



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

Jumaane D. Williams

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON PUBLIC SAFETY
DECEMBER 20, 2023**

Good morning,

My name is Jumaane D. Williams, and I am the Public Advocate for the City of New York. I would like to thank Chair Joseph and the members of the Committee on Public Safety for holding this vote.

Every day, New Yorkers are stopped by the NYPD. Sometimes this results in a search—a level three stop, where an officer has legal authority to detain someone and prevent them from leaving, colloquially known as “stop-and-frisk.” The NYPD is required to report on these stops, so we know that Black and Brown people are disproportionately stopped: Black and Latinx New Yorkers made up 91 percent of reported stops as of 2020.¹ As we have seen all too often, these stops can escalate quickly to violent or even deadly situations.

We still, however, do not have the full picture of who is being stopped by the NYPD, as they are not currently required to report on level one and level two stops. Despite being lower-level stops, the feeling of being stopped, questioned, and possibly searched by police is indistinguishable from the experience of level three stops. That is why we are voting today on Intro 0586-2022, which would require the NYPD to report on all levels of police stops and encounters, including the location where they happened, the demographic information of those stopped, the factors that led to the interaction, and whether the encounter leads to any use of force or enforcement action.

According to the New York Civil Liberties Union, in 2022, 49 percent of drivers arrested following traffic stops were Black, and 39 percent were Latinx. My bill, Intro 0781-2022, which requires the NYPD to include in vehicle encounter reports the justification used by an officer to conduct a vehicle stop, if an observed offense was cited as the justification for a vehicle stop, and whether the offense was at the level of an infraction, violation, misdemeanor or felony. In order to effectively address racial bias in policing, we need to know the full scope of the problem.

Oversight bodies, including the Department of Investigation, has had difficulty receiving NYPD body-worn camera footage. This lack of compliance with requests for access to body-worn camera footage seriously impedes investigations by oversight agencies, including the CCRB and the Department of Investigation’s OIG-NYPD. My bill, Intro 0585-2022, seeks to increase and expedite oversight agencies’ access to body-worn camera footage. This bill would require the NYPD to share all body-worn camera footage requested by the OIG-NYPD within 5 days of the recording.

¹ https://www.changethenypd.org/sites/default/files/docs/final_hmsa_fact_sheet_01.5.23.pdf

We have seen time and time again that the NYPD cannot be trusted to act without bias, and they have consistently impeded any effort to hold them accountable by oversight agencies, elected officials, and members of the community. Increasing police presence in our communities will never increase public safety when the people in those communities only associate police with trauma, fear, discrimination, and abuse.

I would also like to thank my staff: Veronica Aveis, Chief Deputy Public Advocate for Policy; Rosie Mendez, Director of Legislation and Policy; Jeffrey Severe, Deputy Public Advocate for Justice and Safety; Solomon Acevedo, Deputy Public Advocate for Housing and Health Equity; Gwen Saffran, Senior Policy and Legislative Associate; as well as the members of Communities United for Police Reform.

Thank you.



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Date: December 18, 2023

Re: Into 586, 538 - How Many Stops Act

Position: **SUPPORT**

To: New York City Council Speaker Adrienne Adams and Council Member Alexa Aviles, Mayor Eric Adams, NYPD Commissioner Edward Caban, Deputy Mayor of Public Safety Philip Banks, Jumaane Williams

Dear Distinguished Members of the New York City Council, NYPD, and Mayor's Office,

As an organization of law enforcement professionals, the Law Enforcement Action Partnership (LEAP) is writing to express our strong support for the How Many Stops Act, which includes Intro. 586 and Intro. 538. These bills would require comprehensive reporting of all levels of NYPD stops and consent searches. We believe the How Many Stops Act would strengthen police-community trust by improving transparency and accountability in policing.

LEAP is an international nonprofit organization of police, prosecutors, judges, and other criminal justice professionals who speak from firsthand experience serving in the justice system. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety and working toward healing police-community relations.

As law enforcement professionals, we know firsthand how important community trust is to our success in suppressing and preventing crime. Across policing, the research underscores that having trust from the people we serve [directly impacts public safety](#). Without trust, people do not report crimes or cooperate with law enforcement, even when they are victims of crime. Building police-community trust is central to the safety of the public and law enforcement.

LawEnforcementActionPartnership.org

Formerly known as Law Enforcement Against Prohibition

However, this trust can be easily destroyed if police target people of color. Studies show that [officers are far more likely to pull over African American drivers](#) because officers often choose who to stop based on our own biased hunches about who might be committing a more serious crime. Indeed, according to NYPD data, [Black and Brown New Yorkers made up 91% of reported stops in 2020](#). For Black and Brown people, the stops are frightening, humiliating, and infuriating because they know that they have been targeted based on their race. These stops poison the well of police-community trust that officers work so hard to protect.

To restore this trust, our police departments need to provide full transparency of policing practices to the communities we serve. For example, some community members believe that police are routinely pressuring people of color to consent to stops and searches. The police can only dispel these suspicions by reporting consent search numbers. As long as stops and consent searches go unreported, suspicion of misconduct increases and community trust decreases.

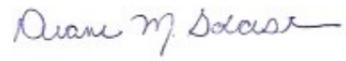
However, in New York City, the police do not report on low-level stops, formally known by the NYPD as level 1 and 2 investigative encounters. The NYPD is only required to report “reasonable suspicion” stops, when an officer has legal authority to detain someone and prevent them from leaving. Unfortunately, other police investigative encounters go unreported. There is no data on “objective credible reason” stops, in which police can approach people to request information, or “founded suspicion” stops, in which police can ask for consent to search. Without data transparency of level 1 and 2 stops made by police, the public will lose trust, which makes our job harder. It is important to note that investigative encounters only include encounters for formal law enforcement and investigative purposes. The How Many Stops Act would not require reporting on casual interactions with civilians.

Fortunately, the New York City Council has introduced two common-sense bills through the How Many Stops Act, which would promote transparency and police-community trust in New York City. Intro. 586 would fill the existing gaps in the data by requiring the NYPD to report on all levels of police stops and encounters, as well as full details of the location, demographics of the person stopped, the reason for the encounter, and any occurrence of use of force. Intro. 538 would require the NYPD to report data on all requests for consent to search, including an officers’ use of consent searches to collect DNA information and use of interpretation services when seeking consent to search from people with limited English proficiency. Reported data on police stops and consent searches would shed light on areas of improvement, misconduct, and important demographic details of encounters. In the age of smartphones and digitized reporting, this reporting will be easy to implement for the NYPD and will require mere seconds for officers to complete.

We urge the New York City Council to fully support the How Many Stops Act. A comprehensive accounting of all NYPD stops and consent searches holds our officers accountable and ensures the community has faith in the effectiveness of policing. These bills are necessary for New York City to improve its policing transparency to promote much-needed trust of the police in communities of color. We can strengthen public safety by rebuilding police-community trust through transparency one step at a time.

Thank you for the opportunity to share our perspective in support of this bill.

Respectfully,

A handwritten signature in blue ink that reads "Diane M. Goldstein".

Lt. Diane Goldstein (Ret.)
Redondo Beach Police Department
Executive Director, The Law Enforcement Action Partnership