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Broken Promises: City Still Refusing to Release Demographic Data of New Yorkers Ensnared in the Local DNA Database Despite Pledging to do so in February 2020

(NEW YORK, NY) - **The Legal Aid Society** condemned the City for failing to release demographic information of New Yorkers ensnared in the local DNA database. At a City Council [oversight hearing](#) three years ago, the New York City Police Department (NYPD) [pledged](#) that it would begin keeping track of demographic information and make said data available to the public.

NYPD officials at that hearing stated that *“the NYPD will begin to document in ECMS (the City’s case management system) the age, gender, and ethnicity of individuals who are entered and those removed from the database, to monitor and review disparities amongst those arrested and placed in our database.”*

When pressed further by City Council members, NYPD officials further clarified that *“we’re gonna make sure that, once again, it’s the demographics of people that we’re taking sample from is submitted. So, once again, if we need to get it out to the public, we’re able to distribute those, that information a lot more cohesive in the future.”*

“The NYPD promised to be transparent about what groups have been targeted under its DNA collection program, but it continues to keep the public in the dark,” said **Phil Desgranges, supervising attorney with Criminal Defense Practice’s Special Litigation Unit at The Legal Aid Society**. “We can only wonder what the NYPD has to hide here and whether - based on the Department’s past practices - Black and Latinx New Yorkers make up the overwhelming number of people who have had their DNA secretly collected and stored in the City’s database. We call on the NYPD to make this demographic information immediately available, as it promised to do three years ago.”

Moreover, [according to City data](#), the number of New Yorkers ensnared in the database has remained relatively the same since 2020, despite promises from the City to significantly reduce profiles.

Last April, Legal Aid [filed](#) a class action [lawsuit](#) in United States District Court Southern District of New York against the City of New York, the NYPD and the Office of Chief Medical Examiner (OCME) challenging the illegal, secret seizure and storage of DNA material from New Yorkers - including children - whom the police suspected of committing a crime without obtaining a warrant or court order. This lawsuit is currently pending.

This controversial practice has enabled the creation of a rogue DNA database maintained by the City that - unlike federal and state DNA databases - lacks any legislative authorization, empowering the City to treat thousands of New Yorkers as perpetual criminal suspects.

The lawsuit - brought on behalf of two Legal Aid clients who, through interactions with NYPD detectives, had their DNA secretly collected without their knowledge or consent and placed in an illegal, unregulated database run by OCME called the "Suspect Index" - charges that the NYPD's established practice of unlawfully collecting, analyzing, and indexing the DNA of New Yorkers constitutes an unreasonable search in violation of the Fourth Amendment.

Video of a surreptitious collection using a bottle of water: <https://vimeo.com/455960394>.

Video of a surreptitious collection using a cigarette: <https://vimeo.com/393278124>.

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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 145 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. www.legalaidnyc.org