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***Legal Aid, Debevoise Defeat City's Motion to Dismiss in Litigation
to Enforce Requirement for NYPD to Issue Appearance Tickets Instead of
Processing, Arresting, and Taking New Yorkers Into Custody on Minor Charges***

(NEW YORK, NY) – The Legal Aid Society and Debevoise & Plimpton LLP [defeated](#) the City's motion to dismiss in [Douglas et al. v. City of New York et al.](#), litigation filed on behalf of five clients who were unlawfully arrested, detained for long periods, and injured by the New York City Police Department (NYPD) during the 2020 George Floyd demonstrations, instead of receiving appearance tickets, as required by Criminal Procedure Law, Section 150.20.

“Before the George Floyd protests, New York State passed historic reforms to eliminate unnecessary arrests, minimize the amount of time that New Yorkers accused of crimes may be detained, and reduce an overcrowded detention system. But NYPD blatantly ignores this law by refusing to issue appearance tickets for minor crimes. In violation of the law, NYPD arrests, takes into custody, and transports to a precinct or Central Booking people charged with an eligible low-level offense. In many instances, these unlawful arrests led to clients of the Legal Aid Society losing their jobs, which had a negative impact on their family obligations, among other serious harms,” said **Marlen Bodden, Staff Attorney with the Criminal Defense Practice's Special Litigation Unit at The Legal Aid Society**. “The NYPD is not above the law, and this ruling enforces that reality.”

“We are pleased that the Court denied the City's motion to dismiss, and look forward to vindicating our clients' rights as the case now proceeds,” said **Andrew Ceresney, co-chair of the Litigation Department at Debevoise**. “This lawsuit exemplifies our partnership with the Legal Aid Society, and we look forward to continue applying the firm's legal skills and resources to ensure all New Yorkers have access to equal justice.”

Background

The NYPD has blatantly disregarded the law by continuing to exercise unfettered discretion to arrest and take into custody individuals alleged to have engaged in low-level offenses, despite the law's mandate to issue appearance tickets. All charges against all of the Plaintiffs were dismissed, or were never even filed with a court.

Despite the law's clear mandate to issue appearance tickets, the NYPD unlawfully arrested, handcuffed, and in some instances physically brutalized the Plaintiffs. The NYPD then transported and detained the Plaintiffs in

overcrowded, filthy, and overheated vehicles and held them in jail cells inside of police facilities for many hours, where little or no COVID-19 pandemic precautions were taken.

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