

NYPD cops ‘express fear’ of carrying out stop-and-frisks in testing phase of new training, monitor reports

BY GRAHAM RAYMAN | November 16, 2017



“They express fear about doing stops,” NYPD Monitor Peter Zimroth wrote in a report released Thursday. (ICENANDO/GETTY IMAGES)

Before testing out the NYPD’s new stop-and-frisk training program, focus groups of cops said they had no problem using the controversial tactic — but they feared their bosses wouldn’t have their backs if members of the public complained.

Some cops who beta tested the course also said the law governing the stops was “unrealistic and confusing.” And they argued that Civilian Complaint Review Board hearings related to complaints about stops are often marred by lengthy delays, calling the process “unfair and harsh.”

Peter Zimroth issued the caveats along with new in-service training recommendations submitted to a federal judge on Thursday.

“They express fear about doing stops,” wrote Zimroth, the court-appointed monitor of reforms tied to the NYPD use of the stop-and-frisk tactic. “The fear is not based on the inherent physical danger in conducting stops. Rather, the fear is based on a concern that if they do their jobs, they do stops, and people file complaints, the Department won’t have their backs.

“In other words, they are not afraid of doing their jobs, they are afraid of ‘The Job.’”

The police feedback is contained in an NYPD manual designed for training instructors. It’s attached to a letter Zimroth wrote approving the new training for 22,000 cops.

Ed Mullins, president of the Sergeants Benevolent Association, said NYPD brass has a long history of throwing street cops under the bus.

“The policy of this department has always been to place blame upon the men and women in the street while turning a blind eye to failed policies and issues,” Mullins said.

Zimroth declined comment. A police official familiar with the training program called it innovative and well thought out.

“We hear from cops that it’s one of the best training programs they’ve seen,” he said. “It’s not just lecture. It’s hands-on. They look at stops, they write a report about them, and they critique and discuss them.”

The new training will take place over 18 months — starting with sergeants and lieutenants.

The training was ordered by U.S. District Judge Shira Sheindlin in a 2013 ruling in the case of David Floyd, who filed a class action lawsuit alleging that police stopped him without reasonable suspicion, simply based on his race.

In that case, Sheindlin held the city responsible for unconstitutional stops of hundreds of thousands of black and Hispanic males and ordered the appointment of a federal monitor.

The annual number of stops citywide swelled to more than 600,000 in 2010 under then Police Commissioner Raymond Kelly. Kelly believed that stops helped reduce crime and discouraged people from carrying guns — even though few weapons were found.

The new training reflects the belief of Police Commissioners Bill Bratton and James O’Neill, who have said the use of the tactic did not materially affect the crime rate. Bratton and O’Neill reduced the use of stop-and-frisk, and the number of stops plummeted to around 12,000 a year. But crime continued to fall.

“It was a tool that was over-used and sometimes misused, and that led to widespread resentment and distrust of our Department, especially in communities of color,” O’Neill says in a video message included in the training.

“To be clear: I’m not laying fault for this on you. You did what the leadership of the Department asked, and the leadership bears responsibility for the consequences.”

The training manual devotes 38 pages to explaining legal stops. Zimroth insists the training material clearly describes the difference between a legal stop based on suspect’s description and an illegal stop based on race.