

ECBAWM Obtains Settlement in Religious Head Covering Lawsuit Against City of Yonkers

\$175,000 settlement offers roadmap for necessary policy changes within cities and police departments across the country

New York, NY – April 20, 2021 – Leading New York-based civil rights firm Emery Celli Brinckerhoff Abady Ward & Maazel (ECBAWM) LLP announced that it has obtained a settlement of \$175,000 in a religious head covering lawsuit filed against the City of Yonkers. The settlement also provides that Yonkers Police Department (YPD) will not remove arrestees' religious head, face, and body coverings for mug shots and while in custody except in certain very limited circumstances.

The YPD's previous policy forced arrestees to remove their religious head coverings while in custody, sometimes for no reason at all, and even when these head coverings – such as hijabs, turbans, or yarmulkes – leave the entire face unobstructed. The lawsuit alleged that the policy violated the New York State Constitution, the First Amendment of the U.S. Constitution, and the Religious Land Use and Institutionalized Persons Act.

This settlement comes in the wake of another obtained by ECBAWM attorneys against the New York Police Department (NYPD), one of the largest police departments in the country, in November 2020. As a result of the suit, the NYPD agreed to end its discriminatory "hijab removal" policy that mandated that suspects remove hijabs and other religious attires for mugshots.

"The policy changes laid out by this decision provide a comprehensive roadmap for other cities to follow in remedying this egregious violation of civil rights," said O. Andrew F. Wilson, an ECBAWM attorney who represents the plaintiff. "Following the settlement obtained last year against the NYPD, we are optimistic that these cases will offer a precedent to spur other cities and police departments nationwide to address this ongoing issue in a meaningful way."

"The amount of damages awarded in our settlement further reflect how seriously the City of Yonkers has taken this event and the incursion into the religious rights of our client," added Emma Freeman, an ECBAWM attorney who also represents the plaintiff.

The plaintiff, a practicing Muslim-American woman, is represented by ECBAWM attorneys O. Andrew F. Wilson and Emma Freeman.

About Emery Celli Brinckerhoff Abady Ward & Maazel LLP

Emery Celli Brinckerhoff Abady Ward & Maazel LLP is a New York-based litigation boutique that focuses on civil rights, commercial, criminal, and ethics matters. The firm represent individuals, businesses, and institutions in all aspects of litigation and pre-litigation dispute resolution, from negotiation, mediation and arbitration, through hearings, trials, and appeals.