



DETECTIVES' ENDOWMENT ASSOCIATION, INC.

POLICE DEPARTMENT • CITY OF NEW YORK

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Mayor

City of New York

City Hall

New York, NY 10007

July 6, 2020

Dear Mayor de Blasio:

The Detectives' Endowment Association, Inc. strongly urges you to veto Introduction Number 536-B as it is written.

I write to you on behalf of 19,000 active and retired New York City Police Department Detectives on a matter of great concern — the safety of eight million New Yorkers, more than 60 million visitors, and, of course, the “Greatest Detectives *in the World*,” and the other men and women of the NYPD who are sworn to protect this City.

Int. No. 536-B prohibits “unlawful methods of restraint” by any person in the course of effecting or attempting to effect an arrest. As currently written, Detectives and their fellow Police Officers would be held strictly criminally liable, even if there is no “intent” on the part of any Police Officer to violate the law while attempting to effectuate a lawful arrest, and even if the life of the Police Officer or a member of the public is at serious risk.

This bill was drafted with little or no thought about how it will affect the safety of the public and all Police Officers. Not one police official was included by the New York City Council in any discussions or deliberations prior to or during the drafting of this bill!

As written, this bill leaves every Police Officer without the means to lawfully arrest violent, combative criminals and take them into custody. This emboldens individuals to resist arrest — endangering the lives of every New Yorker, every Police Officer, and, of course, the perpetrators themselves. While we oppose *all* of the New York City and New York State anti-police bills that have recently been enacted and/or drafted, this particular bill is the *most* egregious in that it will make Police Officers hesitate to physically handle any resisting perpetrator, and therefore inhibits and makes every arrest situation uncertain and dangerous.



THE POLICE UNION REPRESENTING THE GREATEST DETECTIVES IN THE **WORLD**

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NEW YORK STATE ASSOCIATION OF PBAs

Additionally, prior to the City Council's passage of this bill, Governor Cuomo signed into law **S6670B/A6144B**, which creates criminal liability where a Police Officer uses a chokehold or other similar restraint and causes serious physical injury or death. The NYPD Patrol Guide since, at least, 2017 has prohibited the use of chokeholds or any other restraint which may restrict the intake of air or hinder breathing. Therefore, besides being dangerously vague and lacking any element of intent, the City Council bill has also thus been pre-empted by State law and is entirely unnecessary.

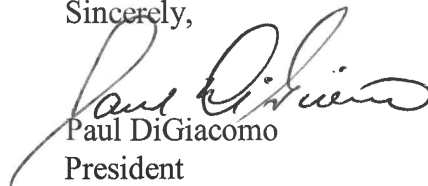
As we all witnessed over this July 4th weekend, 11 people — ten people on Sunday, July 5th alone — were murdered and 63 others were shot in various neighborhoods throughout the City. As predicted by *all* of law enforcement, New York City is quickly being engulfed by crime and gun violence: the likes of which we have not seen since the 1980s. As this rise in crime continues day after day, we are assured by you that this is simply a temporary “spike,” caused by no one, particular reason.

At this unprecedented time in New York City's history, as violence and crime soars, you are duty bound to safeguard the lives of more than eight million residents of this City, more than 60 million visitors, the communities of color who need police protection the most, and the lives of our members and their NYPD brothers and sisters.

We strongly urge you to veto Int. No. 536-B as written.

Thank you for your attention to this very important and urgent matter.

Sincerely,


Paul DiGiacomo
President