

# New York police to continue stop-and-frisk onslaught despite new law

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The New York City Police Department will continue stopping, questioning and searching hundreds of thousands of workers and youth in the city's less-affluent neighborhoods, despite a new state law limiting the NYPD's power to store information on these encounters in an electronic database.

New York Governor David Paterson recently signed legislation that limits the data that the New York City Police Department can store on people who are subjected to such searches by its officers on the streets, a practice commonly known as stop-and-frisk.

The NYPD has developed a database of over three million names of predominantly minority workers and youth using this procedure. According to its own statistics, officers stopped 575,304 people in 2009, only 6 percent of whom were arrested. Nevertheless, the police have routinely collected and stored detailed personal information on those who had committed no crime. Eighty-seven percent were black or Latino.

The "250 Database," so called after the UF-250 form that officers use to file stop-and-frisk reports, is, in effect, a record of the names and addresses of most working-class youth in the largest American city. The use of the stop-and-frisk procedure, which has mushroomed in the past decade, has provoked growing outrage and charges of racial profiling and violations of privacy rights and elementary civil liberties.

The new legislation stipulates that the NYPD can no longer store in its electronic database information such as the names, addresses, and social security numbers of those who have been stopped but not arrested. The breakdown of race and gender, as well as the location of the stop, will continue to be recorded electronically.

The new law was strenuously opposed by New York City Mayor Michael Bloomberg and his Police Department. It was signed by the lame duck Governor

with some fanfare and undoubtedly represents an effort to appease the outrage over police abuse, but it does nothing to alter the practice of stop-and-frisk as a means of policing and intimidating whole working class communities.

Firstly, police officers are still allowed to record other information for their personal use. Within hours of the signing of the bill, the NYPD sent out a memo to local precincts reminding cops that "The law does not affect an officer's ability to collect identification information at the scene of a street encounter, and does not affect the preparation, copying or filing of stop, question and frisk report worksheets."

Police Commissioner Raymond Kelly told the media, "We have to go and use an ink-paper system. What does that mean in any process? It's going to slow down the investigation." In other words, the database will be in paper form and kept at local precinct stationhouses, available at any time for the use by the NYPD or other security agencies, to be added to their electronic databases later on. And, most importantly, the practice of stopping, questioning and searching hundreds of thousands of youth, primarily black and Latino, will continue without interruption.

In recent years, beneath the surface veneer of New York City's wealth, and despite the continuing drop in crime rates, the NYPD has waged a campaign of harassment and intimidation in many New York neighborhoods. According to a recent report in the *New York Times*, for instance, the police made over 52,000 stops between 2006 and 2010 in one eight-block neighborhood with a total population of only 14,000 in the largely African-American Brownsville section of Brooklyn.

So far this year the NYPD has stopped 13,200 people

on these blocks—roughly one stop for every resident—with an arrest rate of less than one percent. According to another *Times* article, “Men aged 15-34 were stopped an average of five times a year.” The article described how police officers are encouraged to go to the lobbies of housing projects, where locks are often broken, and question those who enter without a key. By one officer’s admission, “[O]nce you ask them for an ID, 90 percent of the people live in the building.”

In spite of repeated denials by the Bloomberg administration and the NYPD brass, the policy is deliberate and emanates from the mayor’s office. The yearly number of these stops has increased from about 97,000 in 2002, the year Bloomberg took office, to last year’s more than half-million. Billionaire Bloomberg is regularly praised for a manner that contrasts with the sneering provocations of his predecessor Rudy Giuliani, but the content of his policies, in line with the needs of the ruling elite he personifies, is even more ruthless.

The weekly *Village Voice* reported that stop-and-frisks in Brooklyn’s Bedford-Stuyvesant neighborhood have increased 800 percent in the past six years. One sergeant is recorded in 2008 as telling officers on the street, during a roll call, “Just stop a couple of people, you know that...Anybody walking around, shake them up, stop them, 250 them, no matter what the explanation.”

Police were also told to violate residents’ right to gather peaceably for social activities, even in front of their own homes. The article quotes one lieutenant as saying, “If they don’t move, they are going to get out of control and think that they own the block. They don’t own the block. We own the block. They might live there, but we own the block. We own the streets here.”

*New York Times* columnist Jim Dwyer observed that stop-and-frisks have resulted in one of the highest arrest rates for marijuana possession in the world, centered almost exclusively on minorities and the poor.

“On the Upper East Side of Manhattan,” Dwyer noted, “where the mayor lives, an average of 20 people for every 100,000 residents were arrested on the lowest-level misdemeanor pot charge in 2007, 2008, and 2009.

“During those same years, the marijuana arrest rate in Brownsville, Brooklyn was 3,109 for every 100,000 residents.” This incredible ratio of more than 150

arrests for marijuana possession in a working class neighborhood for every single arrest on the same charge in a wealthy district needs no elaboration. Every teenager knows that drug use in the two neighborhoods takes place at roughly comparable rates. The marijuana arrests are, to put it bluntly, a means of criminalizing the poor, and only one means at that.

The main aim of the police and the Bloomberg administration is not to fight crime, petty or otherwise, but to intimidate workers and youth and to lay the basis for further repressive measures as the deepening economic and social crisis produces open discontent.

Unemployment in the city is officially at 9.5 percent, but is much higher in poor and minority communities. The figure does not include those who have stopped looking for work or have been forced to accept part-time work instead of full-time jobs.

Over a third of the workforce in New York City, well over a million workers, earns \$11.54 an hour or less. Hundreds of thousands of others survive on not much more. The median household income in Brownsville is barely \$25,000 a year. With the passing of the city budget in June, day care centers, senior centers, youth jobs programs and food aid subsidies will be eliminated, with more cuts on the way when the long-deadlocked negotiations in Albany finally produce a state budget.

In parts of Manhattan, on the other hand, a relatively small upper middle class social layer has largely avoided the impact of the deepening slump. A much smaller group of multi-millionaires and billionaires control the banks, the hugely profitable real estate market and other sectors of the economy.

Last year the New York City Coalition Against Hunger (NYCCAH), basing itself on data from the Forbes 400 report, estimated that “the 56 richest people in New York had 27 times the money of the 1.5 million poorest. The richest single New Yorker—who just happens to be Mayor Michael Bloomberg—has two and a half times the money of the 1.5 million poorest.”



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