

Stop and frisk

[Law](#), [Crime](#)



Police Officers work for many hours and most of those hours are stopping people on the street to see what they carry. Stop and frisk is “ One of the most controversial police procedures is the stop and frisk search. This type of limited search occurs when police confront a suspicious person in an effort to prevent a crime from taking place. The police frisk (pat down) the person for weapons and question the person,” (Farlex, 2008, pg. 1). How stop and frisk became the system used by police officers was “ After Terry this type of police encounter became known as a ‘ Terry stop’ or an ‘ investigatory detention.’

Police may stop and question suspicious persons, pat them down for weapons, and even subject them to nonintrusive search procedures such as the use of metal detectors and drug-sniffing dogs. While a suspect is detained, a computer search can be performed to see if the suspect is wanted for crimes. If so, he or she may be arrested and searched incident to that arrest,” (Farlex, 2008, pg. 2) This case was called Terry vs. Ohio. There was anonymous caller to police who indicated that there were two males walking who were carrying a weapon. This phone call was verified.

This concluded with the reasonable for suspicion to stop these men who were carrying a weapon known as “ Terry stop” as well as stop and frisk. These police officers are only supposed to use stop and frisk when they see someone who is walking around with a weapon, but in our society today, police officers are actually stopping people who have drugs on them. The people who are being stopped are mostly Blacks and Hispanics. These stops are being unfair and judgmental. A stop is not an arrest but could lead into

one, if the suspicious person that is stopped has something illegal or committing a crime.

According to The People's Law Dictionary, the " Supreme Court noted that stops and frisks are considerably less intrusive than full-blown arrests and searches. It also observed that the interests in crime prevention and in police safety require that the police have some leeway to act before full probable cause has developed. The Fourth Amendment's reasonableness requirement is sufficiently flexible to permit an officer to investigate the situation," (Farlex, 2008, pg. 1) Even though the Supreme Court believes that stop and frisk is helping society, there are actually flaws with this system.

Many people are being stopped and frisked aggressively and have been stopped for no reason, which the many of the people that are being stopped, do not know their own rights that they can use toward the police officer, so he/she do not have to be patted down. There has to be some solution to this issue, so that these people know what to do when they are stopped by the police. This essay will cover the solution that could happen, but one of biggest issue regarding stop and frisk in New York that will be stated in this essay is that it has been discriminatory toward race and class. Literature Review

On November 14, 2013, there was a press release about people who took a survey regarding NYPD doing stop and frisk. Many people who took the survey said that they were discriminated by NYPD when they were stopped and frisked. Discrimination has been a problem under the Bloomberg's administration. NYCLU (New York Civil Liberties Union) Executive Director Donna Lieberman said " People of color have borne an outsize burden of this

<https://assignbuster.com/stop-frisk/>

injustice, but it impacts every New Yorker and the safety of the city as a whole when entire communities are afraid of the very police force that is supposed to protect them.

It is time to transform the culture of the NYPD, from one of heavy handed disrespect for some to one of dignity, respect and accountability for all, so that every New Yorker is treated fairly and all feel safe, secure, respected and protected,” (“ NYCLU,” 2013, pg. 1) Many people who come from different races try to hide themselves or run away from NYPD because they may be aggressively handled by them. What Donna said is true because NYPD officers are mostly doing stops and frisks to people of different race and class unsuspecting, directly on purpose for no reason.

Police officers are supposed to use stop and frisk as, suspiciously looking for individual who have any weapon on them illegally and prevent a crime from happening. Now stop and frisk is beginning to become a huge problem. Mayor Bloomberg is not helping this situation; he is just making it worse for New Yorkers. Rockefeller drug laws were to control to population of people who sell and use narcotic drugs. According to Socheatta Meng, the Rockefeller drug laws have “ utterly failed to serve their purpose,” causing “ The Rockefeller Drug Laws to disproportionately affect African American and Latino persons at every stage of the criminal justice process. Of those persons who are incarcerated for drug offenses in New York State, more than 90 percent are African American or Latino. This number, however, does not necessarily reflect higher rates of offending among African Americans and Latinos – in fact, research indicates that the population that uses and/or sells drugs mirrors the demographics of the general population,” (Meng, pg. 2)

Socheatta Meng is right; most of the people who are being affected by the criminal justice system are African Americans and Latinos.

