. The task force should be responsible for making context-specific and case-by-case decisions and/or recommendations on how the university should remedy on-campus discrimination, where identities of complainants and relevant third-parties are kept anonymous;

b. The task force should be required to publish an annual report about Title VI and First Amendment violations across Rutgers campuses, and make their reports publicly accessible, while ensuring the anonymity of students potentially implicated and/or impacted by the reported violations;

c. Upon the completion of their report, where the task force finds Title VI and/or First Amendment non-compliance, it should create an action-plan and, without delay, begin implementing the action-plan across the relevant campus(es); and

10. The provision of resources for Palestinian and Arab students on campus in the form of an Arab Cultural Center to support, uplift, and protect Arab-American students.

Respectfully Submitted,

Christopher Godshall-Bennett
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