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Legal Aid Launches Public Webpage on NYPD's Secretive Surveillance Tech Contracts

Launch Follows Court Ruling Requiring NYPD to Disclose Surveillance Tech Purchases

(NEW YORK, NY) – The Legal Aid Society today [launched](#) a [webpage](#) giving the public access to documents related to the New York City Police Department's (NYPD) purchase of novel and invasive electronic surveillance technologies through the special expense (SPEX) budget — a program that ran from 2007 to 2020 and allowed the NYPD to shield certain transactions from public view. The first batch of records produced includes agreements for the purchase of cellphone tracking, facial recognition, and iris scanning technologies.

The launch follows a unanimous appellate [ruling affirming](#) a lower court order that required the NYPD to disclose these records, after the Department had resisted providing them for over four years. The Legal Aid Society first requested these documents under the Freedom of Information Law (FOIL) in 2020, seeking transparency with respect to the NYPD's procurement of novel and untested surveillance technology using SPEX funds.

The webpage will be updated upon receipt of additional materials, as the NYPD continues to turn them over on a rolling basis.

“After more than a decade of the NYPD evading any oversight or accountability for its acquisition of surveillance capabilities, the launch of this webpage is a vital step toward the transparency New Yorkers deserve,” said **Jerome Greco, Director of the Digital Forensics Unit at The Legal Aid Society**. “For years, the NYPD exploited the SPEX budget to conceal its purchases of invasive technologies, cutting the public out of critical debates about privacy and civil liberties. However, true accountability requires not only access to these records, but also stronger legislative safeguards to ensure the NYPD can no longer operate in the shadows.”

Background:

Legal Aid's FOIL request sought access to all documents related to the NYPD's purchase of novel and untested surveillance technology through the special expense budget (SPEX budget), a program that allowed the NYPD to shield certain transactions from the public eye. The materials requested by Legal Aid were intended to better inform the public about the controversial surveillance technologies obtained by the NYPD and ensure the Department's compliance with existing laws. Despite the New York City Council's enactment of the Public Oversight of Surveillance Technology (POST) Act in 2020 — which introduced new requirements for the

NYPD to publicly disclose surveillance technologies used by the agency — the NYPD continued to evade disclosure of thousands of documents related to SPEX contracts dated between 2007-2020.

Legal Aid's FOIL request was denied by the NYPD on the ground that the request did not reasonably describe records in a manner that would enable the NYPD to conduct a search for them. In denying Legal Aid's appeal, the NYPD claimed that producing the materials would be unreasonably burdensome, particularly because the NYPD had chosen not to digitize the documents. In July 2021, Legal Aid brought an Article 78 proceeding in the New York State Supreme Court to compel the NYPD to comply with FOIL and produce responsive records. After a hearing with testimony from an NYPD agency attorney, [the court sided with Legal Aid](#), finding that the NYPD had not provided sufficient evidence that the request was unreasonably burdensome.

The NYPD appealed the decision. After briefing and oral arguments by the NYPD and Legal Aid's pro bono partner, the Appellate Court affirmed the lower court's decision, finding that the NYPD had failed to prove the request was overly burdensome, and further finding that the responsive records could be delivered on a rolling basis, thus mitigating the NYPD's claimed burden.

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The Legal Aid Society is a nonprofit organization that 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.
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