



**Roundtable on Current Debates, Research Agendas and Strategies to
Address Ethnic/Racial Profiling in the UK and USA - John Jay College of
Criminal Justice**

10 – 11 August 2011

Conference Report

Contents

1. Introduction	3
2. About the Conference	4
3. Meetings with Key Civil Rights Organisations	
i. Making the Road New York	6
ii Centre for Constitutional Justice	8
iii Malcolm X Grassroots Movement	11
4. Conclusions : Moving Forward	13
5. Links	15

Introduction

Institutions such as the police have been cited as defenders of some of the most fundamental human rights, which include protecting the liberty and security of the state and its citizens. However, the powers invested within the police force, such as PACE (Police and Criminal Evidence Act) have created disproportional policing within the UK. —It comes as no surprise that stat after stat continue to show the discriminatory effects of stop and search, for example, Black people are seven times more likely to be stop and searched than Whites, while Asian are twice as likely to be stopped and searched than Whites.¹ Searches conducted under Section 60 show that Black people are 27 times and Asians 6 times more likely to be stopped than whites.² It is against such a backdrop that StopWatch and StopWatch Youth were engulfed in pursuit of some of the reasons behind these disproportionalities.

In August 2011, the John Jay College of Criminal Justice, held the two-day conference; *Roundtable on Current Debates, Research Agendas and Strategies to Address Ethnic/Racial Profiling in the UK and USA.*

The event brought together over 100 attendees from the US, UK and Canada. The participants included legal practitioners, academics, law enforcement, civil society, youth representatives, and others with expertise and a vested interest in Stop & Search/Stop and Frisk.

The conference provided the forum to have a high level debate on Stop and Search/Stop & Frisk, and share information on the differences, similarities, good practice and opportunities for further research.

¹ Ministry of Justice (2010), *Statistics on Race and the Criminal Justice System - 2008/9*, London: Ministry of Justice.

² Ministry of Justice (2010), accompanying table S3.05a 0809. Population data taken from previous year: Ministry of Justice (2008), *Statistics on Race and the Criminal Justice System - 2006/7*. (London: Ministry of Justice).

The trip to New York also provided members of StopWatch and StopWatch Youth with the opportunity to meet several civil rights organisations that have initiated progressive and effective programmes relating to Stop and Frisk.



Youth Group 'break out' session

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Purpose of the event

The purpose of the event was to discuss, share and debate Stop & Search, a significant issue both in the UK and the US. Considering the vast amounts of research into Stop & Search on both sides of the Atlantic, it was time that the information was shared and opportunities for comparative research explored.

Purpose of StopWatch attending

As a leading group in the UK on Stop & Search reform, it was important that our views were heard and shared in the UK/US Stop & Search debate which included world expert academics, top police officials and successful civil rights and community campaign groups.

StopWatch youth group members in particular attended to find out more about the issues, campaigns and initiatives regarding Stop & Search in the US and to bring back ideas and inspiration for successful change here in the UK. While absorbing the knowledge, it was also important to network with academics, community groups and police who may be able to assist StopWatch in campaign, research and advocacy activities in the future.

For example, the group (via ZinDerfoufi) secured a promise from Craig Mackey, Chief Constable to meet and discuss Stop & Search issues with StopWatch. Training sessions from CopWatch and collaborative research projects are also now a possibility through various contacts made during our time in New York.

Through attending the conference, there were a number of similarities and differences observed between Stop and Search in the UK, and Stop and Frisk in the US. When the two procedures were compared, it was thought that Stop and Search is the more invasive procedure. This is because the police are allowed to remove outer clothing, and search bags and personal belonging. Stop and Frisk equates to a pat-down, but whether this happens in practice is a separate issue.

Debates within the conference expressed differences in data capture on stops. In the UK, The Police and Crime Act 1984 requires the police to record data on stop and searches. This allows a national and regional view of where stops occur, and who they are targeted towards. There is no such law in the US, so data is not as accessible. States, such as Philadelphia, that provide stop data usually do so due to the threat of litigation, which provides another contrast. Litigation is a tool frequently used in the US as a tool. There were also other notable similarities discussed, such as the possibility of under reported numbers of searches, lack of confidence in complaint procedures and the low effectiveness of stops.

Stop concepts that target social housing in the US were seen to add weight to the sometimes little discussed topic of police incentives. It was noted from US police representatives that while officers may not agree with policy, they follow it, or else suffer 'career suicide'. Other than general incentives which come from high level personnel, other outside factors were not given as reasons for high stop levels in the UK.

These are just a few points to highlight about the conference. StopWatch and StopWatch Youth were able to give a substantial amount of academic, civil and legal arguments to changes concerning stop and search. The level of academic research given to stop and search was significantly more detailed than research in the US. As previously mentioned, litigation is frequently seen as an initial step to initiate change in the US, and whilst this isn't the case the UK, StopWatch is in the process of using it as a tool to decrease the discriminatory nature of Stop and Search in the UK

Another benefit of the conference was that it provided a mass of knowledge and statistics in the same place. You can look at all the research papers and resources here:

http://www.jjay.cuny.edu/centers/race_crime_justice/4788.php#conferencepapers

Toolbox

Recommended reading: Lee Bridges/ Paul Quinton give excellent summaries of the current issues relating to Stop & Search in the UK. Find their papers here:

http://www.jjay.cuny.edu/centers/race_crime_justice/4788.php#conferencepapers

Recommended activity: Jack Glaser talks about how the psychological factors of a Stop & Search can cause disproportionate Stop & Searches by police through stereotyping. Have a look at your own 'unconscious bias' here: <https://implicit.harvard.edu/implicit/demo/>)

Recommended watching: Talmud Bah, Second Wave youth project comments on issues surrounding improving Youth/Police relations in the UK:

http://www.youtube.com/watch?v=MQU7mXT_ni4&feature=related

Meeting with US Youth Action Group – *Make the Road NY*

Make the Road New York is a group promoting economic justice, equity and opportunity to young people in New York through community development and electoral organising supported by training and legal support.

