

January 24, 2024

Contact:

Audrey Martin  
Communications Coordinator  
[amartin@legal-aid.org](mailto:amartin@legal-aid.org)  
(774) 266-5233

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

***Legal Aid Files Amicus Brief in Pending U.S. Court of Appeals Case In Support of Plaintiff Subjected to Coercive Deceptions by Police that Led to False Confession, Wrongful Imprisonment***

***Amicus Brief Argues that the Qualified Immunity Doctrine Must Be Overruled to Ensure Law Enforcement Officials Are Held Accountable for Violating Citizens' Rights***

(NEW YORK, NY) – The Legal Aid Society today filed an [amicus brief](#) in *Adrian Thomas v. City of Troy, et al.*, an appeal pending in the Second Circuit Court of Appeals, in support of the plaintiff's right to damages for the severe injuries caused by his wrongful conviction and imprisonment after being subjected to a set of highly coercive deceptions by police officers in the City of Troy.

Despite the district court's acknowledgment that Adrian Thomas's constitutional right to not be coerced into a false confession was clearly established in case law, the court dismissed his case on the basis of qualified immunity, which protects state and local officials from lawsuits when a court finds that a "reasonable" official would not be on notice that their actions violated the plaintiff's clearly established rights.

Pointing to new research that uncovered long-missing language in a landmark civil rights act, the amicus brief asserts that the doctrine of qualified immunity is based on a mistake about what Congress intended when it created the right to sue for violations of federal rights. The brief also argues that the Supreme Court's qualified immunity doctrine displays poor-quality legal reasoning, is difficult for judges to apply, and is incompatible with the fundamental legal principle that when a person's rights are violated, they are owed justice in the form of legal remedies.

The Supreme Court has long acknowledged that in certain circumstances it must overturn its precedents, including where, as here, the precedent in question "relied on an erroneous historical narrative," stands on "exceptionally weak grounds," and cannot be "understood and applied in a consistent and predictable manner."

"This case illustrates the unjust effect of qualified immunity, as the district court dismissed Adrian Thomas's civil rights case, despite the state's highest court overturning his criminal conviction because officers coerced Thomas to give an involuntary, false confession. Not only should this decision be reversed, allowing his civil

rights case to continue, the appeals court should also call on the United States Supreme Court to put an end to qualified immunity, which was built on a flawed foundation, causes confusion among lower courts, and leads to such unjust results,” said **Alex Lesman, Staff Attorney with the Special Litigation Unit in the Criminal Law Reform Team at The Legal Aid Society**. “Qualified immunity not only disregards the harm that plaintiffs like Mr. Thomas suffer, it also signals to officers that their abhorrent conduct is acceptable, further eroding the public’s respect for police and the judicial system.”

### **Background**

Police in Troy, NY focused on Adrian Thomas as a child abuse suspect shortly after his infant son arrived at the hospital with symptoms that indicated septic shock from a massive bacterial infection—though one doctor mistakenly believed the symptoms resulted from head trauma. Troy police officers interrogated Thomas for more than nine hours over two days while his infant son was barely clinging to life in intensive care, falsely claiming that Thomas had something to do with his son’s injuries. Thomas, distraught over his situation, expressed suicidal thoughts and was involuntarily hospitalized overnight in a psychiatric unit where he slept less than two hours.

The following day, after Thomas’s son passed away, the officers lied to him, saying that his son was still alive and his survival could depend on what Thomas told them. The officers also threatened to arrest his wife if Thomas did not take responsibility. He eventually broke down under the officers’ lies and coercion and agreed with their version of events, which cast him as the abuser of his own son.

At trial, Thomas was convicted of second-degree murder and sentenced to 25 years to life in prison. When his appeal reached New York’s highest court, the court unanimously found that the police had engaged in a set of highly coercive deceptions that violated Thomas’s constitutional rights. The court reversed the conviction and sent the case back for retrial. At the second trial, without the statement tainted by unconstitutional coercion, Thomas was found not guilty and he walked free after nearly six years behind bars.

###

*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 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](http://www.legalaidnyc.org)*