

“Jim Crow Policing”

By [BOB HERBERT](#) Op-Ed Columnist, New York Times- February 2, 2010

1 The New York City Police Department needs to be restrained. The nonstop humiliation of young black and Hispanic New Yorkers, including children, by police officers who feel no obligation to treat them fairly or with any respect at all is an abomination. That many of the officers engaged in the mistreatment are black or Latino themselves is shameful.

2 Statistics will be out shortly about the total number of people who were stopped and frisked by the police in 2009. We already have the data for the first three-quarters of the year, and they are staggering. During that period, more than 450,000 people were stopped by the cops, an increase of 13 percent over the same period in 2008.

3 An overwhelming 84 percent of the stops in the first three-quarters of 2009 were of black or Hispanic New Yorkers. It is incredible how few of the stops yielded any law enforcement benefit. Contraband, which usually means drugs, was found in only 1.6 percent of the stops of black New Yorkers. For Hispanics, it was just 1.5 percent. For whites, who are stopped far less frequently, contraband was found 2.2 percent of the time.

4 The percentages of stops that yielded weapons were even smaller. Weapons were found on just 1.1 percent of the blacks stopped, 1.4 percent of the Hispanics, and 1.7 percent of the whites. Only about 6 percent of stops result in an arrest for any reason.

5 Rather than a legitimate crime-fighting tool, these stops are a despicable, racially oriented tool of harassment. And the police are using it at the increasingly enthusiastic direction of Mayor Michael Bloomberg and Police Commissioner Ray Kelly.

6 There were more than a half-million stops in New York City in 2008, and when the final tally is in, we'll find that the number only increased in 2009.

7 Not everyone who is stopped is frisked. When broken down by ethnic group, the percentages do not at first seem so wildly disproportionate. Some 59.4 percent of all Hispanics who were stopped were also frisked, as were 56.6 percent of blacks, and 46 percent of whites. But keep in mind, whites composed fewer than 16 percent of the people stopped in the first place.

8 These encounters with the police are degrading and often frightening, and the real number of people harassed is undoubtedly higher than the numbers reported by the police. Often the cops will stop, frisk and sometimes taunt people who are at their mercy, and then move on — without finding anything, making an arrest, or recording the encounter as they are supposed to.

9 Even the official reasons given by the police for the stops are laughably bogus. People are stopped for allegedly making “furtive movements,” for wearing clothes “commonly used in a crime,” and, of course, for the “suspicious bulge.” My wallet, my notebook and my cellphone would all apply.

- 10 The police say they also stop people for wearing “inappropriate attire for the season.” I saw a guy on the Upper West Side wearing shorts and sandals a couple weeks ago. That was certainly unusual attire for the middle of January, but it didn’t cross my mind that he should be accosted by the police.
- 11 The Center for Constitutional Rights has filed a class-action lawsuit against the city and the Police Department over the stops. Several plaintiffs detailed how their ordinary daily lives were interrupted by cops bent on harassment for no good reason. Lalit Carson was stopped while on a lunch break from his job as a teaching assistant at a charter school in the Bronx. Deon Dennis was stopped and searched while standing outside the apartment building in which he lives in Harlem. The police arrested him, allegedly because of an outstanding warrant. He was held for several hours then released. There was no outstanding warrant.
- 12 There are endless instances of this kind of madness. People going about their daily business, bothering no one, are menaced out of the blue by the police, forced to spread themselves face down in the street, or plaster themselves against a wall, or bend over the hood of a car, to be searched. People who object to the harassment are often threatened with arrest for disorderly conduct.
- 13 The Police Department insists that these stops of innocent people — which are unconstitutional, by the way — help fight crime. And they insist that the policy is not racist.
- 14 Paul Browne, the chief spokesman for Commissioner Kelly, described the stops as “life-saving.” And he has said repeatedly that the racial makeup of the people stopped and frisked is proportionally similar to the racial makeup of people committing crimes.
- 15 That is an amazingly specious argument. The fact that a certain percentage of criminals may be black or Hispanic is no reason for the police to harass individuals from those groups when there is no indication whatsoever that they have done anything wrong.
- 16 It’s time to put an end to Jim Crow policing in New York City.