



February 3, 2021

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Dear President Monaco, General Counsel Jeka and Provost Aubry,

The Louis D. Brandeis Center for Human Rights Under Law is a national public interest legal advocacy organization established to advance the civil and human rights of the Jewish people and promote justice for all. We represent Tufts University student Max Price, who is a member of the Tufts Community Union Judiciary (TCUJ). Over the past several months, Mr. Price has been subjected to anti-Semitic harassment targeting him on the basis of his ethnic and ancestral Jewish identity. This harassment reached a peak a week ago, when Mr. Price was provided with a complaint filed by Tufts Students for Justice in Palestine (SJP) seeking to have him removed from the TCUJ. Mr. Price was given until yesterday to respond in writing to the complaint and was informed that a disciplinary proceeding before the TCU Senate has tentatively been scheduled for February 7, 2021. This hearing represents the continuation of a months-long campaign of intimidation, harassment and discrimination targeting Mr. Price on the basis of his Jewish ethnic identity.¹ It is imperative that the university take prompt and effective steps to protect Mr. Price by halting the upcoming disciplinary hearing and ending the harassment and discrimination that has infringed on Mr. Price's freedom of speech, denied him due process, and deprived him of equal

¹ In addition to the description included in this letter, we have attached as Exhibit A, Mr. Price's personal statement describing the harassment he has endured while at Tufts University. Mr. Price provided this statement to the TCU Senate yesterday in response to the complaint that was filed against him by SJP.

opportunity and equal access to university programs in violation of Title VI of the Civil Rights Act of 1964 and Tufts University's stated institutional policies regarding freedom of speech, including academic freedom, as recently incorporated into regulations of the U.S. Department of Education.

Background

The "Deadly Exchange" campaign at Tufts, which was launched by Tufts Students for Justice in Palestine (SJP) in Spring 2018, falsely blames Israel and its Jewish American supporters for fueling racist conduct in United States law enforcement.² This campaign seeks to link Israel to white supremacy and police brutality. By mischaracterizing the purpose and content of American – Israeli law enforcement exchange programs,³ the Deadly Exchange campaign spreads the false notion that Jews are responsible for systemic racism in the United States. The campaign utilizes anti-Semitic tropes associated with Jewish power and Jewish conspiracies and promotes a modern blood libel – the demonstrably baseless claim that Jews and Israel are somehow responsible for the tragic deaths of unarmed people of color by American police officers.⁴

In the Fall of 2020, Tufts SJP sought to include a Deadly Exchange referendum question on the student election ballot. All members of the Tufts student body were asked to vote on the following:

Do you support Tufts University administration 1) apologizing for sending the former Tufts police chief to an intensive week-long course led by senior commanders in the Israel National Police, experts from Israel's intelligence and security services, and the Israeli Defense Force, 2) prohibiting TUPD officers from attending programs based on military strategies and/or similar international trips in the future, and 3) refining the vetting process to prevent prior program attendees from being hired, not including veterans who may have been stationed or trained abroad during their service?

² Miriam F. Elman, *Israel and the Left: Three Studies of the Crisis: (2) Jewish Voice for Peace's antisemitic Deadly Exchange campaign*, FATHOM, June 2019, <https://fathomjournal.org/israel-and-the-left-three-studies-of-the-crisis-2-jewish-voice-for-peaces-antisemitic-deadly-exchange-campaign/>

³ See Steven Pomerantz, *I am the Architect of the U.S.-Israel Police Exchange. Don't Believe the Lies*. JINSA, June 19, 2020, <https://jinsa.org/i-am-the-architect-of-the-u-s-israel-police-exchange-dont-believe-the-lies/>, and *Leadership Seminar in Israel: Resilience and Counterterrorism*, ADL, <https://www.adl.org/who-we-are/our-organization/signature-programs/law-enforcement-trainings/leadership-seminar-in-israel>

⁴ Andrew Mark Bennett, *JVP's Anti-Semitic Obsession With Jewish Power*, FORWARD, January 9, 2018, <https://forward.com/opinion/391783/jvps-anti-semitic-obsession-with-jewish-power/>

During the course of SJP's campaign to include this referendum question on the ballot, members of SJP repeatedly pressured Mr. Price to recuse himself from the TCUJ's consideration of the referendum language. Mr. Price was targeted because of his Jewish ethnic identity. As described more fully below, Mr. Price was silenced during the TCUJ's consideration of the proposed referendum language, and is now threatened with a disciplinary hearing and removal from the TCUJ for no reason other than that he is a Jew who celebrates his shared Jewish ancestry and ethnicity by expressing support for a Jewish homeland. It is incumbent upon Tufts University to halt the disciplinary hearing against Mr. Price, scheduled for February 7. That disciplinary hearing is deeply rooted in Jew-hatred and is designed to deny Mr. Price an opportunity to participate in Tufts campus life, programs, and activities.

SJP's harassment of Mr. Price.

Determined to rid the TCUJ of Jews who support Israel, Tufts SJP mounted a campaign in recent months to prevent Mr. Price from serving as an elected member of the TCUJ. (*See Exhibit A, Mr. Price's Personal Statement, attached to this letter.*) As a result of SJP's demands, Mr. Price was subjected to two hour-long interrogations by student government officials. The first, on November 15, 2020, was by members of the TCUJ. The second, on November 16, was by leadership of the TCU Senate, CSL and TCUJ. During these sessions, Mr. Price was questioned repeatedly about his personal beliefs and his identity as a pro-Israel Jew. Mr. Price was asked whether his service as co-President of Tufts Friends of Israel rendered him biased and unable to participate in the TCUJ referendum deliberations. No other member of TCU student government was subjected to similar interrogation.

After the first of these sessions, the TCUJ members agreed unanimously that Mr. Price had not displayed any bias during the TCUJ deliberations, and that his critiques of the referendum language had all been fact-based. At the conclusion of the second session, the TCU student government participants agreed that there was no need for Mr. Price to recuse himself. Dissatisfied with this result, SJP continued to target Mr. Price by demanding that the Chair of TCUJ remove Mr. Price from the TCUJ's consideration of the referendum language. In response to SJP's continued pressure, the TCUJ Chair arbitrarily silenced Mr. Price by requiring him to remain "on mute" for the entire TCUJ Zoom meeting held on November 18, 2020. Hence Mr. Price was denied freedom of speech and was unable to respond to factual inaccuracies presented by a guest speaker brought to the meeting by SJP to support the Deadly Exchange Campaign.

TCUJ ultimately approved the Deadly Exchange referendum language, and the referendum initiative passed with a vote of 1,725 "yes" votes, 665 "no" votes, and 161 abstentions. SJP's harassment of Mr. Price continued even after the election was complete. SJP recently lodged a

formal complaint⁵ against Mr. Price, alleging that statements he made in March⁶ and April⁷ 2020, relating to SJP and the Deadly Exchange campaign disqualified him from participating in the TCUJ discussions of the proposed Deadly Exchange referendum language. Mr. Price had made the specified statements in his capacity as President of Tufts Friends of Israel. By making this charge SJP condemns Mr. Price as unqualified to sit on the TCUJ because he expressed an opinion - as a Jew and as President of Tufts Friends of Israel - challenging an anti-Semitic campaign that has permeated Tufts' campus for over two years and has baselessly vilified Israel and those who support the Jewish homeland. That assertion is equivalent to accusing a Black student of bias and declaring them unfit to participate in a student government review of a resolution praising a Confederate general because they once made statements condemning racism. It conceals SJP's real goal, which is to cleanse student government of individuals who express support of Israel in advance of the anti-Israel and anti-Semitic Boycott, Divestment and Sanctions campaign that SJP has announced it will pursue at Tufts this Spring.⁸ The University administration must not assist or condone this effort.

Student government is first and foremost an educational opportunity. The University provides it so that students can participate in and experience the democratic process. The University must ensure that this experience is not undermined by those who subvert democracy by silencing opposing speech. SJP's effort to silence Mr. Price, suppress his opinion, and remove him from the TCUJ is viewpoint discrimination that cannot be tolerated in a free society governed by the free-speech principles of the First Amendment – much less at a University whose Trustees have forcefully proclaimed that “[f]reedom of expression and inquiry are fundamental to the academic enterprise.”⁹

⁵ A copy of the complaint, which was signed by “SJP” as an organization, not by any individual students, is attached as Exhibit B.

⁶ Jackson Richman, *Campaign at Tufts aims to be first US university to end Israel law-enforcement cooperation*, JNS, March 9, 2020, <https://www.jns.org/campaign-tufts-seeks-first-us-university-endorse-campaign-end-us-israel-law-enforcement-cooperation/>

⁷ Aaron Bander, *Tufts Leaders Say They ‘Strongly Disapprove’ of Award Given to SJP*, JEWISH JOURNAL, April 24, 2020, <https://jewishjournal.com/news/united-states/314637/tufts-leaders-say-they-strongly-disapprove-of-award-given-to-sjp/>

⁸ Tufts Students for Justice in Palestine (@TuftsSJP), FACEBOOK (Dec. 19, 2020), <https://www.facebook.com/TuftsSJP/posts/2162397010563285>

⁹ Trustees of Tufts University, *Declaration on Freedom of Expression at Tufts University* (Revised: November 7, 2009), <https://trustees.tufts.edu/policies/expression/>

Zionism is an integral component of Jewish identity for many Jews, including Mr. Price.¹⁰

Mr. Price is a proud Jew who believes in the Jewish people's right to self-determination. His support of Israel, the Jewish homeland, grows out of his ethnic identity as a Jew and the deep ancestral connection of the Jewish people to the Land of Israel. Historically and legally, Judaism is understood to be both a faith and an ethnicity. Jews share not only religious traditions, but also a deep historical sense of Jewish peoplehood. The Jewish people's history, theology, and culture are deeply intertwined with the Land of Israel. In fact, over half of the 613 commandments in the Pentateuch are connected to the Land of Israel and can only be fulfilled in the Land of Israel. For centuries, Jews have not only prayed facing Jerusalem. They have prayed to *return* to Jerusalem.

Zionism as a political movement of the Jewish people may have originated in the 19th century, but the desire and determination of Jews to return to their ancestral homeland in Israel is thousands of years old, as old as Abraham, Moses, and the enslaved Jewish people's exodus from Egypt to the Promised Land.

Zionism is as integral to Judaism as observing the Jewish Sabbath or maintaining a kosher diet. Of course, not all Jews observe the Sabbath or keep kosher, but those who do are expressing important components of their Jewish identity. Similarly, not all Jews are Zionists. But for many Jews, including many Jewish students at Tufts like Mr. Price, identifying with and expressing support for the Jewish homeland is also a sincere and deeply felt expression of their Jewish ethnic and ancestral identity. Harassing, marginalizing, demonizing, and excluding these Jewish students on the basis of the Zionist components of their Jewish identity is just as unlawful and discriminatory as attacking a Jewish student for observing the Sabbath or keeping kosher. At Tufts, Jewish students, like Mr. Price, who support Israel are branded as "racist" regardless of their attitude toward the policies of the current government of Israel. They are being marginalized and excluded merely because they celebrate the Jews' shared ancestry and ethnicity and the existence of the Jewish homeland. Indeed, UNESCO has cautioned that "Jew" and "Zionist" today are often used interchangeably in an attempt by anti-Semites to cloak their hate.¹¹

¹⁰ Alyza D. Lewin, *Zionism: The Integral Component of Jewish Identity that Jews are Historically Pressured to Shed*, 26 ISRAEL AFFAIRS 330 (2020), <https://www.tandfonline.com/doi/full/10.1080/13537121.2020.1754577?scroll=top&needAccess=true>.

¹¹ See UNESCO & OSCE, ADDRESSING ANTI-SEMITISM THROUGH EDUCATION: GUIDELINES FOR POLICYMAKERS 21, 24, 82–83 (2018), <https://unesdoc.unesco.org/ark:/48223/pf0000263702.locale=en>.

The Deadly Exchange Campaign at Tufts University is a thinly veiled effort to marginalize and exclude pro-Israel, Zionist Jews from participation in campus racial and social justice movements.

As noted above, the Deadly Exchange campaign falsely blames Israel and Americans who support the Jewish state for racism and police brutality in America. The Deadly Exchange referendum at Tufts utilized the Deadly Exchange campaign as a litmus test for students on campus; purportedly dividing students who seek racial and social justice from those who don't. This is evident from the coalition of over 40 student organizations that SJP recruited to support the referendum.¹² In addition to organizations representing minority students at Tufts, such as the Black Student Union, Eritrean and Ethiopian Students Association, Filipinx Student Union, Tufts Association of South Asians, and Tufts Association of Latin American Students, the coalition also includes the Tufts Climate Action Committee, the Tufts Labor Coalition, Action for Sexual Assault Prevention, United for Immigrant Justice, and Tufts Student Coalition for Anti-Racism. The message to Jewish students at Tufts is clear: If you wish be part of the racial and social justice community on campus, if you want to advocate for immigration rights, women's rights, minority rights, or to protect the environment, you must vote "yes" on the Deadly Exchange referendum language. This presents Jewish students who support the Jewish homeland as an expression of their Jewish ethnic identity with an untenable choice. To join the campus racial and social justice community they must first shed their ethnic pride and disavow the Jewish homeland. That is a price no student should have to pay.

Contrary to what SJP would have students believe, the Deadly Exchange referendum question was not designed to impact policing on Tufts' campus. A student poll revealed that the policing issues of concern to Tufts students include: whether all TUPD need to be armed, whether a police officer must be present at every TEMS (Tufts Emergency Medical Services) call, whether Tufts can hire more police officers of color, whether unmarked police vehicles are necessary, and how to ensure greater transparency in the TUPD. The Deadly Exchange referendum question did not address a single one of these concerns. Instead of diminishing alleged racism and discrimination at Tufts, the Deadly Exchange referendum fostered an alternate form of harassment and discrimination.

Indeed, even Jewish Voice for Peace (JVP), the anti-Zionist organization that first promoted the "Deadly Exchange" campaign has recognized that the campaign fosters anti-Semitic tropes. In June 2020, JVP noted on its website (emphasis added):

¹² Tufts University Students for Justice in Palestine, *Tufts students pass referendum demanding university end the deadly exchange*, MONDOWEISS, Dec. 22, 2020, <https://mondoweiss.net/2020/12/tufts-students-pass-referendum-demanding-university-end-the-deadly-exchange/>

Highlighting these police exchange programs without enough context or depth can end up harming our movements for justice. **Suggesting that Israel is the start or source of American police violence or racism shifts the blame from the United States to Israel.** This obscures the fundamental responsibility and nature of the U.S., and harms Black people and Black-led struggle. It also **furtheres an antisemitic ideology.** White supremacists look for any opportunity . . . to **frame Jews as secretly controlling** and manipulating the world. Taking police exchanges out of context provides fodder for those **racist and antisemitic tropes.**¹³

Yet the Tufts Deadly Exchange campaign singled out Israel and Jews. An online Zine,¹⁴ prepared by Tufts SJP to describe the campaign, noted that “The United States and Israel are settler-colonial states that work together to keep apartheid power.” In the paragraphs beneath that heading, the Anti-Defamation League (ADL), the largest and oldest Jewish civil rights organization in the United States, is described as “the single largest non-governmental police trainer in the country.” The publication then smears the ADL as “anti-Arab, anti-Muslim, and anti-Palestinian” and as “violently” critical of the Movement for Black Lives. The section closes with the question “Does your theory of safety rely on oppressing another group of people?” The implication is clear. According to SJP’s Zine, Jews are racist and Jews are the ones training US police to be racist. It follows that if you vote “no” on the Deadly Exchange referendum, your “theory of safety” must “rely on oppressing another group of people.”

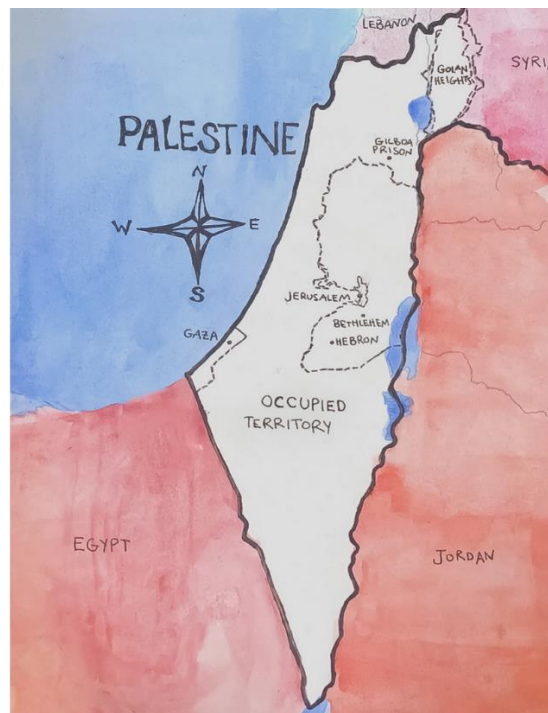
The SJP Zine goes even further to single out Jews. In a section titled “Some Questions to Ponder,” the publication states:

- Who shows up for Black lives?
- How can Zionists support Black Lives Matter but not support a Free Palestine?
- How are Jewish people taught at a young age to unabashedly support Israel’s settler-colonial practices or worse, join the IDF? What are the implications of this teaching alongside an education emphasizing Jewish Values of “Tikkun Olam” or “repairing the world?”

¹³ Jewish Voice for Peace, *Deadly Exchange Statement*, June 5, 2020 <https://jewish-voiceforpeace.org/update-on-deadly-exchange-campaign/>

¹⁴ Tufts Students for Justice in Palestine, *End the Deadly Exchange at Tufts*, <https://indd.adobe.com/view/48dd0486-a3d7-4322-94ff-b72e2d5a9c3b?fbclid=IwAR3gLf-fBzCIK1kKwmGt5oe3-mMGcRwf-Wkwz7rtcHJckFz-hbizS1Qymo>

Implicit in these “questions to ponder” is the premise that Zionists are racists and that Jews who support a Jewish homeland cannot also support Black Lives Matter or racial and social justice movements. To the contrary, principles of justice are at the core of Jewish values. “Justice, Justice shall you pursue” (Deuteronomy 17:20) is a biblical admonishment that Jews hold dear. Indeed, Jews were at the forefront of the civil rights movement in the United States. It is not incongruous to support both the right of Jews to self-determination in the Jews’ ancestral homeland and to support racial and social justice movements. Zionists can support co-existence between Israelis and Palestinians while fighting for human rights. What is anathema to Zionists is the destruction of the world’s one and only Jewish homeland. But that is what the Tufts Deadly Exchange campaign asks Tufts students to accept. It demands that Tufts students who seek social justice agree that the modern State of Israel is illegitimate and has no right to exist. According to the map that SJP included in its Zine, the land *within* Israel’s 1948 borders is “occupied territory” and the entire State of Israel is to be replaced by a State of Palestine.



The Deadly Exchange campaign at Tufts is a litmus test used by SJP to marginalize, harass and exclude from the campus community Jewish students like Max Price, who support the Jewish State of Israel as an expression of their ethnic and ancestral identity. To protect these students, the university must recognize and condemn the campaign’s inherent anti-Semitic content.

