Questioning stop & frisk

By CARLA MURPHY

Several years ago, Harry Levine took to showing bar graphs into people’s faces. A friendly hello at a Christmas party or on the street: it was all it took to get someone to rummage through his briefcase for his chart on marijuana arrests in New York City.

It wasn’t his usual style. Levine was a professor of sociology at Queens College, nearly a quarter of a century into his career, and more accustomed to making his points through a journal article. He was a co-editor of a well-regarded book on crack cocaine, and the sociologist Herbert Gans said should be “required reading for the White House.” But when the drug war was not a new subject for Levine, this data discovery felt different.

LOW-LEVEL

Arrests for low-level marijuana possession had exploded in New York City. From 1987 through 1986, there had been about 30,000 such arrests. The following decade, the figure climbed to 355,000 — more than at any other point in history. From 2003 on, when he found, were the racial disparities: in the last ten years, 54% of those arrested for marijuana possession have been black, 33% Latino, and 11% have been white.

Put another way, the marijuana arrest rate is seven times higher for blacks, and four times higher for Latinos, than for whites. Yet federal surveys of adults 18 to 25 have consistently found that white respondents used marijuana at higher rates than other racial groups, and most of these New York City arrests were being filed in the NYPD’s 26 (see mari-juana-arrests.com).

“I was a lunatic preacher,” Levine said, chuckling at the memory of himself as a pest. But times have changed and Levine is no longer a pest, but an inspiration.

This June, thousands of New Yorkers marched in silence toward Mayor Michael Bloomberg’s Fifth Avenue residence to call for an end to the New York Police Depart- ment’s controversial stop-and-frisk policy. These street-corner draggers unfairly target blacks and Latinos, and nearly 700,000 stop-and-frisks do little or nothing to make the city safer, Levine said.

“The NYPD seeks to keep the city’s reported crime rate; on the other, high numbers of street stops are a way to claim credit for the ap- parent reduction.”

“The NYPD seeks to keep the serious crime numbers low while showing lots of officer activity,” the co-authors wrote in an op-ed this August. “The NYPD’s 50,000 mari- juana arrests, 600,000 summonses and nearly 500,000 stop and frisks do little or nothing to make the city safer.” Police find a gun in only one-tenth of 1% of all stop and frisks, and 94% produce no ar- rest of any kind. In fact, said Levine and Eterno, “this unneces-sary activity alienates communi- ties and hurts the NYPD’s ability to fight serious and violent crimes.”

Such claims, in the face of New York City’s much touted 40-year drop in crime, have provoked an ire that Silverman didn’t fully expect. “Anti-cop idiocy,” read the headline of a New York Post editorial bashing his and Eterno’s research. The Post did not see fit to mention that Eterno was himself a cop for 21 years, retiring from the NYPD as a captain in 2004.

TRUTH TO POWER

“When we first surveyed retired captains and higher, we had no idea the kind of results we’d get,” Silverman told Clarion. “We were flabbergasted by the extent of the acknowledged manipulation. As data flowed in, Silverman re- calls having an early conversation with Eterno about the impact on the city and the police department of publishing findings that conflicted with the NYPD’s public image. Particularly after 9/11 and under Commissioner Ray Kelly’s leader-

ship, the force was seen by many as almost above criticism.

“Do we not convey our results?” Silverman said to Clarion. He frames it as a question, but it’s rhetorical: while he and Eterno knew they might provoke a reaction, their choice was clear from the start. “If you don’t speak truth to power,” Silverman said, “if you don’t supply people with the information that you’ve secured and the studies you’ve done, you might as well hang up your shining.”

Alex Vitale, associate professor of sociology at Brooklyn College, says criminal justice policy has largely been driven by broader ideological battles rather than by careful re- search or evidence-based analysis. Criminalists increasingly real- ize, he said, that if they want pub- lic policy to take scholarship into account, they can’t stay away from the public debate. “If we want to be relevant,” Vitale said, “we have to more directly engage in the politics of issues like stop-and-frisk.”

Last spring, Vitale started work- ing with the Urban Justice Center’s Police Reform Organizing Project. As the group’s policy advisor, he aims to do more to connect advo- cates with the fruits of criminal justice research. For example, gun buybacks are popular among some of the strongest critics of stop-and-frisk, but Vitale says that studies have proven them ineffective.

In addition to scholarship and advocacy, Jim Vrettos, of John Jay College, says that social scientists sometimes need to engage in direct action and public protest. Vrettos, an adjunct assistant professor of sociology, was arrested last Octo- ber with activist academic Cornell West and 17 others at a police sta- tion in Harlem during the city’s act of civil disobedience against stop-and-frisk.

“There’s no easy answer,” Vrettos said, when reviewing his decisions to participate in the protest. “But I do think public academics have to make a decision. Try to be as objec- tive as you can — but sometimes you have to get out of the offices and li-

buries and take a stand.”

Vrettos credits his students at John Jay with educating him over the years about the personal impact of stop-and-frisk — the disrespect and humiliation that they repeat- edly experience.

In turn, Vrettos’ arrest had a positive effect on the introductory sociology course he was teaching at the time, sparking a particularly lively and engaging discussion. Whether they agreed or disagreed with the students, he said, their eagerness to discuss both his ar- rest and how the broader issue should be understood.

“The goal of teaching is to encour- age critical thinking,” Vrettos told Clarion — and his arrest turned out to be a useful tool toward that end. “Getting arrested is pretty scary,” Vrettos said, but “if I had to, I would certainly do it again.”

But while he is planning to participate with West and others in “Blow the Whistle on Stop-and-Frisk” Sept. 15, he also expected to be a fresh wave of citywide pro- test this fall. Vrettos’ civil disobe- dience last October helped to keep street stops in the headlines at a time when it was starting to draw wider public attention.

The experience of Vrettos’s stu- dents is all too common in CUNY’s student body. “Many of my students have been stopped and frisked,” said Levine, a professor of sociology at Bronx Community College. “One very quiet young lady told me police said her backpack ‘looked too big.’ At a recent forum held by BCC’s Political Science Club, Dick said, many stu- dents recounted similar stories: “CU- NY provides a place for students to talk about these issues, and, if they so choose, to organize to change them.”

The past year has seen growing criticism of the tactic, and elected officials are starting to consider policy change. This past June, Gov- ernor Mario Cuomo called on the NYPD to stop using stop and frisk in public possession of 25 grams or less of marijuana from a misdemeanor to a violation. The governor argued that this change, stop-and- frisks should no longer result in so many — or such racially dispropor- tionate — marijuana arrests.

DISCONCERTING

“I went to bed one night and woke up the next day to the governor, mayor, police commissioner and five dis- trict attorneys all agreeing with me,” Levine said with his characteristic chuckle. “Talk about disconcerting!”

But while Levine is glad to no longer be a voice in the wilderness, he says that a real solution may not be so close at hand. While a violation is not a criminal offense, if a defendant misses their day in court, which is common, it results in a fine and charge. How does this happen? Nobody knows, said Levine, because there is no public record of the prosecution.

Levine warned journalist Natasha Lennard that “without legislative or policy reform to make marijuana possession a civil [stop-and-frisk practices] could remain as discriminatory as ever, with even less data available to prove it.” An engaged scholar’s work, it seems, is never done.