

Illegal stops by New York Police rise to 2,200 daily

Dan Brennan
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Newly released statistics from the New York Police Department (NYPD) show its notorious Stop and Frisk policy continues to expand. In the first three months of 2012 alone, the NYPD carried out more than 200,000 stops on city streets, equivalent to more than 2,200 each day. The current pace represents an 11 percent increase from 2011 and an eightfold rise from 2002, when billionaire mayor Michael Bloomberg began his first term in office.

An analysis of last year's statistics by the New York Civil Liberties Union attests to the arbitrary nature of Stop and Frisk. Approximately 90 percent of the recorded stops in 2011 failed to uncover any offense. Of the 10 percent where summons were issued or arrests made, possession of a small quantity of drugs was the most common charge. However, even this small fraction may overstate the effectiveness, since youth are routinely cited for such bogus charges as trespassing in one's own building. Last year, out of the 685,000 stops, guns were found in just 0.1 percent of cases, the ostensible justification for frisks.

The blatant illegality of the policy, which defies standards of reasonable suspicion of a crime, has been challenged in several lawsuits. This past week, a federal judge granted class-action status to one such case, filed in 2008 against the City by David Floyd and three other victims of Stop and Frisk. In the decision, US district judge Shira Scheindlin harshly criticized the City for its "cavalier attitude towards the prospect of a 'widespread practice of suspicionless stops,' " adding that it "displays a deeply troubling apathy towards New Yorkers' most fundamental constitutional rights." Undeterred, Police Commissioner Kelly merely stated in response at a press conference, "It is what it is."

Stop and Frisk has had the effect of turning the city's working class neighborhoods into a virtual police state, where any step out the door is reason enough for police harassment. In this it is achieving its desired outcome.

Former NYPD officer and current state senator Eric Adams submitted an affidavit in the Floyd case that Kelly admitted to him that "the NYPD targets its stop-and-frisk activity at young black and Latino men because it wants to instill the belief in members of these two populations that they could be stopped and frisked every time they leave their homes."

In addition to street stops, police perform tens of thousands of so-called vertical patrols each year, in which they stop, question and search residents or visitors they find in corridors or common areas of apartment buildings, public or private. Those without proper identification, even in their own building, are subject to arrest by police.

Those who resist often find themselves in far more serious trouble. The aftermath of a Stop and Frisk garnered media attention earlier this year when video captured police beating a Bronx teen, Jateik Reed. New video evidence obtained by local news station NY1 shows the justification given by police—that Reed was holding bags of drugs in his hands—to be an outright lie. (http://bronx.ny1.com/content/top_stories/160622/ny1-exclusive-video-may-back-claims-bronx-teen-s-arrest-was-unfounded) After Reed appeared to attempt escape, police officers brutally assaulted him, kicking and striking him repeatedly with billy clubs. One officer followed up with a kick while Reed was lying prostrate on the street, and another gave Reed a vicious punch to the face after he had been handcuffed. Confronted with video evidence of an illegal stop and police brutality, the Bronx district attorney dropped charges against Reed. No charges have been brought against the cops involved.

The Stop and Frisk statistics shed light on the disparity between the predominantly African-American and Latino working class neighborhoods and the wealthy sections of New York. The Brooklyn neighborhood of Brownsville had the highest rate of stops last year: 29.1 per 100 residents, totaling more than 25,000 stops. Brownsville is

one of the poorest neighborhoods in New York City, with the median household income just \$27,000 and official unemployment at 15 percent for 2008-2010. For young males, the prime target of police, unemployment is certainly much higher. (The latest city-wide statistics placed youth unemployment at approximately 2.5 times the overall rate.) Poverty levels in Brownsville exceed 36 percent.

On the other end of the spectrum, the Upper East Side ranked among the lowest rate of stop and frisks: 2.5 per 100 residents. The Upper East Side is the wealthiest neighborhood in New York, home to many of the city's millionaires and billionaires. The neighborhood's richest resident, David Koch, has an estimated net worth of \$25 billion—equivalent to 15 times the combined yearly income of all 113,000 Brownsville residents.

Not coincidentally, growth in income inequality in the past 10 years in New York City has paralleled the increase in repressive law-and-order tactics such as Stop and Frisk. Increasingly, the Bloomberg administration has relied upon these methods to intimidate and impose order upon the most oppressed layers of the working class.

Mayor Bloomberg sprang to the defense of Stop and Frisk in his weekly radio program, linking a decline in the city's murder rate, consistent with the nationwide trend, solely to the tactic. "We're going to keep doing this," he said. "We're not going to walk away from tactics that work and we're not going to walk away from bringing crime down."

Nevertheless, there is increasing concern within the political establishment that this strategy may be counterproductive. The *New York Times* weighed in this past week with a series of articles and an editorial calling for a federal investigation into Stop and Frisk. "The mounting evidence reveals a pattern of abusive policing that warrants the attention of the Justice Department, which should use its broad authority to investigate these practices," the editorial stated.

A lineup of potential Democratic mayoral candidates have also raised varying levels of criticism on the excessive use of the police stops. Christine Quinn, the current City Council speaker, who has recently stepped up efforts to woo the city's business elite, offered a tepid critique of Stop and Frisk. "It's a tool I think they should keep in their toolbox, but it's one that I do think needs significant reform," she said, according to the *New York Times*. She also offered her support for Commissioner Kelly. One of the more outspoken candidates, Public Advocate Bill de Blasio, agreed that Stop and Frisk is a

"valid tool" but worried about the frequency upon which it is relied. "We can't have the social fabric continuing to be torn," he was quoted in the same *Times* article.

In a step to appease his some of his critics and win support for continued broad use of Stop and Frisk, Kelly announced Thursday a series of minor changes, which he claimed may reduce the number of recorded stops. During a news conference, Kelly revealed how the NYPD could achieve this without altering the repressive nature of the program or even the extent of its use. "We think some of the stops are being recorded, and the forms used, unnecessarily," he said. Other minor changes outlined in a letter to Speaker Quinn include updating a training video for officers, more internal review of records, and additional outreach to the community in order to "increase public confidence." The plan was greeted with praise by Quinn, who called it an important first step.

The latest tweaks notwithstanding, the tactical differences among sections of the political establishment reflect disagreements about how best to contain the growing opposition to deteriorating living conditions of masses of New Yorkers. The unstated fear is that the systematic repression may in the end trigger a rebellion by working class youth. The *New York Times* and sections of the Democratic establishment argue for scaling back the extent of Stop and Frisk in an attempt to mitigate some of the social tensions that are reaching a breaking point. On the other hand, the Bloomberg administration is using systematic police repression in order to more effectively prepare to stomp out any social explosion.

However, underlying these differences is a common inability of any section of the city's political establishment to implement policies that alter the tearing of the "social fabric" due to protracted unemployment, poverty and extreme inequality.



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