Tufts University is legally obligated to protect Mr. Price.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs, like Tufts', that receive federal funds. Guidance issued by the U.S. Department of Education Office for Civil Rights (OCR) and the U.S. Department of Justice Civil Rights Division confirms that Title VI covers discrimination on the basis of Jewish ancestry and ethnicity.¹⁵

The Executive Order on Combating Anti-Semitism,¹⁶ issued in December 2019, directs all federal agencies, including the Department of Education, to refer to the International Holocaust Remembrance Alliance Working Definition of Antisemitism (the "IHRA Definition") when investigating allegations of anti-Semitism under Title VI of the Civil Rights Act of 1964. The IHRA Definition¹⁷ has been adopted by over twenty-eight countries, government entities, U.S. states and cities, and is supported or endorsed by the European Union and the U.N. Secretary General.¹⁸ The definition recognizes anti-Semitism as hatred toward Jews and provides guidance for understanding when anti-Israel and anti-Zionist expression becomes targeted, intentional, discriminatory harassment and intimidation of Jewish students. The Executive Order is particularly relevant to situations like Mr. Price's, where protected free expression has crossed the line into harassing, discriminatory, and unlawful conduct.

The U.S. Department of Education's regulation on *Religious Liberty and Free Inquiry*, implementing Executive Order 13864 (Improving Free Inquiry, Transparency, and Accountability

¹⁵ See Kenneth L. Marcus, *Dear Colleague Letter*, Dept. of Educ. OCR (2004), <https://www2.ed.gov/about/offices/list/ocr/religious-rights2004.html> and Thomas E. Perez, *Letter to Russlynn H. Ali*, Dept. of Educ. OCR (2011) https://www.justice.gov/sites/default/files/crt/legacy/2011/05/04/090810_AAG_Perez_Letter_to_Ed_OCR_Title%20VI_and_Religiously_Identifiable_Groups.pdf ("discrimination against Jews . . . violates Title VI when that discrimination is based on [the Jewish people's] actual or perceived shared ancestry or ethnic characteristics, rather than its members' religious practice.") See also: *Shaare Tefila Congregation v. Cobb*, 481 U.S. 615 (1987).

¹⁶ EXECUTIVE ORDER ON COMBATING ANTI-SEMITISM, Exec. Order 13899 (Dec. 11, 2019), <https://trumpwhitehouse.archives.gov/presidential-actions/executive-order-combating-anti-semitism/>.

¹⁷ INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE WORKING DEFINITION OF ANTISEMITISM, <https://www.holocaustremembrance.com/working-definition-antisemitism>.

¹⁸ ADL, *The President's Executive Order on Anti-Semitism: Frequently Asked Questions*, <https://www.adl.org/resources/backgrounders/the-presidents-executive-order-on-anti-semitism-frequently-asked-questions>.

at Colleges and Universities) provides that private universities must honor their own policies regarding freedom of speech as a condition of any and all grants received from the Department.¹⁹

Each grantee that is an institution of higher education, as defined in 20 U.S.C. 1002(a), that is private (hereinafter “private institution”) must comply with its stated institutional policies regarding freedom of speech, including academic freedom, as a material condition of the Department’s grant.²⁰

This federal regulation incorporates Tufts’ policies regarding freedom of speech, including the Trustees’ *Declaration on Freedom of Expression at Tufts University*, into Tufts’ grant conditions with the Education Department. The *Declaration*, as incorporated, rightly states that “[f]reedom of expression and inquiry,” while not absolute, are “fundamental to the academic enterprise.” The Trustees, moreover, have commendably admonished that “[m]embers of the university community, *including academic and administrative leaders*, must hold accountable those who do not respect these values” (emphasis added). You have also publicly adopted these principles, President Monaco, in your expression of Tufts policy going back to your Inaugural Address, in which you eloquently pledged that, “Tufts is a community, above all, where freedom of expression is cherished.”²¹ Indeed, you have repeated these principles throughout your tenure, emphasizing their centrality at Tufts throughout its entire distinguished history:

Since its founding in 1852, Tufts has embraced a campus culture that encourages the free and unfettered exchange of ideas. It is what defines us as a university in pursuit of discovery and knowledge, and it is what prepares our students to take on the complex challenges of our times.²²

¹⁹ U.S. Secretary of Education Betsy DeVos Delivers on Promise to Protect Free Inquiry and Religious Liberty, *Press Release*, Dept. of Educ., Sept. 9, 2020, <https://www.ed.gov/news/press-releases/us-secretary-education-betsy-devos-delivers-promise-protect-free-inquiry-and-religious-liberty>

²⁰ Free Inquiry Final Rule <https://www2.ed.gov/about/offices/list/ope/freeinquiryfinalruleunofficialversion09092020.pdf> at 235, amending 34 CFR § 75.500 (c)(1).

²¹ Anthony P. Monaco, Inaugural Address, Tufts University (October 21, 2011), <https://president.tufts.edu/news/2011/10/21/inaugural-address/>

²² Anthony P. Monaco, “Free Speech on Tufts Campus,” *The Tufts Daily* (January 13, 2015), <https://tuftsdaily.com/opinion/2015/01/13/free-speech-tufts-campus/>

These “defining” principles are “Advertised Commitments to Free Expression”²³ which are publicly known and relied upon, by current and prospective Tufts students, their families, federal agencies, and nonprofit organizations. To this extent, these principles are enforceable through the federal Education Department, as well as under contract law.²⁴

Tufts University is therefore legally obligated to protect Mr. Price from anti-Semitic harassment that targets him because of his Zionist identity and seeks to silence him, to punish him for his exercise of expressive rights protected under Tufts’ stated institutional policies, and to deny him an equal opportunity to serve on the Tufts TCUJ.

The harassment targeting Mr. Price on the basis of his Jewish ethnic and ancestral identity violates Tufts University Policy.

Tufts’ non-Discrimination Policy²⁵ states:

As a member of the Tufts community you have the right to work, learn, and live in an environment free from discrimination and harassment. You have the right to equal opportunity and equal access to all university programs, employment and activities.

Max Price, was selectively targeted, harassed, interrogated and ultimately silenced, by SJP and members of the Tufts student government, because of his Jewish ethnic identity. His harassers seek to cleanse the student government of Jews who support Israel, and they are now seeking to deny him equal access to university programs by unlawfully removing him from his duly elected position on the TCUJ. His rights as a Tufts student to equal educational opportunity and to an environment free from harassment and discrimination have been violated.

The Bill of Rights²⁶ included in the TCU Constitution, Article I(D)(3) states:

All members of the TCU shall be entitled to . . . [a]ctively participate in the TCU government by voting on campus-wide issues, . . .

²³ Foundation for Individual Rights in Education, https://www.thefire.org/fire_speech-codes/tufts-demonstrations/.

²⁴ The Trustees have also rightly acknowledged that members of the Tufts community also owe to one another other forms of respect that do not “enjoy[] the force of law” but that have also not been extended to Mr. Price, such as “the basic respect” and “ethical obligations of human beings engaged in a common endeavor.”

²⁵ TUFTS UNIVERSITY OFFICE OF EQUAL OPPORTUNITY, NON-DISCRIMINATION POLICY, <https://oeo.tufts.edu/policies-procedures/non-discrimination/>

²⁶ Tufts Community Union Constitution, *as amended*, April 26, 2018, <https://drive.google.com/file/d/11Jsr8tEF-G6sLWvEC6EnrgrA7Z2dmw9P/view>

[and] participating during meetings of the government or Senate . .

..

Requiring Mr. Price to remain “on mute” for the duration of the TCUJ’s November 18 meeting, silencing his speech, and preventing him from fully participating in that TCUJ meeting constituted a blatant violation of Mr. Price’s rights under this provision of the TCU Constitution. Silencing Mr. Price similarly violated the Tufts Board of Trustees 2009 *Declaration on Freedom of Expression* which recognizes that “[f]reedom of expression and inquiry are fundamental to the academic enterprise.”²⁷

In addition, SJP and the TCU Senate violated Mr. Price’s due process rights as set forth in the Tufts Student Conduct Resolution Procedure (SCRP).²⁸ According to the SCRP, complaints like the one filed by SJP against Mr. Price are to be submitted to the Office of Community Standards (SCRP C). If proper procedure had been followed, the Office of Community Standards would have appointed a “conduct officer” who would have scheduled an “initial meeting” with Mr. Price to discuss the complaint (SCRP I(4)). Only after the conduct officer had reviewed the complaint, discussed it with Mr. Price, and given him the opportunity to reply in writing to the complaint would a hearing have been scheduled. SJP deliberately side-stepped these important procedures designed to protect students, like Mr. Price, from baseless, harassing complaints. When Mr. Price called this omission to the attention of the TCU Senate, he was told that although his disciplinary hearing scheduled for February 7 would be governed by Section K of the SCRP, the TCU Senate had no intention of abiding by these preliminary procedures.²⁹ Mr. Price has a right to have a university administrator review the complaint and meet with him to determine whether or not the complaint should be permitted to proceed to a hearing. By refusing to follow this procedure, SJP and the TCU Senate have denied Mr. Price due process protections to which he is entitled under the SCRP.

Silencing Mr. Price during the TCUJ deliberations of the Deadly Exchange campaign denied the free speech that the First Amendment secures against government suppression.

Excluding Mr. Price from the TCUJ deliberations on the basis of his Jewish ethnic identity and his familiarity with the Deadly Exchange campaign and SJP denied his right of free speech that is sacred to any educational institution – and which the Trustees of this particular institution

²⁷ Trustees of Tufts University, *Declaration on Freedom of Expression at Tufts University* (Revised: November 7, 2009), <https://trustees.tufts.edu/policies/expression/>.

²⁸ Tufts University Student Conduct Resolution Procedure, <https://students.tufts.edu/student-affairs/student-code-conduct/v-student-conduct-resolution-procedure>

²⁹ A copy of the relevant email exchange between Mr. Price and the TCU Parliamentarian is attached as Exhibit C.

have rightly insisted is “necessary . . . for learning to take place.”³⁰ SJP claims that Mr. Price’s prior statement about the Deadly Exchange campaign disqualified him from serving on the TCUIJ. This would prohibit a student who is “familiar with” a topic (as the TCU Constitution Article III(D)(4)(a) suggests) from engaging in student government review of a resolution that relates to that subject. Excluding individuals who are “familiar with” a controversial issue means excluding not only individuals who have prior personal knowledge relating to that subject, but also excluding all students whose identity is intertwined with it. Taken to its logical conclusion, SJP’s position would mean that Black students may not participate in student government discussions related to race, Catholic students may not evaluate student government resolutions related to religion, and Jewish students must be precluded from discussing anti-Semitism.

For example, if a Black student studying in 1952 at a university had been active with the National Association for the Advancement of Colored People (NAACP), would that student have been prohibited from speaking out against a resolution urging the Supreme Court to retain the “separate but equal” rule of *Plessy v. Ferguson*?

Or if a Catholic student studying in 1960 at a university had expressed faith in the Pope and the Vatican should that student have been disqualified from opposing a resolution urging the defeat of John F. Kennedy in his race for President because Catholics could not be trusted to make decisions veering from Catholic doctrine?

Similarly, a Jewish student who supports the existence of a Jewish homeland should not be barred from consideration of a resolution that blames Israel for racism in America.

Denying a Black, Catholic or Jewish student the right to express their opinion in such situations amounts to “viewpoint discrimination.” The United States Supreme Court and lower federal and state courts have held that the constitutional protection of free speech prohibits the governmental suppression of speech in any public forum in a manner that is not content-neutral. E.g., *Lamb’s Chapel v. Center Moriches Union Free School District*, 508 U.S. 384 (1993); *Rosenberger v. Rector and Visitors of Univ. of Virginia*, 515 U.S. 819, 829 (1995). Even where there is benign intent, such discrimination is subject to strict scrutiny. *Reed v. Town of Gilbert*, 576 U.S. 155, 165-166 (2015). See *Good News Club v. Milford Central School*, 533 U.S. 98, 107-114 (2001). Many of the original decisions on this subject concerned the exclusion of religious groups from the public forum (e.g., *Widmar v. Vincent*, 454 U.S. 263 (1981)), but the principle extends beyond religion.³¹

³⁰ Trustees of Tufts University, *Declaration on Freedom of Expression at Tufts University* (Revised: November 7, 2009), <https://trustees.tufts.edu/policies/expression/>

³¹ For example, in *Sweet Sage Cafe, LLC v. Town of North Redington Beach*, Florida, 2017 WL 385756 (M.D. Fla. January 27, 2017), a local sign ordinance that permitted certain signs and prohibited others based on the content of the signs was held to violate the First Amendment because it was “a content-based scheme of speech regulation that is not narrowly tailored to serve a compelling government purpose.”

Silencing Max Price's expression of opinion on the TCUJ Judiciary because he is Jewish and expresses a Zionist, pro-Israel opinion is flagrant "viewpoint discrimination" that cannot be tolerated in a free society or in a university where the free-speech principles of the First Amendment govern. The university must forcefully condemn this violation of Mr. Price's right to free expression.

Recommended Corrective Action

Max Price has been subjected to unlawful harassment and discrimination by students who seek to silence him and deny him the opportunity to serve on the TCUJ. He has been singled out for this treatment because of his Jewish ethnic identity. To protect Mr. Price Tufts University must (1) promptly halt the disciplinary hearing scheduled for February 7; (2) conduct an investigation to determine which students are responsible for the anonymous complaint (filed in the name of SJP); (3) discipline any students who are found, after prompt investigation, to have violated university policy by conducting a campaign of intimidation and harassment targeting Mr. Price; (4) warn Students for Justice in Palestine that it may not retaliate against Mr. Price for bringing this harassment campaign to the attention of university administrators, and that the organization will be sanctioned if SJP or any its members retaliate against Mr. Price; and (5) President Monaco should apologize to Mr. Price and the Tufts Jewish community, publicly and in writing on behalf of the University, for the way in which they have been treated.

In addition, we offer the following recommendations for the University to address campus anti-Semitism³² and make Tufts University a welcome and safe environment for all students:

- (A) The University should issue a statement condemning anti-Semitism in all its forms and publicly acknowledge that, for many Tufts students, Zionism is integral to their identity as Jews. We propose the following language:

We condemn antisemitism in all its forms. We recognize that Zionism is a key component of the religious and ethnic identity of many students on our campus. Efforts to demonize Zionism and make these Tufts students feel unsafe expressing this part of their religious and ethnic identity is contrary to our university's basic values of mutual respect and inclusion. Our university must be a place for the free and open exchange of ideas. It is never acceptable to harass, intimidate, marginalize, exclude or demonize any part of our university community on the basis of its identity.

- (B) The University should officially adopt and utilize the IHRA Working Definition of Anti-Semitism and its contemporary examples when investigating and responding to

³² Attached as Exhibit D are prior communications to the University from the Tufts Jewish community describing incidents of anti-Semitism at Tufts University.

- incidents of harassment and discrimination at Tufts to determine whether they are motivated by anti-Semitic animus or bias. The University should publicly encourage the Tufts community to educate itself about the many manifestations of anti-Semitism by reading and studying the IHRA Definition and its contemporary examples.
- (C) The University should revise its non-discrimination policy to include a prohibition on discrimination based on shared ancestry and ethnic characteristics, including anti-Semitism as defined in Executive Order 13899 and, more specifically, in the IHRA Working Definition and IHRA's contemporary examples of anti-Semitism. The revised policy should include a description of the forms of anti-Semitism that can manifest in the University environment and provide examples of discrimination on the basis of shared ancestry and ethnic characteristics, which must include the contemporary examples of anti-Semitism in the IHRA Definition.
- (D) The University should conduct training for the University community, including students, faculty, staff, administrators, and campus security, concerning the revised non-discrimination policy and its implementation. Such training must include programming and educational materials about national origin discrimination and harassment, which specifically address the many manifestations of anti-Semitism and incorporate the IHRA Working Definition and its contemporary examples.
- (E) The University should offer credit-bearing coursework in the study of anti-Semitism and should provide resources to support Tufts faculty and students who choose to conduct research and study in this area. The University should also hire an expert in anti-Semitism as a tenure-track faculty position.

We remain available to share our expertise on these issues and to further discuss our recommendations with you. If we can be of assistance, please feel free to contact us via email (at the email addresses beneath our signatures) or by phone at (202) 559-9296.

Sincerely yours,



Kenneth L. Marcus
Founder & Chairman
klmarcus@brandeiscenter.com



Alyza D. Lewin
President
alewin@brandeiscenter.com



Denise Katz-Prober
Director of Legal Initiatives
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cc: Peter R. Dolan, Chair of the Board of Trustees
chairman@tufts.edu

EXHIBIT A

Max Price Personal Statement and Attached Exhibits

EXHIBIT A

My name is Max Price and I am a Junior at Tufts University. I am a student, a musician, a writer, and an aspiring policymaker. However, some parts of my identity are inalienable and nonnegotiable: I am a proud Jew and an outspoken defender of the right of all peoples to self-determination, as well as the Jewish right to live peacefully without fear of discrimination and prejudice. I committed to attending Tufts in 2018, proud to take my place at an elite institution of learning, most notable for its capacity for spirited and free debate on the great issues of our time. However, I was disappointed to find that my Jewish identity made me unfit to participate in this debate, at least in the eyes of some students and administrators. This is despite serving as a community leader, President of Tufts Friends of Israel, an elected member of the student Judiciary, and a tireless voice against anti-Semitism and bigotry in all of its forms. For these unforgivable crimes I have been targeted and marginalized, called a racist, a fascist, a Nazi, an enemy of progress. I have been slandered in the student newspaper and most recently, threatened with impeachment and removal from the student government. My innumerable complaints and warnings to the administration were unheeded and most often ignored, despite 30+ documented incidents of anti-Semitism over the last three years, including the posting of a swastika on the door of a Jewish student. The anti-Semitism that Jewish students face at Tufts is not always so immediately recognizable. It does not emanate from a secret cabal of white supremacists, nor an alt-right student collective. Rather, it camouflages itself to assume the form of progressive activism.

The specter of anti-Semitism, often under the guise of anti-Zionism, has haunted my Tufts experience from the beginning. I arrived in the wake of the passage of the Boycott, Divest, and Sanctions resolution and amidst the formation of a new blood libel: the Deadly Exchange. This conspiracy theory posits that the Israeli government, along with its Jewish American proponents, are responsible for institutional racism and police brutality in the United States. When asked in March 2020 by journalists for my personal opinion on this matter in my capacity as the President of Tufts' only Zionist student organization, I told the truth:

“It distracts from the real issues in our country and on our campus. The campaign rests on mistruths—the trip did not include training and was not with a military force—and ignores the fact that the seminar included Palestinian police, as well as Israeli police...the campaign maligns Israel by linking it to longstanding issues of systemic racism and police brutality in the United States, when in reality Israel is not accountable for the actions of TUPD or any American police in the past or future.”

I was elected to the TCUJ in Spring 2020. Throughout the Deadly Exchange referendum process this Fall, I took on the constitutional responsibility ascribed to me: eliminating biased, misleading, or otherwise untruthful language from the proposed referendum text. As a member of the Judiciary,

I insisted upon honesty, balance, and transparency of intent throughout the referendum process. From the beginning of the process, I was completely straightforward about my personal beliefs on the subject and vowed to the other TCUJ members that I would not allow those beliefs to bias my decision making.