Mayor Bloomberg of New York City would definitely go against this because he totally for stop and frisk, believing that men who are Black and Latino should be the ones to be stopped. He is a racist man said a journal article, Ending Stop-and-Frisk, Keeping the Racism, because he does not want to put strict rules toward NYPD when they are discriminating. This is creating chaos because instead of people feeling safe and protected by the police, now people of race want to hide from criminal justice system.

Denzel Smith states that “ The fact, out of roughly 5 million stops conducted over a decade, an alarming majority of them involved black or Latino men. Almost 90 percent of those stops turned up no evidence of wrongdoing. You can add some color to the faces conducting the stops, but that’s an institutionalized form of racism that doesn’t rely on white skin to operate. He didn’t stop there.

Bloomberg then deployed some lazy racist rhetoric about how the greatest perpetrators of crime happen to be young black and Latino men, so it only makes sense that the stops would disproportionately affect them,” (Smith, 2012, pg. 2) How will society feel safe if the people who are supposed to protect us, are actually are enemies? There are many questions but few answers. Stop and frisk should go on to what it is supposed to be used for and these law enforcement officers should be told to not discriminate. Another journal article that state statistics based on what Bloomberg said that “ The racial profiling bill is just so unworkable. Nobody racially profiles. ’ Nobody racially profiles’ is a curious statement.

<https://assignbuster.com/stop-frisk/>

Every year since 2003, blacks and Latinos have consistently accounted for around 85 percent of stop-and-frisk selectees; according to 2010 census data, blacks and Latinos make up 52.6 percent of New York City's total population. ' Even in neighborhoods that are predominantly white, black, and Latino New Yorkers face the disproportionate brunt,' reports the New York Civil Liberties Union. ' For example, in 2011, Black and Latino New Yorkers made up 24 percent of the population in Park Slope, but 79 percent of stops," (Peter, 2013, pg. 3)

We need law enforcement to stop violent crimes. There are more police officers stopping innocent people on the street than there actually are finding criminals of a violent offense. There needs to be some solution to help people who do not know what stop and frisk is and what rights they have to not have to go through with what a law enforcement officer says. Methods (Trial and Error) My study sample that I tried to conduct had failed because I did not feel comfortable with the men I tried interviewing on the street next to a laundry mat in Mahopac New York.

My study that I attempted to conduct were question I was going to ask men who are Latino or Black in New York, who have been discriminated when stopped and frisked. I was going to provide demographic information as well, but not so specific. The three men I just asked a few questions to were outside of the laundry mat as I said, and were very interested in me because they kept on checking me out. I did have my mom with me but she stood behind me just to check if I am alright and none of those men would me. The questions that I asked them were: Do you know what stop and frisk is? Has any police officer ever been racist toward you?

What do you think about Police officers work around these areas? Do you think that police officers use stop and frisk the right way? These three men were Latino; I know how to speak Spanish so I translated the question. All three did not know what the meaning of stop and frisk was, but they were stopped but the police in a discriminate manner. One of the men said that two white police officers stopped him on a side walk when he was coming home; since he did not know much English he did not know what the police officers were saying to him, so they just proceed to pat him down for no reason.

He was frightened because he thought that he did something wrong. The police officers then said that he can go on home. That was a personal interesting story that he shared with me. The other two men received racist comments from police officers, but never were stopped and frisked. Even though these Latinos did share with me their experiences with the police, they were being rude with me because they were older and trying to hit on me during the interview.

