



DECLARATION EXCERPTS

Floyd v. City of New York

In support of the *Floyd* litigation filed by the Center for Constitutional Rights, impacted community organizations from across New York City have signed statements recognizing the importance of the reform process and the harm to the public interest that will result from the stay sought by the Bloomberg administration:

Policing Expert

Samuel Walker, Professor Emeritus of Criminology and Criminal Justice, University of Nebraska at Omaha, [Walker Decl. ¶ 15](#)

“The experience of [cities like Los Angeles and Washington D.C., that have been through similar proceedings] is that bridging the divide between police and community is best served not by delaying a much-needed reform process, but by assuring accountability to the public by engaging the community and utilizing its input during both the reform and oversight phases.”

Law Enforcement

Ronald E. Hampton, former Metropolitan Police Department Police Officer, Washington D.C., [Hampton Decl. ¶ 11](#)

“A stay would not only put on hold the necessary process for reform, it would essentially nullify the call for reform expressed by the voters of the City Council and the actions of community members who have demanded change.”

Eric Josey, Co-Founder and Director of Legal Affairs, 100 Blacks in Law Enforcement Who Care, [Josey Decl. ¶ 12](#)

“Members of 100 Blacks are in unanimous support of the District Court’s decision, and remedies that would bring an end to the pressure to conduct discriminatory and unlawful stops.”

Anthony Miranda, Executive Chairman, National Latino Officers Association, [Miranda Decl. ¶ 7](#)

“Members of [National Latino Officers Association] welcome remedies that would bring an end to the pressure to conduct discriminatory and unlawful stops, and to finally have the opportunity to engage in a process to end this practice.”

Government Officials

Bill de Blasio, Public Advocate, City of New York, September 9, 2013 *Amicus Letter* at 1.

“A stay of the Remedies Order will result in irreparable harm to the citizenry of New York by allowing the unconstitutional stop and frisk violations of untold numbers of people to continue, especially and disproportionately in communities of color.”

Helen D. Foster, New York City Council Member, [Foster Decl. ¶ 11](#)

“As a member of the City Council and the Council’s Public Safety Committee—as well as a former Assistant District Attorney—I was eager to bring my experience and insight to discussions with the NYPD through the Court-ordered joint reform process. It is unfortunate that the NYPD is seeking to eschew the process before even sitting down at the table.”

Robert Jackson, New York City Council Member, [Jackson Decl. ¶¶ 7, 10](#)

“The [City Council Black, Latino, and Asian Caucus] is disheartened and frustrated that the Bloomberg Administration and the NYPD are seeking to stay the implementation of the remedies outlined in the Court’s Remedies Opinion....This court-ordered remedial process, seeking ‘input from those who are most affected by the NYPD’s use of stop and frisk’—is exactly the type of dialogue that the [City Council Black, Latino, and Asian Caucus] has sought to engage in with the city and the NYPD for years with little avail.”

Christine C. Quinn, Speaker of the New York City Council, [Quinn Decl. ¶ 7](#)

“I oppose the City’s request for a stay because the joint remedial process is integral to repairing the damage in community relations caused by the current stop and frisk policies and to meaningfully move forward towards achieving reforms that balance the need for effective policing policies with protections for the constitutional rights of every New Yorker....”

Named Plaintiffs

Lalit Clarkson, *Floyd* plaintiff, [Clarkson Decl. ¶ 10](#)

“A Stay of the reform process will send a message to the NYPD that they do not have to be accountable for their unjust, discriminatory practices. New officers will be trained to continue the same practices, rather than engage with the community in a just, respectful manner. I believe that if the remedial process is stayed, the police will continue to improperly stop, frisk, search, and disrespect me.”

David Ourlicht, *Floyd* Plaintiff, [Ourlicht Decl. ¶ 6](#)

“I chose to serve as a named plaintiff in this lawsuit because I want humiliating and illegal encounters to stop happening to me, my friends and loved ones, and other people of color across New York City. However, until real changes to the NYPD’s stop-and-frisk policies are fully developed and implemented, I will continue to feel that every time I am on the streets of New York, I am in danger of being stopped by NYPD officers on the basis of my race without regard to whether I am committing or about to commit any crime.”