The initial referendum language provided by SJP contained several demonstrably untrue premises. First, the law enforcement exchange programs are not military-led trips. They do not feature military training or any formal meetings with active military officials in Israel. This can be verified by reading the trip itinerary that SJP provides. All past participants in these events, which feature both Palestinian and Israeli civil police officials, describe it as an educational seminar (as does the event's host, the Anti-Defamation League, which has fought bigotry for over a century). Second, SJP's proposed referendum language asked Tufts University to apologize for "sending" the former TUPD chief to this seminar and demanded that the university never do so again. However, the ADL sponsored the trip and invited the officer, and Tufts said publicly that they have no future plans to participate. Finally, the third clause of the referendum called for discrimination against a protected class, insisting that TUPD amend its hiring practices to exclude military veterans or others who have received military training.

When I pointed out these fact-based concerns with the proposed referendum language, the other members of the TCUJ agreed with me. TCUJ then attempted to negotiate in good faith with SJP to reach the shared goal of generating a fair, unbiased referendum that would challenge police militarization on Tufts' campus. On at least two occasions, the TCUJ sent specific proposed revisions to SJP in order to address the inaccuracies in their proposed text. SJP rejected the revisions (Exhibits 1-4).

I was shocked when fellow members of the student government asked me to recuse myself from constitutionally required deliberations on the language. In several emails, SJP members called me inherently "biased" and demanded that I be muted or barred from attending digital Judiciary meetings (Exhibits 5-11). I was told that I had an unavoidable conflict of interest by members of the Senate Executive board and student leaders in the Committee on Student Life and pressured, without regard to constitutional process, to dismiss myself from the proceedings. I refused. My Jewish identity is not an "conflict of interest." The only conflict I have is with misinformation, manipulation, bullying, and the scourge of anti-Semitism.

Student members of SJP have repeatedly and persistently harassed me in an attempt to silence my voice. First, they tried to force me to recuse myself and put pressure on the TCUJ and the leadership of TCU Senate and CSL to mandate my recusal. That did not work, so now SJP has filed a complaint seeking my impeachment and removal from student government. They are targeting me based on protected characteristics, my Judaism and my Zionism which is inherent in my expression of Judaism. They have made eminently clear their perspective that no person with my beliefs can

be allowed to participate in student government. That is why they are attempting to strip me of my rights as a Tufts student and as an American.

On November 15, in response to emails from SJP members, the TCUJ held an emergency meeting to determine whether I should have to recuse myself from the TCUJ discussions of the referendum language. At this meeting, my quotes from the March and April 2020 articles SJP had cited were read out loud and the TCUJ members were asked to consider whether these statements rendered me biased. In addition to considering my past statements, the TCUJ members discussed my conduct and the contributions that I had made during the referendum review process. In the end, all five members of the TCUJ agreed that my identity and perspective had not biased the referendum proceedings in any way. They agreed that I had provided valuable and necessary insight throughout, that my comments had been fact-based, and that my background knowledge of the issue at hand was of a net benefit. The TCUJ voted unanimously to recommend that I did not need to recuse myself. The other members of the TCUJ, with myself abstaining, also voted to send an email to SJP that (i) disputed the claims that the critiques of the referendum had been anything but fact-based, (ii) explained I had exhibited no bias throughout the process, and (iii) discussed the TCUJ's role in the referendum review process (Exhibit 4).

After the TCUJ members agreed that I did not have to recuse myself, SJP (refusing to accept that as an elected member of the TCUJ, I had a right and responsibility to participate in the process in full) submitted a second complaint to CSL and TCU Senate leadership (Exhibit 12). In response, the TCU Senate President set up a meeting for the next day, November 16, to discuss the allegations. I was led to believe that the purpose of the meeting was to decide conclusively whether the SJP allegations had any merit and whether any further action would be initiated against me. Present at the meeting were myself, TCU Senate President [REDACTED], TCU Vice President [REDACTED], TCU Treasurer [REDACTED], TCU Parliamentarian [REDACTED], TCU Diversity Officer [REDACTED], TCUJ Chair [REDACTED], TCUJ Vice Chair [REDACTED], CSL co-chair [REDACTED], CSL member [REDACTED], and Director of Campus Life [REDACTED], an administrator.

In my opening statement, I explained that Zionism is a crucial part of my Jewish identity, due to the shared Jewish history and heritage that is implicit in Zionism, but that identity has never impaired my ability to serve on TCUJ. In fact, I noted that my experience with the Israeli-Palestinian conflict had enhanced my capacity to evaluate the referendum question. Additionally, I shared my perspective that I personally see police demilitarization and criminal justice reform as key priorities. The other student government leaders grilled me for over an hour about whether my personal beliefs and Jewish and Zionist identities impact my ability to serve on the TCUJ on this issue. I was explicitly asked if being co-president of Tufts Friends of Israel—the sole Zionist student club on campus—rendered me too biased to participate in this process. The undercurrent of nearly every question was whether my Zionist beliefs, which are a central expression of my Jewish identity, disqualified me from serving on student government.

At no point were any of my substantive statements or actions during the TCUJ review process cited or specifically called into question. [REDACTED], the TCUJ Chair, spoke in my defense, asserting the official TCUJ position that I had not shown any bias throughout the process. At the conclusion of the meeting, all present participants agreed that there was no need for me to recuse myself, and no further steps were taken by TCU Senate, CSL, TCUJ, TCU Elections Committee (ECOM), Office for Campus Life (OCL), or any other body on this subject.

SJP, however, would not give up. They continued to pressure [REDACTED] to force me to recuse myself (Exhibits 13,14). The final meeting of the TCUJ to discuss and vote on the wording of the referendum was scheduled to take place on November 18, 2020 at 7:00 PM. Shortly before this meeting was scheduled to start, I was informed by [REDACTED] (via a group text to the TCUJ members) that I would have to remain on mute during the entire meeting (which was being held via Zoom) (Exhibit 15). We were also informed that SJP members would be joining the meeting and would be bringing a guest speaker, Eran Efrati, to educate the TCUJ members on the Deadly Exchange campaign. SJP presented Mr. Efrati as an “expert.” However, Mr. Efrati is known to have expressed anti-Semitic sentiments including comparing the Israeli government to the Nazis. That Mr. Efrati, who was central to the generation of the Deadly Exchange conspiracy theory, was considered an academic source while I was considered too biased to participate demonstrates the cognitive dissonance present in SJP’s complaint.

When I joined the TCUJ Zoom meeting at approximately 7:00 PM, [REDACTED] immediately announced that I would have to mute myself once SJP joined the session. Though I had the technical capability to unmute myself, [REDACTED] warned that he was running the meeting and would re-mute me if I attempted to speak. I challenged this decision as unjust and unwarranted, especially in light of the TCUJ’s conclusion only days earlier that I had been an unbiased and valuable member of the committee. [REDACTED] responded that the only way he was able to get SJP to agree to attend the meeting in order to reach an agreement on final referendum language was if I was silenced.

When I expressed concern about the bias of both the referendum’s language and SJP’s outside expert and noted that as a member of the TCUJ I have a right to speak, [REDACTED] insisted that I would have to remain muted during the meeting, but he suggested that I track down a third-party proxy to present my position. I had 15 minutes before the SJP members and Mr. Efrati were scheduled to join the call. I scrambled during the next few minutes to find a speaker who would be able to respond to what I feared would be misleading statements made by Mr. Efrati. I was able to find a pro-Israel activist on Twitter, Mr. Joshua Washington of the Institute for Black Solidarity with Israel. Mr. Washington, despite not knowing me and having no preparation time to talk to me about the issue, agreed to join the Zoom meeting to respond to any biased statements of SJP and Mr. Efrati. During the meeting, Mr. Efrati was permitted to speak without interruption. However,

as soon as Mr. Washington began speaking, he was repeatedly interrupted by the members of SJP who demanded that he be prohibited from participating. This demand was made despite SJP inviting their own, deeply biased speaker to the meeting. Ultimately, Mr. Washington was barely able to speak for a full minute for the entirety of the meeting.

I attempted to provide some perspective to SJP's heavily biased presentation by texting fact-checks to the other TCUJ members in our group chat. Another member asked me to better explain my positions after SJP and Mr. Washington left the Zoom meeting, before the vote. Unfortunately, I never had that opportunity because [REDACTED] suddenly and unexpectedly called for the vote at 7:58 PM, demanding that the TCUJ members vote via Facebook messenger and conclude the process. In a highly unusual if not unprecedented move, SJP—the sponsor of the referendum—was allowed to stay on the call and observe the voting (Exhibit 16). The referendum language that passed with a vote of two ayes, 1 nay, and 2 abstentions was:

Do you support Tufts University administration 1) apologizing for sending the former Tufts police chief to an intensive week long course led by senior commanders in the Israel National Police, experts from Israel's intelligence and security services, and the Israeli Defense Force 2) prohibiting TUPD officers from attending programs based on military strategies and/or similar international trips in the future, and 3) refining the vetting process to prevent prior attendees from being hired? (Exhibit 17)

By silencing me, SJP and the TCUJ Chair robbed me of my rights under the TCU Constitution. The TCU Bill of Rights expressly provides that “[a]ll members of the TCU shall be entitled to . . . [a]ctively participate in the TCU government by voting on campus-wide issues, . . . [and] participating during meetings of the government or Senate” Nowhere in the TCU Constitution is it suggested that a member of TCUJ is empowered to silence a specific member of the TCUJ during a meeting for a vote on an issue. The responsibilities of the Chair of the TCUJ are clearly enumerated; none can be construed as empowering the Chair to take such action as SJP demanded or as Mr. Dahlerbruch took on November 18.

With respect to SJP's claims that I was somehow in collusion with Mr. Washington's actions (recording the TCUJ meeting and posting it online), there is documented proof that I was furious with Mr. Washington and messaged him demanding that he take down the video immediately (Exhibits 18-20). As for the allegation that Mr. Washington's attendance was not allowed under Tufts guidelines, there is no formal process for which I am aware. I was following the instructions of the TCUJ Chair, and Mr. Washington's attendance to the TCUJ meeting was of the same form as Mr. Efrati's.

During the course of the Deadly Exchange referendum campaign, SJP ran roughshod over the Tufts Constitution in more ways than just silencing me during the TCUJ meeting. SJP students violated several clauses of the TCU Constitution, the Judiciary Bylaws, and the Elections Commission (ECOM) Bylaws in their haste to get the Deadly Exchange language on the ballot. They violated the order for referendum proceedings set out in the Constitution. SJP began collecting petition signatures before it had received approval of its proposed language. The Constitution requires the Judiciary to first approve referendum language as unbiased and factually accurate. Then the Committee on Student Life must rule on the referendum language's legality and compliance with University guidelines. SJP began collecting petition signatures before the Judiciary Committee and the Committee on Student Life had completed their review. By asking the student body to sign on to referendum language that had not yet been vetted and approved, SJP increased the pressure on the TCUJ and CSL to accept the problematic language it had submitted. In addition, despite having no constitutional role in the process, the TCU Senate repeatedly pressured the Judiciary to rush through the referendum without due process, threatening to recall elected representatives. The TCU President even showed up unannounced to a Judiciary meeting, violating separation of powers, to express her hope that the referendum language would pass through quickly. The Election Commission failed to inform the Judiciary of plans to rapidly hold an election, which put unexpected pressure on the Judiciary to quickly approve a biased referendum text. ECOM also failed to hold a constitutionally-required public forum on the referendum two days before the vote. These are just a few of the rules that were broken.

Astonishingly, after SJP succeeded in silencing me, getting its language on the ballot, and passing the referendum initiative, SJP was still not done harassing me. The TCUJ, and the leadership of the TCU Senate and CSL all agreed that I had conducted myself appropriately and without bias throughout the process and that my contributions to the TCUJ review had been helpful. Despite this, SJP filed a formal complaint with the TCU Senate seeking to have me removed from my position on the TCUJ. Although the complaint claims to be against all members of the TCUJ, I am the only member of the TCUJ who is singled out by name, and I am the only one targeted for impeachment.

SJP appears determined to remove me from the TCUJ in advance of the Boycott, Divestment and Sanctions campaign they have announced they intend to launch this Spring. They wish to cleanse the TCUJ of individuals who support Israel, particularly students like me, for whom belief in a Jewish homeland is integral to my identity as a Jew. To the members of SJP who filed this complaint, I am not a legitimate member of the student government. I am simply an obstacle to their agenda due to inherent facets of my identity. This is an intolerable attack on my First Amendment rights.

SJP and the TCU Senate have also denied me due process rights as set out in the Tufts Student Conduct Resolution Procedure (SCRIP). According to the SCRIP, complaints like the one that SJP

filed against me, should be submitted to the Office of Community Standards (SCRPC). A “conduct officer” from the administration is then supposed to be assigned to the case, and the conduct officer is supposed to schedule an “initial meeting” to speak with me about the complaint (SCRPI (4)). This meeting ensures that baseless, harassing complaints, like the one that SJP has filed against me, do not proceed to a hearing. The TCU Senate, however, moved ahead and tentatively scheduled a disciplinary hearing for February 7 without providing me the opportunity to speak with a conduct officer. When I pointed out this failure to follow procedure, I was told that the TCU Senate plans to follow Section K of the SCRPC for the actual disciplinary hearing, but the Senate will not be complying with the preliminary procedures outlined in the SCRPC. This is a severe violation of my due process rights that cannot and should not be tolerated.

What troubles me most about the Deadly Exchange referendum is how it hijacks critical problems in our society such as systemic racism, police brutality, and criminal justice reform. On our own campus and throughout the country, we must recognize the peril of an increasingly militarized police and a predatory legal system. These righteous causes demand thoughtful consideration and strong action but are being co-opted for an agenda driven by Jew hatred. SJP’s campaign is counterproductive, serving as an excuse for perpetrators of inequity and an insult to its victims.

For these and many other reasons, I voted against the dishonest language and malevolent intent of this referendum. I was alone in doing so. With two positive votes and two abstentions, the motion passed. As I reflect on the dangerous precedent that this referendum sets, it is clear that a “no” vote is insufficient. I recognize that even if I am the first to suffer such an injustice at Tufts, I will not be the last. My rights under the law and campus conduct policies have been threatened, and the attempt to bring me before an impeachment hearing is simply the next step in a long line of injustices against me on the basis of immutable characteristics. This hearing must be stopped from taking place to avoid violation of Tufts’ own university policies, Title VI of the Civil Rights Act, and the US Constitution.

Max Price
Tufts Class of 2022

A handwritten signature in black ink, appearing to read "Max Price". The signature is stylized and cursive, with the first name "Max" and the last name "Price" clearly distinguishable.

EXHIBIT 1

2/2/2021

From: [REDACTED]

Sent: Thursday, October 29, 2020 6:08:05 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: SJP Referendum

Hello [REDACTED]

I have additionally copied the TCUJ email and my vice chair, [REDACTED]

We did have a chance to discuss this. We also had a discussion about TREE's referendum and had a point on theirs to clarify. Here is the wording of SJP's referendum which you submitted to us:

"Do you support Tufts University administration 1) prohibiting TUPD officers from attending military training trips abroad, 2) apologizing for sending the former police chief on a military training trip to Israel, and 3) refining the vetting process to prevent prior military training attendees from being hired?"

Here are the challenges that were discussed during last night's meeting as to why these words are potentially biased, misleading, or potentially antagonizing.

Military Training: There are concerns that this is not factually accurate. One member of the J brought up the idea that what was attended was a security and anti-terrorism seminar. Having the phrase "military" and "training" makes it seem that this was an in-the-field type program that was based on members of TUPD physically training. We request the change of both of these words to be more accurate or a source that proves these words are accurate since we do not want this to be misleading.

Israel: By the way that this is worded, it seems like you want TUPD to 1) stop sending trips abroad, 2) apologize for past trips, and 3) prevent military training attendees from being hired. Based on this, and the specific wording that you have sent us, we see the use of specifying Israel as an unnecessary point of bias and complicate this for the purpose of voting. One other concern is if there have been any other trips TUPD officers have taken abroad. Singling out Israel we do not think is justified in relation to the expressed written referendum as a whole.

Finally, the third section we don't really have anything language wise to add, but rather we have concern that the CSL will likely discuss. The third part as written breaks current federal and state law on discrimination on the basis of hiring and veteran status. There may be a way to refine or remove this point which will be helpful when proceeding through CSL, and may potentially speed up the process.

Once again, sorry for the delay. We would love to discuss these points in more detail if you would like,

Sincerely,

[REDACTED] and the TCU Judiciary

From: [REDACTED]
Date: Thursday, October 29, 2020 at 5:19 PM
To: [REDACTED] >
Cc: [REDACTED]
[REDACTED]
[REDACTED]
Subject: Re: SJP Referendum

Hey [REDACTED],

Just following up on this, were you able to discuss this at your meeting yesterday? We are hoping to present our referendum to the CSL at their next meeting, which will be late next week, so we'd appreciate it if you could get to it before then! Also, I believe TREE is following a similar process and, as we are trying to do our referendums together, if you could please work through theirs as well, that'd be great.

Thanks,

[REDACTED]

EXHIBIT 2

From: [REDACTED]
Date: Monday, November 2, 2020 at 12:43 PM
To: [REDACTED]
Cc: [REDACTED]
[REDACTED]

Subject: Re: SJP Referendum

Hi [REDACTED]

We will attend your meeting Wednesday. Please send along the zoom link. We will also send along an updated version to yourself and the other members of the J tonight after our SJP meeting tonight, likely around 9 for you all to review before then.

Thanks,

[REDACTED]

Get [Outlook for iOS](#)

From: [REDACTED]
Sent: Saturday, October 31, 2020 9:41:46 PM
To: [REDACTED]
Cc: [REDACTED]
[REDACTED]

Subject: Re: SJP Referendum

Dear [REDACTED],

We meet Wednesdays. Many of us, as students at Tufts University, are stressed, busy, and don't necessarily have the ability to schedule a last minute meeting. We are also going through recognitions season. That being said, we have two options for you on how to proceed:

Option 1: You can meet with us first. If you do this, we can do this coming Wednesday at 8:45 pm or we can do Friday, November 6th at 4:30pm. If you would like to follow this option please have alternative wording in mind. Otherwise, feel free to send updated wording on the referendum and we can review virtually which may speed the process. We cannot meet all together until Wednesday so I am sorry if this is not convenient.

Option 2: Start with CSL. If you take the referendum to CSL first you can then bring it to the J to work on wording. This is the preferred process for the TCU Constitution and may speed up the CSL process which can make a Wednesday meeting more convenient in the coming weeks.

Either way, feel free to send updated wording. While meetings in person should include the whole Judiciary, we can try to start working through the process virtually to speed everything up.

Thank you,



TCU Judiciary

EXHIBIT 3

From: [REDACTED]
Sent: Friday, November 13, 2020 5:25 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Final Language for Referendum

Dear SJP,

Our apologies for the delay. We decided that the voting to approve needed to be a discussion among J members rather than just a poll on a group chat. We just completed that meeting.

Upon further review of the official language that was sent, we voted against approving the referendum wording due to newly-discovered misinformation. The text pulled from the ADL Website was in reference to the "National Counter-Terrorism Seminar" which is a different ADL-hosted event than the "Leadership Seminar" that the TUPD Officer in question attended in 2017. The National Counter-Terrorism Seminar has not been run since 2014.

This is a link to the description we believe to be your source to describe the seminar but in actuality is for a different seminar that has not been run since 2014: <https://dc.adl.org/national-counter-terrorism-seminar-in-israel/>

This is the link that describes the seminar attended by the TUPD officer: <https://www.adl.org/who-we-are/our-organization/signature-programs/law-enforcement-trainings/leadership-seminar-in-israel>

It is important to note here that there is a significant difference in itineraries between these two seminars. We understand that the National Counter-Terrorism Seminar turned into the Leadership Seminar in Israel, but with that came material itinerary changes that removed components led by the IDF among other changes that warranted a changed name and focus.

