



NYCLU and Legal Aid Society Sue Mayor, NYPD for Police Brutality During Protests

Lawsuit Argues City Condoned, Set Policy of Excessive Force Against Protesters

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NEW YORK CITY – Today the New York Civil Liberties Union and The Legal Aid Society filed a lawsuit against Mayor Bill de Blasio, Police Commissioner Dermot Shea, Chief of Department Terence Monahan, the City of New York, and several individual police officers for their roles in the indiscriminate brutalizing of peaceful protestors during the protests following the police killing of George Floyd. The suit addresses the first month of protests between May 28 and June 28, where swarming officers used batons, pepper spray, and other aggressive techniques to retaliate against New Yorkers for showing their support of Black lives and demanding an end to police violence. Such uses of excessive force against these demonstrators violated their First and Fourth Amendment rights.

The Lawsuit highlights the widespread and widely-publicized instances of indiscriminate force by police officers during the protests in late May and June following the police killing of George Floyd, and claims the mayor and city instituted a de facto policy allowing individual officers to violently target protesters by repeatedly approving forceful deployments and refusing discipline or repercussions for blatant officer misconduct.

"The killing of George Floyd was the last straw for me, and it captured many of the issues facing Black people in America," said **Plaintiff Jarrett Payne**. "Mayor de Blasio and the NYPD should have allowed New Yorkers to protest peacefully, but instead, we were met with the same kind of brutal force that police unleashed on George Floyd in his final minutes. Multiple officers attacked me with batons, and I was left bloodied and in need of medical care. But that has only emboldened by resolve to hold police accountable who inflict senseless violence on Black and Latinx communities. While this lawsuit won't secure complete justice for the literally thousands of peaceful protesters who stood for black lives and were assaulted by NYPD, we hope it delivers a message that New Yorkers will tolerate police misconduct no more."

The NYCLU and Legal Aid Society are representing eleven plaintiffs who all experienced indiscriminate violence and harm at the hands of police, including being beaten by batons, being pepper sprayed, getting shoved to the ground, being cuffed in tight zip-ties, and kettling. Several of the protesters were also arrested and jailed without adequate food, water, medical supervision, or protective equipment to prevent the spread of COVID-19.

"When tens of thousands of New Yorkers took to the streets peacefully to protest police killings of George Floyd, Breonna Taylor and Ahmaud Arbery, the NYPD unleashed an indiscriminate and brutal wave of violence to punish protestors for demonstrating against police violence," said **Donna Lieberman, Executive Director of the New York Civil Liberties Union**. "Rather than fulfill their oath to protect New Yorkers – which means protecting peaceful protest– the NYPD went on the attack, ignoring the mask mandate and attacking peaceful protestors with batons, pepper spray and even bikes. Instead of holding the NYPD accountable for the repeated abuses, the Mayor and the police commissioner became the apologists in-chief. The City's response to the righteous wave of #BlackLivesMatter protests is a stain on the city that can't be allowed to go unchecked, especially as New Yorkers prepare for the possibility of a new wave of protest after the election."

Counsel for the plaintiffs are seeking discovery and disclosure from the city to reveal their policies during June and the extent to which the mayor and police leadership authorized the brutal treatment of peaceful protesters.

"The world was rightly shocked when the NYPD met demonstrators against police harassment and violence with the very abuse they took to the streets to protest," said **Corey Stoughton, Attorney-in-Charge of the Special Litigation Unit with the Criminal Defense Practice at The Legal Aid Society**. "Mayor de Blasio and Commissioner Shea encouraged and allowed this violent response, a gross failure of leadership that continues a longstanding pattern of promoting a culture of impunity for police misconduct primarily affecting Black and Brown New Yorkers, and failing to meet the moment and address New Yorkers' demands for change."

The behavior of the NYPD in June has already been the subject of extensive criticism and review, including an investigation by Attorney General Letitia James and a [report](#) by Human Rights Watch which concluded the NYPD had violated human rights laws at one protest crackdown in Mott Haven.

"We took to the streets this summer and came together as a community to demand justice for George and Breonna," said **Plaintiff Vidal Guzman**. "I watched cops hurt lots of people over and over again, just for exercising our First Amendment rights. It wasn't right."

"My arm was broken by police during a peaceful protest in support of Black lives," said **Plaintiff Charlie Monlouis-Anderle**. "The NYPD is brutalizing protesters who dare to challenge the police's invulnerability within a racist judicial system. They are inflicting state-sanctioned violence to intimidate and subdue voices proclaiming that Black Lives Matter. I am bringing this lawsuit because it is one way among many that we can demand justice and ensure the safety of future protesters. I want the cop who brutalized me, the NYPD, and our appointed officials to be held accountable for the terror they caused me and my community."

Counsel on the case includes Molly Biklen, Daniel Lambright, Lisa LaPlace, and JP Perry from the NYCLU, and Corey Stoughton and Jennvine Wong from The Legal Aid Society.

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