

New York City: “Stop-and-frisks” hit record levels in 2010

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According to data released by the New York Police Department last week, the number of “stop- and-frisks” conducted by the city’s police force rose to over 601,000 last year. The number of these police stops conducted in 2010, in which individuals are temporarily detained and searched on the street, was the highest recorded since the NYPD first began releasing the data in 2002.

Other data released in early February revealed that over 50,000 people were arrested in the city for low-level marijuana offenses last year, making up 15 percent of all arrests. The vast majority of those stopped and searched by the police or arrested for petty marijuana offenses last year were African-American and Latino workers and youth.

The stop-and-frisk numbers released by the NYPD last week showed a 4.3 percent increase from the previous record of 575,304, set in 2009. That year had also seen a big increase in the number of these stops, compared to the short-lived 2008 record of 531,159.

The NYPD was first mandated by city law to release these figures in 2001, although it did not begin to do so until 2002. The number of stop-and-frisks has drastically increased over the years. In 2002, 97,296 people were forcibly detained and searched, out of which 4 percent were arrested. By 2006, the number of those stopped by police had increased to 508,540, an increase of 500 percent. During the same period, complaints alleging police misconduct in stops and searches nearly tripled, an indication of stepped-up police harassment and arbitrary detentions and searches.

The widespread and steadily growing use of the stop-and-frisk procedure has sparked outrage in working class neighborhoods across the city. The NYPD has repeatedly been accused of racial profiling and of violating the privacy rights and fundamental civil liberties of ordinary New Yorkers.

“It’s bad that you get judged sometimes for who you are, even though for example say, if I wear a hood, I might be a suspect, even though I got a job and I’m working. So that plays a part sometimes. It’s not fair like that but that’s how it is,” one city resident told *NY1* television station. “They’re

harassing people,” said another.

Over the years, the NYPD has also developed a database of over three million names using the stop-and-frisk procedure. The majority of those on the list are minority workers and young people. The database has allowed the department to keep a record of the names and addresses of most working class youth residing in the city.

Last summer, then Governor David Paterson signed into law a bill that prohibited the NYPD from storing the names, addresses and social security numbers of those stopped by police but not found to be violating any laws. While the new law was vehemently opposed by the Bloomberg administration, it has done nothing to alter the use of the stop-and-frisk procedure, and the department is still permitted to electronically record the race and gender of those stopped, as well as the location of the stop.

According to the *New York Daily News*, out of the over 600,000 people stopped and searched last year, only 14 percent were given summonses or arrested. The remaining 86 percent were questioned and released.

The relatively small percentage of stops that lead to arrests are nevertheless part of a conscious policy of the Bloomberg administration and its police department to ensnare vast numbers of working class youth in the city’s misnamed criminal justice system. Each year, the NYPD makes hundreds of thousands of arrests, a substantial portion of which are for low-level offenses. According to the New York Division of Criminal Justice Services, the department arrested 50,383 people for low-level marijuana possession last year. This is the number one cause of arrest in New York City, accounting for 15 percent of all arrests in 2010. While there is no evidence to suggest that minorities use the drug at higher rates, 86 percent of those arrested for marijuana last year were African-American or Latino. And 70 percent were under the age of 30.

The drastic increase in the number of marijuana possession arrests is not the result of increased use of the drug, which peaked around 1980, according to data released by the US government. According to the New York-based Drug Policy

Alliance, “Over the last twenty years, the NYPD has quietly made arrests for marijuana their top enforcement priority, without public knowledge or debate. This is the sixth year in a row with an increase in marijuana possession arrests.” The number of marijuana arrests has increased dramatically since 2005, when 29,752 people were arrested for possession of the drug. Since Mayor Michael Bloomberg first took office in 2002, there have been over 350,000 arrests for low-level marijuana offenses in the city.

According to Dr. Harry Levine, a sociology professor at Queens College and the country’s leading expert on marijuana arrests, “New York has made more marijuana arrests under Bloomberg than any mayor in New York City history. Bloomberg’s police have arrested more people for marijuana than Mayors Koch, Dinkins, and Giuliani combined. These arrests cost tens of millions of dollars every year, and introduce tens of thousands of young people into our broken criminal justice system.”

The majority of people arrested for marijuana possession are placed in handcuffs and taken to a police station where they are fingerprinted and photographed. They are often held in jail for over 24 hours, until they are arraigned before a judge. Arrests for small amounts of marijuana can have dramatic consequences on the lives of working New Yorkers and their families. These include permanent criminal records, loss of child custody, loss of public housing and other penalties. The neighborhoods with high numbers of marijuana arrests are usually the same neighborhoods with high numbers of stop-and-frisks and juvenile arrests.

Civil rights and civil liberties advocates have correctly accused the NYPD of racial profiling. Clear evidence of this was published by the *New York Times* last July. A comprehensive study of the NYPD’s stop-and-frisk policy demonstrated that the department has been intensively targeting 10 working class and largely minority neighborhoods around the city. The most heavily policed neighborhood in the city is Brownsville, Brooklyn, where the majority of people live in public housing developments and the average household income is less than \$20,000. While the neighborhood accounts for less than 1 percent of the city’s population, it had been subjected to 5 percent of all the stop-and-frisk actions reported by the NYPD. The *Times* asked one resident, Jonathan Guity, a 27-year-old legal assistant with no criminal record how many times he’s been stopped by police. “Honestly, I’d say 30 to 40 times. I’m serious,” he replied.

While racism and racial profiling do play a role in the stop-and-frisk policy, this police harassment and abuse can only be understood and fought as an attack on the working class as a whole.

African-American and Latino workers and youth are

targeted as the poorest and most vulnerable sections of the working class. The vast majority of stop-and-frisk actions occur in neighborhoods that are plagued by deepening poverty that has been exacerbated by the economic crisis. Workers and youth living in these areas must contend with unemployment and underemployment, the lack of affordable housing, and the elimination of after-school and other social programs.

A report by the Community Service Society (CSS) released last December found that only 25 percent of young black men between the ages of 16 and 24 in New York City are employed. For African-Americans without a high school diploma, the figure was found to be just 10 percent. The report cited lack of jobs and job training programs, and the poor quality of the city’s GED programs for the shockingly high unemployment rate among African-American youth. As the report noted, these are problems that have been worsened by the economic crisis, as the ruling elite has sought to make the working class pay for a crisis it didn’t create. Many of the neighborhoods targeted by the NYPD’s stop-and-frisk policy have also been subjected to school closings, part of the nationwide attack on public education.

As civil liberties groups have argued, the city’s stop-and-frisk policy violates the Fourth Amendment, the provision of the US Bill of Rights that forbids unreasonable search and seizure. The Fourth Amendment requires the existence of “probable cause,” a higher standard than the “reasonable suspicion” under which the NYPD justifies its dragnet against workers and youth. The Center for Constitutional Rights (CCR) has initiated a lawsuit against the city’s stop-and-frisk policy, claiming that it is unconstitutional.

Deepening poverty and social inequality spurred on by the economic crisis have laid bare the class relations that exist in the nation’s largest city. The ruling elite fears that the grotesque inequality and callous indifference to the plight of the working population could lead to a social explosion in the coming months. Indeed, the Bloomberg administration and the NYPD have escalated the assault on Fourth Amendment rights precisely to prepare for such a confrontation.



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