

Justice in Every Borough.

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## \*\*\*FOR IMMEDIATE RELEASE\*\*\*

Legal Aid, G.A.N.G.S Coalition Condemn DOI NYPD Inspector General for Failing to Release Report on the City's Gang Database Before Year End as Pledged

Advocates Urge City Council to Immediately Pass Legislation to Finally Abolish this Overtly Racially Biased Policing Tool

(NEW YORK, NY) – The Legal Aid Society and the <u>G.A.N.G.S Coalition</u> condemned the New York City Department of Investigation's Office of the Inspector General for the New York City Police Department (OIG-NYPD) for failing to release a long-awaited report by the end of 2022 on the City's controversial gang database, as previously <u>pledged</u>.

Additionally, advocates called on the New York City Council to pass <u>Int 0360</u>, pending legislation that would abolish the database and precludes the NYPD from creating a replacement.

"This investigation began more than four years ago, and it's unacceptable that the City continues to delay the publication of this report despite promising to do so before the end of 2022," said **Anthony Posada, supervising attorney with the Community Justice Unit at The Legal Aid Society.** "The City's broken promises must end now, and we again call for the immediate release of these findings, and on the City Council to finally pass legislation that would abolish the gang database once and for all before more Black and Latinx New Yorkers are needlessly ensnared in the local criminal legal system."

## **Background:**

The <u>OIG-NYPD</u> report will reveal the findings of an audit that launched in 2018 into the problematic NYPD gang database, which is currently estimated to hold records on <u>17,500 to 42,000</u> New Yorkers, some as young as 13-years-old. A shocking <u>99 percent</u> of those in the database are Black and Latinx New Yorkers.

Advocates have long decried the NYPD gang database as discriminatory, over-inclusive, and full of erroneous data that results in surveillance and the <u>questionable</u> prosecution of Black and Latinx people. Inclusion in a gang database, which requires no proof of criminal activity, can impact an individual's access to housing, education, employment, naturalization, and more.

In 2019, Chicago's Office of Inspector General <u>audited</u> the Chicago Police Department's Gang Database which resulted in findings of widespread abuse and discrimination. The report cited a lack of sufficient controls for generating, maintaining, and sharing gang-related data; a lack of procedural fairness protections; significant data quality concerns; and a lack of transparency regarding its gang designations strain on police-community relations.

Cities across the country, including <u>Chicago</u>, <u>Boston</u>, and <u>Washington D.C.</u>, have successfully challenged their local law enforcement's gang databases in court. The justices in the U.S. First Circuit Court of Appeals in Boston cited "flaws in that database, including its reliance on an erratic point system built on unsubstantiated inferences."

In 2017, the Portland Police Bureau ended its gang database, yet a city <u>audit</u> less than a year later discovered that the Bureau still kept an informal list of active gang members despite purging the formal directory of "designated" gang members. This underscores the need for legislation, such as <u>Int 0360</u>, to not only abolish databases, but also prohibit local law enforcement from creating replacements.

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