



November 19, 2013

Eric T. Schneiderman  
New York State Attorney General  
120 Broadway  
New York, New York 10271

Dear Attorney General Schneiderman:

Recent news reports have revealed a disturbing pattern of racial profiling in which Black shoppers have been unjustifiably stopped, searched, and detained—and sometimes handcuffed and arrested—after purchasing merchandise at Macy’s and Barneys, two high-profile New York department stores. We condemn any practice that subjects New Yorkers to increased scrutiny and harassment because of their race, and commend the Office of the Attorney General for opening an investigation into these incidents. We understand, however, that the investigation is presently limited to probing the policies and practices of Macy’s and Barney’s.

We now call on your office to expand its investigation to include examination of the policies and practices of the New York City Police Department (“NYPD”). As the NYPD itself acknowledges, it is NYPD officers who detained Kayla Phillips and Art Palmer, and arrested Rob Brown and Trayon Christian, after each made legitimate purchases. Further, Macy’s and Barneys have denied that their employees summoned the NYPD to investigate the shoppers. If those assertions are correct, it is the NYPD that has primary responsibility for the aggressive tactics to which the shoppers were subjected and therefore the NYPD whose policies and practices must be scrutinized. In particular, media reports suggest an NYPD task force that focuses on credit card fraud and/or grand larcenies may have been responsible for more than one of the shoppers’ detentions.

It is our belief that an investigation into the NYPD’s policies and practices, including those of any relevant NYPD task force, is necessary to gain a complete understanding of the circumstances that led to the profiling of these and perhaps other innocent New York shoppers. We thank you for your leadership in addressing this disturbing pattern of racial profiling and look forward to response to this letter.

Sincerely,

Reverend Al Sharpton  
National Action Network

Donna Lieberman  
New York Civil Liberties Union

Hazel Dukes  
NAACP

Avra Rice  
New York Urban League

Bertha Lewis  
The Black Institute

Reverend Joe Youngblood

Reverend Michael Walrond  
National Action Network