

# **EXHIBIT 10**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**DAVID FLOYD, *et al.*,**

**08 Civ. 01034 (SAS)**

**Plaintiffs,**

**-against-**

**AFFIDAVIT OF ERIC ADAMS**

**THE CITY OF NEW YORK, *et al.*,**

**Defendants.**

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF KINGS     )

ERIC ADAMS, having been duly sworn, deposes and says:


1. I am over 18 years of age and am not a party to the above-captioned case. I submit this affidavit in support of Plaintiffs' motion for class certification.
2. I am a member of the New York State Senate, having represented the 20<sup>th</sup> Senate District in Brooklyn, New York since 2007. Prior to becoming a New York State Senator, I worked for twenty-one years and ten months as a uniformed member of the New York City Police Department (NYPD), retiring with the rank of captain in 2006.
3. In early July 2010, I met with NYPD Commissioner Raymond Kelly at the Manhattan office of then-New York Governor David Patterson to discuss his opposition to New York Senate Bill 7945A-2009, which I had co-sponsored and which the New York State Legislature passed in June 2010. Senate Bill 7945A-2009 amended Section 140.50 of the New York Criminal Procedure Law (N.Y.C.P.L.) to prohibit the NYPD from continuing to include in its electronic stop, question, and frisk database the names and other personal identifying

information of persons stopped and frisked by NYPD officers but not arrested or issued summonses as a result of such stops-and-frisks.

4. During this meeting, I expressed to Commissioner Kelly my concerns about the disproportionately high number of young black and Latino men stopped and frisked by NYPD officers in recent years.

5. In response, Commissioner Kelly stated that the NYPD targets its stop-and-frisk activity at young black and Latino men because it wants to instill the belief in members of these two populations that they could be stopped and frisked every time they leave their homes so that they are less likely to carry weapons.

6 Following this meeting with Commissioner Kelly, on July 16, 2010, then New York Governor David Patterson signed Senate Bill 7945A-2009 into law.

  
ERIC ADAMS

Sworn to before me this 28<sup>th</sup> day of October, 2011

  
NOTARY PUBLIC

JESSE E. HAMILTON III, ESQ.  
Notary Public, State of New York  
No. 02HA6171798  
Qualified in Kings County  
Commission Expires July 30, 2015