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Southern Poverty Law Center (SPLC) Contact: Ashley Levett
ashley.levett@splcenter.org / (334)296-0084

Legal Defense Fund (LDF) Contact: LDF Media
media@naacpldf.org / (212)965-2200

Southern Legal Counsel (SLC) Contact: Nancy Kinnally
nancy@therelatablegroup.com / (407) 375-2264

Council on American Relations-Florida (CAIR-FL)
Contact: Wilfredo Ruiz/ wruiz@cair.com/ (305)502-6749

Civil Rights Groups Sue for Public Records Linked to Pasco County's Predictive Policing Program

PASCO COUNTY, Fla. (9/13/2022) — Yesterday, the Southern Poverty Law Center (SPLC), the Legal Defense Fund (LDF), and Southern Legal Counsel (SLC) filed a [lawsuit](#) against the Pasco County Sheriff's Office on behalf of the nonprofit civil rights organization, the Council on American-Islamic Relations-Florida (CAIR-FL). The lawsuit argues that the Pasco County Sheriff Office's refusal to provide demographic information about its predictive policing program targeting students is a violation of the Florida Public Records Act.

The Pasco County Sheriff's Office, headed by Sheriff Christopher Nocco, operates a predictive policing program that, without any notice to parents and guardians, places hundreds of students on a secret list identifying those who they believe are most likely to commit future crimes — and then subjects these children to persistent and intrusive monitoring. This list is created using an "algorithmic risk assessment," and the criteria used to target children for the program are believed to have a greater impact on Black and Brown children. However, the sheriff's office refuses to produce a demographic breakdown of students on the list.

"Our client, CAIR-Florida, has tried unsuccessfully for more than a year to work with the Pasco County Sheriff's Office to obtain demographic information linked to the predictive policing program," said SPLC Senior Staff Attorney Sam Boyd. "We are done with the excuses. It is time for the sheriff's office to produce this information, which the public has a right to access."

CAIR-Florida's Programs and Outreach Director, Raniah El-Gendi, added "No one is above justice and accountability, and especially not the institutions that are supposed to protect us. We are confident this suit will help bring to light details of the program, which should be public."

The lawsuit, filed in the Sixth Judicial Circuit Court of Florida, seeks a court order requiring Sheriff Nocco to fulfill his nondiscretionary duty under Florida law to disclose information related to the so-called Intelligence-Led Policing program. The sheriff's office uses histories of childhood trauma and school records, based on data provided by the Pasco County School District and the Florida Department of

Children and Families, to determine which students should be added to the program. The program intentionally puts children at risk of greater interaction and involvement with law enforcement and, therefore, at greater risk of arrest and school pushout.

"For nearly two years, community organizations, local parents, advocates, and activists across Pasco County have tried to obtain basic answers about how predictive policing programs affect youth in their communities. Despite clear obligations under Florida law, the sheriff's office has refused to provide this critical information," said LDF Assistant Counsel Alaizah Koorji. "It is imperative to have public transparency about how law enforcement creates and maintains these lists targeting young people — particularly because of the harm to Black and Brown youth, as well as youth with disabilities, who are disproportionately subjected to police surveillance in their schools and communities."

Between April and June in 2021, CAIR-Florida submitted numerous public records requests to the Pasco County Sheriff's Office. While Sheriff Nocco complied with most requests, he refused to provide the information that could help establish whether the program is being applied fairly or if they are disproportionately targeting certain groups.

"We at Southern Legal Counsel support the right of all Floridians to hold state and local officials accountable for their actions. Government accountability cannot be achieved while agencies maintain secret lists and databases away from the public," said Abigail Adkins, attorney at Southern Legal Counsel.

The SPLC, LDF, and SLC argue on behalf of CAIR-Florida that the justifications cited by Sheriff Nocco and his office for their failure to produce the requested information has no legal basis and, thus, they are in violation of Florida's sunshine laws and state constitution. Florida law allows the public to obtain precisely the kind of important information CAIR-Florida's request seeks, —namely, the actions of their elected officials that are neither confidential, privileged victim information, nor otherwise within the scope of lawful exemptions.

A copy of the lawsuit is available [HERE](#).

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The Southern Poverty Law Center is a catalyst for racial justice in the South and beyond, working in partnership with communities to dismantle white supremacy, strengthen intersectional movements, and advance the human rights of all people. For more information, visit www.splcenter.org.

Founded in 1940, the [Legal Defense Fund](#) (LDF) is the nation's first civil rights law organization. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights.

[Southern Legal Counsel](#) is a statewide, nonprofit law firm that works proactively to ensure fairness, social justice and government accountability for Floridians through focused, high-impact initiatives, policy advocacy and civil litigation.

CAIR-Florida is the state's largest Muslim civil liberties and advocacy organization. Its mission is to enhance the understanding of Islam, protect civil rights, promote justice, and empower American Muslims.