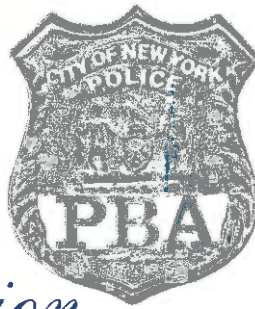


*Patrolmen's  
Benevolent  
Association*

Of The City Of New York. Incorporated



August 13, 2014

**OFFICE OF THE PRESIDENT**

Zachary W. Carter  
Corporation Counsel  
New York City Law Department  
100 Church Street  
New York, NY 10007

William J. Bratton  
Police Commissioner  
Police Department of the City of New York  
One Police Plaza  
New York, NY 10038

Dear Corporation Counsel Carter and Police Commissioner Bratton:

As President of the New York City Patrolmen's Benevolent Association I am writing to address an issue of utmost concern, namely, the City's response to the proliferation of meritless civil lawsuits against New York City Police Officers for actions occurring within the scope of their duties.

These "quick buck" cases bank on the City's policy to settle so called "nuisance" suits for economic reasons rather than to fight them to conclusion. The end result is a cottage industry in the legal community of generating baseless suits for economic gain that have a secondary impact of seriously injuring the reputation of good police officers who are often not given the opportunity to defend themselves. Another side effect is the satisfaction of providing criminals with a monetary bonus for filing fabricated claims against their arresting officer. Getting paid to sully the reputation of the officer who arrested you for breaking the law is almost too good to resist. The end result is more and more baseless claims and suits against our members.

Although these settlements are made without admission of liability, the salacious allegations contained in the lawsuit papers are being reported in the press as evidence of wrongdoing and have been used against our members in unrelated litigation and investigations. One such baseless suit became public in connection with the tragic death in custody of Mr. Eric Garner on Staten Island. The reputation of the officer involved was publically sullied because of the settlement of a nuisance suit where the officer denied all the allegations and where there was no admission of guilt or liability by the city which paid two claimants \$15,000 each to settle without a trial.



It is well documented that a small group of lawyers, many formerly employed by the Law Department, have caused an explosion of so-called "civil rights" cases in Federal and State courts alleging a multitude of violations against the City, the NYPD and the officers individually. The increasing numbers of claims (doubling in the last ten years according to a news article) has led to tremendous pressure by the courts to settle, which, or course, is the primary motivation of these opportunistic lawyers for initiating these cases in the first place.

The City has chosen to settle many of these cases not because of a risk-assessment analysis of wrongdoing by any Police Officer but because the cost of defending could far exceed the amount of a settlement. This practice of settlement, even when done for practical purposes, serves merely to perpetuate the cycle and must be ended immediately.

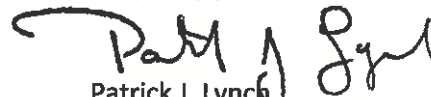
Faced with a similar situation, the City of Chicago adopted a "no settle" policy. As the percentage of settlements dropped, predictably, the number of new case filings decreased dramatically.

Consequently, I am calling upon the City and the Department to immediately adopt a policy to litigate these cases to their conclusion in lieu of settlement. These lawsuits, filed under the guise of "civil rights" violations, must be aggressively fought to the end and costs and sanctions must be sought on successful result. I am confident that trial of these matters will convincingly demonstrate that the officers involved acted appropriately and will serve to deter filing of future bogus lawsuits.

Implementation of a new, aggressive strategy to litigate rather than settle is mutually beneficial. The reputation of those Police Officers unlucky enough to be named as defendants for doing their duty will be protected and the savings to the City in refusing to pay out settlements will more than offset the costs of litigation. These costs, in turn, will surely be reduced as fewer frivolous lawsuits are filed.

This organization is committed to righting this wrong and on behalf of our members I urge you to take action immediately.

Very truly yours,

A handwritten signature in black ink, appearing to read "Patrick J. Lynch". The signature is written in a cursive, flowing style with a large initial "P" and "L".

Patrick J. Lynch

President