They wanted to be in contact with me on Facebook, or phone number, but I manage to escape that because my mom was behind me and I made a signal with my hand behind me to call me over to her. Although I was uncomfortable talking to these Latino men, I manage to get at least some information. Results According to Sewer, this graph (next page) indicates that recently NYPD has stopped the majority of Blacks in New York. The NYPD are less likely to stop White people which are ten percent on this chart. The conspiracy is that Law enforcement officers believe that White people are more innocent than Blacks and Hispanics.

Since the White people have been born here and have immigrated like the Hispanic and many Blacks. Some of these Law enforcement officers do not like a mix culture and would pick on these Black and Latino Innocent men. Even though these people are Latino and Blacks on American Land, They should be treated equally to Whites because we have constitutional rights that protect us from the government. Chart 1: Sewer, A. (2013, April 29). Charts: Are the nypd's stop-and-frisks violating the constitution? Retrieved from <http://www.motherjones.com/politics/2013/04/new-york-nypd-stop-frisk-lawsuit-trial-charts>

According to Sewer, there are people stopped and frisked who have drugs than people with weapons. Blacks of course are the majority once again. 435, 000 White people have been stopped compared to 2. 3 million Blacks who have been stopped. Stop and frisk is known for reasonable suspicion of people who are carrying a weapon and this statistics state that now stopping people with drugs are included. As said before in the essay, we have constitutional right, which white people probably know them more, which could mean that is the reason why police officers do not stop this race.

Moreover most of the Hispanic or Blacks being stopped are immigrants. These people probably have not read the constitution, and are in trouble when police when they are questioned. Chart 2: Sewer, A. (2013, April 29). Charts: Are the nypd's stop-and-frisks violating the constitution? Retrieved from <http://www.motherjones.com/politics/2013/04/new-york-nypd-stop-frisk-lawsuit-trial-charts> One of the questions that I should have used in my interview should have been if they knew their constitutional rights. Since I

only interviewed three men, there was not enough gather of evidence that could give me a solid result toward my thesis.

There is definitely possible solutions that can be made to help people know their constitutional rights. Solutions There are steps that a person can use when they are stopped and frisks. These steps can lead them into having a non-violent to civil agreements. The constitution is an important document to read because again it protects us civilians from the government. On New York Civil Liberties Union website there is a form that demonstrates what to do when stopped, questioned, and or frisked by the police.

These are the rules that people should follow when “ Police may stop and briefly detain you only if there is reasonable suspicion that you committed, are committing or are about to commit a crime. 2. You should ask if you are under arrest or free to leave. 3. In New York, you are not required to carry ID, and you don’t have to show ID to a police officer. If you are issued a summons or arrested, however, and you refuse to produce ID or tell officers who you are, the police may detain you until you can be positively identified.

Don’t bad-mouth a police officer or run away, even if you believe what is happening is unreasonable. That could lead to your arrest,” (“ NYCLU,” 2013, pg. 1) The way people could receive this information is if this is broadcast, or shared on social networks as well. There are many people who do not bother looking at their rights because they do not want to take the time to find look for it. If this information spread out to site that people are always on, there is more of a chance for people to see it.

Discussion

There is a great information gathered that illustrates that law enforcement officers and even the mayor are racist to civilians when conducting stop and frisk. There majority of people who were stop and frisk are Blacks. Second race that are stopped and frisked are Hispanics. Less likely to be stopped are White people and others. The sources used have come from journal articles, and organizations. New York Civil Liberties Union is huge program that has been trying to help out people in New York who have been mistreated and discriminated by the police.

This site give us evidence, updates on press releases, as well information to guide us what to do when stopped by the police. The two graphs that I chose came from a website gave accurate information for my investigation. These graphs should be shared more on public sites that many people go on because it is what people need to know who are living in New York. What one should one should do next regarding this issue is just spread the word and help these organizations. If someone has faith in change and helping society like Socheatta Meng believed then, he/ she can do it too.