



Center on Quality Policing

A RAND INFRASTRUCTURE, SAFETY, AND ENVIRONMENT PROGRAM

# *Racial Disparities in the New York Police Department's Stop, Question, Frisk Practices*

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# *The Press and Public Raised Questions About NYPD's Pedestrian Stops in 2006*

- Is 500,000 too many stops?
- Why did 89% of the stops involved nonwhites?
- Why were black and Hispanic suspects frisked more often than whites (45% v. 29% of stops)?
- Why were whites 70% more likely than blacks to have a weapon found on them?

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# ***500,000 Stops Is Unusually High, But NYC Is Unusual***

- **Projection of national averages to NYC predicts 250,000 to 330,000 stops per year**
- **However, New York is different than the nation in key respects**
  - **50% more officers per capita than the national average**
  - **18% of the NYPD stops were due to calls for service**
  - **High volume of pedestrian traffic**
  - **Violent crime rate 40% larger than the national average**
- **In 2006, 470,000 crime complaints and 790,000 arrests and court summons**

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## *An Example Why the Raw Numbers Do Not Give the Full Story*

| Neighborhood        | A                         | B                         |
|---------------------|---------------------------|---------------------------|
| Racial composition  | 900 nonwhite<br>100 white | 300 nonwhite<br>700 white |
| Overall composition | 60% nonwhite, 40% white   |                           |

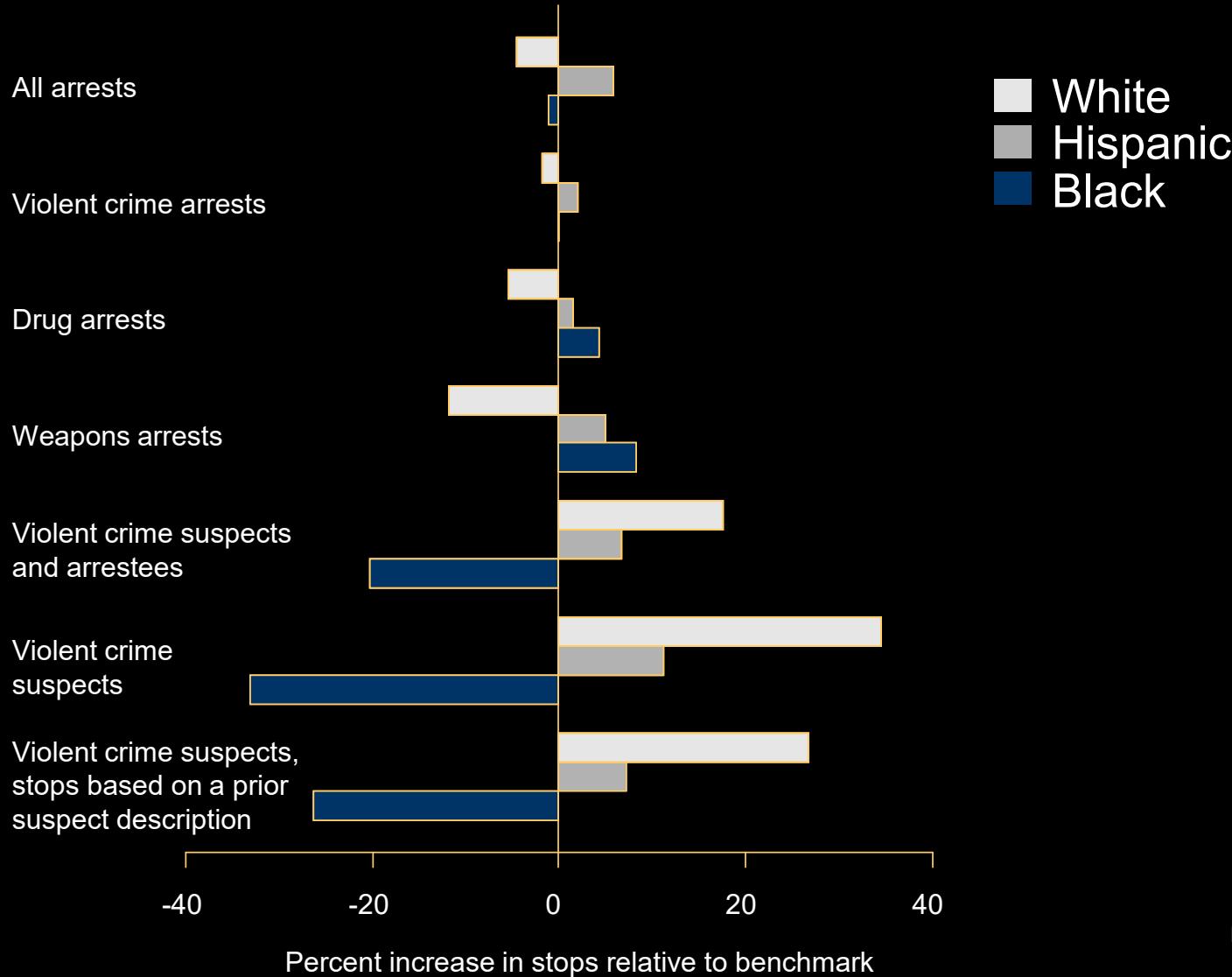
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| Neighborhood              | A                         | B                         |
| Racial composition        | 900 nonwhite<br>100 white | 300 nonwhite<br>700 white |
| Overall composition       | 60% nonwhite, 40% white   |                           |
| Stops made                | 80                        | 20                        |
| Expected stop composition | 72 nonwhite<br>8 white    | 6 nonwhite<br>14 white    |

