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ONE YEAR AFTER SPRAY FELT ‘ROUND THE WORLD, KAYLEE DEDRICK, ICONIC OWS PEPPER SPRAY VICTIM, FILES SUIT

At 9:30 a.m. on Monday, September 24, 2012 – one year to the day after Kaylee Dedrick became the iconic victim of the pepper spray attack that galvanized the Occupy Wall Street movement – attorneys for Ms. Dedrick filed a federal civil rights lawsuit in the United States District Court, Southern District of New York, against the City of New York, heavy-handed pepper spray abuser NYPD Deputy Inspector Anthony Bologna, and other police officers. Ms. Dedrick is the last of the victims to file suit.

Participating in one of the initial demonstrations of the then incipient Occupy Wall Street movement, on September 24, 2011, Kaylee Dedrick, a 25 year-old teacher’s assistant with no history of arrests, marched to Union Square Park in support of the movement with a group of OWS demonstrators. Ms. Dedrick was leaving the area, trying to escape the crowd, when members of the NYPD unfurled the orange netting to surround Ms. Dedrick and a small group of protesters on the northern sidewalk of East 12th Street near University Place, making passage in any direction impossible. Ms. Dedrick and a group of young women were trapped behind the police netting, peacefully protesting the officers’ violent arrest of a young man in the street, when Deputy Inspector Bologna – a 29-year veteran of the NYPD – approached the group and, without warning or provocation, discharged pepper spray directly into the faces of Ms. Dedrick and the other women from a distance of less than two feet. Ms. Dedrick collapsed to the ground, temporarily blinded, gasping for air and screaming in pain. D.I. Bologna and officers in the immediate vicinity failed to request medical assistance for the incapacitated women; Bologna simply re-holstered his can of pepper spray and walked away. The attack was captured on video, and has been seen by millions of viewers on social media websites.

According to attorney Ronald L. Kuby, Ms. Dedrick had delayed filing suit in the hope that the New York County District Attorney would file criminal charges against D.I. Bologna. “For Kaylee, it was never about the money. It is about making sure that a thug who attacks women in broad daylight is punished, even if he is a Deputy Inspector,” Kuby said. Despite the fact that Bologna’s attack was fully captured on video and seen all over the world, Cy Vance has yet to make a decision as to whether to bring even misdemeanor assault charges.

In addition to the brutality, Ms. Dedrick’s suit also alleges that the police unlawfully failed to render medical assistance, as required by the Patrol Guide and relevant case law. That failure, at least, had a happy ending. A civilian medic rendered assistance, bleary red eyes met clear brown ones, and the happy couple is expecting the birth of their daughter with the next two weeks. Despite her lawyers’ requests, the couple refuses to name their baby “Pepper.”

Ms. Dedrick is represented by attorneys Ronald L. Kuby and Lea M. Spiess, who are available at (212) 529-0223.