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# Targeting Black New Yorkers:

**the stark racism of NYPD arrest practices**

*July-December 2019*



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“Like a boil that can never be cured so long as it is covered up but must be opened with all its pus-flowing ugliness to the natural medicines of air and light, injustice must likewise be exposed, with all the tension its exposing creates, to the light of human conscience and the air of national opinion before it can be cured.”

**DR. MARTIN LUTHER KING JR.**

# NOTES ON READING THIS REPORT

All demographic information is from the US Census Bureau 2010 report. Therefore, “white” and non-white” categories are based on the Bureau’s categorizations.

An arraignment is a court proceeding during which a person is informed of the charges against him/her. In NYC’s Arraignment Parts, defendants either come to court because they have received a Desk Appearance Ticket (DAT), a written notice that a police officer gives to a person arrested requiring him/her to appear in court at a later date for arraignment. Or they are arrested, locked up, and are then brought to court for their arraignment.

Freed defendants left the courtroom for various reasons; for example:

- The district attorney declined to prosecute.
- The judge dismissed the charges, ruled time served, or granted an Adjournment in Contemplation of Dismissal (ACD: Adjournment in Contemplation of Dismissal means that the judge releases the defendant with the understanding that if he or she avoids trouble with the law for 3, 6, or 12 months, the charge(s) will be dismissed and the record sealed.)
- The defendant rejected a plea offer and received a date to return to court

## HOW THIS REPORT DIFFERS FROM THE LAST TEN

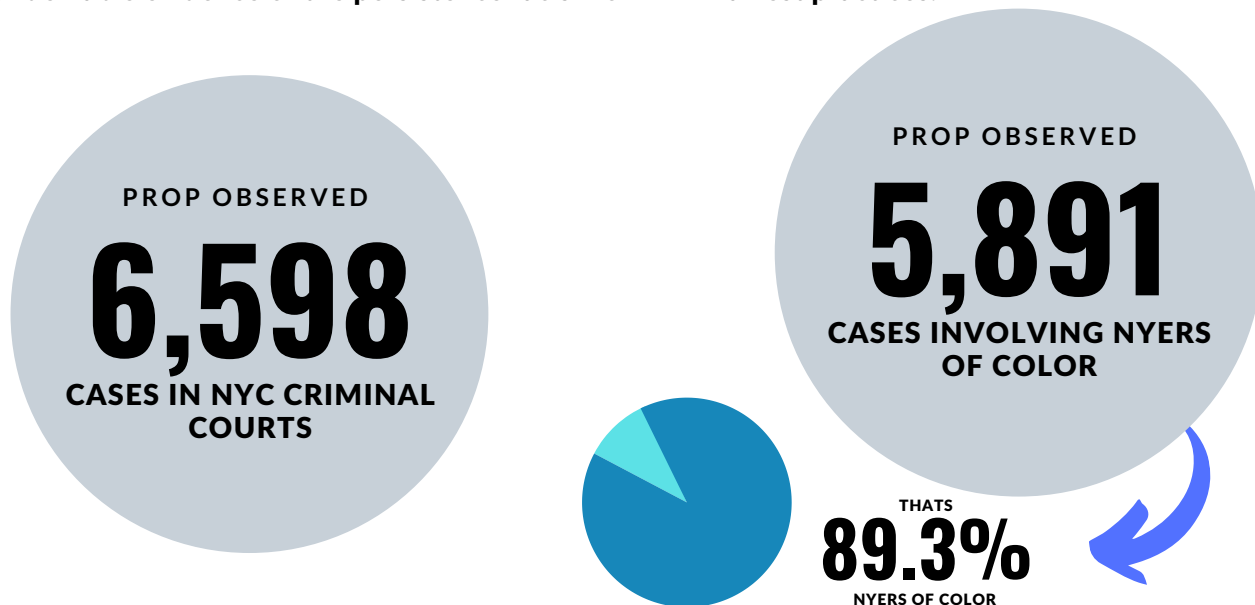
**Our project's improvements have led us to make changes to our report.**

We have included a large number of cases from **Staten Island**, which has led to an increase in the number of cases we've seen involving white people.

