



NEW YORK CITY LAW DEPARTMENT  
OFFICE OF THE CORPORATION COUNSEL

Michael A. Cardozo, Corporation Counsel

**Press Release**

**Web: [nyc.gov/html/law/home.html](http://www.nyc.gov/html/law/home.html)**

*For Immediate Release*

**SECOND CIRCUIT COURT OF APPEALS UPHOLDS  
DISTRICT COURT'S DECISION TO DISMISS POLICE OFFICER'S CIVIL RIGHTS  
ACTION**

**Contact: Kate O'Brien Ahlers, Communications Director, (212) 788-0400, [kahlers@law.nyc.gov](mailto:kahlers@law.nyc.gov)**

New York, May 14, 2002 -- The Second Circuit Court of Appeals, in a 2-1 decision, yesterday affirmed the lower court's dismissal of a civil rights action brought by Thomas Pappas, a former New York City Police Officer.

The Circuit found that Mr. Pappas's First Amendment rights were not violated when the Police Department dismissed him for disseminating bigoted, racist and anti-Semitic materials. The Circuit held that the Police Department took appropriate action against Mr. Pappas because his conduct violated Departmental regulations -- conduct which risked harm to the Department in the performance of its governmental mission.

"This decision is an important one because, despite Mr. Pappas's First Amendment arguments, the Court recognized the City's ability to manage its workforce in the Police Department," said Leonard Koerner, Chief of the New York City Law Department's Appeals Division.

"We are pleased that the Court noted that Mr. Pappas's conduct threatened the effectiveness of the Police Department in the community," he added.

The New York City Law Department is one of the oldest, largest and most dynamic law offices in the world, ranking among the top three largest law offices in New York City and the top three largest public law offices in the country. Tracing its roots back to the 1600's, the Department's 650-plus lawyers handle more than 100,000 cases and transactions each year in 17 separate legal divisions. The Corporation Counsel heads the Law Department and acts as legal counsel for the Mayor, elected officials, the City and all its agencies. The Department's attorneys represent the City on a vast array of civil litigation, legislative and legal issues and in the criminal prosecution of juveniles. Its web site can be accessed through the City government home page at [www.nyc.gov](http://www.nyc.gov) or via direct link at [www.nyc.gov/html/law/home.html](http://www.nyc.gov/html/law/home.html).

###