# *Raw Numbers Indicate Racial Disparities Even When Policing Is Fair*

| Neighborhood              | A                         | B                         |
|---------------------------|---------------------------|---------------------------|
| Racial composition        | 900 nonwhite<br>100 white | 300 nonwhite<br>700 white |
| Overall composition       | 60% nonwhite, 40% white   |                           |
| Stops made                | 80                        | 20                        |
| Expected stop composition | 72 nonwhite<br>8 white    | 6 nonwhite<br>14 white    |
| Overall stop composition  | 78% nonwhite, 22% white   |                           |

# *Different External Benchmarks Support Different Conclusions About Bias in Pedestrian Stops*



# *All External Benchmarks Are Imperfect, Some More Imperfect Than Others*

- **Census data**
  - Pro: Easy to compute and might represent who is on the street
  - Con: Does not represent rates of criminal participation
- **Arrest rates**
  - Pro: Should be reflective of participation in criminal activity
  - Con: Arrests do not just occur in situations documented in UF250s. If there is bias then arrests will also have a racial bias
- **Criminal suspect descriptions**
  - Pro: Reflects the public's reporting of individuals that have committed crimes and might be a proxy for criminal participation
  - Con: Victimless crimes are less likely to be reported. Does not necessarily reflect who is on the street

# *Internal Benchmark Matches the Officer's Stops on Time, Place, and Context*

| Stop Characteristic | Officer (%) |
|---------------------|-------------|
| Month               |             |
| January             | 3           |
| February            | 4           |
| March               | 8           |
| ...                 |             |
| Day of the week     |             |
| Monday              | 13          |
| Tuesday             | 11          |
| Wednesday           | 14          |
| ...                 |             |
| Time of day         |             |
| [12–2 a.m.]         | 11          |
| ...                 |             |
| (8–10 p.m.)         | 23          |
| (10 p.m. –12 a.m.]  | 17          |
| Patrol borough      |             |
| Brooklyn North      | 100         |
| Precinct            |             |
| A                   | 98          |
| B                   | 1           |
| C                   | 1           |
| Outside             | 96          |
| In uniform          | 99          |
| Radio run           | 1           |

