

# Police Harassment of Panhandler Should Stop Says New York Civil Rights Violation Lawyer

**Sojourner Hardeman filed a police harassment lawsuit after she was arrested while soliciting money.**

A homeless woman is suing the NYPD for [police harassment](#).

“It’s the right of any citizen to be able to file for police harassment. Civil rights laws protect all citizens in their civil and legal rights,” said David Perecman, a [New York civil rights violation lawyer](#) for over 30 years.

The [police harassment lawsuit](#) filed in Federal District Court in Manhattan stemmed from an encounter in late March.

According to the *New York Daily News*, Sojourner Hardeman was arrested in the spring for disorderly conduct while “sitting quietly in front of a shuttered store on Fifth Avenue” where she panhandles and advertises her office skills with a cardboard sign.

As reported by *The New York Times*, two officers asked her for identification and she told them she had none. The officers then arrested her. She was taken to the Midtown North Precinct station house, where she was detained for approximately five hours and then released without charge.

Two months later, Hardeman filed a [civil rights violation lawsuit](#) alleging that the arresting officers had violated her 4<sup>th</sup> and 14<sup>th</sup> Amendment rights.

The 4th Amendment of the U.S. Constitution prevents the government from doing unreasonable searches and seizures where there is an expectancy of privacy. The 14th Amendment applies the Fourth Amendment's provisions against the states as well as the federal government.

According to Hardeman's [civil rights violation complaint](#), officers approached her four times over the summer and ordered her to vacate her spot. "You can't be here. This is Fifth Avenue," officers said, as reported by *The New York Times*.

Hardeman said she refused to leave. On one occasion, officers handed her a disorderly conduct summons, saying she was blocking pedestrians. On another occasion, she said, officers briefly handcuffed her and had her sit in the back of a police car before issuing another disorderly conduct summons.

As reported by *The New York Times*, Hardeman denied that she had blocked pedestrians, claiming that the area she sits in is set back from the sidewalk and that she takes up only 10 inches of the 16-foot-wide sidewalk.

After Hardeman complained to the judge that NYPD officers had harassed her on more than one occasion after she filed the [civil rights violation lawsuit](#) in New York, the judge ordered New York City officers not to arrest or issue a summons to Hardeman unless they had probable cause. He also directed the city to educate Midtown North Precinct officers about what "disorderly conduct" means.

“The police must never violate the civil rights of any New Yorkers. The police can not accost individuals without probable cause, nor can they harass a citizen because he or she is homeless,” said Perecman, founder of The Perecman Firm, one of [New York’s civil rights violation law firms](#).

There is a New York law against aggressive panhandling, but Hardeman’s solicitation style was described as “passive panhandling” since she did little more than sit quietly with her cardboard sign.

According to a 2007 report by the National Law Center on Homelessness and Poverty, approximately 3.5 million people become homeless each year.

Because of their complexity, [New York civil rights violation cases](#) require representation by a lawyer well versed in constitutional issues. New York civil rights violation lawyers at [The Perecman Firm](#) have the experience needed to build strong cases regarding matters involving federal, state and New York City laws that protect an individual’s civil rights.

About David Perecman and The Perecman Firm, PLLC:

For the past 30 years, the New York civil rights violation, medical malpractice, auto accident, and construction accident lawyers at The Perecman Firm, PLLC have handled all types of cases including age and disability discrimination. David Perecman, founder of the Firm, is a Board Director and the past Secretary and Treasurer of the New York State Trial Lawyers Association (NYSTLA) and a chair of its Labor Law Committee. Mr. Perecman's achievements have brought him recognition as an Honoree in the National Law Journal's Hall of Fame, in New York Magazine's "The Best Lawyers in America" and The New York Times Magazine "New York Super Lawyers, Metro Edition" for the years 2007-2010.

The Firm has recovered millions of dollars for its clients. Among the more recent victories, Mr. Perecman won a \$15 million verdict\*\* for a construction accident, a \$5.35 million dollar verdict\*\*\* for an automobile accident, and a \$40 million dollar structured settlement for medical malpractice\*\*\*\*.

\*\*later settled while on appeal for \$7.940 million

\*\*\* later settled for \$3.5 million

\*\*\*\* total potential payout

"Lawyer Advertising"

"Prior results do not guarantee a similar outcome."

