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*****FOR IMMEDIATE RELEASE*****

Legal Aid Calls on Mayor de Blasio and NYPD to Modify Policing Practices That Are Putting Communities At Further Risk of COVID-19 and Exacerbating the Public Health Crisis in New York City

(NEW YORK, NY) – **The Legal Aid Society**, in a recent [letter](#), called on Mayor Bill de Blasio and the New York City Police Department (NYPD) to immediately modify and reassess how the NYPD interacts with already vulnerable communities amid the COVID-19 pandemic. Despite a decrease in crime and a rapid increase of confirmed COVID-19 cases amongst the NYPD, Police Commissioner Dermot Shea has not committed to any change in policing practices.

The letter highlights examples of recent NYPD interactions, from arrest to arraignment, for low-level or quality-of-life offenses which led to New Yorkers being held in crowded cells for long hours while in NYPD custody, making it impossible to heed the advice of health experts to social distance and isolate. In fact, over a third of all custodial arrests for the last two weeks of March were for petty misdemeanors and non-violent felonies.

“The Mayor and NYPD have a responsibility to the public and to their officers to enact policies that reflect the advice of public health experts in order to thwart the spread of COVID-19. Yet, the NYPD has not changed its protocols even in light of this rapidly spreading virus, and continues to needlessly put New Yorkers’ lives at further risk,” said **Tina Luongo, Attorney-in-Charge of the Criminal Defense Practice at The Legal Aid Society**. “We strongly urge the Mayor and Commissioner Shea to drastically modify policing practices to safeguard the communities they purport to serve and protect.”

The letter states:

As part of a coordinated COVID-19 response by Mayor De Blasio, government and businesses are drastically modifying practices to limit physical contact, and yet that practice has not been

implemented by NYPD. In cities across our country, elected officials are directing police to use discretion, make only “necessary contacts” and to slow down arrests. Mayor De Blasio has made no such similar request of the NYPD...

Currently, we are still seeing clients accused of low-level crimes going through the system. It is highly irresponsible for the NYPD to put themselves and other individuals at risk of exposure to COVID-19 by making arrests during this pandemic. We are already seeing the negative impact this is having on the police force. The number of confirmed COVID-19 cases amongst the NYPD has risen exponentially. There are now over 1400 confirmed cases amongst uniformed officers, reflecting a rate of infection eight times the general population. It’s not yet clear if members of the public who came into contact with COVID-19 positive officers have been identified and informed. Individuals who are released go home to their families, their elderly loved ones, and their children unknowingly compromising the health and wellbeing of members of their communities.

Most importantly, we do not know if officers passed it to the people they arrested and sent to Rikers Island, thus contributing to a growing humanitarian crisis. The situation at Rikers Island has been described by Dr. Ross MacDonald, Chief Medical Officer of Correctional Health Services, as a “public health disaster unfolding before our eyes.” We must immediately halt the flow of people to be incarcerated at our local jails if we are to successfully address the crisis at Rikers Island.

The letter requests that Mayor de Blasio and Commissioner Shea enact the following policies:

1. Create a large community wide education campaign to help inform the public of COVID-19 and educate them on the emergency executive orders around social distancing and how to avoid contracting COVID-19. Many low-income communities are not adequately aware of this public health crisis.
2. Provide more street closures in low-income communities of color to allow for easier public social distancing spaces.
3. Drastically reduce custodial arrests by increasing the use of verbal warnings, non-criminal citations, and appearance tickets for all low-level offenses. Because of the grave risks of COVID-19 exposure for people in custodial settings, the use of custodial arrest to enforce these restrictions is not an appropriate public health measure and should almost never be the outcome of these enforcement efforts.
4. Suspend the counterproductive “subway diversion” program, which has resulted in additional summonses for homeless transit riders requiring more travel around the City without adding any new services to get them into housing.
5. Significantly reduce the number of officers on duty. Consistently, we are seeing large groups of officers clustered together while on patrol, that is dangerous for them and dangerous for the community members they interact with. While we are seeing a record low criminal activity throughout the city, this is the time to reduce the number of officers on patrol and to keep them and their families safe from contracting and spreading COVID-19. It is entirely appropriate for NYPD to reconsider personnel assignments under the circumstances and the threat of increasing personnel shortages due to illness.
6. Enact clear policies relating to the cleaning and regular disinfecting of cruisers, precincts, holding cells, and workspaces for all of the NYPD.
7. Consistent with CDC guidance, refrain from rousting people from homeless encampments, and instead offer them individual housing units. Clearing encampments will cause people to

disperse throughout the community and break connections with service providers. This increases the potential for infectious disease spread and reduces the likelihood that people on the street will receive service.

8. Ban criminalization of the failure to social distance. Many low-income people are already living on the financial margins of society, by arresting them or issuing a criminal fine to them, our City is pushing them even deeper into the cycle of poverty and criminalization.

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities.

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