

TRANSFORMING POLICING IN NEW YORK

The NYPD remains fixated on the philosophy of broken windows policing. The theory, which has never been proven, posits that aggressively policing minor misbehavior prevents serious crimes. But Eric Garner's death illustrates the threat these tactics pose to all New Yorkers, particularly over-policed communities of color. Garner was approached by police because he was suspected of selling untaxed cigarettes.

After five years, the officer who killed Eric Garner was finally fired. That disciplinary process was run entirely by the NYPD, and it was shrouded in secrecy. We still have a long way to go to hold police accountable when they abuse New Yorkers. Real accountability begins with transparency and independent oversight of the people who are supposed to protect us.

Here are six steps you can take to demand action in New York City and across the State.



ACTIONS YOU CAN TAKE TO SUPPORT STATEWIDE REFORM

End Police Secrecy - Repeal 50a

New Yorkers are kept in the dark about how or even if police departments hold officers accountable for misconduct. Section 50-a is the country's most secretive law on police misconduct, declaring all police "personnel records" confidential. Police have used 50-a to hide outcomes of disciplinary trials, body camera footage, and even basic data on use of force incidents. In fact, the public only saw the judge's decision in the trial of the officer responsible for Eric Garner's killing because it was leaked to the press. According to the NYPD and Section 50-a, that decision is a state secret. New Yorkers have a right to know whether the public servants we entrust with power over our lives are behaving responsibly. But as long as 50-a remains on the books, we won't have a clue. Contact your state legislators and tell them to pass A.2513/S.3695 to end police secrecy and repeal 50-a.

Open the Books on Policing - Pass the STAT Act

From the lowest-level tickets like drinking beer in the park to the most serious cases when someone dies in police custody, New Yorkers struggle to get basic data on police practices statewide. Police departments often keep secret how, when, and whom they decide to ticket or arrest – if they even keep track of this information at all. Without data on New Yorkers' encounters with the police, it is impossible to gauge the true impact, costs, and effectiveness of what police are up to. That's why the state legislature must pass the Police Statistics and Transparency (Police-STAT) Act. This common-sense measure is the first step to getting a full statewide picture of the impact of broken windows policing on the lives of New Yorkers. Tell your state legislator that you want them to pass A.5472/S.1830 and open the books on policing.

Hold Police Accountable through a Special Prosecutor

When people are killed by the police, the public must trust the integrity of any investigation into the killing. But local district attorneys, whose jobs require close working relationships with law enforcement, may have conflicts of interest when tasked with investigating their colleagues. Governor Cuomo issued an executive order in 2015 appointing the Attorney General to act as special prosecutor when someone dies in the course of a police encounter. But executive orders can be revoked. The

legislature should make this office permanent to ensure independent investigations of all future cases in which someone dies in police custody, regardless of who sits in the governor's office. Tell your state legislator to support A.1601/S.2574 to increase public confidence in the integrity of investigations into police killings.

ACTIONS YOU CAN TAKE TO IMPROVE POLICING IN NEW YORK CITY

Tell Your Councilmember to Support Ending Police Secrecy

The power to repeal section 50-a rests with the State Legislature. But New York City officials have helped expand the law and make it more dangerous. In 2016, the de Blasio administration and the NYPD reversed a 40 year-old practice of releasing information on the outcomes of police disciplinary proceedings, citing a new interpretation of 50-a. And the Mayor and NYPD fought the NYCLU to keep NYPD trial decisions secret, resulting in a 2018 court decision expanding 50-a's potential to hide vitally important records. The New York City Council must commit to undoing this harm by supporting state legislation to repeal 50-a. Contact your City Council member and urge them to support passage of Resolution 750, which will send a message to Albany demanding real transparency and accountability.

Hold Officers Accountable for Lying to Investigators

New Yorkers deserve a police force that is honest. But an investigation into the NYPD's handling of disciplinary procedures found that the Department is not punishing officers who lie. Currently, the NYPD Internal Affairs Bureau handles all investigations into false official statements by officers – even when those false statements are made to the Civilian Complaint Review Board, the independent agency responsible for investigating certain types of complaints against officers. Right now when the CCRB finds that an officer has lied during its investigation, the agency can't do anything about it. That could change in November, when New Yorkers will be asked to vote on a number of CCRB reforms, including whether to expand its authority to investigate officers accused of lying during a CCRB investigation. Real accountability requires independent investigations and oversight—and truthful testimony.

Demand Oversight of NYPD Spy Tools - Pass the POST Act

Not all of the impacts of broken windows policing are visible to New Yorkers. That's because the NYPD refuses to disclose information about the surveillance technologies that it acquires and deploys in neighborhoods across the city. Operating in secret, and sometimes without any policies in place, the NYPD has used military-grade equipment to track people's movements, find out who they're talking to, and potentially even peer inside people's homes and vehicles – all without any oversight from elected officials. What we do know for certain is that the NYPD has a long and troubling history of engaging in surveillance tactics that target political dissent, criminalize communities of color, and jeopardize all New Yorkers' privacy. And we know that some of the tools the NYPD currently uses, like facial recognition, simply do not work as advertised. The New York City Council must demand access to basic information about how NYPD practices threaten the privacy of New Yorkers. The Public Oversight of Surveillance Technology (POST) Act will ensure that the public has a role in reviewing surveillance technologies before the NYPD deploys them on our streets. Tell your City Councilmember to support passage of Intro. 487 so that the public can judge whether these technologies are worth the cost to our privacy and to the City's budget.