Legal Experts File Complaints about Widespread Rights Violations in Policing of ‘Occupy’ Movement

Call on NYC, U.S. Justice Department, UN to Protect Protestors’ Rights

(New York, NY, July 25, 2012) – The City of New York must take immediate action to correct the clear pattern of abusive policing of Occupy Wall Street protests, said legal experts in a complaint filed today with New York City authorities, the U.S. Department of Justice, and the United Nations. The complaint is based on a report providing in-depth documentation and legal analysis of widespread human rights violations in New York City’s treatment of Occupy protests over the past ten months.

“Recently, officers repeatedly yanked the broken collarbone of a protester as he begged them to stop hurting him. And just two weeks ago, a phalanx of officers removed a grandmother from a park for the ‘crime’ of knitting in a folding chair, arrested a man trying to help her leave, and then arrested another man filming the incident,” said Professor Sarah Knuckey, one of the report’s principal authors, who also witnessed these incidents. “These are just two of hundreds of examples we document in our report, demonstrating a pattern of abusive and unaccountable protest policing by the NYPD.”

This report is the first in a series by the Protest and Assembly Rights Project, a national consortium of law school clinics addressing the United States response to Occupy Wall Street.

In their 132-page report—Suppressing Protest: Human Rights Violations in the U.S. Response to Occupy Wall Street—the experts catalog 130 specific alleged incidents of excessive police force, and hundreds of additional violations, including unjustified arrests, abuse of journalists, unlawful closure of sidewalks and parks to protesters, and pervasive surveillance of peaceful activists. Yet, to date, only one police officer is known to have been disciplined for misconduct in the context of Occupy Wall Street policing.

“The excessive and unpredictable policing of Occupy Wall Street is one more example of the dire need for widespread reform of NYPD practices. These violations are occurring against a backdrop of police infiltration of activist groups, massive stop-and-frisk activity in communities of color, and the surveillance of Muslims,” said Emi MacLean, a human rights lawyer and primary author of the report. “This report is a call to action.”

The report calls for urgent state action, including:

- The creation of an independent Inspector General for the NYPD;
- A full and impartial review of the city’s response to OWS;
- Investigations and prosecutions of responsible officers; and
- The creation of new NYPD protest policing guidelines to protect against rights violations.

If New York authorities fail to respond, the report calls for federal intervention.

“The U.S. response to the Occupy movement – which itself emerged as part of a wave of global social justice protests—is being closely watched by other governments,” said Professor Katherine Glenn, one of the report’s principal authors. “In the face of this international attention, this report shows that New York City’s response actually violates international law and, as such, sets a bad example to the rest of the world. The city now has an opportunity to set this right through reforms that reflect just and accountable policing practices.”

This report is the first in a series by the Protest and Assembly Rights Project. This report focuses on New York City, and was authored by the Global Justice Clinic (NYU School of Law) and the Walter Leitner International Human Rights Clinic (Fordham Law School). Subsequent reports will address the responses in Boston, Charlotte, Oakland, and San Francisco. Participating law clinics are at NYU, Fordham, Harvard, Stanford, Rutgers-Newark, Charlotte, and Loyola-New Orleans.