# *Internal Benchmark Matches the Officer's Stops on Time, Place, and Context*

| Stop Characteristic |                    | Officer (%) | Internal Benchmark (%) |
|---------------------|--------------------|-------------|------------------------|
| Month               | January            | 3           | 3                      |
|                     | February           | 4           | 4                      |
|                     | March              | 8           | 9                      |
|                     | ...                |             |                        |
| Day of the week     | Monday             | 13          | 13                     |
|                     | Tuesday            | 11          | 10                     |
|                     | Wednesday          | 14          | 15                     |
|                     | ...                |             |                        |
| Time of day         | [12–2 a.m.]        | 11          | 11                     |
|                     | ...                |             |                        |
|                     | (8–10 p.m.]        | 23          | 23                     |
|                     | (10 p.m. –12 a.m.] | 17          | 17                     |
| Patrol borough      | Brooklyn North     | 100         | 100                    |
| Precinct            | A                  | 98          | 98                     |
|                     | B                  | 1           | 1                      |
|                     | C                  | 1           | 0                      |
| Outside             |                    | 96          | 94                     |
| In uniform          |                    | 99          | 97                     |
| Radio run           |                    | 1           | 3                      |

# *Internal Benchmark Analysis Identified Officers With Unusual Stop Patterns*

| Officer | Black (%)<br>Benchmark | Outlier<br>probability |
|---------|------------------------|------------------------|
| 86      | 55                     | 97                     |
| 85      | 67                     | 62                     |
| 77      | 56                     | 86                     |
| 75      | 51                     | 78                     |
| 64      | 20                     | 98                     |

- In addition, 9 officers stopped fewer black suspects relative to similar stops made by other officers

# *Ten Officers Stop Disproportionately More Hispanic Suspects Than Their Peers*

| Officer                        | Hispanic (%)<br>Benchmark | Outlier<br>Probability |
|--------------------------------|---------------------------|------------------------|
| 86                             | 52                        | 72                     |
| 80                             | 43                        | 83                     |
| 48                             | 24                        | 65                     |
| 44                             | 21                        | 65                     |
| 43                             | 20                        | 65                     |
| 42                             | 23                        | 59                     |
| 29                             | 10                        | 77                     |
| 22                             | 3                         | >99                    |
| 14                             | 2                         | >99                    |
| Excluding low discretion stops |                           |                        |
|                                | 38                        | 71                     |

- **3 officers stopped fewer Hispanic suspects relative to similar stops made by other officers**

# *The Press and Public Raised Questions About NYPD's Pedestrian Stops in 2006*

- Is 500,000 too many stops?
- Why did 89% of the stops involved nonwhites?
- Why were black and Hispanic suspects frisked more often than whites (45% v. 29% of stops)?
- Why were whites 70% more likely than blacks to have a weapon found on them?

# *White and Nonwhite Pedestrians Are Stopped in Different Contexts*

| Stop Feature        | Stopped Pedestrians  |                                       |
|---------------------|----------------------|---------------------------------------|
|                     | White<br>(N = 5,547) | Nonwhite (unadjusted)<br>(N = 31,716) |
| Crime suspected (%) | Burglary             | 15                                    |
|                     | CPW                  | 9                                     |
|                     | Drugs                | 5                                     |
|                     | Trespass             | 6                                     |
|                     | Grand larceny        | 9                                     |
|                     | Robbery              | 5                                     |
| Precinct (%)        | 1                    | 6                                     |
|                     | 6                    | 9                                     |
|                     | 7                    | 8                                     |
|                     | 9                    | 14                                    |
|                     | 14                   | 20                                    |
|                     | 17                   | 8                                     |
| Time of day (%)     | [12–4 a.m.]          | 24                                    |
|                     | (4–8 a.m.]           | 8                                     |
|                     | (8 a.m.–12 p.m.]     | 11                                    |
|                     | (12–4 p.m.]          | 16                                    |
|                     | (4–8 p.m.]           | 20                                    |
|                     | (8 p.m.–12 a.m.]     | 21                                    |
| Location (%)        | Housing              | 4                                     |
|                     | Transit              | 22                                    |
| Male (%)            |                      | 88                                    |
| Type of ID (%)      | Physical             | 64                                    |
| Radio run (%)       | Yes                  | 21                                    |

