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Contact:

Redmond Haskins, ECBAWM LLP, <u>redmondhaskins86@gmail.com</u>; 929-441-2384 S.T.O.P. Founder-in-Residence Albert Fox Cahn, <u>albert@stopspying.org</u>; 571-766-6273

ECBAWM, S.T.O.P. Sue NYPD For 'Domain Awareness' Surveillance System

The landmark lawsuit alleges that the Department's intelligence nerve center illegally aggregates surveillance data on every New Yorker.

(NEW YORK, NY) – Today, Emery Celli Brinckerhoff Abady Ward & Maazel LLP (ECBAWM), a leading civil rights law firm, and the Surveillance Technology Oversight Project (S.T.O.P.), a New York-based privacy and civil rights group, filed a federal civil rights suit claiming that the New York City Police Department (NYPD)'s Domain Awareness System (DAS) unconstitutionally tracks New Yorkers. Formed through a public-private partnership with Microsoft, the DAS is an opaque surveillance command center that collects data from tens of thousands of camera feeds, license plate readers, radiological sensors, and other spyware for real-time, warrantless surveillance of New Yorkers across the city.

SEE: Complaint

The lawsuit, which was brought on behalf of Brooklyn residents Pamela Wridt and Robert Sauve, claims that the NYPD's ubiquitous surveillance violates New Yorkers' First and Fourth Amendment rights. The lawsuit claims that the NYPD is effectively conducting a warrantless search of every New Yorker, including those never accused, let alone convicted, of a crime.

"I feel constantly watched by a state-sanctioned peeping Tom, able to look into our bedroom and living room windows at any time," said **plaintiff Pamela Wridt**. "Countless other New Yorkers live this nightmare, with tens of thousands of cameras across our city, particularly in communities of color."

"Far too often, we overlook what we give up in terms of privacy and freedom under the guise of safety and convenience," said **plaintiff Robert Sauve**. "The installation of two cameras just outside my window, with the ability to look directly into our home, shook me to my core. We fear that the NYPD's notorious abuse of power, especially in low-income neighborhoods, will be exacerbated by the invasion of privacy these cameras represent."

"Pervasive, AI-super-charged surveillance is a threat to every New Yorker's privacy," **said ECBAWM Partner O. Andrew F. Wilson.** "The NYPD should be required to obtain a warrant before deploying these powerful tools against the public, which have essentially turned every street, stoop, and window into a site of government monitoring. Protecting safety should never come at the expense of our constitutional rights and the basic expectation that our private lives remain private."

"The NYPD's mass surveillance isn't just unconstitutional, it's anti-democratic," **said Surveillance Technology Oversight Project Founder-in-Residence Albert Fox Cahn.** "This sort of tracking endangers New Yorkers, empowers federal agencies, and violates our promises to undocumented New Yorkers. We can't both be a sanctuary city and a surveillance state."

Background on Plaintiffs

Pamela Wridt and Robert Sauve, longtime residents of Brooklyn's Bedford-Stuyvesant neighborhood, are first-time homeowners deeply involved in their community through civil, academic, and advocacy work, including challenging police surveillance practices in their neighborhood after discovering two NYPD cameras mounted directly outside their home.

These cameras – aimed toward their living room and bedroom windows – have turned what should be a place of safety into one of constant anxiety. To block the cameras' view, they have resorted to covering their windows with foil, depriving themselves of sunlight, and the simple comfort of looking outside.

The surveillance has robbed them of their sense of privacy and peace, diminished their property's value, and caused serious emotional and physical harm. Mr. Sauve, who suffers from a chronic illness, has seen his condition worsen under the stress. He and Ms. Wridt no longer use their front yard, rent their apartment unit, or open their blinds and windows

The cameras have also divided their once close-knit block, eroding trust among neighbors and raising fears that the surveillance unfairly targets Black and Brown children in their community.

SEE: Report – Dragnet City: NYPD's Omnipresent Domain Awareness System https://www.stopspying.org/dragnet-city

The lawsuit coincides with S.T.O.P.'s release of *Dragnet City: NYPD's Omnipresent Domain Awareness System*, which details the DAS's unparalleled invasion of New Yorkers' privacy rights. The report uses the NYPD's own public statements to detail the scope of surveillance systems that monitor New Yorkers every day.

In August, S.T.O.P. <u>condemned</u> Eric Adams' expansion of surveillance in public housing by using New York City Housing Authority's broadband network initiative to link public housing cameras directly to the NYPD's DAS. In 2022, S.T.O.P. <u>condemned</u> the NYPD's purchase of nearly \$3 billion in secret surveillance equipment that had previously been hidden from the public, including more than \$400 million spent in recent years on the DAS.

The Plaintiffs are represented by ECBAWM partner <u>O. Andrew F. Wilson</u> and associate <u>Sara Estela</u>, and by S.T.O.P. founder-in-residence <u>Albert Fox Cahn</u>, legal director <u>David Siffert</u>, senior legal fellow <u>Darío Maestro</u>, and legal fellow <u>Anya Weinstock</u>.

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

The Surveillance Technology Oversight Project is a non-profit advocacy organization and legal services provider. S.T.O.P. litigates and advocates for privacy, fighting excessive local and state-level surveillance. Our work highlights the discriminatory impact of surveillance on Muslim Americans, immigrants, and communities of color.