



40 Rector Street, 9th Floor
New York, New York 10006
www.StopSpying.org | (646) 602-5600

POST Act TOOLKIT

Help us hold NYPD accountable for its use of harmful surveillance technology and protect New Yorkers from NYPD's exploitation of loopholes in the POST Act!

Support the POST Act Reform by posting ready-to-share tweets and images on the social media platform of your choice.

Make sure to tag **#POSTAct**

Background

The Public Oversight of Surveillance Technology (POST) Act, enacted in 2020, was the first New York City surveillance law since 9/11, and it required the NYPD to detail every technology it uses and how NYPD data is shared. The law came in response to widespread outrage over the ineffectiveness, invasiveness, and cost of NYPD's growing surveillance arsenal. Prior to the POST Act, the NYPD attempted to hide its use of invasive and creepy tools including StingRays, which mimic cellphone towers, social media monitoring, Wi-Fi-based location tracking, the Domain Awareness System, and much more. Though the POST Act only required minimal transparency, that didn't stop then-NYPD Deputy Commissioner from decrying the effort as "insane" and claiming the oversight law would become an "invaluable roadmap to criminals, terrorists, and others for how to harm the public." Clearly, this has not been the reality, but the NYPD will continue to say that the sky is falling whenever it is held to even the lowest standard of accountability.

The importance of oversight of NYPD surveillance is indispensable given the Department's sustained discrimination against BIPOC communities, Muslim New Yorkers, and LGBTQ+ New Yorkers. Surveillance technology amplifies historical policing biases, systematically surveilling low-income communities of color.

Intro 1207 would implement four of OIG's recommendations by clarifying language in the original POST Act. Specifically, the bill requires: (1) that NYPD publish Impact and Use policies for each individual surveillance technology used by the Department; (2) that such Impact and Use policies fully identify each external entity by name that receives data gathered from such technology; (3) that such Impact and Use policies report on the safeguards in place to prevent dissemination of surveillance data; and (4) that such Impact and Use policies adequately disclose evaluation of potential disparate impacts on protected groups arising from the NYPD's use of such technologies.

Intro 1193 would add important new provisions to the POST Act and implement another five of the recommendations in the OIG report. It would require that NYPD, upon request, provide the Department of Investigation (DOI) with an itemized list of all surveillance technologies currently in use, and provide information on all data access and retention policies for data collected by such technologies. Importantly, the legislation would also require that NYPD provide DOI with quarterly updates on all newly acquired or discontinued surveillance technologies and updates to any data access and retention policies established in recently executed contracts for surveillance technologies. Intros 1207 and 1193 would go a long way towards transparency of NYPD's use of surveillance technology.

Join us in the fight to hold NYPD accountable to the POST Act and ask for additional reporting and compliance requirements in three ways:

- 1) Ask New York City Council Speaker Adrienne Adams to take a leadership role in the fight for transparency around NYPD's use of surveillance technology, supporting Intros 1207 and 1193, creating additional compliance requirements that pressure NYPD to follow the POST Act in good faith.
- 2) Call on your councilmember to co-sponsor Intro 1207, requiring that NYPD publish comprehensive impact and use policies and Intro 1193, requiring NYPD regularly update the Department of Investigation on all newly acquired or discontinued surveillance technologies and any data access and retention policies established in recently executed surveillance contracts.
- 3) Share these action items with your friends, family, and community members to reform the Post Act.

How to Help

Social Media:

Download graphics and posts from the attached folder in the toolkit. Join the conversation by adding the hashtag #POSTAct

[Download graphics here.](#)

Share your own surveillance story or share the following captions or tweets in addition to or alongside the graphics.

Sample Captions/Tweets:

Option 1: When the #POSTAct was passed in 2020, New Yorkers were promised full transparency on #NYPD's use of surveillance technologies. But NYPD have repeatedly acted in bad faith, violating these terms. City Council must reform the POST Act now.

Option 2: The #NYPD maintains a \$3 billion surveillance arsenal with virtually no oversight or accountability standards. City Council must reform the #POSTAct, enforcing the transparency we were promised.

Option 3: #NYPD deploys a fleet of biased & dangerous surveillance tools each year in secrecy. The #POSTAct was passed in 2020 to end this impunity & opacity, but it has not been followed in good faith. City Council must reform the POST Act now!

Option 4: New Yorkers deserve the transparency we were promised. City Council must pass Intros 1207 & 1193, requiring #NYPD to comply with the #POSTAct and fully disclose the use and impact of surveillance technologies.

Option 5: It's past time for City Council to hold #NYPD accountable to the law & put an end to their violations of the #POSTAct, a law requiring NYPD to disclose information about its 3 billion \$ arsenal of surveillance technologies.

Contact Your Councilmember

In just 5 minutes, you can help us let our elected representatives know we are watching.

First, adapt the below transcript to your preferred means of communication—phone, email, or snail mail—and to your own experiences with surveillance and police.

Then, tell us and spread the word by posting on social media!

Find your Council Member [here](#).

Script for all councilmembers:

Dear [City Councilmember Name],

As a constituent, I am writing to you to encourage your support of an amendment to the POST Act to impose additional reporting and compliance requirements on the NYPD.

The impact and use policies required from the NYPD under the POST Act were meant to help the public and lawmakers gain crucial information on the Department's surveillance practices. However, NYPD has continued to exploit loopholes in the law, specifically

by requiring a separate impact and use policy for each individual surveillance technology the department uses and the disclosure of which agencies have access to NYPD data.

The consequences of NYPD's spying are far-reaching, and therefore it is impossible to protect our communities without real insight. For example, because of NYPD's secrecy, we don't know what data ICE can access through fusion centers and other data sharing agreements, meaning we can't ensure NYPD isn't putting undocumented New Yorkers at risk of detention or deportation. We don't know what private contractors get access to our info. And, terrifyingly, we don't know how much bias the NYPD thinks is acceptable in its tools of mass surveillance, an incredibly disturbing state of affairs given the NYPD's civil rights record.

This legislation would be crucial in creating some actual transparency and would also importantly alleviate the need for many ongoing lawsuits against the NYPD for its secrecy in using surveillance technology.

The POST Act was a landmark bill because it reasserted the Council's indispensable role in overseeing all NYPD operations, including its use of harmful surveillance technology like FRT. The Council must reassert its authority to ensure that the bill it fought so long to implement is not totally ignored. Any additional help you can provide in pushing for this amendment to the POST Act would be very much appreciated.

Thank you for all your work.

(If leaving a voicemail, please leave your street address to ensure your call is counted.)

With your support, we can pass POST Act Reform and hold NYPD accountable for abusing surveillance technologies!