

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

In the Matter of the Application of
NEW YORK CIVIL LIBERTIES UNION,

Petitioner,

v.

NEW YORK CITY POLICE DEPARTMENT,

Respondent.

For a Judgment Pursuant to Article 78 of the Civil
Practice Law and Rules,

Index No.

**AFFIRMATION OF ROBERT HODGSON IN SUPPORT OF
THE PETITIONER’S VERIFIED PETITION**

ROBERT HODGSON, a member of the bar of New York, affirms the following to be true under the penalties of perjury.

1. I am an attorney at the New York Civil Liberties Union (“NYCLU”) Foundation and represent the petitioner in this action. I make this Affirmation upon personal knowledge and in support of the petitioner’s Verified Petition, dated March 23, 2023.

2. The NYCLU has corresponded with the respondent, the New York City Police Department (“NYPD”), in this case regarding the petitioner’s FOIL request and related administrative appeals. I affirm that paragraphs 12–30 in the Verified Petition, which set forth the relevant background and procedural history of the request, are true to my personal knowledge.

3. On June 2, 2022, the NYCLU submitted a FOIL request to the NYPD requesting disaggregated, incident-level data on NYPD vehicle encounters collected by the police department pursuant to the 2021 Amendment to New York City Local Law 45. I affirm that:

- i. Attached hereto as **Exhibit A** is a true and correct copy of the NYCLU's June 2, 2022 FOIL Request to the NYPD.
- ii. Attached hereto as **Exhibit B** is a true and correct copy of the NYPD's FOIL Acknowledgment Email dated June 6, 2022.
- iii. Attached hereto as **Exhibit C** is a true and correct copy of the NYCLU's First Administrative Appeal dated June 13, 2022.
- iv. Attached hereto as **Exhibit D** is a true and correct copy of the NYPD's June 13, 2022 Response to the NYCLU's First Administrative Appeal.
- v. Attached hereto as **Exhibit E** is a true and correct copy of the NYCLU's October 3, 2022 Email to the NYPD.
- vi. Attached hereto as **Exhibit F** is a true and correct copy of the NYPD's October 17, 2022 Email to the NYCLU.
- vii. Attached hereto as **Exhibit G** is a true and correct copy of the NYCLU's Second Administrative Appeal dated October 26, 2022.
- viii. Attached hereto as **Exhibit H** is a true and correct copy of the NYPD's October 27, 2022 Response to the NYCLU's Second Administrative Appeal,
- ix. Attached hereto as **Exhibit I** is a true and correct copy of *Matter of Linz v. NYPD*, NYLJ, Dec. 17, 2001 [Sup Ct, NY County 2001].

Respectfully Submitted,



ROBERT HODGSON

Counsel for Petitioner

Date: March 23, 2023
New York, New York

CERTIFICATE OF COMPLIANCE WITH 22 NYCRR §202.8-b

I hereby certify that:

This Affirmation complies with the word count limitation of 22 NYCRR §202.8-b because the total word count, according to the word count function of Microsoft Word, the word processing program used to prepare this document, of all printed text in the body of the affirmation, excluding the parts exempted by § 202.8-b is 368 words.

Dated: March 23, 2023
New York, New York



ROBERT HODGSON

Counsel for Petitioner