

Apple Employees Accused of Racial Profiling in New York, Civil Rights Violation Lawyer Investigates

A lawsuit accuses Apple of racial discrimination after employees of an Upper West side store allegedly told two black men they were unwelcome there.

NEW YORK, NEW YORK -- A [New York civil rights violation lawsuit](#) accuses employees at a New York City Apple Store of telling two black men wearing "baggy jeans and large sweaters with hoods" that they were not wanted in the store.

Brian Johnston, 34, and Nile Charles, 25, are suing Apple for discrimination based on a visit to the store in December 2010. They were allegedly forced to leave Apple's Upper West Side store by several employees because of their race. The plaintiffs seek punitive damages for "emotional pain, suffering, inconvenience, loss of enjoyment of life, and other non-pecuniary losses."

"Individuals have the right to sue those who have committed [racial profiling](#) against them in New York," said civil rights violation lawyer David Perecman, a New York civil rights violation lawyer for over 30 years. "Racial profiling is a [serious civil rights violation](#)."

The [civil rights violation lawsuit](#) says that both men went into the store to buy headphones, but before they could buy anything, they were confronted by a white store employee in his 50s. The Apple employee allegedly confronted both men in an "intimidating fashion" and said, "You know the deal. You know the deal."

The employee then allegedly told Johnston and Charles to leave unless they planned to make a purchase or see a Mac specialist. But, before either could respond, they claim that he told them they were not welcome in the store because of their race.

The lawsuit quotes the employee as saying, "And before you say I'm [racially discriminating](#) against you, let me stop you. I am discriminating against you," the employee allegedly said. "I don't want 'your kind' hanging out in the store."

According to the [civil rights violation lawsuit](#), the two men were "shocked and humiliated" and used a cell phone to record what occurred.

The suit alleges that another employee then approached and also began trying to get them to leave. "If you want to know why," he said, "it's because I said so. CONSIDER ME GOD. You have to go." The men were ignored when they asked to speak to a manager, so they found one themselves and complained that they were being racially profiled. The manager responded by asking Apple's Head of Security to call 911.

“This sounds like a case of [racial profiling in New York](#),” civil rights violation lawyer Perecman explained. “Racial profiling occurs when someone spots a person or group of people who are of a particular race or religion or wearing certain clothes and assumes that they are doing – or going to do – something illegal or wrong.”

[New York civil rights violation lawyers](#) at [The Perecman Firm](#), one of New York’s civil rights violation law firms, agree that racial profiling not only violates the civil rights of individuals, but it is an ineffective crime prevention tool that ultimately victimizes people.

Johnston and Charles have accused Apple of discrimination under both [New York civil rights violation laws](#) and federal civil rights violation laws, and are looking for punitive damages because of "emotional pain, suffering, inconvenience, loss of enjoyment of life, and other non-pecuniary losses.”

Last year, another civil rights violation lawsuit accused an Apple Store in Orlando, Florida of age discrimination when a store employee in his 60's claimed he was not given a promotion due to his age.

Racial profiling and age discrimination are illegal under federal and New York state civil rights laws.

Individuals who believe they have been racially profiled in New York should [contact a qualified New York civil rights violation lawyer](#) in order to receive advice about what happened. The New York civil rights violation lawyer can help you understand whether you have a valid claim and how to proceed with the legal recourse.

About David Perecman and The Perecman Firm, PLLC:

For the past 30 years, the New York civil rights violation, gender discrimination, age discrimination, and elder abuse lawyers at The Perecman Firm, PLLC have handled all types of cases including civil rights violations. 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 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

*** later settled for \$90,000.00

**** total potential payout

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