Labor

Héctor Figueroa, President, SEIU Local 32BJ, [Figueroa Decl. ¶ 6](#)

“The remedial processes set up by the District Court are an important first step towards the vindication for the hundreds of thousands of mostly Black and Latino New Yorkers, including thousands of Local 32BJ members, who have for years endured the humiliation of being stopped and frisked without reasonable suspicion that they have committed any crime.”

Legal and Social Services

Cynthia Conti-Cook, Criminal Defense and Civil Rights Attorney, Five Borough Defenders, [Conti-Cook Decl. ¶ 20](#)

“To know that a federal court has ruled a practice unconstitutional and to nevertheless watch it continue to abuse communities on a daily basis will ultimately completely erode an already fragile faith in the law’s ability to protect our civil liberties.”

Pooja Gehi, Director of Litigation and Advocacy, Sylvia Rivera Law Project, [Gehi Decl. ¶ 4](#)

“The remedies the court ordered, specifically with respect to training, discipline, and supervision of officers will help my clients avoid needless entanglements with the criminal justice system and humiliation, physical abuse and harassment. A process should be developed soon to implement these changes.”

Ramzi Kassem, Assoc. Prof. of Law, CUNY “Creating Law Enforcement Accountability and Responsibility” (CLEAR) project, [Kassem Decl. ¶ 7](#)

“Granting a stay of Judge Scheindlin’s orders would further the perception in the communities that CLEAR serves that the NYPD is opposed to transparent, open, and constructive dialogue...[S]uch a delay would not be in the public interest.”

Robert Schachter, Executive Director, New York Chapter of the National Association of Social Workers, [Schachter Decl. ¶ 10](#)

“Unless the courts and parties to the case immediately begin to establish a process for addressing how racism unfolds in the policing policies and practices on the streets of our City, we will not see its elimination.”

Eve Stotland, Director of the Legal Services Center, The Door – A Center of Alternatives, [Stotland Decl. ¶ 8](#)

“The District Court’s decision finding the stop and frisk practice unconstitutional gave us hope that what we teach our members about their rights will soon be true in practice as well as on paper. We fear a stay of the remedies process will result in more illegal stops, further alienating young people from the officers who are bound to protect them.”

Community Groups

Alyssa Aguilera, Political Director, Voices of Community Advocates and Leaders-New York (VOCAL-NY), [Aguilera Decl. ¶ 7](#)

“The August 12, 2013 decisions by the court gave great hope to VOCAL-NY members that community input and constructive critique could be heard and valued by the judiciary, and that the collaborative approach to public safety would yield the best and most comprehensive remedies for action. Any further delays in the remedy processes are simply unacceptable.”

Fahd Ahmed, Legal and Policy Director, Desis Rising Up and Moving (DRUM), [Ahmed Decl. ¶ 10](#)

“Any stay of the remedies ordered by the District Court would be detrimental to our members....Members already cynical about a police department that trumpets their surveillance of Muslims will lose any remaining hope for real change.”

Monifa Bandele, Know Your Rights Campaign Director, Malcolm X Grassroots Movement New York Chapter, [Bandele Decl. ¶ 9](#)

“Any lack of urgency in remedying identified and proven rights violations pushes communities of color further into the margins. Delay in developing remedies, or worse a denial of the remedies, will lead to a lack of public confidence in the reform process, the courts, and the law overall.”

Loyda Colon, Co-Director, Justice Committee, [Colon Decl. ¶ 10](#)

“The District Court’s decision finding the stop and frisk practice unconstitutional renewed hope for us that this discriminatory practice can and will end. We fear a stay of the remedies process will result in more illegal stops, further eroding of community-NYPD relations, and heightened feelings in New York’s Latino and Latina community of fear and anxiety on their own streets.”

Hazel N. Dukes, President, National Association for the Advancement of Colored People New York State Conference, [Dukes Decl. ¶ 6](#)

“The New York State Conference believes the joint reform process is a vital first step to bridging the gap between the NYPD and communities of color. Public mistrust of the NYPD has grown to the point that our children fear the very people who have sworn to respect and protect them, and any delay to the reform processes will only increase that divide.”

Elliot Fukui, TransJustice Program Coordinator, Audre Lorde Project, [Fukui Decl. ¶ 11](#)

“If no process is developed to reform the NYPD’s illegal practice of targeting and profiling [lesbian, gay, bisexual, two-spirit, transgender and gender non-conforming people of color], it sends the message that it is acceptable for the larger community to continue to target us.”