We have **broken down the cases seen by race**, exposing just how disproportionately NYPD arrest practices effect black New Yorkers,

## COURT MONITORING PROJECT OVERVIEW (2014-PRESENT)

Since the beginning of our CMP, in June, 2014, through the end of last year, PROP representatives have observed total of 6,598 cases, 5,891, 89.3%, involving NYers of color. Gathered over time through PROP's field research, these numbers provide ongoing & undeniable evidence of the persistence racism of NYPD arrest practices.



# OVERVIEW

The New York Police Department's quota-driven "broken windows" arrest practices regularly inflict hardship and harm on the most vulnerable New Yorkers, especially low income people of color, the homeless, and persons with mental illnesses. On a regular basis, New York's district attorneys aggressively prosecute cases against black and brown people for engaging in mainly innocent or innocuous activities. On a regular basis, our city's courts devote their considerable resources to the administration of injustice, applying sanctions in hundreds, if not thousands, of cases where the charges involve, at worst, petty infractions and where the defendants are almost always people of color, some of whom live on the margins of society.

We at the Police Reform Organizing Project (PROP) believe that increased awareness of these everyday injustices by the public, the press, and our political leaders will lead to a shift in the political landscape regarding policing and prosecution, putting pressure on the city's policy makers to enact the sweeping reforms necessary to address and put an end to these shameful practices. It is with this ultimate goal that we have prepared this document as a follow up to our **previous ten publications: Broken Windows Policing: A True Tale of Two Cities (July 2014); Everyday: NYC's Cops and Courts Inflict Harm and Hardship (October 2014); 90%: The Harm Continues (December 2015); No Equal and Exact Justice (April 2016); We Harm People Everyday (July 2016); The Persistence of Racist Policing Practices (March 2017); #ThatsHowTheyGetYou (April 2018); Injustice for Many (July 2018); Biased and Abusive (April 2019) and Racist Policing Persists: 5 years and over 6,000 cases later (September 2019)**. This report serves as another reminder that every day that NYC's political leaders sidestep this issue, our so-called justice system continues its abusive and discriminatory practices. It is a painful irony that the people targeted by "broken windows" policing make up the very constituency representing the political base of the city's leaders proud to call themselves progressives, including Mayor Bill de Blasio, City Council Speaker Corey Johnson, Public Advocate Jumaane Williams, and City Councilpersons Brad Lander and Donovan Richards. It is time for this particular group to enact the fundamental reforms needed to fix our broken and unjust criminal justice system and to create a fair, safe, equitable, and inclusive city for all New Yorkers.

*Staten Island Criminal Court*



# TARGETING BLACK NEW YORKERS

In preparing this report, we noted more than just the racial disparity in NYPD arrest rates between white NYers & NYers of color. We also show how the disparity becomes even more stark & troubling when comparing the arrests between white & black NYers. We focus particularly on that sharp disparity to alert the public, press, & policymakers to the blatant racism of NYPD arrest practices. Our goal is to sufficiently shift the political landscape, so that city leaders will come to back ending abusive & discriminatory policing in NY.

## MANHATTAN

Percentage of white residents: 48%  
Percentage of observed cases involving white people: 18%

Population

**White**  
**48%**



Arrests

**White**  
**18%**

Percentage of black residents: 24%;  
Percentage of observed cases involving black people: 46%

Population

**Black**  
**24%**



Arrests

**Black**  
**46%**

## BROOKLYN

Percentage of white residents: 36%  
Percentage of observed cases involving white people: 6%

Population

**White**  
**36%**



Arrests

**White**  
**6%**

Percentage of black residents: 34%;  
Percentage of observed cases involving black people: 70%

Population

**Black**  
**34%**



Arrests

**Black**  
**70%**

# TARGETING BLACK NEW YORKERS

## THE BRONX

Percentage of white residents: 9%  
Percentage of observed cases involving white people: 0%

Population

White  
**10%**



Arrests

White  
**0%**

Percentage of black residents: 33%;  
Percentage of observed cases involving black people: 52%