Due to this information and the concern of accuracy, we are unable to approve the wording that you submitted.

We suggest the following which we feel is more accurate and fair than what was initially submitted on the basis of the itinerary changes between the two seminars.

"Do you support Tufts University administration 1) apologizing for sending the former Tufts police chief to an intensive week-long seminar based on strategies developed by the Israel National Police and featuring experts from Israel's intelligence and security services, 2) prohibiting TUPD officers from attending similar international trips and/or law enforcement training seminars in the future, and 3) refining the vetting process to prevent prior attendees from being hired?"

In this variation, we only changed three items as follows:

1. We removed the mention of the Israeli Defense Force as that component was not a part of the itinerary for the year that the TUPD officer in question was in attendance. We do not believe this inclusion was factually accurate and therefore we believe it is unfair. Additionally, the Israeli military is officially named "Israel Defense Forces".
2. We replaced the description of the seminar with one that is more accurate and fairly portrays the content of the seminar as per the ADL website. The wording provided was based on a description of a significantly different seminar and it was therefore unfair.
3. We removed the phrase military-led once again with the belief of it being unfair. Upon further review of the sources provided, we do not believe that the seminar itself was military-led but we do believe it was a law enforcement seminar. Based on the itineraries provided, calling it military-led is unfair.

Despite our recommended changes, we do believe that our suggested wording is a fair approach and description of what occurred. This still gets your point and intention across to allow for people to vote for the same thing but in a more fair manner.

In the case that you submit a revised and more accurate wording, we can vote. Additionally, we plan on voting within 48 hours of an additional submission due to the time constraints of the upcoming election.

Thank you for your consideration,

TCU Judiciary

https:/



Fwd: Final Language for Referendum

TCU Judiciary [REDACTED] Tue, Nov 17, 2020 at 12:45 AM

To: [REDACTED]

Cc: [REDACTED]

Dear SJP,

Once again, we would like to encourage the following wording:

“Do you support Tufts University administration 1) apologizing for sending the former Tufts police chief to an intensive week-long seminar based on strategies developed by the Israel National Police and featuring experts from Israel's intelligence and security services, 2) prohibiting TUPD officers from attending similar international trips and/or law enforcement training seminars in the future, and 3) refining the vetting process to prevent prior attendees from being hired?”

This wording, as provided, is indisputable. No matter the belief on the topic, political affiliation, identity, or any other descriptor an individual may have, this wording is fact. According to all sources on the topic including those you provided, this is accurate. The Judiciary affirmed this with a unanimous vote where the member you alleged was biased abstained.

Today, we met with members of the Senate Executive Board and two members from CSL to discuss the process. We made it clear to them, as we had to SJP, that the way to make the wording of an inherently-biased referendum fair is through the creation of wording that is indisputable. We want people to read information that is factually accurate no matter the lens one brings so the only question is one of support for the referendum.

As such, while this language is a little bit more general than the initially submitted referendum, it is indisputable. Everything provided is factually accurate and, where more specifics exist, the added specificity may be disputed amongst many groups. We want the perceived intention of this referendum to be clear. We want to make sure that the wording provided is accurate in order to further establish what approval by the Tufts Student Body means. We don't want any component to be called into question based on language or process. When the administration gets a final referendum, they get the wording and the result of the vote. When administration receives this wording we want there to be no question as to what the result of the vote means and what the will of the student body is. We believe the wording we provided is clear, indisputable, and carries the intentions and purpose.

We urge you to consider this carefully. We are happy to further explain our reasoning for these issues during Wednesday Night's meeting.

Signed,

TCU Judiciary

[REDACTED]

From: [REDACTED]

Date: Monday, November 16, 2020 at 6:25 PM

To: TCU Judiciary [REDACTED]

Cc: [REDACTED]

Subject: Re: Final Language for Referendum

Hello Everyone!

Just wanted to follow up on my previous email! Its been 48 hours since we sent you our wording so I just wanted to check in to see if you have an answer because the Special Elections are in 8 days, so everything is really time sensitive.

Best,

SJP

[Quoted text hidden]



EXHIBIT 5

Fwd: Final Language for Referendum

10 messages

Sat, Nov 14, 2020 at 1:37 PM

To: [REDACTED] "Price, Max H"

Get [Outlook for iOS](#)

From: [REDACTED]
Sent: Saturday, November 14, 2020 1:33:13 PM
To: TCU Judiciary [REDACTED]

Cc: [REDACTED]

Subject: Re: Final Language for Referendum

Dear Members of the Judiciary,

Thank you for your notes and diligent research into the trips! We've investigated the claims and here is what we found.

1. We understand that you believe the name change does corresponds with an itinerary change, but according to [the website](#) you sent us "the Leadership Seminar (formerly known as the National Counter-Terrorism Seminar in Israel) was created in 2003 and is held annually," which doesn't in and of itself prove that there was also a change in itinerary. While the current wording denies military involvement of any kind, it does not necessarily reflect the trip that the police chief went on in 2017. We have reason to believe that the wording on the ADL website has been changed at some point since at least January 2018 when the [Tufts Daily](#) reported on the story. The article shows that the university admitted to participating in the National Counter Terrorism Seminar (and this language about the trip is consistent throughout the article). This direct quote from the Daily article states "according to the ADL's webpage on the seminar, officials attend the NCTS "to study first hand Israel's tactics and strategies to combat terrorism," learning from "senior commanders in the Israel National Police, experts from Israel's intelligence and security services, and the Israel Defense Forces." The

[REDACTED]

language of our referendum is based on the Tufts Daily article which references the ADL website at the time, aka before the change in language, and accurately describes the trip that Kevin Maguire went on in December of 2017.

2. According to [this article](#) from the Seattle Times regarding the ADL's counterterrorism seminar in December 2017, it "brought together members of law enforcement of every level from throughout New England to learn from senior Israeli intelligence, police and military officials about the latest methods of preventing terrorism." This same article describes a visit to East Jerusalem, an occupied city controlled heavily by both Israeli military as well as border police.
3. Additionally, one of itineraries from 2016 and 2017 that are on the [JVP website](#), describes the trips as meeting with "Shin Bet (also known as the Israel Security Agency (ISA) or Shabak)" a "key Israeli security organization" as well as visiting "checkpoints" which are "the central infrastructure used by the Israeli military to impose restrictions on Palestinian movement." [Checkpoints](#) are frequently staffed by military officers, emphasizing how individuals participating in the training trip are in contact and having conversations with IDF soldiers.
4. Regarding the timeline of the trips' names and itineraries: in your email you say that the trip was changed in 2014 to end contact with military officials. However, the itinerary we have referenced above is from 2016, after the purported change, and yet the evidence shows that as of 2016, participants were still meeting with military officials. While we don't presently have the exact itinerary of the 2017 trip, we believe that it would be consistent with the 2016 agenda.

Lastly, we wanted to check in and ensure that there was no one who was potentially biased or cannot be objective in your voting.

In the [TCU J Constitution](#), it says "any member of the TCU J may voluntarily recuse themselves from a vote if they feel they cannot be objective or have a conflict of interest." While no one in the TCU J is a member of SJP, there are members in TCU J who have been explicitly biased statements against SJP and our campaign's efforts—thus, creating an environment where one cannot be objective. It is highly disturbing to us that someone in your voting party is not objective, and directly [condemned](#) the



Deadly Exchange Campaign and publicly [agreed](#) with President Monaco condemning SJP's award for the collaboration we did in the campaign.

Due to all these factors, we've decided to remain consistent in the wording we agreed on last week and hope you will reconsider.

We hope that next time the J meets to vote on this matter, they alert us so that we may attend the meeting, since J meetings are meant to be open to the public for comment, according to the bylaws.

We look forward to hearing from you!

Best,
SJP

EXHIBIT 6

artz
iv
November 14, 2020 at 1:50 PM

At this point they have pinpointed @Max Price as a point of bias. I think we need to ask him to recuse himself and request the last change.

EXHIBIT 7

November 14, 2020 at 2:03 PM

Their critiques are highly questionable. They are making the same logical leap from one version of the trip to another. They acknowledge that the itineraries are not the same. We need to take time to look into the factual accuracy of what they are saying before we respond. Additionally, I don't think we should vote before CSL rules on this. With regards to recusing myself, I've been straightforward about my personal feelings on this. However, I have not demonstrated any bias during this process and have only pointed out misinformation and bias in the language, and I don't see any reason to recuse myself given that I have followed our constitutional role this entire time.

Exhibit 8

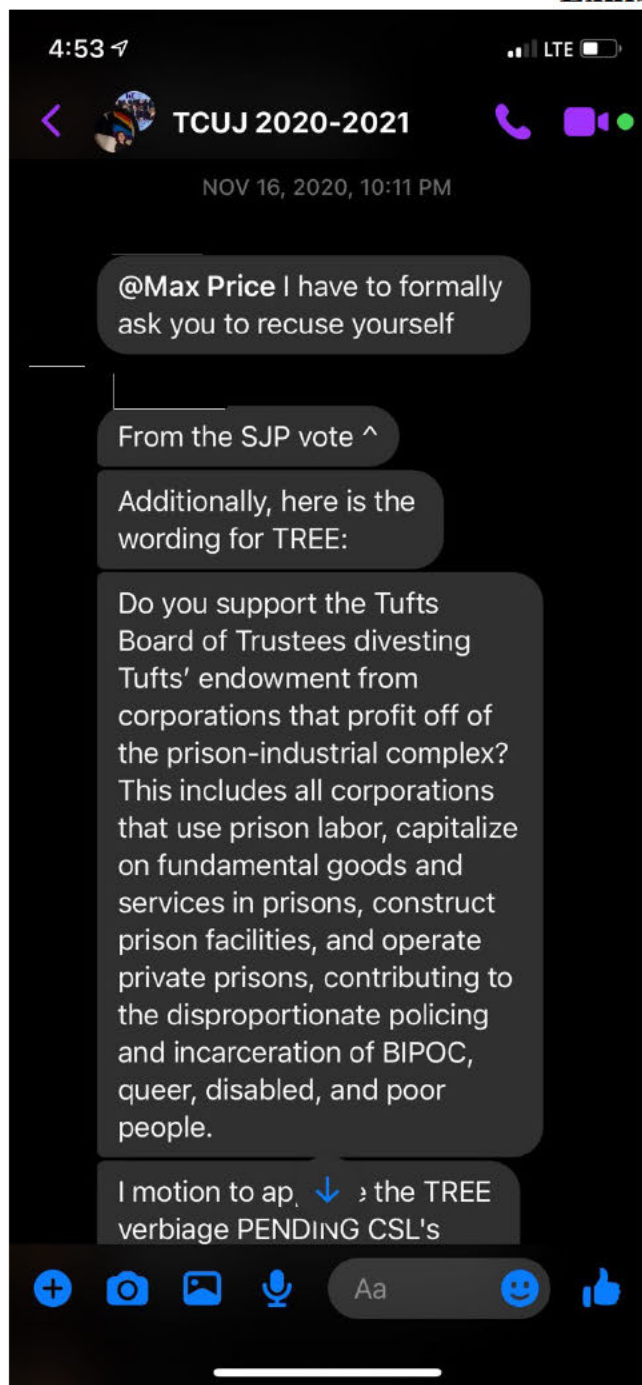


Exhibit 9



Exhibit 10

From: [REDACTED]
Date: Wednesday, November 18, 2020 at 5:32 PM
To: TCU Judiciary [REDACTED]
Subject: Re: Final Language for Referendum

Hi TCU Judiciary,

Thank you for your response! A couple points before tonights meeting: as discussed in our prior email wherein you conceded that Max Price is biased, we would like to reiterate that Max should neither be involved in the meeting tonight nor in influencing the opinions of other J members before the vote on the wording. Additionally, Eran Efrati will be joining us tonight partway through our meeting, likely around 740 or 745. We look forward to seeing you before then at 7:30!

Best,

SJP

EXHIBIT 11

----- Forwarded message -----

From: [REDACTED]
Date: Wed, Nov 18, 2020 at 7:04 PM
Subject: Re: Final Language for Referendum
To: TCU Judiciary [REDACTED]
Cc: [REDACTED]

[REDACTED] Tufts Judiciary,

We are putting this referendum out as a group with the intended goal of it passing. As such, we should have every opportunity and resource to prove that our wording accurately represents what the referendum question refers to. There is a distinct difference between the two sources, as you call them, since one is a voting member and the other is an expert on the topic at hand. We asked Eran to join as an expert on the subject to help show to you that what you may believe to be disputable is in fact indisputable. On the other hand, Max Price should not be allowed to attend and advocate against the wording of our referendum as he has demonstrated clear and public opposition to our campaign. Moreover, it is up to the student body to decide if our question passes. Your insistence on "fairness" has consistently been opposed to your actions aimed at centering yourselves and your preferences for our referendum rather than the group and campaign that is putting forth the question.

Thanks,
SJP

Exhibit 12

Trouble with the Judiciary

8:39 AM

To: [REDACTED] & 10 more

[Details](#)

Students
of the Committee on Student Life,

We,
as members of SJP, are writing regarding the Judiciary's handling of our referendum.

We
have been working on this referendum process since the beginning of this semester. As you may remember, we had a referendum established for last semester that we had to postpone due to COVID-19. However, this semester we were forced to restart the process to create our referendum. Immediately, we ran into difficulty with this Judiciary, which objected to the process we used last time and then took more than a month to determine how the referendum should be approved.

Their
process requires that the Judiciary ensures that our question is worded fairly after which it is sent to the CSL to make sure it is in accordance with state and federal laws. However, since embarking on this new approval process the Judiciary has been unwilling to work with us to determine fair wording for our referendum. We have been working with them since October 28th; we have sent them multiple drafts and options for our question with long explanations for our word choice and sources to address all the issues they've raised. They have rejected every one of our proposed questions and ignored our various resources and arguments that explain our choices.

Their
objections themselves have been biased against pro-Palestinian rhetoric and even the mere mention of Israel. Obviously the Judiciary themselves are not free of bias, and we believe that they are capitalizing on their positions of power to prevent the student body from voting on the message that we want. The bias of a few individual students should not hinder the voting process for the greater student body. The role of the Judiciary in this process should be to help us craft fair wording and to honour the requests of the Student Group that is proposing the referendum, but through our experience working with them, we strongly believe that this is not their intention.

They
have failed to respond to our emails and requests to meet for days at a time, instead choosing to wait until their meetings to dispute our responses. They seem to have very little interest in ensuring the student body's right to vote on this issue. As further demonstrated by their inane attempt to suspend the Senate and ECOM, the Judiciary this semester has been acting outside of the bounds of reason and does not seem to have the student body's best interests at heart.

As
our student representatives on the CSL, we would like to meet with you sometime this coming week, ideally before your meeting Friday, to discuss the process of appealing the Judiciary's rejection of our proposals. We plan to have our referendum on the same day as the TCU special elections, November 24th, so we see no other option than to circumvent the Judiciary. In doing so, we hope to be able to get this referendum approved at your meeting on Friday.

Best,
SJP

EXHIBIT 13

Tue, Nov 17, 2020 at 12:06 PM

to: "Price, Max H"

From: [REDACTED]
Date: Tuesday, November 17, 2020 at 12:04 PM
To: TCU Judiciary [REDACTED]
Cc: [REDACTED]

Subject: Re: Final Language for Referendum

Hi TCU Judiciary,

Thanks for the update. Tomorrow, the 18th, from 8-9 p.m. we have an event planned with Eran Efrati, an expert on the Deadly Exchange. Eran Efrati is the director of Researching the American-Israeli Alliance (RAIA) and a former soldier in the Israeli Defense Force; he now researches the Israeli military and arms industry with a focus on military and police partnerships between the United States and Israel.

We would like to extend to you all an invitation to attend this meeting in order to give you more context for the exact "counterterrorism" training that former Police Chief Kevin Macguire went on. Eran will be able to expertly answer any questions you may have so that you may feel more comfortable and equipped to assess our wording regarding these trainings. We urge you all to attend so that we can have a more productive meeting afterwards on Wednesday and finalize the referendum language since time is of the essence.

The zoom link to register for this meeting is: [REDACTED]
[REDACTED] If you all are not able to make the full event feel free to come for part of it. Eran is also able to stay after the event to meet with you all personally if you cannot make it before 9 p.m.

We look forward to resolving this matter in an efficient manner. When you are able, can you also send the zoom link for your Wednesday meeting?

Thank you,

SJP

[REDACTED] Wed, Nov 18, 2020 at 4:15 PM
[REDACTED] "Price, Max H"

----- Forwarded message -----

From: [REDACTED]
Date: Wed, Nov 18, 2020 at 4:13 PM
Subject: Re: Final Language for Referendum
To: TCU Judiciary [REDACTED]
CC: [REDACTED]

Hi TCU Judiciary,

Please respond to our message so we may attend your meeting this evening and let Eran Efrati know when you all are available to meet with him.

SJP

TCU Judiciary [REDACTED] Wed, Nov 18, 2020 at 4:58 PM
To: "Price, Max H" [REDACTED]

From: TCU Judiciary <[REDACTED]>
Date: Wednesday, November 18, 2020 at 4:53 PM
To: [REDACTED]
Cc: [REDACTED]

Subject: Re: Final Language for Referendum

Dear SJP,

Our apologies. We did not know you were able to attend tonight's meeting. The link is here:

[REDACTED] is inviting you to a scheduled Zoom meeting.

Topic: TCU Judiciary Recognitions Meeting

Time: This is a recurring meeting Meet anytime

[REDACTED]

Join Zoom Meeting

[Redacted]

Meeting ID [Redacted]

Passcode: [Redacted]

Tonight our available block is from 7:30pm-8pm. I hope you can attend.

As for the Eran Efrati event, sadly that is during the majority of our meeting that is regularly scheduled. As such none of us will be able to attend. We believe the meeting will end slightly prior to 9pm so we will not be able to meet afterwards. In the case that this changes we will send you an email.

If Eran Efrati would like to attend the 7:30-8pm slot we will gladly accept their attendance. Once again, I feel the need to reiterate that our goal is to make what is written indisputable so the opinion on the matter is the only question. I do not know if Eran Efrati's attendance will benefit the goal of removing bias and disputable claims.

Thank you for your consideration,

TCU Judiciary

From: [Redacted]
Date: Tuesday, November 17, 2020 at 12:04 PM
To: TCU Judiciary [Redacted]

[Redacted]

Subject: Re: Final Language for Referendum

Hi TCU Judiciary,

[Quoted text hidden]

TCU Judiciary [Redacted] Wed, Nov 18, 2020 at 5:55 PM
To: [Redacted] "Price, Max H" [Redacted]

[Redacted]

From: [REDACTED]
Date: Wednesday, November 18, 2020 at 5:32 PM
To: TCU Judiciary [REDACTED]
Subject: Re: Final Language for Referendum

Hi TCU Judiciary,

Thank you for your response! A couple points before tonight's meeting: as discussed in our prior email wherein you conceded that Max Price is biased, we would like to reiterate that Max should neither be involved in the meeting tonight nor in influencing the opinions of other J members before the vote on the wording. Additionally, Eran Efrati will be joining us tonight partway through our meeting, likely around 740 or 745. We look forward to seeing you before then at 7:30!

