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LDF Media
212-965-2200 / media@naacpldf.org

LDF Responds to Department of Investigation’s Findings Regarding the NYPD’s Criminal Group Database

Today, the New York City Department of Investigation’s (DOI) Office of the Inspector General for the New York City Police Department (NYPD) [released](#) a report examining the NYPD’s use and operation of its Criminal Group Database, otherwise known as the “gang” database. Through this database, NYPD officers label thousands of Black and Brown New Yorkers as “members” or “associates” of gangs based on imprecise criteria and further subject them to increased surveillance without their awareness and other harms throughout the criminal legal system process.

The report identifies and publicizes a number of dangerous and alarming NYPD practices and failures, some of them long known by community advocates and residents, including:

- Members of the public have been added to the database as “known associates of gang members” merely due to being friends with an alleged gang member on a social media platform or wishing them “Happy Birthday” on Facebook. Similarly, the NYPD treats being “frequent[ly] presen[t] in a known criminal group location” as a criterion for entry into the database when the known criminal group location was merely a person’s home in a public housing complex.
- There were instances where a single NYPD staff person served as the reporting officer, reviewing supervisor, and endorser, resulting in little oversight of an individual’s addition to the database.
- The database, 99% of which is comprised of Black and Latino New Yorkers, is rife with stark racial disparities.
- Members of the public have historically been unable to find out whether they are part of the database, as the NYPD has routinely denied their Freedom of Information Law (FOIL) requests and appeals.
- Individuals were placed on the database based on their sealed arrest records, which is prohibited by state law.
- Parents and guardians of minors were not notified if their children were placed on the database.

In response to the release of the DOI’s report, Legal Defense Fund (LDF) Assistant Counsel Kevin E. Jason issued the following statement:

“The Department of Investigation’s report identifies several ways in which the NYPD fails and oppresses New Yorkers by secretly surveilling them, but it reaches the wrong conclusion. The

NYPD’s secret surveillance database disproportionately targets Black and Brown New Yorkers, and the report’s recommendation to make the database a little less secretive and inconsistent ignores the risks of racial profiling, police harassment, increased and elevated law enforcement stops, and possible police violence that individuals may endure after they are labeled as being affiliated with a gang. The truth is simple: the NYPD must abolish this database. This heightened, racialized surveillance breeds significant distrust in Black and Brown communities and is antithetical to true public safety.”

LDF Senior Community Organizer Victor Dempsey also issued the following statement:

“The NYPD has wielded this secretive gang database against New Yorkers for years, while simultaneously denying them the right to even know if they are included in it. Make no mistake: this database is Stop and Frisk by another name, and it targets innocent Black and Brown New Yorkers through flawed criteria that has been outlined in these findings. Although the Department of Investigation’s report acknowledged many of its own investigative limitations, it nonetheless unearthed multiple instances of undue surveillance of children and other oppressive and unfair practices. Instead of allowing the NYPD’s overreaching and dystopian surveillance practices to continue, we must prioritize concerted investments in our communities to identify solutions that will actually improve public safety.”

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