

NYPD to Implement New Phase of Landmark Protest Settlement

New phase includes launch of tiered system to limit police abuse at protests

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NEW YORK CITY – Today, New York City and the New York Police Department (NYPD) will enter into phase two of the Payne [settlement](#), the 2023 landmark agreement [reforming](#) the NYPD’s protest policing reached with the New York Civil Liberties Union (NYCLU), The Legal Aid Society, and the State Attorney General’s Office. Under this second phase, the NYPD must start the implementation of a tiered response system that limits police deployment to protests.

“It was long overdue for our city and the NYPD to move into phase 2 of operationalizing the tiered approach to responding to protests -- a critical step towards delivering on the promise of addressing police abuse at protests,” said **Molly Biklen, interim legal director of the New York Civil Liberties Union**. “Phase two establishes strong safeguards to stop the NYPD from indiscriminately flooding protests with police and adds reporting and oversight mechanisms. We will be watching closely to ensure the NYPD complies, and we will keep fighting to protect every New Yorker’s right to assemble.”

“Today marks an important step forward in securing the rights of New Yorkers to protest without fear of excessive police force,” said **Jennvine Wong, supervising attorney with the Cop Accountability Project at The Legal Aid Society**. “Phase two of this agreement puts real guardrails on the NYPD’s presence at demonstrations and requires greater transparency and accountability. We will hold the City and the NYPD to their word and fight to ensure these reforms are fully implemented.”

During phase one of the agreement, the NYPD revised its training and policies related to deployment, arrest policies, use of force at public demonstrations, and treatment of members of the press.

Phase two of the settlement includes the following requirements:

- The NYPD must implement a four-tiered response system that dictates how the department must respond to protests, with the goal of protecting protesters’ rights. This system, which aims to minimize police presence at protests, requires the NYPD to use de-escalation methods before increasing its response.
- An oversight committee will meet regularly to assess the NYPD’s compliance with the settlement.
- Every six months, the New York City Department of Investigation (DOI) must conduct an in-depth review of two protests and make recommendations to the NYPD.
- The DOI must publicly issue two progress reports summarizing their review of the NYPD’s response to protests.

The settlement also includes the [hiring](#) of a community outreach expert responsible for engaging affected communities and ensuring that community input is incorporated.

“For too long, our communities have been waiting for this next phase to begin, and it is time for the NYPD to demonstrate real change in how it responds to protests,” said **Obi Afriyie, community engagement expert**. “Safeguarding the First Amendment requires ensuring that people can exercise their rights safely. Particularly marginalized New Yorkers, who are often most at risk. I will be on the ground to ensure that community members know their rights and have a meaningful voice in the oversight process.”

The district court approved the settlement agreement in February 2024, over a challenge by the New York City Police Benevolent Association (PBA). In March 2025, following an appeal by the PBA, a federal court of appeals [upheld](#) the settlement.

Case materials can be found here:

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

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