

Criminologists Question 'Unscientific' Claim
**Mayor Insists Cop-Stops Cut Crime
So Much That Fewer Are Needed**

By MARK TOOR

The number of stop-and-frisks dropped 51 percent during the first quarter of this year compared with the same period in 2012. That would be significant in itself. But consider this: During the first quarter, homicides were down 30 percent over the same period in 2012 and shootings were down 24 percent.

These numbers throw into question Mayor Bloomberg's repeated assertions that a high number of stop-and-frisks is essential to curbing gun violence and saving lives.

Sees Cause and Effect

"Some don't have the courage to stand up to special interests on the left and support common-sense policing tactics like stop-and frisk," he told an audience of police commanders April 30. "...Now, critics say that police stops have nothing to do with the reduction in crime we've achieved. But think about this: over the past 11 years, stops have taken 8,200 illegal guns off our streets—and murder by guns has dropped dramatically.

“...There is no doubt that stops are a vitally important reason why so many fewer gun murders happen in New York than in other major cities,” he said.

Donna Lieberman, executive director of the New York Civil Liberties Union, responded in an interview last week, “The latest data indicates that police can act in accordance with the law on stop-and-frisk without triggering a crime wave, contrary to what the Mayor says.”

Ms. Lieberman has said the number of stop-and-frisks, which rose steadily from 2002 to 685,000 in 2011, is “out of control,” and her group has been a target of opprobrium from Mr. Bloomberg for that stance. The NYCLU and other critics do not want to end stop-and-frisk, but instead want to make sure stops conform to legal guidelines.

‘No Evidence Backs Him’

“There’s absolutely no evidence to support what he said,” according to Eli B. Silverman, a Professor Emeritus at John Jay College of Criminal Justice who has consulted for police departments around the world. “They picked a line and they’re sticking to it regardless of the evidence.”

The two sets of figures show that “we can stay the safest big city in America without overly-aggressive policies being implemented that causes us real tension between the community and the police,” said City Council Speaker Christine Quinn, who is hoping to replace Mr. Bloomberg when his term runs out at the end of the year.

Mr. Bloomberg had been a supporter of Ms. Quinn, but his ardor has cooled somewhat since she came out in favor of a bill that would

create an Inspector General for the Police Department—a bill that was introduced after the Mayor rejected for more than a year requests that he meet with lawmakers and community leaders opposed to the way the NYPD was conducting stop-and-frisks. The tactic has become a major issue in the mayoral race.

Eugene O'Donnell, a former police officer and prosecutor who is now a Professor at John Jay, said, "The dogma of more stops equaling less crime is not surprisingly being unmasked as unscientific."

'Yet to Link Stops, Crime'

He questioned Mr. Bloomberg's data-driven approach to governing, citing "a delusion that policing is comparable to running a factory." No studies have ever proven a relationship between the number of stops and the crime rate, he noted.

New figures released by the NYPD May 3 showed that from Jan. 1 through March 31 of this year, officers conducted 99,788 stop-and-frisks. For the same period in 2012, the number was 203,500. The department announced at the beginning of April that the number of homicides dropped from 94 in the first quarter of 2012 to 66 in the first quarter of 2013, while shootings fell from 278 to 212.

The way the department employs the tactic has come under fire from lawmakers and civil-liberties groups like the NYCLU. The Center for Constitutional Rights is pursuing a class-action suit, currently in its ninth week of trial, charging that young black and Latino males, who make up 87 percent of those stopped, are targeted based on race and ethnicity rather than reasonable suspicion. The CCR says this violates their constitutional rights.

Police Commissioner Raymond W. Kelly has ordered additional training. There has been speculation that the department has eased quotas, and Mr. Bloomberg has acknowledged being told by residents that officers have sometimes verbally abused those they stop. But the two have remained steadfast in their public defense of the tactic.

The Mayor's explanation for the conflicting sets of figures: Stop-and-frisk deters crime, and with less crime there are fewer reasons for police to make stops. "The number of suspects is going down because crime's going down, so you would expect that the number of stop-and-frisks would go down," he said May 7.

Little Recent Difference

Mr. O'Donnell said the reason given by the Mayor for the decline in stops did not make sense. "Violent crime has been dropping dramatically for years," he noted, adding that recalibrating the need for stop-and-frisks "should have been done much earlier."

Mr. Silverman agreed, noting that crime had dropped more than 60 percent between 1990 and 2002, the year Mr. Bloomberg took office. At the time, the NYPD was making fewer than 100,000 stops a year, but the number of stops has mushroomed even as crime continued to decline.

"It's another experience of him choosing the numbers and being obsessed with the numbers he's choosing," Mr. Silverman said of Mr. Bloomberg.

Mr. Kelly cited the new training and a reduction of officers assigned to Operation Impact, who have made a large proportion of

the stops. He also repeated his oft-used line that stop-and-frisk is just one tool in the anti-crime toolbox.

'Not One-Issue Matter'

"There's a whole host of initiatives that address the crime issue, but some people want to make it a one-issue matter," he said. "It's much more complex than that."

"Staffing and other factors, including training, have had a bearing on the number of stops," his spokesman Paul J. Browne said in an e-mail, referring to the decline in the number of officers from nearly 41,000 in 2001 to 34,500 today. "But the bottom line is that the total number of stops in any given quarter reflects what the police officers on duty during that quarter observed."

Mr. Silverman and Mr. O'Donnell have their own ideas about why the number of stop-and-frisks have dropped. They say that an increasing number of officers won't do them as frequently, or at all.

Mr. O'Donnell saw "a mini-rebellion in the rank and file." Officers are aware of the close attention given to stop-and-frisk cases and are reluctant to get involved in a questionable stop that may go sour, he said, adding, "They know they'll be sacrificed if something goes wrong." Also, he said in referring to quotas, "A lot of cops don't want to do policing for numbers. That's not why they took the job."

'Why Risk Trouble?'

"There's less pressure to make stop-and-frisks right now because it's a hot-button issue," Mr. Silverman said. "They're more

likely to be examined, and why should officers risk getting into trouble when they're going to be hurt, not anyone above them?"

Ms. Lieberman said she did not believe the drop in stops meant the NYPD had cleaned up its act on stop-and-frisks. "Perhaps they're doing it less wrong," she said. "But we need to see whether the number of summonses and arrests is still pathetically low."

She was speaking of one objection raised by opponents of the way the policy is carried out: that only 12 percent of those stopped are arrested or given a summons, indicating that the vast majority of the 5 million people stopped since 2001 were chosen unnecessarily.

It's All in the Numbers

With the end of Mr. Bloomberg's third and final term closing in, Mr. Silverman said, "He's committed to law and order, but he's also been committed to a position of declining crime rates" regardless of related conditions such as falling headcount, relationships with community members and constitutional rights. The Mayor is "not intentionally racist, but those considerations were put on the back burner," he said.

Referring to the Inspector General bill, Ms. Lieberman said, "There's no question in my mind that ongoing oversight of the NYPD will be essential to transforming the culture of the NYPD so that policing in New York is suspicion-based rather than using race or ethnicity, and is supportive of all communities in a way that will reestablish trust."