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## **Court Orders NYPD to Electronically Record All Citizen Encounters**

### *Order Calls for Pilot Program to Study Effectiveness of Documenting All Encounters*

*July 17, 2018, New York* — Today, a federal court [ordered](#) the NYPD to begin recording all police-citizen investigative encounters – including low level interactions – as part of a pilot program to study the potential benefits and costs of implementing such a requirement department-wide. The order was in response to a request by the attorneys behind the three landmark class actions that challenged the NYPD’s stop-and-frisk and trespass enforcement practices (*Floyd v. City of New York*, *Ligon v. City of New York*, and *Davis v. City of New York*), and a coalition of community stakeholders who urged the court to order the NYPD to implement community-generated reforms.

“Recording all police encounters with New Yorkers helps engender trust and provides the foundation for accountability,” said [Angel Harris](#), Assistant Counsel at the NAACP Legal Defense and Educational Fund, Inc and counsel for the *Davis* plaintiffs. “Importantly, this reform came directly from the communities most impacted by the NYPD’s discriminatory and unconstitutional trespass enforcement practices. We hope that this is just the first of many community-generated reforms that the court orders the NYPD to implement.”

The community input process, ordered by the court to address the NYPD’s constitutional violations and known as the [Joint Remedial Process](#), was conducted over the last three years. Last month, the court-appointed facilitator overseeing the Joint Remedial Process issued a [report](#) on his recommendations based on community input, and the plaintiffs asked the court to order the NYPD to implement his suggested changes. To date, the NYPD has opposed the facilitator’s proposed reforms.

Today’s order issued by the court requires the NYPD to electronically record low-level police-citizen encounters, otherwise known as “Level 1 and 2 investigative encounters”, as part of a pilot program aimed at measuring the relative benefits and costs of this change. This reform was born out of community input and was recommended by the court-appointed facilitator of the

Joint Remedial Process. After the pilot, the court-appointed monitor will report to the court on whether the program should be expanded or terminated.

“The court agreed with us and the more than 90 community organizations who supported this reform that there is a need to record investigative encounters on the street,” said [Jenn Rolnick Borchetta](#), Deputy Director of Impact Litigation at The Bronx Defenders. “We hope that this pilot will turn a spotlight on NYPD activity that has been in the darkness so we can ensure unlawful stops do not continue.”

“We are pleased that the facilitator and now the court have taken seriously the plaintiffs’ and community stakeholders’ concerns about the problems with lower-level street encounters conducted by NYPD officers,” said [Darius Charney](#), a Senior Staff Attorney at the Center for Constitutional Rights and counsel for the *Floyd* plaintiffs. “If done right, this pilot can be an important first step toward addressing those problems and thus help move the NYPD’s stop-and-frisk practices closer to constitutional compliance.”

This marks the first court-ordered reform in response to the community input process. The facilitator’s other proposed reforms include progressive discipline standards for officers who violate peoples’ rights during stop encounters, a community board and survey to assess the NYPD’s implementation of the court-ordered reforms, and improved information on people with disabilities in stop-and-frisk training. The court has yet to rule on those recommendations.

Read the court’s order [here](#).

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