Best,
SJP

TCU Judiciary [REDACTED]

Wed, Nov 18, 2020 at 6:43 PM

To: [REDACTED]

Cc: [REDACTED]

Dear all,

As you did not reply all on the previous email, it is copied here:

“

Hi TCU Judiciary,

Thank you for your response! A couple points before tonight's meeting: as discussed in our prior email wherein you conceded that Max Price is biased, we would like to reiterate that Max should neither be involved in the meeting tonight nor in influencing the opinions of other J members before the vote on the wording. Additionally, Eran Efrati will be joining us tonight partway through our meeting, likely around 740 or 745. We look forward to seeing you before then at 7:30!

Best,
SJP

“

[REDACTED]

Before we meet I would like to clarify a few things as well.

Taking into account your 8pm event and an 8pm obligation that Holden has, the meeting must conclude by 8pm.

- 1.
2. We will happily welcome Eran Efrati to our meeting for however long they can be there. On the other hand, we do have a challenge based on your claim of our concession which has not occurred. We, as an organization, cannot concede this because, while we all recognize the indisputable fact that he has spoken publicly against your organization, it is not unanimous with the belief that he has been biased during any attempts to remove disputable claims. Max voluntarily abstained from the previous vote on your suggested language and a majority was still in opposition to the wording on the basis of being disputable. Welcoming Eran Efrati is based on the idea that they come in without external bias based on the mutual understanding that bias should not be present.
3. The current challenge we are both facing is the idea that we need to remove bias from the wording provided. As such, we feel the need to reiterate that we have been transparent with the idea that the way to remove biased wording is through the removal of any disputable claims. We are concerned with the current action of including a source with bias and the exclusion of a source with assumed bias since our goal is to remove all bias. At this point, the Judiciary wants to make this indisputable, as we all should, so we encourage any personal bias that anyone brings to the table to be removed as well.
4. Based on this understanding, if Eran Efrati is in attendance it is only fair to allow Max Price to be there as well. At 7:58pm the Judiciary will vote on the wording discussed in the meeting with you all in attendance. While this is not required or even suggested in our bylaws, we believe at this point it is only fair to see the results play out. The meeting must conclude by 8pm.

Thank you for your consideration,

TCU Judiciary

From: [REDACTED] on behalf of TCU Judiciary

Date: Wednesday, November 18, 2020 at 4:53 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Final Language for Referendum

Dear SJP,

Our apologies. We did not know you were able to attend tonight's meeting. The link is here:

[REDACTED] is inviting you to a scheduled Zoom meeting.

Topic: TCU Judiciary Recognitions Meeting

[REDACTED]

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

[Redacted]

Meeting ID [Redacted]

[Redacted]

Tonight our available block is from 7:30pm-8pm. I hope you can attend.

As for the Eran Efrati event, sadly that is during the majority of our meeting that is regularly scheduled. As such none of us will be able to attend. We believe the meeting will end slightly prior to 9pm so we will not be able to meet afterwards. In the case that this changes we will send you an email.

If Eran Efrati would like to attend the 7:30-8pm slot we will gladly accept their attendance. Once again, I feel the need to reiterate that our goal is to make what is written indisputable so the opinion on the matter is the only question. I do not know if Eran Efrati's attendance will benefit the goal of removing bias and disputable claims.

Thank you for your consideration,

TCU Judiciary

From: [Redacted]

Date: Tuesday, November 17, 2020 at 12:04 PM

To: TCU Judiciary [Redacted]

Cc: [Redacted]

Subject: Re: Final Language for Referendum

Hi TCU Judiciary,

[Quoted text hidden]

To: Max Price [Redacted] "Price, Max H" [Redacted]

Wed, Nov 18, 2020 at 7:06 PM

[Redacted]

----- Forwarded message -----

From: [REDACTED]
Date: Wed, Nov 18, 2020 at 7:04 PM
Subject: Re: Final Language for Referendum
To: TCU Judiciary [REDACTED]
Cc: [REDACTED]

Dear Tufts Judiciary,

We are putting this referendum out as a group with the intended goal of it passing. As such, we should have every opportunity and resource to prove that our wording accurately represents what the referendum question refers to. There is a distinct difference between the two sources, as you call them, since one is a voting member and the other is an expert on the topic at hand. We asked Eran to join as an expert on the subject to help show to you that what you may believe to be disputable is in fact indisputable. On the other hand, Max Price should not be allowed to attend and advocate against the wording of our referendum as he has demonstrated clear and public opposition to our campaign. Moreover, it is up to the student body to decide if our question passes. Your insistence on "fairness" has consistently been opposed to your actions aimed at centering yourselves and your preferences for our referendum rather than the group and campaign that is putting forth the question.

Thanks,
SJP

EXHIBIT 14

[REDACTED]
From: [REDACTED]
Date: Wednesday, November 18, 2020 at 5:32 PM
To: TCU Judiciary [REDACTED]
Subject: Re: Final Language for Referendum

Hi TCU Judiciary,

Thank you for your response! A couple points before tonight's meeting: as discussed in our prior email wherein you conceded that Max Price is biased, we would like to reiterate that Max should neither be involved in the meeting tonight nor in influencing the opinions of other J members before the vote on the wording. Additionally, Eran Efrati will be joining us tonight partway through our meeting, likely around 7:40 or 7:45. We look forward to seeing you before then at 7:30!

Best,

SJP

- - - - -

EXHIBIT 15

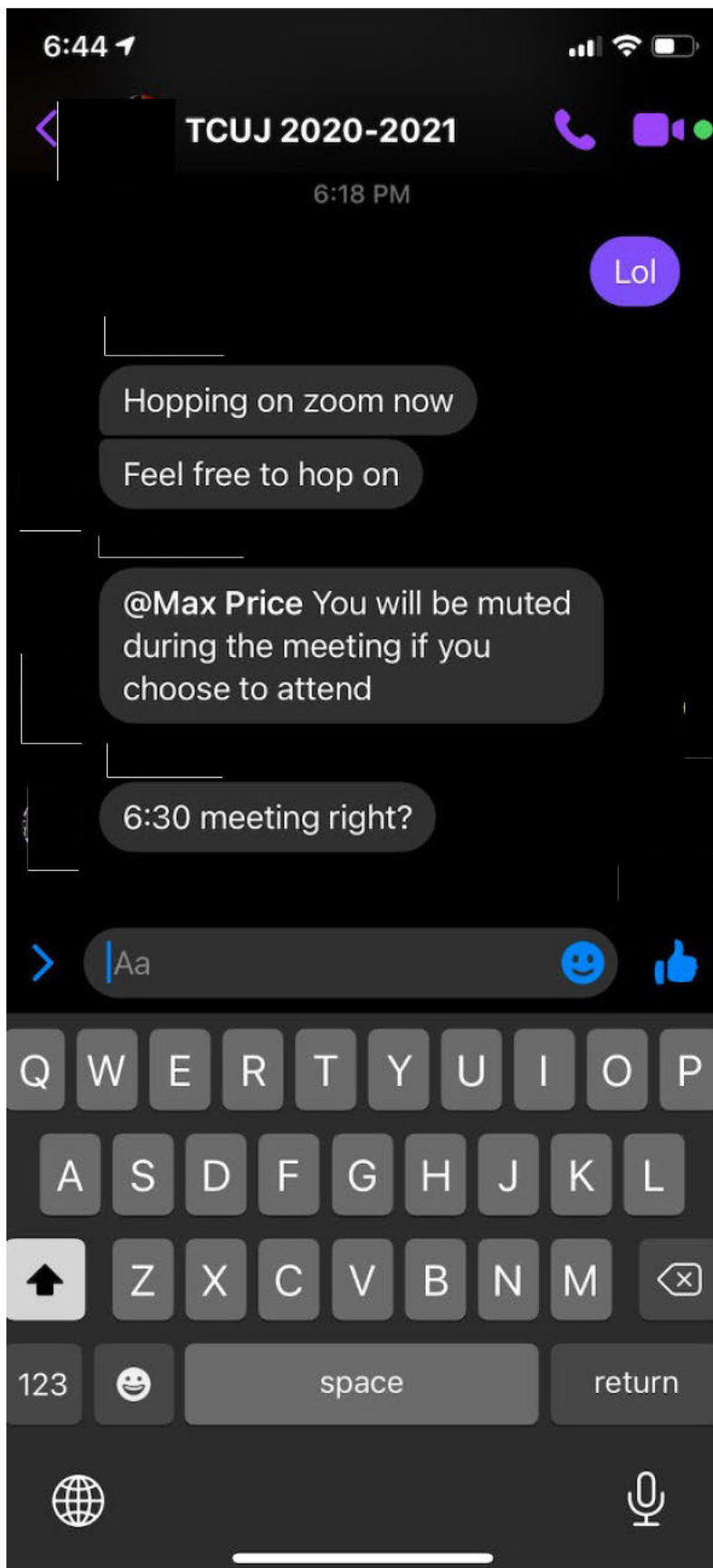


EXHIBIT 16

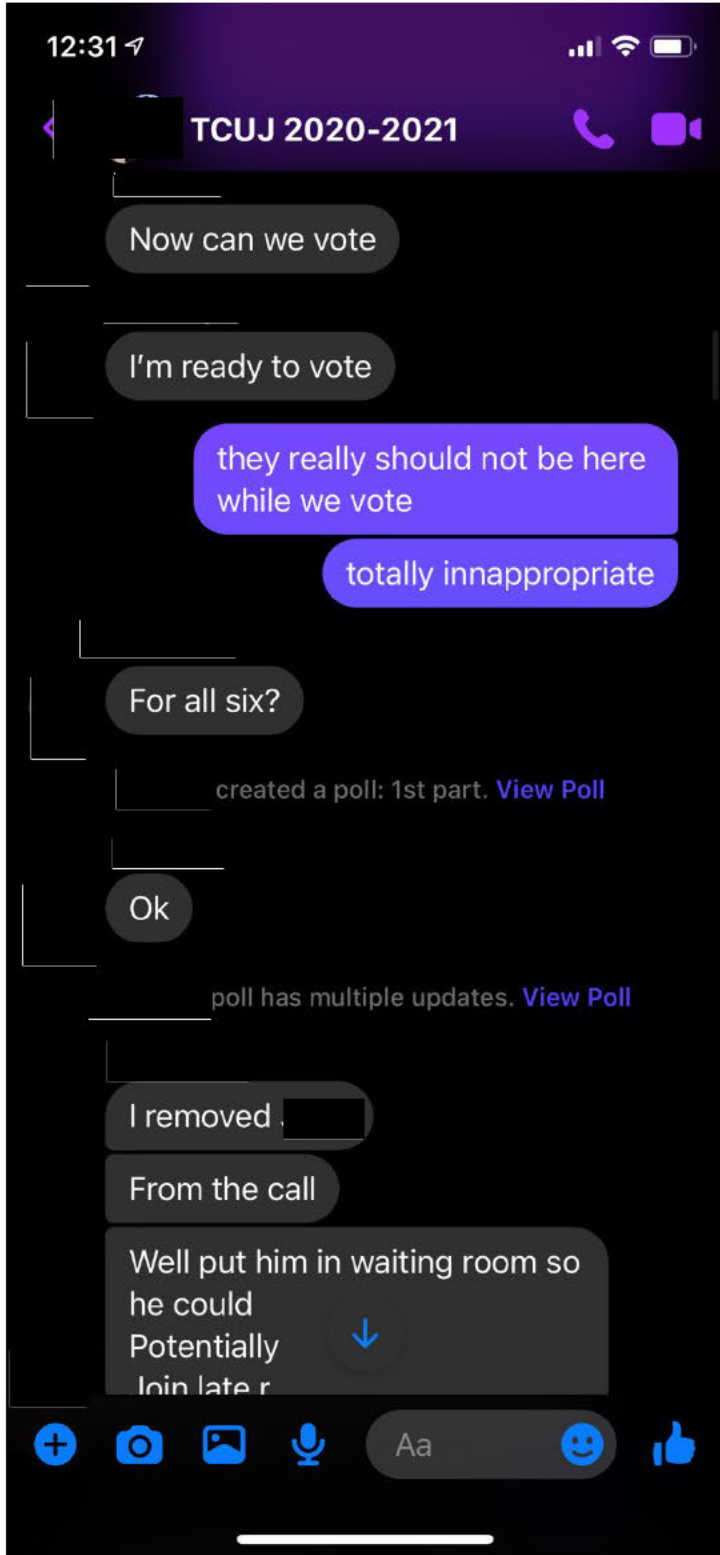


Exhibit 17

From: TCU Judiciary [REDACTED]
Date: November 18, 2020 at 9:33:10 PM EST
To: [REDACTED]

Subject: SJP Referendum

Dear SJP,

Thank you for being so patient and diligent with this process.

The Judiciary has voted and the following wording (provided below) has been approved **PENDING** approval from the CSL. In accordance with the TCU Constitution, CSL must approve the wording before the Judiciary, but if they make no changes, our approval is immediate.

"Do you support Tufts University administration 1) apologizing for sending the former Tufts police chief to an intensive week-long course led by senior commanders in the Israel National Police, experts from Israel's intelligence and security services, and the Israeli Defense Force, 2) prohibiting TUPD officers from attending programs based on military strategies and/or similar international trips in the future, and 3) refining the vetting process to prevent prior attendees from being hired?"

Once again, thank you for being so open to compromise throughout this process! Copied on this email are members of the CSL. Let us know should you have any further questions.

Best,
TCU Judiciary



Joshua David Washi...

Active now



NOV 20, 2020, 8:37 PM

Hey Joshua, I need you to take down the video you posted to Twitter IMMEDIATELY. This is not a joke. Massachusetts is a two-party consent state, and your recording is illegal. This is going to do significant damage if you don't remove the video immediately.

NOV 20, 2020, 10:06 PM

Hi Max. Thanks for letting me know. We're taking it down



You can now message and call each other and see info like Active Status and when you've seen messages.

Please let me know as soon as it's been deleted. Thanks

Already deleted



brutality in the US.

When I tried to respond they tried to silence me.

IBSI @ibsiNow · 6h
Tufts Students Silence Black Pro-Israel Activist youth
via @YouTube

Joshua Washington
@JoshWashiBSI



Aa





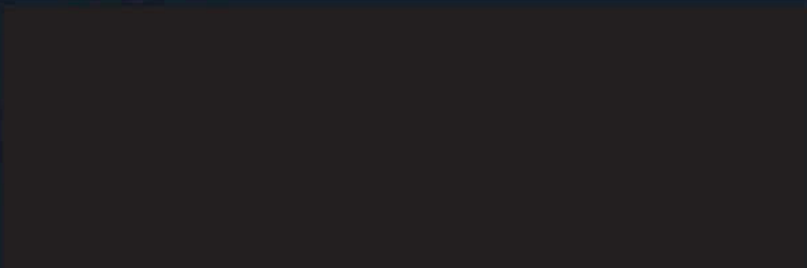
Joshua David Washi...

Active now



Still see it. Refreshed the page

This Tweet was deleted by the Tweet author. Learn more



Replying to @lbsiNow @HenMazzig and @YouTube @TuftsUniversity @TuftsHillel @melissaweiss @AdamMilstein @EranEfrati @RiteshVidhun @TuftsDaily @TuftsAlumni @StandWithUs

4:33 PM · 11/20/20 · Twitter Web App

4 Likes



It's been gone for almost 10 minutes now.

Video is still viewable from the link. Can you please take it down from YouTube as well?

I don't have access to that page. Video was taken by another group. Been trying to get a hold of them



Please give me the contact





Joshua David Washi...

Active now



NOV 21, 2020, 4:48 PM

The video is still up on youtube. It has now been 24 hours. Please let me know who to contact to have this video removed immediately.

This is unacceptable behavior for our side of the issue, not to mention illegal. I will again emphasize that the longer this video stays up, the more damage it will do for our shared cause.

NOV 21, 2020, 5:24 PM

Hey Max,

Sorry for the miscommunication. My digital team is working on taking the video down.

I appreciate your apology. As quickly as they can please. My reputation depends on it



Aa



EXHIBIT B

Students for Justice in Palestine (SJP) Complaint

EXHIBIT B

Dear Members of the Tufts Community Union Senate,

This is an official written complaint against the TCU Judiciary 2020-2021 Members regarding a breach of Article III, Section D 4 a in the TCU Constitution.

We, members of the TCU, are writing to formalize a complaint about the TCU Judiciary and demand an investigation be done due to violation of the clause previously stated and ask for a disciplinary hearing for the Judiciary. We firmly believe that the TCU J has violated the clause by not recusing a member in the voting and process of the referendum proposed by Students for Justice in Palestine (SJP) in Fall 2020.

While no member in the TCU J is a member of SJP, there is a member in TCU J who has made explicitly biased statements against SJP and its campaign's efforts—thus, creating an environment where one cannot be objective on the referendum matter which required a binding vote. This member at large, Max Price has directly [condemned](#) the Deadly Exchange Campaign, [spoken to outside news outlets](#) about President Monaco's decision to condemn SJP's award for the collaboration award they received in Spring 2020, and holds a position as the Tufts Friends of Israel (FOI) [President](#), a group that was [heavily involved](#) in the creation of [Real Reform](#)—an opposition group to the referendum. Max conversed with SJP and asked SJP to change the wording of their referendum multiple times as he was biased under the facade of serving as a regular non-biased TCU Judiciary member.

Max should have been recused from participating in the referendum process for SJP since the beginning. This recusion request was not the responsibility of SJP but the TCU J as they are aware of their own constitution. However, even after SJP asked for Max to be recused, he refused. From the beginning, Max's lack of recusal made SJP's referendum process longer than usual, made SJP subject to more criticism than the TREE referendum received (TREES referendum was also approved before SJPs, even though they started their process after), put SJP in direct danger of being doxxed, and corruption in the student government.

Here are specific examples where the TCU J's violation of Article III Section D Clause 4A negatively impacted the referendum process:

On November 6, SJP presented four options for the referendums wording to the Judiciary. Both groups together revised and compromise on a potential referendum. The body met again independently to vote on it, and, without SJP present, voted against it due to "newly discovered misinformation" which SJP found out from a member of the TCU J, that it was Max who presented this information. SJP sent more resources and a detailed response refuting their claims, again asked TCU J to recuse Max after SJP members re-read the Constitution and found he should be recused, and asked them to reconsider.

SJP and TCU Judiciary members scheduled to meet on Wednesday to discuss. That evening, SJP had an event with Eran Efrati, a former IDF soldier and current director of Researching the American-Israeli Alliance (RAIA), who has now spent 10 years as an investigative researcher for

these trips. SJP members believed that Eran's insight would be particularly useful because SJP and the TCU J were going back and forth on the term "military-lead" and Eran's personal experience as an IDF soldier who has attended these delegations would be useful. SJP invited the Judiciary to this event to clear up their confusion, and when they specifically stated that they were not available during the set time of the event, SJP asked both parties if Eran could briefly join the Judiciary meeting before his event with SJP. SJP also requested that Max not be present at the meeting nor involved in influencing the opinions of other members of the J. In response, the TCU J emailed back stating that Eran's presence was reason for Max to be in attendance should be allowed to attend so it was fair game under the, "mutual understanding that bias should not be present."

