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COMMUNITY BOARD No. 2, MANHATTAN

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March 6, 2012

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Raymond Kelly, Commissioner
NYC Police Department
One Police Plaza
New York, NY 10038

Dear Department of Justice and Commissioner Kelly:

At it's Full Board meeting February 23, 2012, Community Board #2, Manhattan, adopted the following resolution:

Presentation by Borough President on efforts to reform the NYPD's "Stop and Frisk" policy

WHEREAS, the New York City Police Department is on pace to execute 700,000 stops in 2011, more than double the number of stops that occurred in 2003; and

WHEREAS, 85% of those stopped last year were Black and Latino; and

WHEREAS, only 7% of stops result in arrest, a figure consistent across racial groups; and

WHEREAS, no gun is found in 99.8% of stops; and

WHEREAS, many of these stops are not based on reasonable suspicion that a crime has or is taking place, but instead rely on dubious grounds such as "furtive movement", which was recently banned as a basis for stops in Philadelphia; and

WHEREAS, one out of seven arrests in New York City are for low-level marijuana possession, costing the City \$75 million a year in police and court costs; and

WHEREAS, many youth are charged with these low-level offenses, which do not carry jail time, but can compromise their chances at securing financial aid, accessing public housing, obtaining gainful employment, and enlisting in the military; and

WHEREAS, in 2000, the United States Civil Rights Commission concluded that the NYPD stop and frisk program amounted to racial profiling; and

WHEREAS, the United States District Court for the Southern District of New York found, in August 2011, that serious questions remain about racial disparities in current stop and frisk practices; about the constitutionality of thousands of stops that do not result in arrest; and about the role quotas may play in driving the four-fold increase in stops over the last decade; and

WHEREAS, the current stop and frisk practice is creating a deep layer of distrust between police and the city's Black and Latino neighborhoods that makes solving crime harder, not easier.

THEREFORE BE IN RESOLVED that the NYPD must take steps to reform stop and frisk immediately—by increasing the accountability for precinct commanders through CompStat; providing new training at the Policy Academy to make stops more constitutional and less confrontational; and by exploring proven alternatives to stop and frisk, like the “call-in” approach pioneered by John Jay Professor David Kennedy, which has reduced violent crime by up to 60% in cities such as Boston, Chicago, and Los Angeles; and

BE IT FURTHER RESOLVED that the United States Department of Justice should launch an investigation into how stop and frisk is used in New York to determine whether racial profiling remains a problem and, if so, whether the Department of Justice should appoint a special monitor; and

BE IT FURTHER RESOLVED that legislation pending before the State Legislature should be passed making possessing small amounts of marijuana in “public view” a violation, rather than a misdemeanor.

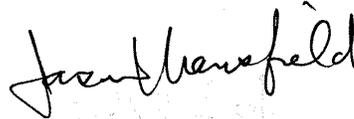
Vote: Unanimous with 40 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Brad Hoylman, Chair
Community Board #2, Manhattan



Jason Mansfield, Chair
Environment Public Safety & Public Health Committee
Community Board #2, Manhattan

BH/gh

c: Hon. Jerrold L. Nadler, Congressman
Hon. Thomas K. Duane, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Sheldon Silver, Assembly Speaker
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Jessica Silver, CB2 liaison, Man. Borough President's Office
Pauline Yu, Community Assistance Unit