Population

Black  
**33%**



Arrests

Black  
**52%**

## QUEENS

Percentage of white residents: 25%  
Percentage of observed cases involving white people: 11%

Population

White  
**25%**



Arrests

White  
**11%**

Percentage of black residents: 20%;  
Percentage of observed cases involving black people: 46%

Population

Black  
**20%**



Arrests

Black  
**47%**

## STATEN ISLAND

Percentage of white residents: 66%  
Percentage of observed cases involving white people: 28%

Population

White  
**66%**



Arrests

White  
**28%**

Percentage of black residents: 12%;  
Percentage of observed cases involving black people: 41%

Population

Black  
**12%**



Arrests

Black  
**41%**

# TARGETING BLACK NEW YORKERS

## CITY-WIDE

Percentage of white residents: 43%  
Percentage of observed of cases involving white people: 17%

Percentage of black residents: 24%;  
Percentage of observed cases involving black people: 48%

Population

White  
**43%**



Arrests

White  
**17%**

Population

Black  
**24%**



Arrests

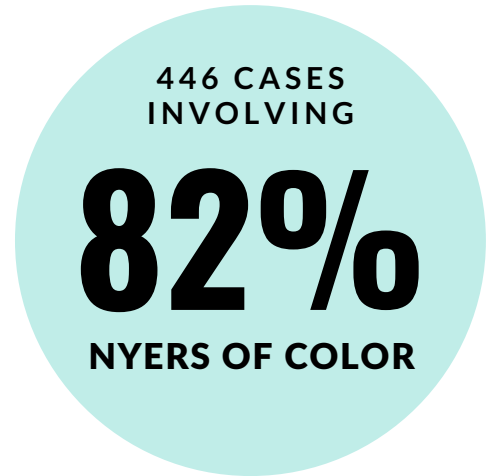
Black  
**48%**



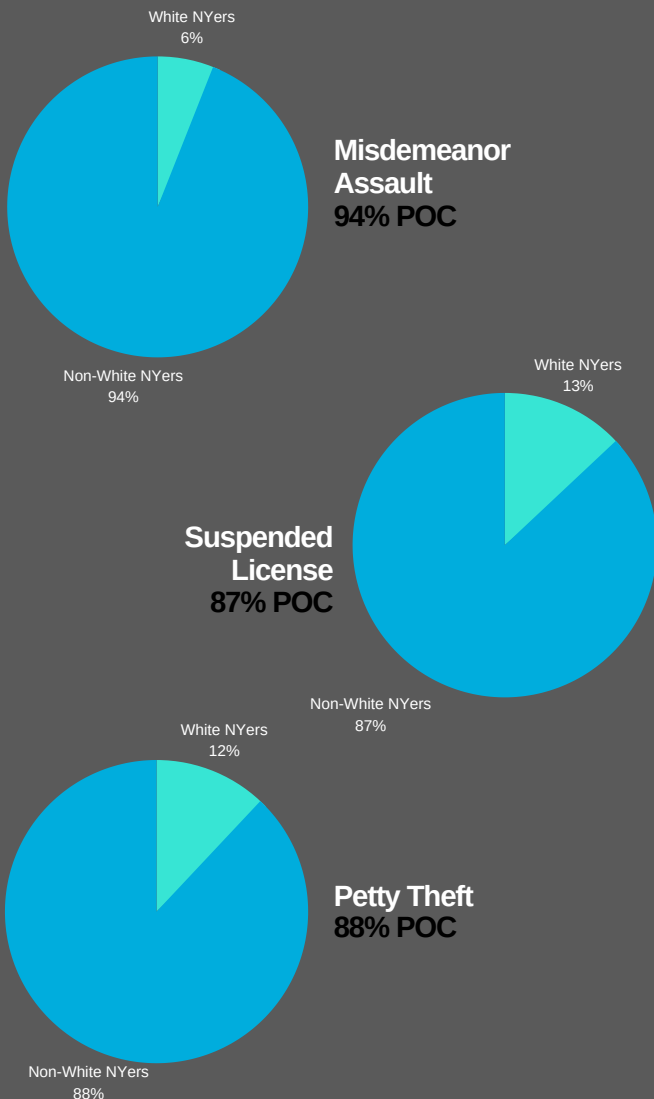
# JULY 1 - DECEMBER 22 2019

PROP OBSERVED

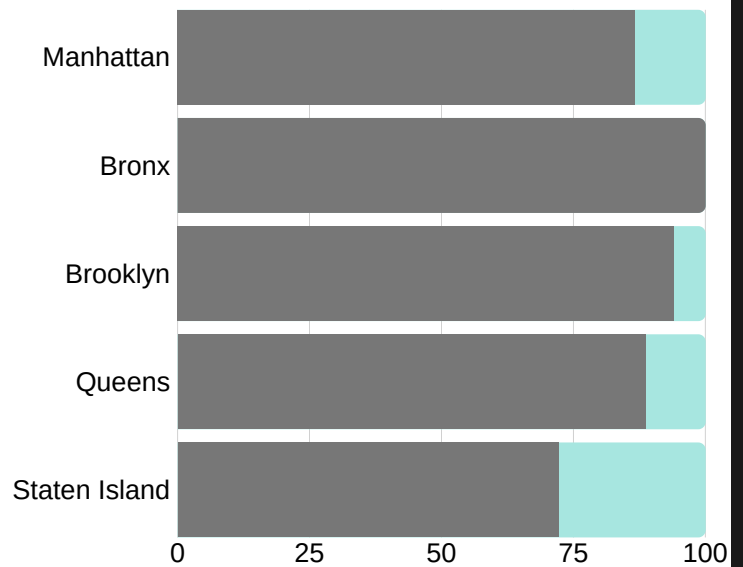
**547** CASES IN NYC CRIMINAL COURTS



## 3 MOST COMMON CHARGES



## % of New Yorkers of color being arraigned

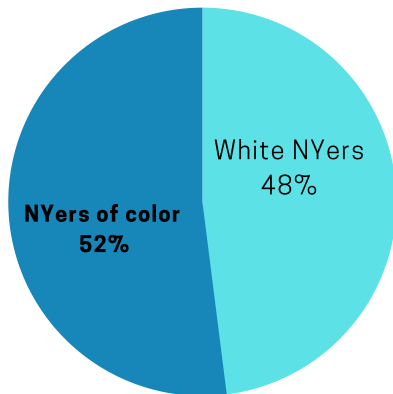


# MANHATTAN CRIMINAL COURT SUMMARY

Stories from our court monitors

"In Manhattan court yesterday we saw a homeless man with mental health complications arrested for stealing soda and cookies from a store. He was starving and ADA wanted him in jail because he has a 'criminal history', all petty theft and fare evasion. The judge set bail, and he was remanded to Rikers Island."

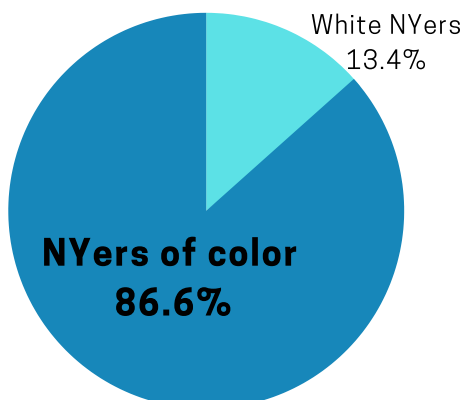
For more court stories follow @propnyc on medium and twitter