However, the TCU J members then invited someone they considered to be a "fellow expert" to the meeting who violated exactly that understanding—exclusively espousing views based on bias against our campaign throughout the meeting that was irrelevant to the specific wording that the Judiciary was concerned with. SJP was not given advance notice of this person's attendance and background (see the attached email at 7:35, while SJP members were in the zoom waiting room since 7:30), as SJP would have in all likelihood refused to attend this meeting due to safety risks that often comes along with pro-Palestine organizing.

The TCU J's "expert," Joshua Washington, was unaware of the intent of the meeting, the context of the Judiciary's task in making the question "fair," and had not even seen our referendum questions prior to his attendance at the meeting. These facts indicate that Washington's attendance at this meeting was an unorganized final attempt to sabotage SJP's referendum. It is also clear Joshua Washington was sent the link last minute, meaning he could not have gone through the necessary process of registering with the University to attend the meeting. If he had, we are certain that the Allocations Board (ALBO) would have voted down his attendance because his [outspoken views against BLM](#) and the issue at hand mark him as both a seriously biased "expert" and a proud far-right advocate. Washington has no relevant experience or knowledge about the "counterterrorism" trainings in question, and is a music teacher by profession. His attendance at the meeting was unauthorized and dangerous as he has our names and faces now: immediately after the meeting, Mr. Washington took to social media to slander both SJP and the TCU, as seen in photos attached and released a video of the names and faces of students without their consent on YouTube, Twitter, and Facebook, which all Senators were forwarded and [this video](#) was recorded illegally without our consent. Dean Nandi Bynoe assisted SJP in removing the video in mid-November as it was illegally recorded and a huge breach of Student Government, but it was also recently posted to the Tufts Class of 2021 page after Mr. Washington re-posted it.

In this example, we have strong reason to believe this zoom bomb was organized by the same member of the Judiciary, Max, who has a conflict of interest as the Tufts Friends of Israel E-Board President and has made public statements condemning SJP and our campaign to End the Deadly Exchange. We also found out from another Judiciary member that Max sent the link to Joshua.

We strongly believe the Judiciary member who invited Joshua to zoom bomb and put SJP in danger should lose their seat and have more disciplinary actions taken towards them, because SJP was doxxed by right wing individuals online due to the fault of the Judiciary to not recuse this member in the beginning of the process. Furthermore, all other Judiciary members who agreed to be held accountable.

Second, the lack of recusal for Max led to corruption within the Judiciary. An opposition to our referendum called Real Reform At Tufts was created with information that only Max would have known-- including information about the public safety trip to Canada, which the J told us they requested from [REDACTED]; and the fact that signatures were collected before the final language was approved. Only ECOM and the J were aware of these things because ECOM was the group who approved SJP and TREE to collect their signatures before it was approved from the J (since they were taking a long time). Thus, only the J would be aware of the final language. Max also liked multiple posts and comments from this account. We strongly believe a member of a supposedly impartial body should not be aiding and helping to lead an opposition campaign to a referendum that they had the power to interfere with. Lastly, the Times of Israel (where Joshua Washington is employed) wrote in [this article](#) that the TCU President, [REDACTED], joined a J meeting she was uninvited to, which only Max or other members of the Judiciary present would have known and been able to leak to the website.

These examples clearly demonstrate that Max's refusal to officially recuse since the beginning, and fully recuse after we asked are a blatant violation of TCU J policy and TCU Constitution Article III Section 4 D A and led to corruption within the TCU student government. We ask that the Senate investigate our claims fully at their meeting this upcoming Sunday and vote on impeaching members of the J who are found to be in violation of the TCU Constitution.

Thank you for considering this request,
SJP

Attached are the relevant screenshots where we first ask for Max to be recused and what happened following.

[REDACTED] on behalf of TCU Judiciary

Fri 11/13/2020 5:25 PM

To:

Cc:

↩ ↪ ⏪ → ...

Dear SJP,

Our apologies for the delay. We decided that the voting to approve needed to be a discussion among J members rather than just a poll on a group chat. We just completed that meeting.

Upon further review of the official **language** that was sent, we voted against approving the referendum wording due to newly-discovered misinformation. The text pulled from the ADL Website was in reference to the "National Counter-Terrorism Seminar" which is a different ADL-hosted event than the "Leadership Seminar" that the TUPD Officer in question attended in 2017. The National Counter-Terrorism Seminar has not been run since 2014.

This is a link to the description we believe to be your source to describe the seminar but in actuality is for a different seminar that has not been run since 2014:

<https://dc.adl.org/national-counter-terrorism-seminar-in-israel/>

This is the link that describes the seminar attended by the TUPD officer: <https://www.adl.org/who-we-are/our-organization/signature-programs/law-enforcement-trainings/leadership-seminar-in-israel>

It is important to note here that there is a significant difference in itineraries between these two seminars. We understand that the National Counter-Terrorism Seminar turned into the Leadership Seminar in Israel, but with that came material itinerary changes that removed components led by the IDF among other changes that warranted a changed name and focus.

Due to this information and the concern of accuracy, we are unable to approve the wording that you submitted.

We suggest the following which we feel is more accurate and fair than what was initially submitted on the basis of the itinerary changes between the two seminars.

"Do you support Tufts University administration 1) apologizing for sending the former Tufts police chief to an intensive week-long seminar based on strategies developed by the Israel National Police and featuring experts from Israel's intelligence and security services, 2) prohibiting TUPD officers from attending similar international trips and/or law enforcement training seminars in the future, and 3) refining the vetting process to prevent prior attendees from being hired?"

In this variation, we only changed three items as follows:

1. We removed the mention of the Israeli Defense Force as that component was not a part of the itinerary for the year that the TUPD officer in question was in attendance. We do not believe this inclusion was factually accurate and therefore we believe it is unfair. Additionally, the Israeli military is officially named "Israel Defense Forces".
2. We replaced the description of the seminar with one that is more accurate and fairly portrays the content of the seminar as per the ADL website. The wording provided was based on a description of a significantly different seminar and it was therefore unfair.
3. We removed the phrase military-led once again with the belief of it being unfair. Upon further review of the sources provided, we do not believe that the seminar itself was military-led but we do believe it was a law enforcement seminar. Based on the itineraries provided, calling it military-led is unfair.

Despite our recommended changes, we do believe that our suggested wording is a fair approach and description of what occurred. This still gets your point and intention across to allow for people to vote for the same thing but in a more fair manner.

In the case that you submit a revised and more accurate wording, we can vote. Additionally, we plan on voting within 48 hours of an additional submission due to the time constraints of the upcoming election.

Thank you for your consideration,

TCU Judiciary



Re: Final Language for Referendum

Saturday, November 14, 2020 at 1:33 PM

To: TCU Judiciary; [REDACTED] Cc: [REDACTED] +4 more ↕

→ You forwarded this message on 11/14/20, 2:14 PM.

Show Forward

→ You forwarded this message on 11/18/20, 8:03 PM.

Show Forward

Dear Members of the Judiciary,

Thank you for your notes and diligent research into the trips! We've investigated the claims and here is what we found.

1. We understand that you believe the name change does corresponds with an itinerary change, but according to [the website](#) you sent us "the Leadership Seminar (formerly known as the National Counter-Terrorism Seminar in Israel) was created in 2003 and is held annually," which doesn't in and of itself prove that there was also a change in itinerary. While the current wording denies military involvement of any kind, it does not necessarily reflect the trip that the police chief went on in 2017. We have reason to believe that the wording on the ADL website has been changed at some point since at least January 2018 when the [Tufts Daily](#) reported on the story. The article shows that the university admitted to participating in the National Counter Terrorism Seminar (and this language about the trip is consistent throughout the article). This direct quote from the Daily article states "according to the ADL's [webpage on the seminar](#), officials attend the NCTS "to study first hand Israel's tactics and strategies to combat terrorism," learning from "senior commanders in the Israel National Police, experts from Israel's intelligence and security services, and the Israel Defense Forces." The language of our referendum is based on the Tufts Daily article which references the ADL website at the time, aka before the change in language, and accurately describes the trip that [REDACTED] went on in December of 2017.
2. According to [this article](#) from the Seattle Times regarding the ADL's counterterrorism seminar in December 2017, it "brought together members of law enforcement of every level from throughout New England to learn from senior Israeli intelligence, police and military officials about the latest methods of preventing terrorism." This same article describes a visit to East Jerusalem, an occupied city controlled heavily by both Israeli military as well as border police.
3. Additionally, one of itineraries from 2016 and 2017 that are on the [JVP website](#), describes the trips as meeting with "Shin Bet (also known as the Israel Security Agency (ISA) or Shabak)" a "key Israeli security organization" as well as visiting "checkpoints" which are "the central infrastructure used by the Israeli military to impose restrictions on Palestinian movement." [Checkpoints](#) are frequently staffed by military officers, emphasizing how individuals participating in the training trip are in contact and having conversations with IDF soldiers.
4. Regarding the timeline of the trips' names and itineraries: in your email you say that the trip was changed in 2014 to end contact with military officials. However, the itinerary we have referenced above is from 2016, after the purported change, and yet the evidence shows that as of 2016, participants were still meeting with military officials. While we don't presently have the exact itinerary of the 2017 trip, we believe that it would be consistent with the 2016 agenda.

Lastly, we wanted to check in and ensure that there was no one who was potentially biased or cannot be objective in your voting. In the [TCU J Constitution](#), it says "any member of the TCU J may voluntarily recuse themselves from a vote if they feel they cannot be objective or have a conflict of interest." While no one in the TCU J is a member of SJP, there are members in TCU J who have been explicitly biased statements against SJP and our campaign's efforts—thus, creating an environment where one cannot be objective. It is highly disturbing to us that someone in your voting party is not objective, and directly [condemned](#) the Deadly Exchange Campaign and publicly [agreed](#) with President Monaco condemning SJP's award for the collaboration we did in the campaign.

All folders are up to date. Connected to: [REDACTED]



Re: Final Language for Referendum



[Redacted]

on behalf of

TCU Judiciary

Tuesday, November 17, 2020 at 12:45 AM

To:

[Redacted]

Cc:

[Redacted]

+7 more

Dear SJP,

Once again, we would like to encourage the following wording:

"Do you support Tufts University administration 1) apologizing for sending the former Tufts police chief to an intensive week-long seminar based on strategies developed by the Israel National Police and featuring experts from Israel's intelligence and security services, 2) prohibiting TUPD officers from attending similar international trips and/or law enforcement training seminars in the future, and 3) refining the vetting process to prevent prior attendees from being hired?"

This wording, as provided, is indisputable. No matter the belief on the topic, political affiliation, identity, or any other descriptor an individual may have, this wording is fact. According to all sources on the topic including those you provided, this is accurate. The Judiciary affirmed this with a unanimous vote where the member you alleged was biased abstained.

Today, we met with members of the Senate Executive Board and two members from CSL to discuss the process. We made it clear to them, as we had to SJP, that the way to make the wording of an inherently-biased referendum fair is through the creation of wording that is indisputable. We want people to read information that is factually accurate no matter the lens one brings so the only question is one of support for the referendum.

As such, while this language is a little bit more general than the initially submitted referendum, it is indisputable. Everything provided is factually accurate and, where more specifics exist, the added specificity may be disputed amongst many groups. We want the perceived intention of this referendum to be clear. We want to make sure that the wording provided is accurate in order to further establish what approval by the Tufts Student Body means. We don't want any component to be called into question based on language or process. When the administration gets a final referendum, they get the wording and the result of the vote. When administration receives this wording we want there to be no question as to what the result of the vote means and what the will of the student body is. We believe the wording we provided is clear, indisputable, and carries the intentions and purpose.

We urge you to consider this carefully. We are happy to further explain our reasoning for these issues during Wednesday Night's meeting.

Signed,

TCU Judiciary



Re: Final Language for Referendum



[Redacted]

Tuesday, November 17, 2020 at 12:05 PM

To: TCU Judiciary;

Cc:

[Redacted]

[Redacted]

+7 more

Hi TCU Judiciary,

Thanks for the update. Tomorrow, the 18th, from 8-9 p.m. we have an event planned with Eran Efrati, an expert on the Deadly Exchange. Eran Efrati is the director of Researching the American-Israeli Alliance (RAIA) and a former soldier in the Israeli Defense Force; he now researches the Israeli military and arms industry with a focus on military and police partnerships between the United States and Israel.

We would like to extend to you all an invitation to attend this meeting in order to give you more context for the exact "counterterrorism" training that former Police Chief [Redacted] went on. Eran will be able to expertly answer any questions you may have so that you may feel more comfortable and equipped to assess our wording regarding these trainings. We urge you all to attend so that we can have a more productive meeting afterwards on Wednesday and finalize the referendum language since time is of the essence.

The zoom link to register for this meeting is: [Redacted] if you all are not able to make the full event feel free to come for part of it. Eran is also able to stay after the event to meet with you all personally if you cannot make it before 9 p.m.

We look forward to resolving this matter in an efficient manner. When you are able, can you also send the zoom link for your Wednesday meeting?

Thank you,
SJP



Re: Final Language for Referendum



[Redacted] on behalf of

Wednesday, November 18, 2020 at 4:53 PM

TCU Judiciary

To: [Redacted] Cc: [Redacted] [Redacted] [+7 more](#)

Dear SJP,

Our apologies. We did not know you were able to attend tonight's meeting. The link is here:

[Redacted] is inviting you to a scheduled Zoom meeting.

Topic: TCU Judiciary Recognitions Meeting

Time: This is a recurring meeting Meet anytime

[Join Zoom Meeting](#)

Meeting ID: [Redacted]

Passcode: [Redacted]

Tonight our available block is from 7:30pm-8pm. I hope you can attend.

As for the Eran Efrati event, sadly that is during the majority of our meeting that is regularly scheduled. As such none of us will be able to attend. We believe the meeting will end slightly prior to 9pm so we will not be able to meet afterwards. In the case that this changes we will send you an email.

If Eran Efrati would like to attend the 7:30-8pm slot we will gladly accept their attendance. Once again, I feel the need to reiterate that our goal is to make what is written indisputable so the opinion on the matter is the only question. I do not know if Eran Efrati's attendance will benefit the goal of removing bias and disputable claims.

Thank you for your consideration,

TCU Judiciary



November 18, 2020 at 5:32 PM

Re: Final Language for Referendum

To: TCU Judiciary

Hi TCU Judiciary,

Thank you for your response! A couple points before tonight's meeting: as discussed in our prior email wherein you conceded that Max Price is biased, we would like to reiterate that Max should neither be involved in the meeting tonight nor in influencing the opinions of other J members before the vote on the wording. Additionally, Eran Efrati will be joining us tonight partway through our meeting, likely around 7:40 or 7:45. We look forward to seeing you before then at 7:30!

Best,
SJP

Re: Final Language for Referendum

on behalf of

Wednesday, November 18, 2020 at 6:43 PM

TCU Judiciary

To:  Cc:  [+7 more](#)

Before we meet I would like to clarify a few things as well.

Taking into account your 8pm event and an 8pm obligation that  has, the meeting must conclude by 8pm.

- 1.
2. We will happily welcome Eran Efrati to our meeting for however long they can be there. On the other hand, we do have a challenge based on your claim of our concession which has not occurred. We, as an organization, cannot concede this because, while we all recognize the indisputable fact that he has spoken publicly against your organization, it is not unanimous with the belief that he has been biased during any attempts to remove disputable claims. Max voluntarily abstained from the previous vote on your suggested language and a majority was still in opposition to the wording on the basis of being disputable. Welcoming Eran Efrati is based on the idea that they come in without external bias based on the mutual understanding that bias should not be present.
3. The current challenge we are both facing is the idea that we need to remove bias from the wording provided. As such, we feel the need to reiterate that we have been transparent with the idea that the way to remove biased wording is through the removal of any disputable claims. We are concerned with the current action of including a source with bias and the exclusion of a source with assumed bias since our goal is to remove all bias. At this point, the Judiciary wants to make this indisputable, as we all should, so we encourage any personal bias that anyone brings to the table to be removed as well.
4. Based on this understanding, if Eran Efrati is in attendance it is only fair to allow Max Price to be there as well. At 7:58pm the Judiciary will vote on the wording discussed in the meeting with you all in attendance. While this is not required or even suggested in our bylaws, we believe at this point it is only fair to see the results play out. The meeting must conclude by 8pm.





Thank you for your consideration,

TCU Judiciary

Wed 11/18/2020 7:04 PM

To: TCU Judiciary

Cc: [REDACTED] + 2 others

    ...

Dear Tufts Judiciary,

We are putting this referendum out as a group with the intended goal of it passing. As such, we should have every opportunity and resource to prove that our wording accurately represents what the referendum question refers to. There is a distinct difference between the two sources, as you call them, since one is a voting member and the other is an expert on the topic at hand. We asked Eran to join as an expert on the subject to help show to you that what you may believe to be disputable is in fact indisputable. On the other hand, Max Price should not be allowed to attend and advocate against the wording of our referendum as he has demonstrated clear and public opposition to our campaign. Moreover, it is up to the student body to decide if our question passes. Your insistence on "fairness" has consistently been opposed to your actions aimed at centering yourselves and your preferences for our referendum rather than the group and campaign that is putting forth the question.

Thanks,
SJP

[REDACTED] on behalf of TCU Judiciary

Wed 11/18/2020 7:35 PM

To: [REDACTED]

Cc: [REDACTED] + 2 others

    ...

SJP,

Based on the necessity of having experts while remaining balanced to remove any disputable claims, we have invited Joshua Washington (a fellow expert on the topic) to attend our meeting at the same time as Eran. Additionally, Max Price has agreed to remain muted throughout the entire meeting with his camera on.



30m · 🌐

Joshua is a Black pro-Israel activist who was silenced by [Tufts University](#) student government and [Tufts Students for Justice in Palestine](#). Please share his post to expose Tufts' anti-Semitism.



Joshua David Washington

1h · 🌐

How rich is it that a [Tufts Students for Justice in Palestine](#) holds a last minute student government hearing on whether or not it's ok to sign off on a referend...

[See More](#)



and 45 others

1 Comment 4 Shares



Like



Comment



Share



Joshua David Washington

1h · 🌐

How rich is it that a [Tufts Students for Justice in Palestine](#) holds a last minute student government hearing on whether or not it's ok to sign off on a referendum that essentially hijacks the black American experience?

Not as rich as them consistently speaking over the only black man in the meeting who had something to say about it.

[IBSI - Institute for Black Solidarity with Israel](#) will be over there soon. Believe that.

9148801

and 11 others

1 Comment 11 Shares

Cha



Quote Tweets

Disgusting! @TuftsUniversity should stop their hate. @TuftsDaily @EranEfrati

You reported this Tweet.

[View](#)



BDS Report @BDSreport · 1h



Tufts students silenced @JoshWash [redacted] when he tried to expose their racist and antisemitic #DeadlyExchange campaign.

@tuftsdaily

@tuftshillel

@ [redacted]

@ [redacted]

@ [redacted]

@TuftsHillel

@TuftsUniversity

@TuftsDaily

@Tuftssjp

@EranEfrati

You reported this Tweet.

[View](#)



Joshua Washington @JoshWashl... · 1h



@SJPtTufts let radical @ [redacted]

EXHIBIT C

E-mails from TCU Parliamentarian

EXHIBIT C

From: [REDACTED]
Date: January 11, 2021 at 8:05:08 PM EST
To: Max Price [REDACTED]
Subject: Re: Allegations against the TCUJ

Hi Max,

As I mentioned in my previous few emails, we do intend to follow the Student Conduct Resolution Procedure, particularly in regards to sub-section K which outlines the procedure for the hearing itself. Additionally, someone from Senate Exec will be chairing the hearing as it is written in Senate's bylaws. Do you have concern specific to myself chairing the hearing?