# White and Nonwhite Pedestrians Are Stopped in Different Contexts

| Stop Feature        | Stopped Pedestrians  |                                       |
|---------------------|----------------------|---------------------------------------|
|                     | White<br>(N = 5,547) | Nonwhite (unadjusted)<br>(N = 31,716) |
| Crime suspected (%) |                      |                                       |
| Burglary            | 15                   | 7                                     |
| CPW                 | 9                    | 11                                    |
| Drugs               | 5                    | 3                                     |
| Trespass            | 6                    | 9                                     |
| Grand larceny       | 9                    | 14                                    |
| Robbery             | 5                    | 11                                    |
| Precinct (%)        |                      |                                       |
| 1                   | 6                    | 5                                     |
| 6                   | 9                    | 7                                     |
| 7                   | 8                    | 12                                    |
| 9                   | 14                   | 12                                    |
| 14                  | 20                   | 28                                    |
| 17                  | 8                    | 3                                     |
| Time of day (%)     |                      |                                       |
| [12–4 a.m.]         | 24                   | 18                                    |
| (4–8 a.m.]          | 8                    | 6                                     |
| (8 a.m.–12 p.m.]    | 11                   | 10                                    |
| (12–4 p.m.]         | 16                   | 21                                    |
| (4–8 p.m.]          | 20                   | 23                                    |
| (8 p.m.–12 a.m.]    | 21                   | 21                                    |
| Location (%)        |                      |                                       |
| Housing             | 4                    | 14                                    |
| Transit             | 22                   | 36                                    |
| Male (%)            | 88                   | 91                                    |
| Type of ID (%)      | Physical             | 56                                    |
| Radio run (%)       | Yes                  | 13                                    |

# *Reweighting Stops of Nonwhite Pedestrians Aligns the Distribution of Stop Features*

| Stop Feature        | Stopped Pedestrians  |                                    |                                       |
|---------------------|----------------------|------------------------------------|---------------------------------------|
|                     | White<br>(N = 5,547) | Nonwhite (adjusted)<br>(N = 9,781) | Nonwhite (unadjusted)<br>(N = 31,716) |
| Crime suspected (%) | Burglary             | 15                                 | 15                                    |
|                     | CPW                  | 9                                  | 10                                    |
|                     | Drugs                | 5                                  | 5                                     |
|                     | Trespass             | 6                                  | 7                                     |
|                     | Grand larceny        | 9                                  | 10                                    |
|                     | Robbery              | 5                                  | 5                                     |
| Precinct (%)        | 1                    | 6                                  | 5                                     |
|                     | 6                    | 9                                  | 7                                     |
|                     | 7                    | 8                                  | 12                                    |
|                     | 9                    | 14                                 | 12                                    |
|                     | 14                   | 20                                 | 28                                    |
|                     | 17                   | 8                                  | 3                                     |
| Time of day (%)     | [12–4 a.m.]          | 24                                 | 23                                    |
|                     | (4–8 a.m.]           | 8                                  | 8                                     |
|                     | (8 a.m.–12 p.m.]     | 11                                 | 11                                    |
|                     | (12–4 p.m.]          | 16                                 | 16                                    |
|                     | (4–8 p.m.]           | 20                                 | 23                                    |
|                     | (8 p.m.–12 a.m.]     | 21                                 | 21                                    |
| Location (%)        | Housing              | 4                                  | 14                                    |
|                     | Transit              | 22                                 | 36                                    |
| Male (%)            |                      | 88                                 | 91                                    |
| Type of ID (%)      | Physical             | 64                                 | 56                                    |
| Radio run (%)       | Yes                  | 21                                 | 13                                    |

## ***When Compared with Similar Stops Outcomes Show Small Racial Disparities***

| Outcome | White<br>(%) | Black<br>(%) | Hispanic<br>(%) | All Nonwhite<br>(%) |
|---------|--------------|--------------|-----------------|---------------------|
| Frisked | 29.3         | 33.5         | 32.8            | 32.6                |