DESPITE BEING ONLY

**52%**

OF MANHATTAN'S  
POPULATION



PEOPLE OF COLOR MADE UP

**86.6%**

OF THE CASES OBSERVED

## COMMON CHARGES OBSERVED IN MANHATTAN

**Assault 3**

**18%** → **82%**  
Of cases seen in  
Manhattan Involved people of color

**Petty Theft**

**16%** → **87%**  
Of cases seen in  
Manhattan Involved people of color

**Sus. License**

**12%** → **83%**  
Of cases seen in  
Manhattan Involved people of color

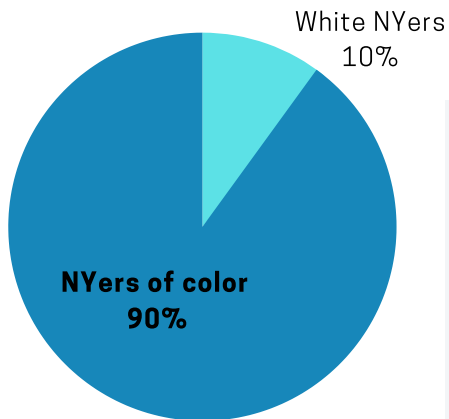
# BRONX CRIMINAL COURT SUMMARY

Stories from our court monitors:

*"Cops arrest a young Latino man in the Bronx for robbery. In court, he says he's innocent. Mom sits next to PROP reps, cries. DA seeks 5Gs bail, but can produce no weapon, no witness, no stolen goods. WHY DIDN'T THEY DECLINE TO PROSECUTE? Judge releases him."*



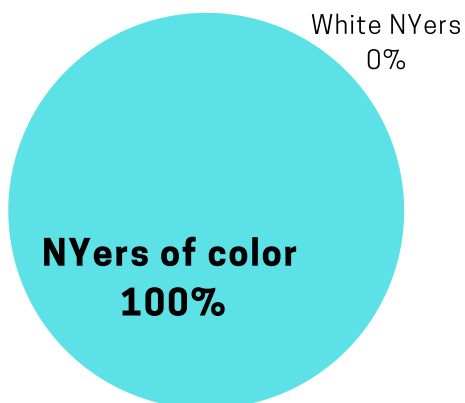
For more court stories follow [@propnyc](#) on medium and twitter



WHILE WHITES ARE

**10%**

OF THE BRONX  
POPULATION



WE SAW

**ZERO**

CASES INVOLVING WHITE  
NEW YORKERS

## COMMON CHARGES OBSERVED IN THE BRONX

Assault 3

**37%** → **100%**  
Of cases seen in the Bronx  
Involved people of color

Sus. License

**19%** → **100%**  
Of cases seen in the Bronx  
Involved people of color

Controlled Sub

**7%** → **100%**  
Of cases seen in the Bronx  
Involved people of color

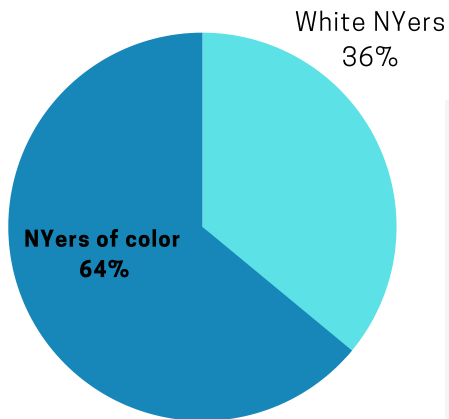
# BROOKLYN CRIMINAL COURT SUMMARY

*Stories from court monitors*

"Ending the Scourge of Dominoes: NYPD cops arrest a 65 year old Latino for loitering — he was sitting in a park in Brooklyn playing dominoes. He's cuffed & confined overnight. The arraignment judge releases him."



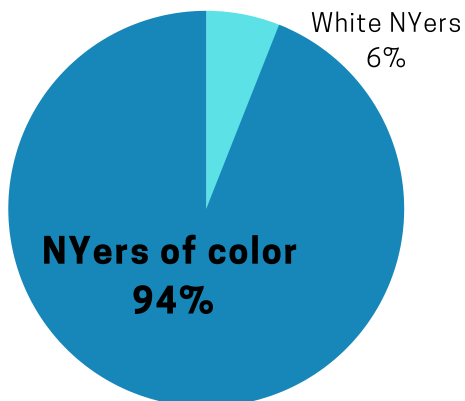
*For more court stories follow @propnyc on medium and twitter*