I understand this process might be frustrating, especially over break, but all of us are doing the best we can. An official copy of the complaint will be made available for you to respond to as soon as possible (note that it is only one complaint).

Thank you for your concern, but procedures for this hearing are and will continue to be set by the Senate Executive board in reference to the SCRP, the TCU Constitution, and our bylaws.

Best,

[REDACTED]
TCU Parliamentarian

On Jan 11, 2021, at 1:23 PM, Max Price [REDACTED] wrote:

Hi [REDACTED]

I do not consent to you or any other member of the Senate Exec chairing the hearing, particularly now that you have made clear that the Senate Exec does not intend to follow the process set out in the Student Conduct Resolution Procedure. Please forward me a written copy of each of the four complaints that you claim have been made against me so we can carry out the process as described in the SCRP.

Thank you,
Max

On Mon, Jan 11, 2021 at 2:53 PM [REDACTED] wrote:
Hi Max,

Thank you for the reply. Unless you say otherwise, moving forward I will assume that you would prefer me chairing the hearing over another member from Senate Exec.

Your concerns are noted, however, we have not yet scheduled the hearing. The date of February 7th was put on the table as tentative earliest possible date, and was by no means set in stone. I was reaching out to you and the other participants to first establish the chair of the hearing, before we move forward with other proceedings.

Secondly, it is important to note that although Senate will primarily be using subsection K of the SCRП as guidelines for the hearing, we are not bound to the entire procedure itself. This hearing is separate from the Office of Community Standards, as we are bound to the TCU Constitution and Senate Bylaws.

Best,

[REDACTED]

TCU Parliamentarian

On Jan 11, 2021, at 11:14 AM, Max Price [REDACTED] wrote:

Hi [REDACTED]

Based on my reading of the Student Conduct Resolution Procedure, it appears the complaint is supposed to be filed with the Office of Community Standards (SCRП C), I am entitled to receive a copy of the complaint in writing (SCRП I.3), I am supposed to be contacted by a conduct officer from OCS (SCRП I.3.a), and a hearing may be scheduled only after the conduct officer receives my written response to the complaint (SCRП K.1).

To date, I have not been provided with a copy of the complaint, I have not been contacted by a conduct officer, and I have not been provided with the opportunity to submit a written response to the complaint. Yet you have already scheduled a hearing date. It appears that proper procedure is not being followed. I encourage you to take a closer look at the guidelines that are intended to govern this process before moving forward.

Thank you in advance for resolving these discrepancies.

Best,

Max

On Sun, Jan 10, 2021 at 5:30 PM [REDACTED] wrote:

Hello Max,

We really need to start setting up meetings for the coming weeks before the hearing. Do you mind replying as soon as possible to my initial email?

Best,

[REDACTED]
TCU Parliamentarian

On Jan 6, 2021, at 6:07 PM, [REDACTED] wrote:

Hi Max,

Hope the new year is treating you well! I just wanted to follow up on this email to see if you had given things more thought. Would love to move forward on hearing material as quickly and fairly as possible.

Best,

[REDACTED]
TCU Parliamentarian

On Jan 3, 2021, at 1:38 PM, [REDACTED] wrote:

Hi Max,

Thank you for sharing your concerns. I understand the implications that a case like this brings and your reasoning behind the CSL instead of the Senate hearing the case. However, since your email I've explored this idea with various administrators and the Senate Executive Board, and unfortunately, the TCU Constitution is quite clear that this should be heard in the Senate. Thus, the most straightforward path before us is to continue with the Senate hearing and resolve this issue in the fairest and most direct manner we have available.

The constitution is also clear that a member of the Senate Executive board shall chair the hearing. Would you be more comfortable if someone else presides over the hearing instead of myself?

Best,

[REDACTED]
TCU Parliamentarian

On Dec 29, 2020, at 11:00 AM, Max Price [REDACTED] wrote:

Hi [REDACTED]

I do have some concerns about not just you, but any Senate Executive board member leading this investigation, in light of the multiple conversations we all had on this subject as well as the fact that all of the Judiciary members played a part in the TCU Senate Executive members being suspended earlier this year. This hearing process seems highly extraordinary and could be

construed as vindictive or politically motivated. I would strongly encourage the TCU Senate to pass on these hearings to the CSL, which is the appropriate body to arbitrate conflicts between the branches of the TCU government.

Please carefully consider the public-facing implications of such a hearing, particularly in light of the constitutional violations, election appeals, and significant outside media scrutiny on this process due to the controversial nature of the referendum's substance. The election is over and the results have been released. Relitigating the entire process can only result in further harm to the Tufts community.

Max

On Tue, Dec 29, 2020 at 1:51 PM [REDACTED] wrote:
Hello again,

I just wanted to reach back out to check in about the below. Sorry, I know its the holidays but we need to get the ball moving on this as soon as possible.

Best,
[REDACTED]

On Dec 23, 2020, at 3:07 PM [REDACTED] wrote:

Hello all,

I hope that the holiday season is finding you well!

Thank you for your email [REDACTED]. Firstly, moving into the new year, we will need to schedule several meetings throughout January to discuss the upcoming hearing. These will likely be regular and weekly, and aimed at further understanding the nature of the allegations at hand and the situation which unfolded last semester. The chair of the hearing will be in contact before the end of the year to schedule these dates — which leads me to my second point.

We hope to conduct this hearing in the fairest manner possible. As the Parliamentarian, the TCU Constitution tasks me with chairing the hearing, or if I am unavailable, someone else on the TCU Senate Executive Board. Last semester I worked closely with members of SJP to help them through the referendum process, and expressed concern in a meeting when I learned Max had not been recused. While I feel that my past work with SJP will not significantly impact any decision I make as chair, and that I have extensive experience acting impartially (this is indeed in the job description of the Parliamentarian), I understand if participants in this hearing would disagree. If anyone does believe that I would not be able to be neutral in presiding, I will immediately recuse myself and let another member of the TCU Executive Board step into my shoes.

Please reply by the end of the week whether you are comfortable with myself as chair. If you aren't, please let me know with short explanation. I would like to get consent from all participants before I proceed with further with any hearing matters.

Thank you and happy holidays!

Best,

A solid black rectangular box used to redact the sender's name.

TCU Parliamentarian

EXHIBIT D

Tufts Student Complaints re: Anti-Semitism

EXHIBIT D

From: [REDACTED]
Subject: Antisemitism at Tufts
Date: September 7, 2020 at 9:09 PM
To: Office of Equal Opportunity oeo@tufts.edu
Cc: [REDACTED]
Prince, Max H [REDACTED]

To whom it may concern,

We are writing to you on behalf of incoming Jewish first-year students who have encountered antisemitism from peers before even setting foot on campus. Antisemitism in the United States has been on the rise in recent years, and Tufts is no exception to this troubling trend. Many of our fellow students have already made it clear that they see Jews as mere scapegoats or tokens to further a political agenda. We are genuinely afraid to attend this fall out of fear of ostracization and personal attacks because of our Judaism.

In a GroupMe chat for the Class of 2024, controversial political questions were pointedly directed at Jewish students, particularly scrutinizing support for Israel. This, in their eyes, was an operation to weed out the "good Jews" from the "bad Jews," and these accusations of dual loyalties—elicited simply because of religion and ethnicity—have prompted several Jewish students to leave this chat out of sheer discomfort. Sadly, this is just one incident of many.

Some students have made their ignorance abundantly clear. Students have turned to social media, amplifying content that demonizes Jewish people and citing the same antisemitic and racist sentiments that have historically led to the exclusion and discrimination of Jews. These posts include claims that African Americans are the "original Hebrews," an ideology that is deemed hateful by the ADL. Other students have taken it upon themselves to define antisemitism, even going as far to argue with the Jewish students who oppose their definition. They claim that they cannot be antisemitic because they "have Jewish friends." We have even seen students claim that the creation of Hamas, the terrorist group whose entire ideological doctrine rests on the complete elimination of the Jewish state, is "misinterpreted." This statement alone has made many Jewish students incredibly uneasy, as it blatantly condones anti-Jewish violence.

However, the antisemitism we have witnessed is not unique to the incoming class. The

Tufts' Secrets Instagram account (@tuftssecrets) has posted at least four antisemitic confessions and secrets to date, including accusations that Jews "invent these imaginary *ss problems in order to justify [our] claimed status as a victim." Given the historical context of prejudice and violence against the Jewish people, the minimization of Jewish trauma that this statement declares is both logically and morally fraught. Other posts have labeled Jews as "settler-colonialists" and even "white supremacists," which in and of itself is a contradiction that demonizes an entire people. We understand that it is difficult to take action against an unaffiliated anonymous account, but it reflects the Tufts community nevertheless. It is extremely threatening to us as incoming students to know that people hold such views, even if they wouldn't necessarily express them face-to-face.

Additionally, Students for Justice in Palestine (SJP), an organization known for its antisemitism, tokenization, and biased agenda, was advertised as a community organization during FOCUS pre-orientation in a completely unrelated program centered around environmental advocacy and workers' rights, causing great discomfort to Jewish participants. It is irresponsible for the University to display this organization as a social justice group when the administration and many Jewish students have condemned it for inciting hate against Jews. When one Jewish student reached out to a FOCUS leader about his discomfort with SJP being promoted without recognition of the harm it has done to our community, he was told he could "log off," as a temporary solution. Another Jewish student who voiced her discomfort was told by a leader to discuss the issue with his Jewish friends who are "super involved in SJP on campus," dismissing her concerns and further tokenizing Jews to fit an agenda. After several Jewish students informed their leaders about their severe discomfort with the advertising of SJP's antisemitic "End the Deadly Exchange" initiative—a modern-day Blood Libel—they were promised a response from the coordinators but instead were presented with a dismissive, alienating email. This email apologized for not making "enough space for dialogue" rather than the fact that the program had endorsed and advertised an antisemitic organization in an unrelated social justice space. The email framed SJP as a collaborative student organization that promotes social justice, completely ignoring its antisemitic history and vilification of Jewish students—along with their speculated
vandalization of Tufts Hillel

VENERABILIZATION OF TUFTS ETHICS

Many incoming Jewish students hope to study fields such as International Relations, Anthropology, and Psychology. However, we have been warned that certain professors within these departments harbor antisemitic, nefarious views of Jews, spurring us to avoid such courses. The one-sided viewpoints and clear hatred of Jews and the Jewish state in their academic work are incredibly troubling. We fear that we may have to sacrifice our education for our own safety in the classroom. It is unacceptable that we as students should have to spend considerable time and effort researching which professors we have to avoid, in order to simply feel safe and accepted in our academic environment.

We have heard from countless upperclassmen at Tufts, warning us of various professors who bring their identity politics and incendiary rhetoric into academic spaces. We have heard from Jews who were interested in attending Tufts, but were turned off by various displays of antisemitism on campus. If nothing else, it should be alarming to the administration that Tufts has developed a reputation among Jewish students for harboring and enabling antisemitism.

We are saddened to say that these incidents are just a few of many, causing us to feel vulnerable, belittled, and unwelcomed by both our class and the administration.

Attached, you will find documentations of the incidents.

Sincerely,

Concerned Jewish students

EXHIBITS REDACTED

Tufts Antisemitism Petition

This is a petition to combat antisemitism at Tufts. Jewish On Campus, a student-led organization that seeks to raise awareness of antisemitism on college campuses worldwide, has been collaborating with concerned Jewish students at Tufts to produce a report and letter to send to the administration. We hope to start an ongoing conversation with the administration about how to make our Jewish students feel safe and welcome on campus. The report will highlight instances of antisemitism at Tufts submitted by Tufts students and alumni, and the letter will offer some background as well as recommend policy action for the administration to take. We hope you will sign our petition in support of the following recommendations to the Tufts administration:

1. Update policies: Tufts should recognize that their current harassment policies do not protect all students' freedom of expression, and that additional policies must be adopted for this purpose. Tufts should therefore review, update, and diligently enforce campus policies and procedures to guarantee that all members of the campus community, irrespective of their opinions, beliefs, or identity, are equitably and adequately protected from intolerant behavior that infringes on their freedom of expression and denies them equal rights. This includes ensuring the University has robust bullying and cyberbullying policies that, while independent of Tufts' harassment policy, would be equally binding and enforced. Tufts should ensure that prompt, appropriate, and consistent disciplinary measures are taken when any individual or group engages in behavior that suppresses the freedom of expression of one's identity.

2. Establish Consistent Protocols for Intolerant but Constitutionally Protected Speech: Tufts should develop and publish fair and consistent protocols and procedures for handling expression that is intolerant, uncivil or offensive, but nevertheless protected under the First Amendment. Whether Tufts should decide to handle such expression by loudly condemning it or by taking a more hands-off approach, it should be addressed in an equal manner for all students, without regard to the identity or legally protected status of those responsible for the objectionable speech, or those who are offended by it.

3. Develop consistent protocols for disciplining university-approved student groups: Tufts should determine whether a group has engaged in the suppression of others' freedom of speech or civil rights. Any group that has engaged in such intolerant behavior or whose members have engaged in such behavior should be disciplined by Tufts, including the potential for dissolution.

4. Adopt the International Holocaust Remembrance Alliance's (IHRA) definition of antisemitism: Tufts should officially adopt the IHRA definition of antisemitism, which adds that antisemitism also includes denying or singling out the right to a Jewish Homeland, and accusing Jews of being responsible for real or imagined wrongdoing of the State of Israel. Several incidents reported to Jewish on Campus breach these tenets of the IHRA definition. Students and faculty members

who promote these antisemitic attitudes pose a threat to the Jewish community at Tufts University.

5. Adopt anti-bias training: Tufts should adopt anti-bias training that includes a focus on antisemitism, a key priority for Jewish and non-Jewish students alike. This training would educate students, faculty, and administrators on antisemitic behaviors that are too often committed either consciously or subconsciously.

6. Curb political indoctrination in the classroom: The university ought to adopt a standard to curb political indoctrination in the classroom, similar to that of the Regents of the University of California's Policy on Course Content. Tufts must ensure that the university remains aloof from politics and refrains from functioning as an instrument for the advancement of partisan interests. Allowing the classroom to be used for political indoctrination and/or purposes other than those for which the course was created constitutes misuse of the university as an institution.

7. Complete the hiring of a Modern Jewish Studies professor on a tenure track: Hiring a Modern Jewish Studies Professor would allow for the much-needed representation of Jewish culture in Tufts' academic spaces. This would also provide an educational resource for non-Jewish students seeking to learn more about antisemitism and Jewish livelihood. We laud Tufts for taking the first step by creating an opening for this position.

(Note: This petition with over 250 signatures was presented to Tufts University in November 2020 together with the "Tufts University Antisemitic Incident Report" prepared by Jewish on Campus.)

TUFTS UNIVERSITY

ANTISEMITIC INCIDENT REPORT

Incidents were reported to and collected by:

JEWISH ON CAMPUS

Updated as of September 21, 2020

Case by Case

The following includes a case-by-case report of antisemitic incidents at Tufts. Incidents were reported and largely described by Tufts students themselves, in some cases directly quoted. You will find descriptions, classifications, and those liable for each incident. In the case of acts committed by specific Tufts students that we have been made aware of, our team has decided to keep their identities anonymous and identify them as “[Student]”.

**The United States Department of State has adopted the International Holocaust Remembrance Alliance (IHRA) “[working definition](#)” of antisemitism, and this includes anti-Zionist beliefs. Despite what you may have previously heard or believed, any attempt to deny the Jewish people the right to self-determination in their ancestral homeland or hold the state of Israel to a double standard *is* antisemitic. This report holds antisemitic incidents that both involve and do not involve Zionism, but both should be given equal weight. We urge you to listen to Jewish voices when evaluating antisemitism.

Classifications Used	Definitions Used
Microaggression	comment or action subtly expressing a prejudiced attitude or stereotype
Intimidation	intentional behavior to induce a fear of injury or harm
Hate Crime	violent or property crime motivated by prejudice
Nazi Symbolism	drawings of swastikas or other Nazi imagery
Silencing	preventing freedom of expression, concern, or belief
Institutional Discrimination	university or extracurriculars discriminating based on identity or beliefs, including failure to accommodate
Verbal Violence	Verbal attacks including aggressive accusing, undermining, threatening, ordering, trivializing, blaming, and name-calling
Anti-Zionism	attacks based on the Jewish right to self-determination/Israel’s existence

1-3 – Tufts Secrets

“There is a student-run Instagram account at my school called Tufts Secrets. The account is being used by students to spread antisemitic rhetoric, with secrets invoking classic antisemitic tropes about Jewish power and money, as well as anti-Zionist allegations such as Israel being a White supremacist state. Few are speaking out about the content in this account. As a rising freshman, I am worried that I will feel unsafe as a Jew at Tufts.”

3 detailed examples:

- A student insinuated that Jews do not face oppression and that any issues presented as antisemitic are completely fabricated as a means of denying privilege associated with wealth and/or financial security, claiming that Jews invent “imaginary ass problems in order to justify [their] claimed status as [victims].” The student implied that Jews of color do not exist by concluding the post with “sincerely, an actual POC.”
- A student reinforced the stereotype that Jews, and the Jewish community as a whole, hold an unequal financial privilege, rendering Jewish students vulnerable to activism which seeks to attack the “oppressors.” The post also insinuated that those opposing the movement to rid sports teams of appropriative names are all of wealthy Jewish communities.
- A student exhibited anti-Zionist beliefs, claiming that “Zionism [was] not Judaism.” The student stated that Zionism “[upheld] white supremacy,” effectively white-washing Jewish history and attacking the Jewish right to self-determination. Further, the student wrote, “FREE PALESTINE,” asserting that fighting for Jewish and Palestinian liberation were mutually exclusive. The student spoke on behalf of Jewish people, of which 95-97% are Zionist, muzzling the right of Jews to define antisemitism.

1 – Microaggression & Silencing by Students

2 – Microaggression by Students

3 – Microaggression & Anti-Zionism by Students

Failed to Correct Upon Request

4-8 – SJP

“Tufts Students for Justice in Palestine (SJP) is the forefront of the antisemitism taking place on campus.”

