



## **Court Approves Overhaul of NYPD Protest Practices**

### *Ruling Thwarts PBA Attempt to Halt NYPD Protest Policing Settlement Agreement*

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**NEW YORK**– Today, District Judge Hon. Colleen McMahon [ruled](#) that the New York City Police Benevolent Association’s (PBA) motion to reject the [Payne v. de Blasio](#) settlement is meritless. The Payne settlement, a [landmark agreement](#) reached with the New York City Police Department (NYPD) to reform the NYPD’s policing of protests, has now been entered by the court, and will go into effect.

**The following statement is attributable to Deputy Legal Director at the New York Civil Liberties Union Molly Biklen and Staff Attorney with The Legal Aid Society’s Criminal Law Reform Unit Jennvine Wong:**

“We’re gratified that the Court saw the PBA’s opposition for what it was: a baseless hail Mary that would perpetuate the abuses we saw in 2020. Now, in partnership with the Attorney General and our plaintiffs, we can realize the promise of this settlement, which will overhaul the way the NYPD polices protest – an agreement approved by the City, [lauded](#) by Mayor Adams and supported by both the Sergeants Benevolent Association and the Detectives’ Endowment Association.

“We know the NYPD cannot police itself, and we won’t let the PBA destroy a commonsense settlement to address the violence and reckless over-policing New Yorkers experienced firsthand when standing up for Black lives in the summer of 2020. We look forward to seeing these reforms unfold and will hold both the City and the NYPD accountable if its officers fail to implement these new and needed practices.”

In September 2023, New York Attorney General Letitia James (OAG), The Legal Aid Society (LAS), and the NYCLU announced a landmark agreement with the NYPD, the nation’s largest and most influential police force, that holds the Department to its oath to protect New Yorkers’ right to protest. This agreement resolved lawsuits filed by

Attorney General James, LAS, NYCLU, and other private lawsuits over NYPD's wrongful arrests and excessive use of force against protesters during the summer of 2020. As a result of the agreement, the NYPD will be required to change how it deploys officers to public demonstrations and document those deployments more fully.

An oversight committee comprised of OAG, the Commissioner of the New York City Department of Investigation (DOI), New York City Office of Corporation Counsel, the new First Amendment Activity (FAA) Senior Executive, and two representatives from LAS, NYCLU, and the private cases will oversee and monitor NYPD's implementation and compliance with the new reforms over a multi-year period.

- In phase one, NYPD must begin changing its trainings and policies to comply with the terms of the agreement, including the four-tiered response system, arrest policies, use of force at public demonstrations, and treatment of members of the press.
- Starting in phase two of the oversight period, the committee will meet regularly to review and evaluate NYPD's response to protests. Every six months, DOI will be conducting an in-depth review of two protests and make recommendations to NYPD.
- In phase three of the oversight period, the court will retain jurisdiction over the agreement for an additional 12 months and if at any time during phase three the NYPD violates the terms of the agreement, OAG or the other plaintiffs may take action to bring the matter back to court.

**Read the settlement here:**

<https://www.nyclu.org/en/cases/payne-et-al-v-de-blasio-et-al>