

April 13th, 2023

Hon. Speaker Adrienne E. Adams
City Hall
New York, NY 10007

Hon. Chair Kamillah M. Hanks
250 Broadway, Suite 1878
New York, NY 10007

Re: Thirteen Civil Rights And Community-Based Organizations Request Hearing On NYPD Robots And Violations Of The POST Act.

Dear Speaker Adams & Chair Hanks,

We the undersigned civil rights and community-based organizations are deeply alarmed by Mayor Adams and NYPD Commissioner Sewell's announcement that the department would soon deploy three new policing technologies: Boston Dynamic's DigiDog, Knightscope's K5 robot, and the StarChase GPS tracking device launcher. These bloated boondoggles are offensive at a time of increasing budget scrutiny, but they are also alarming violations of the 2020 Public Oversight of Surveillance Technology (POST) Act and the rule of law.

The POST Act was a landmark bill because it reasserted the Council's indispensable role in overseeing all NYPD operations, including surveillance. For nearly two decades, the NYPD would purchase and deploy unproven and biased technologies without any approval by, or disclosure to, the Council. The POST Act stood for the proposition that in a democracy, police officials must be accountable to civilian leaders and the public for the technologies they use.

Despite clear requirements, the Mayor and NYPD announced these latest policing PR stunts without any notice to, or comment from, the public, as required under the POST Act. The POST Act would not outlaw these purchases, but it does block the Mayor and NYPD Commissioner from unilaterally choosing to purchase new, invasive technologies without first hearing from New Yorkers themselves.

Sadly, this latest episode highlights a long running effort by the NYPD to systematically evade and violate the POST Act. Just last month, the Office of the Inspector General for the NYPD found that the Department still refuses to address 93% of the POST Act violations that the OIG found last year. In large part, the NYPD's public disclosures hide far more about surveillance technologies than they show. Left unchecked, this sort of lawlessness by those sworn to uphold the law will not only undermine the POST Act, but the core of the chain of command and the Department's respect for the Council and the laws it enacts.

We respectfully request that the Council's Committee on Public Safety call a hearing to (1) Question NYPD leadership about noncompliance with the POST Act; (2) compel the Department to provide under oath all information the NYPD OIG previously identified as missing from existing POST Act reports; and (3) amend the POST Act to ensure greater NYPD compliance in the future.

Sincerely,

Surveillance Technology Oversight Project (S.T.O.P.)

Amend4Rights

The Bronx Defenders

Defending Rights & Dissent

Electronic Privacy Information Center (EPIC)

Envision Freedom Fund

The Legal Aid Society

Media Alliance

New York Civil Liberties Union (NYCLU)

New York Muslim Organizing Collective

Restore The Fourth

South Asian Network

Tenth Amendment Center