- **Comparison between stopped white pedestrians and similarly situated nonwhite pedestrians**
  - Focuses on the contexts in which white pedestrians are stopped
  - Accounts for the time, place, reason for the stop, result of radio run, and numerous other factors

## ***When Compared with Similar Stops Outcomes Show Small Racial Disparities***

| Outcome       | White<br>(%) | Black<br>(%) | Hispanic<br>(%) | All Nonwhite<br>(%) |
|---------------|--------------|--------------|-----------------|---------------------|
| Frisked       | 29.3         | 33.5         | 32.8            | 32.6                |
| Searched      | 6.4          | 7.2          | 6.7             | 6.7                 |
| Summon issued | 5.7          | 4.8          | 5.5             | 5.2                 |
| Arrested      | 4.8          | 5.4          | 5.1             | 5.1                 |
| Force used    | 14.5         | 16.2         | 15.4            | 15.7                |

- **Comparison between stopped white pedestrians and similarly situated nonwhite pedestrians**
  - **Focuses on the contexts in which white pedestrians are stopped**
  - **Accounts for the time, place, reason for the stop, result of radio run, and numerous other factors**

# *Stops Like Those In Which Black Pedestrians Are Stopped Show No Disparities*

| Outcome       | Black<br>(%) | Hispanic<br>(%) | White<br>(%) | Nonblack<br>(%) |
|---------------|--------------|-----------------|--------------|-----------------|
| Frisked       | 45.5         | 44.3            | 42.1         | 43.3            |
| Searched      | 6.6          | 6.4             | 6.5          | 6.4             |
| Summon issued | 5.7          | 6.0             | 6.7          | 6.3             |
| Arrested      | 4.0          | 3.7             | 4.3          | 3.9             |
| Force used    | 21.3         | 20.6            | 20.2         | 20.4            |

- Comparison between stopped black pedestrians and similarly situated nonblack pedestrians

# *Staten Island Showed Larger Disparities Than Other Boroughs*

| Outcome       | White<br>(%) | Black<br>(%) | Hispanic<br>(%) | All Nonwhite<br>(%) |
|---------------|--------------|--------------|-----------------|---------------------|
| Frisked       | 20.3         | 29.2         | 24.5            | 26.2                |
| Searched      | 4.8          | 8.1          | 4.6             | 6.1                 |
| Summon issued | 4.7          | 3.3          | 4.7             | 4.0                 |
| Arrested      | 4.0          | 6.9          | 4.1             | 5.4                 |
| Force used    | 10.1         | 13.5         | 12.0            | 12.4                |

- Analysis compares white suspects stopped in Staten Island to similarly situated nonwhite suspects

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# ***“Hit rates” From Searches and Frisks Were Similar Across Racial Groups***

| Outcome        | Reference Group (%) | Comparison Racial Groups (adjusted) (%) |          |
|----------------|---------------------|---|----------|
|                | White               | Black                                   | Hispanic |
| Any contraband | 6.4                 | 5.7                                     | 5.4      |
| Weapon         | 1.2                 | 0.9                                     | 1.1      |
|                |                     | Black                                   | Hispanic |
| Any contraband |                     | 3.3                                     | 3.2      |
| Weapon         |                     | 0.7                                     | 0.7      |
|                |                     |   | White    |
|                |                     |   | 3.8      |
|                |                     |   | 0.8      |

- The raw numbers had suggested much larger disparities
  - Black 3.3%, Hispanic 3.4%, and white 6.4%
  - These differences are mostly due to differences in time, place, and reason for the stop

# *Recommendations*

- The NYPD should review the boroughs with the largest racial disparities in stop outcomes
- NYPD should identify, flag, and investigate officers with out-of-the-ordinary stop patterns
- The UF250 should be revised to capture data on use of force
- Officers should clearly explain to pedestrians why they are being stopped
- New officers should be fully conversant with stop, question, and frisk documentation policies
- NYPD should consider modifying the audits of the UF250



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