Khary Lazarre-White, Executive Director and Co-Founder, The Brotherhood/Sister Sol, Inc., [Lazarre-White Decl. ¶ 8](#)

“There is a long history in New York City of members of the citizenry not believing there is any true relief from aggressive policing, who have not seen any punishment of illegal police practices, and who see the established bodies that are supposed to provide relief as toothless and without the power to create needed reform. If a stay is granted, the public will lose faith in the remedy process; the Court’s ability to reform discriminatory policing; and the reforms to be developed....”

Joo-Hyun Kang, Director, Communities United for Police Reform, [Kang Decl. ¶¶ 17, 19](#)

“The court’s decision has built confidence in the federal judiciary and the ability for the court system to make a difference in the lives of real people...[T]he court system’s interest in protecting marginalized members of the community will seem hollow if a stay is granted. I fear that *Floyd* will become a case of justice delayed is justice denied.”

Marjorie Kent, Executive Director, Jews for Racial and Economic Justice, [Kent Decl. ¶ 10](#)

“JFREJ opposes the stay of the Judge’s Remedial Order because we oppose the unlawful, discriminatory practices that the community has long complained of and that were ultimately identified in *Floyd* as being unconstitutional. These practices are antithetical to justice and our vision of safety and safer streets.”

Lynn Lewis, Executive Director, Picture the Homeless (PTS), [Lewis Decl. ¶¶ 7, 8](#)

“It was extremely important to PTH members that the federal court acknowledges the injustice that the homeless community has long experienced: that the NYPD uses stop-and-frisk in a discriminatory manner based on race and ethnicity. Delaying the [reform process] would create further mistrust among PTH members directly impacted by stop-and-frisk about whether real accountability is attainable from the courts.”

Andrea Ritchie, Co-Coordinator, Streetwise and Safe, [Ritchie Decl. ¶ 13](#)

“New Yorkers, including LGBTQ youth of color, [have] already waited all too long for effective remedies to ensure the rights guaranteed to them by the Constitution. A stay [may] lead LGBTQ youth of color to lose faith in the promise and possibilities for change offered by the reform process.”

Javier Valdes, Co-Executive Director, Make the Road New York, [Valdes Decl. ¶ 9](#)

“All New Yorkers have an interest in this proceeding, especially MRNY’s members, who themselves have experienced the worst effects of stop and frisk....A Stay will delay the critical reform processes of these practices to the detriment of our members’ day to day lives and sense of security.”

Jonathan Westin, Executive Director, New York Communities for Change, [Westin Decl. ¶ 7](#)

“A delay to the reform process will only continue to drain our members’ faith in the NYPD’s ability to work in partnership with the community in the interests of safety and equality. Too many times our communities have been asked to wait for NYPD to make changes on its own.”

Faith Communities

Reverend Michael Ellick, Minister, Judson Memorial Church, [Ellick Decl. ¶ 7](#)

“These processes are too important to be delayed until an appeal is decided months or years from now. Our members and the many communities they work in have been waiting and asking for more just police practices and an end to racial profiling for years.”

Bishop Orlando Findlayter, Senior Pastor, New Hope Christian Fellowship, [Findlayter Decl. ¶ 6](#)

“The District Court’s decision...creates a new opening for New Yorkers to come together to bridge the gap of mistrust between community members and the NYPD to create a safer city. We welcome the remedial process the District Court has ordered as a step in the right direction.”

Rabbi Rachel Kahn-Troster, Director of North American Programs, T’ruah: The Rabbinic Call for Human Rights, [Kahn-Troster Decl. ¶ 8](#)

“T’ruah opposes the stay of the Judge’s Remedial Order because we oppose targeting of minorities and civil rights violations that the NYPD has imposed on members of our communities for far too long.”

Reverend Thomas D. Johnson Sr., Senior Pastor, Canaan Baptist Church, [Johnson Decl. ¶ 10](#)

“Granting a stay of Judge Scheindlin’s order and halting the remedial processes would be devastating not only to our members but to the greater community which we serve. [A]ny delay in beginning the process will only further alienate more members of my congregation and the greater Harlem community from the police.”