



Legislation Details (With Text)

**File #:** Res 0915-2003      **Version:** \*      **Name:** Procedure for "no-knock" search warrants is a civil rights violation.  
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**In control:** Committee on Public Safety

**On agenda:** 5/28/2003

**Enactment date:**      **Enactment #:**

**Title:** Resolution calling on the Manhattan District Attorney, the New York State Attorney General and the United States Department of Justice to launch a full scale independent investigation into the New York Police Department's use of diversionary devices, including whether discriminatory practices exist in their use, and to conduct a review of whether the procedure for "no-knock" search warrants is a civil rights violation.

**Sponsors:**

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**Attachments:**

Date	Ver.	Action By	Action	Result
5/28/2003	*	City Council	Introduced by Council	
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Res. No. 915

Resolution calling on the Manhattan District Attorney, the New York State Attorney General and the United States Department of Justice to launch a full scale independent investigation into the New York Police Department's use of diversionary devices, including whether discriminatory practices exist in their use, and to conduct a review of whether the procedure for "no-knock" search warrants is a civil rights violation.

By Council Members Seabrook, Barron, Comrie, Foster, Gerson, Liu, Lopez, Sanders, Vann, Jackson and Espada

Whereas, On May 16, 2003, at 6:10 AM, police raided the apartment of 57-year old Harlem resident Alberta Spruill, acting on information that guns and drugs were stored at that residence; and

Whereas, In executing the "no-knock" search warrant, police broke down Ms. Spruill's door, threw a concussion grenade, which is designed to momentarily stun and disorient people with a loud noise and a flash, and handcuffed her; and

Whereas, Ms. Spruill, a city employee and devout churchgoer, suffered from a heart condition, and the forced entry by police into her apartment, coupled with the loud noise and flash from the grenade, caused her to go into cardiac arrest, from which she did not recover; and

Whereas, Although the Mayor and the Police Commissioner have expressed their apologies, questions are raised about whether such raids, and the use of diversionary devices, take place more frequently in neighborhoods of people of color; and

Whereas, Although an investigation into this incident by the NYPD is welcome, it is crucial that an independent investigation by the District Attorney, the Attorney General and the Department of Justice be conducted; and

Whereas, Such investigation should include an examination of the use of informants and diversionary devices by the NYPD, as well as whether these devices are more readily employed in neighborhoods of people of color and whether the procedure for "no-knock" search warrants is a civil rights violation; and

Whereas, In order for residents of this City to have trust in the work of the NYPD, an independent investigation into these police practices must be conducted; now, therefore, be it

Resolved, That the Council of the City of New York calls on Manhattan District Attorney, the New York State Attorney General and the United State Department of Justice to launch a full scale independent investigation into the New York Police Department's use of diversionary devices, including whether discriminatory practices exist in their use, and to conduct a review of whether the procedure for "no-knock" search warrants is a civil rights violation.

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