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

Legal Aid, Emery Celli Brinckerhoff Abady Ward & Maazel LLP, Counsel for Plaintiffs in Nunez v. City of New York, Secure Court Ruling Finding New York City in Contempt

(NEW YORK, NY) - The Legal Aid Society and Emery Celli Brinckerhoff Abady Ward & Maazel LLP, counsel for plaintiffs *Nunez v. City of New York et. al.*, released the following joint statement in response to today's [ruling](#) holding the New York City Department of Correction (DOC) in contempt for its failure to address the pattern and practice of unconstitutional use of force in City jails:

“Following years of unchecked brutality by staff in City jails, we commend the federal court for its decision today to hold New York City and DOC in contempt for failing to fix the systemic issues that continue to jeopardize the lives of incarcerated New Yorkers.

“This is a historic decision. The culture of brutality on Rikers Island has resisted judicial and political reform efforts for years. Unconstitutional use of force in the jails has only worsened in the nearly nine years since the parties entered into the *Nunez* consent decree. As the court found, the City has repeatedly demonstrated its inability to provide the oversight necessary to ensure the safety of all individuals housed in local jails.

“We laud this ruling, which will finally create a pathway for reform that can protect those who have been failed by DOC’s leadership by making leadership accountable to the court and not political authorities. The court’s recognition that the current structure has failed, and that receivership free from political and other external influences is the path forward, can ensure that all New Yorkers, regardless of incarceration status, are treated with the respect and dignity guaranteed to them under the law.”

BACKGROUND:

In [September 2012](#), The Legal Aid Society 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 United States government joined the lawsuit in 2014. 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 the New York City Department of Corrections' (DOC) concerning compliance with the Court's orders, finding that violence and chaos have remained shockingly high and concluding that DOC lacks the institutional capacity to reform.

After nearly a decade of oversight by the court and the federal monitor, and successive court interventions and remedial orders, DOC continues its pattern and practice of unconstitutional use of force, and in November 2023, counsel filed a [contempt motion](#) and application for receivership, joined by the United States government, to secure the appointment of an independent receiver over New York City's jail system. In May 2024, counsel filed a [reply](#) to the contempt motion.

The Court's decision on November 27, 2024 granted Plaintiffs' motion in its entirety.

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 nearly 150 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. <https://www.legalaidnyc.org>