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LDF Statement on Court Decision to Deny Motion for a Preliminary Injunction to Prevent Release of Police Disciplinary Records

Today, the U.S. District Court for the Southern District of New York denied the motion for a preliminary injunction filed by police, firefighters, and corrections unions to prevent disclosure of unsubstantiated and non-final claims of misconduct filed against New York City Police Department (NYPD) officers.

Jin Hee Lee, Senior Deputy Director of Litigation for the NAACP Legal Defense and Educational Fund, Inc. (LDF) issued the following statement in response to the ruling:

“We applaud today’s decision by the court, which reinforced the vital public interest to promote transparency and accountability of the NYPD. Having failed before the state legislature, the motion for a preliminary injunction was another attempt by police unions to ignore New Yorkers’ rightful demand for greater police transparency by trying to roll back the historic repeal of 50-a. That law had kept police misconduct information hidden from the public for far too long, allowing the NYPD to become one of the most secretive police departments in the country regarding officer misconduct.

“Police departments in New York and around the country must be fully accountable to the communities they serve, especially the Black and Latinx communities who bear the brunt of police abuse and violence. There is a national conversation underway about reconceptualizing public safety in order to finally end racially-discriminatory policing. These changes cannot happen without full transparency of police misconduct and related accountability.

In addition, LDF Policy Counsel, Katurah Topps, issued the following statement:

“New York’s repeal of 50-a was a direct response to public demands for police accountability, transparency, and racial justice. It reflected a commonsense understanding that public disclosure of police misconduct allows communities and legislators to access necessary information about the problems with police accountability, gives victims of police abuse some assurance of accountability for the harms they suffered, deters future misconduct, and makes clear to the public that police misconduct will no longer be cloaked in secrecy. Efforts to roll back that progress should not be tolerated.”

In the wake of the killings of George Floyd and Breonna Taylor, tens of millions took to the streets to rise up against police abuse and violence, particularly against Black communities.

One of the central demands of this movement was dramatic change to the United States' flawed systems of police accountability. In response, the New York State Legislature passed the repeal of New York Civil Rights Law § 50-a, which was signed by Governor Cuomo on June 9, 2020. Under 50-a, New York had been the worst state in the country in terms of the secrecy of police misconduct information. 50-a protected police officers who engaged in misconduct from public exposure, further emboldening them to act with impunity, especially against communities of color.

Last Monday, LDF, the Lawyers' Committee for Civil Rights Under Law, LatinoJustice PRLDEF, and Law For Black Lives, filed an [amicus brief](#) in opposition to the motion for a preliminary injunction. The court cited the brief multiple times in denying the preliminary injunction.

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute (TMI) is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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