DESPITE BEING

**64%**

OF BROOKLYN'S  
POPULATION



PEOPLE OF COLOR MADE UP

**94%**

OF CASES OBSERVED

# COMMON CHARGES OBSERVED IN BROOKLYN

**Assault 3**

**25%** → **100%**  
Of cases seen in Brooklyn      Involved people of color

**Petty Theft**

**10%** → **90%**  
Of cases seen in Brooklyn      Involved people of color

**Sus. License**

**12%** → **83%**  
Of cases seen in Brooklyn      Involved people of color

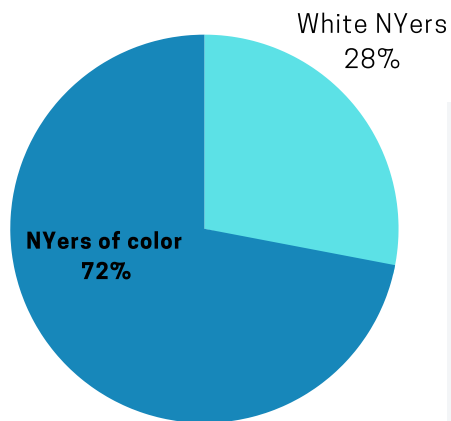
# QUEENS CRIMINAL COURT SUMMARY

Stories from court monitors:

*"NYPD arrested a man for 'aggressive panhandling'. Why? He was allegedly blocking foot traffic, so NYPD felt it fit to arrest him. He was released by the court. End Broken Windows!"*



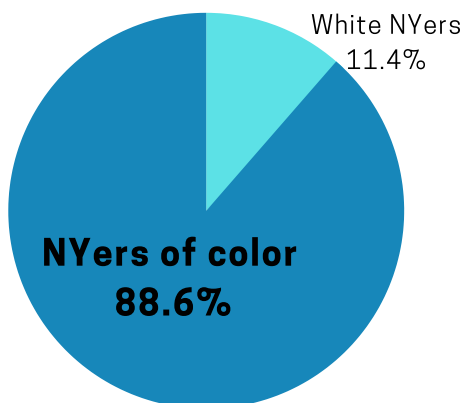
For more court stories follow [@propnyc](#) on medium and twitter



DESPITE BEING

**72%**

OF QUEENS'  
POPULATION



PEOPLE OF COLOR MADE UP

**88.6%**

OF OBSERVED CASES



# COMMON CHARGES OBSERVED IN QUEENS

**Assault 3**

**20%** → **95%**  
Of cases seen in Queens      Involved people of color

**Petty Theft**

**8%** → **87%**  
Of cases seen in Queens      Involved people of color

**Sus. License**

**33%** → **100%**  
Of cases seen in Queens      Involved people of color

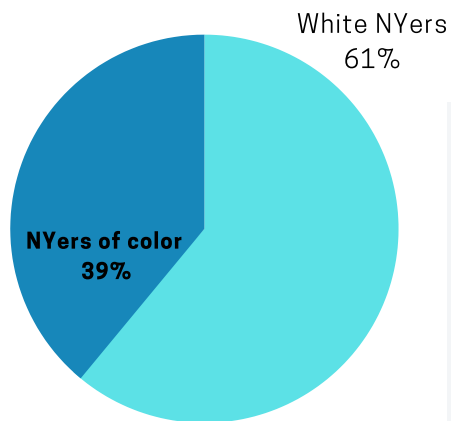
# STATEN ISLAND CRIMINAL COURT SUMMARY

Stories from court monitors:

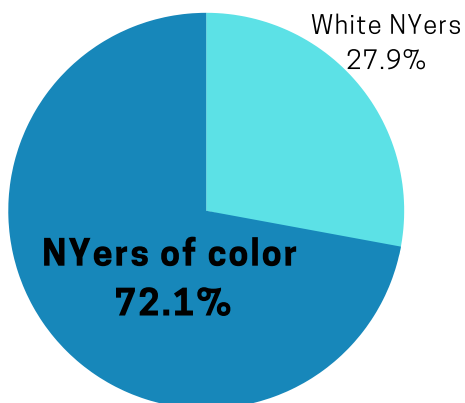
"NYPD cops arrest young black man, throwing him against wall, claim he sold MJ. Visiting NYC from outta state, knows no one here. Locked up on Rikers for 5 days, makes 3 court appearances, case dismissed."