5 detailed examples:

- In a modern form of Blood Libel, SJP has held meetings on their “End the Deadly Exchange” Initiative, claiming that “occupying Israeli forces” had been teaching American police forces techniques used in the Israeli “War on Terror.” Tufts SJP has completely disregarded that American police forces train across the globe, aiming to solely demonize Israel and blame the only Jewish state for American police brutality. Events around the Deadly Exchange have also been sponsored by other clubs, such as Tufts United for Immigrant Justice (TUIJ), which claims that immigrant rights in the United States are tied to Palestinian liberation.
 - **It is important to note that the “Deadly Exchange” is both inaccurate and dangerous. Historically, Jews have been blamed for societal qualms: the Black Plague, poverty, communism, capitalism, coronavirus, and now American police brutality. In actuality, senior U.S. law enforcement officials go to Israel to meet with experts in counter-terrorism and gun violence. These same programs also train officers on hate crimes, constitutional rights, and implicit bias. Israel is not responsible for the kind of policing that led to George Floyd’s death, although the Internet saw a surge of political cartoons blaming the IDF for the murder of George Floyd. Israel also took active steps to reduce the risk of police brutality through training. If it is the case that policing itself is an unjust system, then it would be unfair to solely demonize Israel when the United States police trains with Argentina, Australia, Austria, Brazil, China, Colombia, Egypt, Finland, France, Georgia, Greece, Hungary, Indonesia, Italy, Jamaica, Japan, Kazakhstan, Mexico, The Netherlands, Russia, the United Kingdom, and Uzbekistan. This kind of double standard has demonized the Jewish people and led to multiple hate crimes (recent example: protestors vandalized a synagogue in Kenosha, Wisconsin and spray-painted “FREE PALESTINE” on the property following the murder of Jacob Blake).
- Tufts SJP has further held meetings aimed to demonize Israel for the state of Gaza. The group once held a memorial gathering for members of US-designated terror groups killed on the Israel-Gaza border. Introducing the service, the club wrote, “Join Tufts SJP as we come together to discuss the current humanitarian injustices occurring in Gaza. We hope to ‘honor the martyrs’ who have been killed. We will remember their names and bravery in the face of violent oppressive forces with the hope that one day their demands for return and liberation are realized.” This is the normalization and celebration of terrorism.
- The group has also offered biased lessons on the Israeli-Palestinian Conflict, such as Palestine 101. It was incredibly one-sided and contributed to the delegitimization of Israel.
- Tufts SJP has sponsored the annual Israeli Apartheid Week, insinuating false comparisons between the Apartheid South Africa and the Israeli-Palestinian Conflict. The club has held a ceremony called the “Great March of Return Vigil,” honoring Palestinian Land Day on March 30th.
- In summer 2020, following Netanyahu announcing his intention to annex portions of the West Bank, Tufts SJP co-sponsored the Boston Day of Rage, in which they chanted antisemitic, anti-Zionist statements. The event demanded the decolonization of Palestine from 1948, thus calling

for the dissolution of the Jewish state and subsequent ethnic cleansing of the Jewish population in Israel-Palestine. Netanyahu did not go through with the annexation, but the Day of Rage unveiled the antisemitism of SJP. A speaker for BDS Boston is on video leading the large crowd in the Hamas chant “From the river to the sea, Palestine will be free,” which is a call for the replacement of Israel with a majority-Arab Muslim country; Hamas is a U.S.-designated terrorist group. At other times, the crowd can be heard loudly chanting “Intifada, Intifada,” the name of violent Palestinian uprisings that disproportionately killed innocent civilians. The Day of Rage street route was made to target Jewish organizations and buildings unrelated the conflict.

4 – Microaggression, Institutional Discrimination, & Anti-Zionism by Students

5 – Microaggression, Institutional Discrimination, & Anti-Zionism by Students

6 – Microaggression, Institutional Discrimination, & Anti-Zionism by Students

7 – Microaggression, Institutional Discrimination, & Anti-Zionism by Students

8 – Microaggression, Intimidation, Verbal Violence, & Anti-Zionism by Students

9-11 – Lectures

Tufts has sponsored many antisemitic lectures and events that make Jewish students uncomfortable.

3 detailed examples:

- Tufts has allowed many anti-Zionist, antisemitic individuals to speak on campus, whose lessons have framed Zionism as a form of oppression. In “Black Solidarity with Palestine: Futures of Freedom,” Zionism was framed as an example of white supremacy, failing to mention the Zionist beliefs of historic civil rights leaders in American history. This also erases Jews of Color and frames all Jews as white, despite the historical plight of Jews for not being white (ex: Holocaust). Tufts has also offered “Palestinian Feminism & Transnational Solidarity,” claiming that Zionism was a form of oppression similar to Misogyny. The Tufts Arab Student Association co-sponsored this event.
- Tufts further offered an event entitled “Voices of the Palestinian Resistance,” featuring activists from the International Solidarity Movement (ISM). ISM’s mission state supports “legitimate armed struggle” by Palestinians in order to resist the Israeli occupation. ISM has historically supported the actions of Palestinian terror groups and suicide bombers, referring to them as freedom fighters.
- In March 2017, a joint event was held by SJP and Tufts Climate Action (TCA) called Boycott, Divest, Sanction (BDS) 101. The event featured Professor [REDACTED], the chair of the Tufts Sociology Department. During the meeting, [REDACTED] discussed the effectiveness of divestment from Apartheid South Africa. Not only is the framing of Israel as an apartheid state problematic, but the end goal of BDS is the dissolution of Israel.

9 – Microaggression, Institutional Discrimination, & Anti-Zionism by Students & Admin

10 – Microaggression, Institutional Discrimination, & Anti-Zionism by Students & Admin

11 – Microaggression, Institutional Discrimination, & Anti-Zionism by Students, Admin, & Professors

12

Several students have expressed concern about Professor [REDACTED]. [REDACTED] has mocked the Jewish Bible, actively trivializes antisemitism, and demonizes Israel in and out of the classroom (particularly in the “Colonizing Palestine” course which Tufts has offered twice). Upon public concern from Jewish students, the Tufts Consortium of Studies in Race, Colonialism and Diaspora doubled down in their defense of the course content and professor. We urge you to read more at [Canary Mission](#), where Abowd’s antisemitism is described in extensive detail. As Tufts faculty, Professor [REDACTED] must be held accountable.

**Canary Mission documents people and groups that promote hatred of the Jewish people and Israel. Its ethics policy can be found [here](#).

Microaggression, Silencing, Institutional Discrimination, Verbal Violence, & Anti-Zionism by Professors

Micro-aggressive Negligence & Institutional Discrimination by Admin

Failed to Correct Upon Request

13

Several students have also expressed concern about Professor [REDACTED] [REDACTED] as vilified Israel, misappropriated Jewish culture, and supported terrorism/proponents of terror on multiple occasions. We urge you to read more at [Canary Mission](#), where [REDACTED] antisemitism is also described in extensive detail. Having one of your professors on this site at all should be cause for concern. As Tufts faculty, Professor [REDACTED] must be held accountable.

**Canary Mission documents people and groups that promote hatred of the Jewish people and Israel. Its ethics policy can be found [here](#).

Microaggression, Silencing, Institutional Discrimination, Verbal Violence, & Anti-Zionism by Professors

14

During a psychology lecture on the intersection of psychology and oppression, Professor ██████ claimed that certain groups had too much power in the field of psychology, namely Israel. In doing so, the professor invoked tropes about Jewish power, rhetoric historically linked to the Elders of Zion and popularized by the Nazis. ██████ also claimed Israel was a Western-run nation, thus whitewashing the state.

Microaggression, Institutional Discrimination, & Anti-Zionism by Professors

15

During an International Relations lecture on the maintenance of global peace, Professor ██████ discussed how Iran had begun its process of nuclear proliferation due to feeling weak in comparison to the United States in its influence in the Middle East. ██████ discussed Iran's nuclear acquisition while next to him was an image of a man with a Jewish star and a cartoonish Jewish nose, meant to represent Israel, juggling nuclear weapons, and laughing menacingly, with a shrunken, Iran powerless next to him. The cartoon was not only inaccurate – as Iran has threatened aggression with nuclear weapons while Israel has not – but was filled with antisemitic tropes of Jewish global power and greed. Despite ██████ not mentioning Israel by name, the antisemitic political cartoon made his position very clear.

Microaggression, Institutional Discrimination, & Anti-Zionism by Professors

16

In February 2019, around two dozen flyers were discovered on Tufts Hillel, the foundation for Jewish life on campus, depicting militarized pigs. One flyer read, "ISRAELI APARTHEID FORCES AND AMERIKKAN [sic] PIGS WHICH FUND IT." According to those who discovered the vandalization, the flyers were faced inwards, aiming to send a message to members of Tufts Hillel and conflating a religious institution with the actions of the IDF. While it is unknown who vandalized Tufts Hillel, it is widely suspected that Tufts SJP was responsible for this incident. It is clear in this example that Jewish students fear for their safety and are targeted regardless of their feelings towards Israel, undermining the idea that antisemitism and anti-Zionism are disconnected.

Hate Crime, Intimidation, Verbal Violence, & Anti-Zionism by Students

17

After a student identified himself as Jewish in a GroupMe containing over 700 incoming students, he was asked "Israel or Palestine?" by [Student] and received several messages saying "Free Palestine." The student refused to answer the question and expressed his discomfort with the antisemitic undertones. After several Jewish students claimed it was antisemitic and made them uncomfortable in this groupchat, non-Jewish students actively gaslit Jewish students, claiming they were not antisemitic, just anti-Zionist.

Microaggression & Anti-Zionism by Students

Failed to Correct Upon Request

18

A student posted a message to his Instagram story claiming that the backlash against Nick Cannon's antisemitic comments was unwarranted, asserting that "Black people were the true Hebrews." Not only does this claim erase Jewish history, but it is also part of the doctrine of the Black Hebrew Israelites, a well-known antisemitic hate group.

**This is not to be confused with the existence of Black Jews, an important part of the Jewish community. "Black Hebrew Israelites" are a radical Christian sect that believe Jews stole their identity and are one of the fastest growing hate movements in America. They ascribe to the same theories spouted by Louis Farrakhan, an open antisemite and cisheterosupremacist, that claims the "satanic Jews" who "control everything" are responsible for atrocities such as the transatlantic slave trade and 9/11. Black Hebrew Israelites have been responsible for the Jersey City market massacre and Monsey Chanukah attack; Jewish civilians have lost their lives to this group.

Microaggression by Students

Failed to Correct Upon Request

19

Tufts' FOCUS was greatly disturbing. Students for Justice in Palestine (SJP), an organization known for its antisemitism, tokenization, and biased agenda, was advertised by representatives from Tufts Climate Action (TCA) and Tufts Labor Coalition (TLC) as a community organization during FOCUS pre-orientation in a completely unrelated program centered around environmental advocacy and workers' rights, causing great discomfort to Jewish participants. This irresponsibly displayed this organization as a collaborative social justice group, despite the administration and many Jewish students having condemned it for inciting hate against Jews in the name of activism. When one Jewish student reached out to a FOCUS leader about his discomfort with SJP being promoted without recognition of the harm it has done to our community, he was told he could "log off." Another Jewish student who voiced her discomfort was told by a leader to discuss the issue with his Jewish friends who are "super involved in SJP on campus," dismissing her concerns and further tokenizing Jews to fit an agenda. After several Jewish students informed their leaders about their severe discomfort with the advertising of SJP's antisemitic "End the Deadly Exchange" initiative—a modern-day Blood Libel—they were promised a response from the coordinators but instead were presented with a dismissive, alienating email. This email apologized for not making "enough space for dialogue" rather than the fact that the program had endorsed and advertised an antisemitic and triggering organization in an unrelated social justice space. The email framed SJP as a collaborative student organization that promotes social justice and allies themselves with other progressive groups, completely ignoring its antisemitic history and vilification of Jewish students along with their speculated vandalization of Tufts Hillel.

Seeing this as insufficient, Jewish students reached out to the Office of Equal Opportunity (OEO). In response, SJP created an Instagram post silencing Jewish students' voices, claiming their concern was a "Zionist smear campaign." Furthermore, SJP verbally attacked the anonymous Jewish students, asserting that they deserved repercussions for reaching out to the OEO for antisemitism. The OEO has a retaliation policy: retaliation after filing a report is considered continued discrimination. The students are yet to hear back from the OEO.

Despite issuing an apology for not creating space for dialogue, FOCUS leaders sent an additional email to students containing an advertisement and message from SJP after SJP had retaliated. FOCUS claimed its continued intention to foster inclusive dialogue yet continued to advertise SJP's dangerous one-sided rhetoric as factual without making room for Jewish voices or providing students with information about other clubs related to Israel-Palestine on campus. In SJP's attached document that FOCUS leaders distributed, the club advertised two events – Palestine 101 and DeadlyExchange 101 – erasing the duality of the conflict, silencing Jewish voices, and fostering support of a new blood libel to incoming freshmen.

Microaggression, Silencing, Institutional Discrimination, & Anti-Zionism by Students & Admin

Failed to Correct Upon Request

20

“Someone told me to my face that Jews don't belong in Israel because they belong in the gas chambers, said he wished Hamas and Hitler would kill me, and called me a kike. A few days later a friend of mine told me that antisemitism doesn't exist anymore. Yeah....”

Intimidation, Microaggression, & Verbal Violence by Students

21

The receptionist at my workplace always treated me like a criminal - I was never allowed to do anything by myself in the storage closet. If I sat near her at lunch, she would move away. One day she saw me eating a zeppole and struck up a conversation. I was struck by how friendly she was. Partway through the conversation, she says "you know, I thought you were Jewish!" The minute I told her that yes, I was, she shut up and walked away. Never spoke to me again.

Microaggression by Admin/Staff

In Autumn 2019, a swastika was discovered on a Zionist Jewish student's door.

Hate Crime, Intimidation, Nazi Symbolism, & Anti-Zionism by Students

23

During Passover, a limited amount of kosher for Passover food was provided in the cafeteria. Non-Jewish students treated it like a special food station and frequently took the food; it was never replenished when it ran out. By the end of Passover, it was just matzo and gross canned food. I called Dining Services to ask if they could put up signage about leaving the Passover food for observant Jewish students. I was told no, and that I should be happy the other students wanted to "share in my culture."

Microaggression & Institutional Discrimination by Admin

Failed to Correct Upon Request

24

Coworkers at a local start-up posted swastikas on Slack during my internship and came up to me to ask "what are you?" When I replied that I was Jewish, they told me, "You know, it wasn't only Jews who died in the Holocaust." I called my school's [Tufts] career services department to report these incidents, but they never returned my call and continued to allow the company to recruit at the campus career fair. When I sent a note to a professor that I trusted to ask that students not be referred there in the future, Career Services finally spoke with me, but told me they'd only take action if other students had similar experiences.

Intimidation, Microaggression, & Nazi Symbolism by Coworkers at internship

Micro-aggressive Negligence by Admin

Failed to Correct Upon Request

25

A Jewish student expressed his troubles with a post made by another student. Finding the Instagram infographic misleading and antisemitic for its tokenization of Jews of Color to fit an agenda, the student offered to share his view point about what made it offensive. After the conversation became hostile, another student privately messaged the Jewish student and voiced her complaints with his stance. This student accused Jews of playing victim on more than one occasion and argued that the creation of anti-Jewish terrorist groups is “misinterpreted,” refusing to condone their violence.

Microaggression, Silencing, & Anti-Zionism by Students

Failed to Correct Upon Request

26

My partner on a group project told me how happy he was that Jews decided to change the spelling of Hanukkah (Chanukah) to make it closer to Christmas.

Microaggression by Students

In September 2017, an unauthorized “Student Disorientation Guide” was posted on the Facebook pages of the class of 2020 and the class of 2021. The guide labeled Israel a “white supremacist state and claimed that Tufts Hillel had been “exploit[ing] black voices for their own pro-Israel agenda.”

Microaggression & Anti-Zionism by Students

28

I was thinking about applying to Tufts, so I spoke to a friend of a friend who went there. At some point during our conversation about life at her school, she confidently stated that Hillel used their “money and influence” to shut down Palestinian activists at their school. I actually told her that what she said had antisemitic undertones, and she responded that she didn’t hate Jews, “just Zionists.” She told me she learned all of this from her Middle Eastern studies classes, and I was shocked to realize that even though she was taking these classes, she knew almost nothing about Jewish or Israeli perspectives. I was so excited at the idea of going to Tufts but I decided not to after that because I didn’t think I’d be welcome.

Microaggression & Anti-Zionism by Students

Institutional Discrimination by Professors

29

My freshman year roommate constantly talked about being a WASP and how they used to have money. She told me I talked about being Jewish too much (I talked about it maybe twice, tops, because she'd never met a Jewish person before).

Microaggression & Silencing by Students

30

In April 2017, Tufts Student Senate passed a BDS resolution, which was voted on the day before Passover. The majority of Jewish students had left for the holiday, and were thus unable to deter the vote. The voting of this resolution itself is inherently antisemitic, as it aimed to exclude Jewish students on the dialogue surrounding the Israeli-Palestinian Conflict. Not only is BDS antisemitic, but the students exploited the Jewish religion to ostracize the Jewish people.

Microaggression, Silencing, Institutional Discrimination, & Anti-Zionism by Students

31

Following a Jewish student's explanation of his belief in the necessity of the IDF (Israeli Defense Force) for the sake of Israeli security in the Tufts Class of 2024 student group chat, he was met with a verbal attack from [Student]. [Student] asserted that the Jewish student's views were "a well-constructed pile of absolute bullshit," alongside other aggressive attacks. [Student] further white-washed Judaism and Zionism, claiming that the Jewish student's argument "reeked of white supremacy."

Microaggression, Verbal Violence, Silencing, & Anti-Zionism by Students

32

A non-Jewish student reached out to a Jewish student to ask his opinion on an anti-Zionist post, commenting “sorry that I sort of text you all the time about Jew things like you’re a token or something...” Clearly, [Student] knew this tokenization was uncomfortable for the Jewish student.

Microaggression & Anti-Zionism by Students

33

I'm in a group on campus and every year, we have a big event with other similar groups. We usually get blind dates and it's a fun way to meet other people, but I overheard members of one group say "We don't want to be paired with [our group] because they all love Israel." We are a Jewish group with absolutely no connection to Israel and have members with every possible opinion on the Palestinian/Israeli conflict. It made me feel ostracized and unwelcome and since then, I've noticed so many instances of people making jokes about how Jews control global politics, had friends who complained to me that I could get a job in finance so easily because "there are so many conservative Jews who look out for each other in finance," and had teachers assume I could tell my classes about the history of Israel because of my Jewish identity. People constantly assume antisemitism doesn't exist anymore and minimize the fear of Jewish students when synagogues are vandalized, cemeteries are destroyed, or Nazi flags are flown. My fears are consistently delegitimized and there is no room for conversation about politically volatile issues. I hate feeling like I need to choose between my Jewishness and my progressiveness at Tufts.

Microaggression & Anti-Zionism by Students

Microaggression by Professors

34

As a pro-Israel Jew on campus, I've been a target for online harassment since the first week of my freshman year. Among other things, I've been called a Nazi, a white supremacist, a complaining Jew, and a "paid-off shill for the Zionist ethno-state", as well as being held personally responsible for "the structures and systems of oppression". Many of my friends have shared the same experience. Students at my school routinely blame American Jews for the actions of the Israeli government, use 'Zionist' as a slur, and have made every effort to exclude Israel supporters from progressive spaces. I have made multiple attempts to open a conversation around antisemitism with the administration, and yet nothing has been done. For a school that sees itself as progressive, Tufts is quite regressive in this regard.

Intimidation, Microaggression, Verbal Violence, Silencing, & Anti-Zionism by Students

Failed to Correct Upon Request

Summary

Out of **34 reports**:

- **32** involved **micro-aggressive** comments or behaviors
- **25** involved **anti-Zionism**
- **15** involved **institutional discrimination**
- **9** involved **silencing**
- **7** involved **verbal violence**
- **6** involved **intimidation**
- **2** involved **Nazi symbolism**
- **2** involved **hate crimes**

Out of **34 reports**:

- **27** involved antisemitism from Tufts **students**
- **8** involved antisemitism from Tufts **administration/staff**
- **7** involved antisemitism from Tufts **professors**

In the **11** instances, to our knowledge, of students **reporting** their concerns to the university (out of the 34 antisemitic occurrences),

- **All 11** involved **micro-aggressive negligence** by the administration and student organizations, in which they **failed** to correct the situation upon student request.

On behalf of the Jewish student population at Tufts, we demand better.