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

Plaintiffs in Nunez v. City of New York File Reply in Litigation to Appoint a Receiver Over NYC Jails and Hold NYC in Contempt

(NEW YORK, NY) – The Legal Aid Society and Emery Celli Brinckerhoff Abady Ward & Maazel LLP, counsel for plaintiffs in *Nunez v. City of New York*, issued the following joint statement on a [reply](#) filed in [litigation](#) brought last November to hold the City in contempt and to appoint an independent receiver over New York City’s jail system:

“Eight years of federal court monitoring of a consent decree and seven remedial orders have not abated the violence and harm inflicted on people held in New York City jails, including routine blows to the head and beatings while in restraints. Excessive and unnecessary force is a pattern and practice. Supervisors can’t identify misconduct, much less address it.

“The current Commissioner agrees that the violence is ‘unacceptable,’ but the City has not demonstrated it has the will or capacity to change its course and implement the reforms needed to protect our clients’ safety and their constitutional rights. Once again, the City asks that we ignore its disastrous record and rely on another set of promises that history tells us will overwhelmingly fall short. This devastating status quo cannot continue. A receiver with the appropriate authority and will to take action where the City will not is necessary to protect our clients and bring New York City’s jails into compliance with the Constitution.”

Background

In September 2012, The Legal Aid Society, Ropes & Gray and Emery Celli Brinckerhoff & Abady LLP filed *Núñez v. City of New York et al.*, a class action lawsuit challenging systemic brutality by staff against people incarcerated in New York City jails. The litigation resulted in a landmark consent decree in 2015 mandating significant reforms in the use of force practices in the City jails.

Following the settlement, the court appointed a federal monitor to oversee the reforms. The monitor filed 50 reports detailing DOC’s actions to comply with the Court’s orders, finding that violence and chaos have remained shockingly high and concluding that DOC lacks the institutional capacity to reform.

Full docket in *Nunez v. City of New York*: <https://tinyurl.com/yay5dt3k>.

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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 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

Emery Celli Brinckerhoff Abady Ward & Maazel LLP is a nationally-recognized litigation boutique that focuses on civil rights, commercial, criminal, and ethics matters. <https://ecbawm.com/>