For more court stories follow @proprnyc on medium and twitter



DESPITE BEING ONLY  
**39%**  
OF STATEN ISLAND'S  
POPULATION



PEOPLE OF COLOR MADE UP  
**72.1%**  
OF CASES OBSERVED

# COMMON CHARGES OBSERVED IN STATEN ISLAND

**Dis. Conduct**

**25%** → **72%**  
Of cases seen in Staten Island      Involved people of color

**Assault 3**

**6%** → **77%**  
Of cases seen in Staten Island      Involved people of color

**Sus. License**

**11%** → **77%**  
Of cases seen in Staten Island      Involved people of color



## CRIMINAL JUSTICE OFFICIAL SPEAKS OUT

In 2013, Noach Dear, a former New York State Criminal Court Judge, heard the case of Julio Figueroa, who had been charged with illegally drinking a cup of beer on a city sidewalk near his home in Greenwood Heights, Brooklyn. Mr. Figueroa was subsequently arrested on the basis of an outstanding warrant that later proved to be erroneous. He spent 22 hours in jail before coming before Judge Dear, who promptly dismissed the case. Additionally, Judge Dear issued a ruling that the “Sniff Test” (named after the process by which police determine if liquid in a container is, in fact, alcohol) is not enough to prove the alleged offender is actually committing a crime. He called for questionable beverages to be properly tested by certified technicians. A month after this ruling, Judge Dear was relieved from his duties at the Brooklyn Criminal Court, and reinstated as a Civil Court Judge.

In a New York Times interview, Judge Dear cited stark racial bias in NYPD practices as the basis for his “Sniff Test” challenge. He explained that, “the department singles out blacks and Hispanics when issuing public drinking summonses. As hard as I try, I cannot recall ever arraigning a white defendant for such a violation.” In fact, after having his staff review a month’s worth of summonses on all charges, Judge Dear discovered that 85% were issued to black or Latino persons, 4% to white people, and 11% to those falling into a variety of other racial categories. Many believe that his speaking out about the racial disparities in arrests for open alcohol container violations led to his dismissal from the criminal court system.

**“In the end, we will remember not the words of our enemies, but the silence of our friends.”**

**Martin Luther King, Jr.**

# CONCLUSION

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The findings of this report reflect an up-to-date-picture of NYPD arrest practices and document the continuing harmful and biased impact of the aggressive and needless application of quota driven “broken windows” policing.

As referenced earlier, in preparing this report, we noted the especially sharp disproportion between the number of arrests of white & black NYers. To bring an emphatic attention to this stark disparity, for the first time we included a special section in this, our 11th court monitoring report, on "The Targeting of Black NYers" by NYPD arrest practices (see the specifics on page 6). City-wide, the percentages breakdown this way: white people make up 43% of NY's population & 17% of the cases that PROP observed. Black NYers make up 24% of NY's residents & 48% of the cases that PROP observed.

Despite the innocuous nature of most of the charges brought against black and other New Yorkers, and the non-existent safety threat represented by most defendants, police had arrested all these individuals – cuffed and confined them, leaving most of them to sit in jail overnight. This type of policing – criminalizing activities that are victimless and considered harmless, and then disproportionately charging a single group as offenders – breeds cynicism, resentment, and resistance. It tears at the social fabric of our city and subverts any claim that we can make of being an inclusive and progressive metropolis. It is long past time that our city's leaders take aggressive steps to end quota-driven “broken windows” policing and establish a just and safe city for all New Yorkers.

# FOR MORE INFORMATION

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Other PROP reports and media coverage

[propnyc.org/prop-reports/](http://propnyc.org/prop-reports/)

[propnyc.org/prop-in-the-news/](http://propnyc.org/prop-in-the-news/)

Keep up with PROP

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