And the purpose of meeting was...?

To find out 'on the ground' stop and search experience from young people in the community and to see if the StopWatch Youth Group can learn from any of the activities implemented by *Make the Road* to counteract disproportionate or heavy handed policing.

So what's *Make the Road* up to?

- Working with 'CopWatch', an organisation that uses community led surveillance to monitor police interactions with the community.
- Painting murals on highly visible walls to educate the community on their rights during police interactions. (see image right)
- Organising a 'Stop and Frisk' roving museum to raise awareness of the powers. This includes interactive facts, photography, footage from 'CopWatch' and case studies from those affected by 'Stop and Frisk'.



As Jose, a youth organiser at *Make the Road* explains; his organisation's namesake comes from the poet Antonio Machado. "Searcher, there is no road. We make the road by walking."

Unfair, ineffective and unaccountable Stop and Search has received scant attention in recent years as the causal factors for community unrest and police distrust on both sides of the Atlantic. *Make the Road* is saying, let's get up and let's get going, let's clear the way for change, because no one else is going to do it for us.

Discussions with the young people brought up a plethora of issues:

- There was an overwhelming strong dislike and distrust of the police.
- They felt that having an solid understanding of your civil rights greatly improved their confidence when dealing with the police
- There was a fear that any display of non-compliance with the police would lead to violence.
- Despite the dislike for the police, all agreed that they were needed, albeit with concerns about balance, police quotas on stops, and 'the system' in general.
- Although young women were rarely stopped, they often felt vulnerable when confronted alone by police officers.

Quotes from some of the young people

"We don't have a problem with police in general, the problem is with how they treat us."

"It's sad, because like, most people out here, when they see cops they automatically think they are going to be stopped, and when you constantly stop people, you're constantly making them feel like a criminal"



Make the Road group shot by educational graffiti 'know your rights' advert

The Justice Committee & Copwatch

The Justice Committee was created in 1983, and evolved out of the need for a group that could provide advocacy and support for low-income Latino communities. Since its emanation, it has grown to take an active role in understanding police and racial violence. One of ways this is done is through Copwatch.

CopWatch is a program that consists of a network of activist organisations that monitor police activity. CopWatch members drive around or walk on foot through areas, looking to record police-civilian interactions. There are a range of CopWatch divisions that span across the USA and Canada, which include Protest and Community approaches. It was started by the Black Panthers in the 1960s; however, they used unloaded guns as opposed to video cameras.

Copwatch has been cited as making police officers more accountable for their actions. Cases such as the William Cardenas arrest, who was filmed by CopWatch being punched by an LAPD officer, demonstrate the importance of recording police activity to expose horrific level of police brutality. Stop Watch Youth met with Loyda Colon, from the Justice Committee, New York, to

get a better understanding of CopWatch and to see whether the initiative could be translated across the Atlantic.

What do they do?

The JC provides support and mobilises community members to fight for justice for victims of police and racial violence. This is done through helping families to develop strategies for justice, educating them on their legal options, and providing the best lawyers to fight their cases.

How CopWatch Works

- As the name suggests, this is about legally documenting and observing police behavior. Approximately 2-3 camcorder teams operate during a borough 'round'.
- All members that carry out a police monitoring operation must be aged 17 and over.
- This team will have a lawyer on call, and a home person with access to the internet, who has all the contact details of those on patrols, in case of unforeseen events.
- There are a plethora of roles within CopWatch, so if direct collusion with police doesn't appeal to a person, there are other avenues to get involved in.

What do they do with the footage?

At present, CopWatch is choosing to archive all the footage they record. If they record an altercation between the police, and a civilian, they do offer the footage to the person. This does come with certain responsibilities:

- Camera teams are more likely to view illegal Stop & Frisks, than illegal / inappropriate police behavior.
- A lawyer needs to approve the footage before it is made public, e.g. placed on Youtube.

- Any footage that is released must not compromise the person. Therefore, if the person is carrying drugs, or a weapon, the release of that footage may get them arrested, rather than be a tool to fight the police.

Due to the confrontational nature of the work involved, all volunteers involved in CopWatch receive training on knowing their rights. Following the police can put both the officers and volunteers at risk; police may become embarrassed and threatened, as they feel they are being antagonised. Some volunteers have been handcuffed, but not arrested, and placed in jail while the police delete video footage from the team's camcorder.

A number of questionable police operations were raised during the meeting. One major factor was the rise of vertical patrols, which are a process where police systematically check the floors, lobbies and roof of buildings. They are processed floor by floor within a building. All tenants are required to have ID proving they live in the building. All residents receive a fine if they are caught during a vertical sweep without their ID. This has led to lawsuits against the New York Police Department.

Meeting with Malcolm X Grassroots Movement

What is it?

The Malcolm X Grassroots Movement (MXGM) was founded in Brooklyn, NY, in 1993, and aims to protect the human rights of Blacks and promote self-determination within the Black community. MXGM endeavours to achieve this through its core principles, which include demanding reparations and actively seeking to end sexist oppression. The organisation has a very strong Pan-African identity and purpose.

The Purpose of the Meeting....?

To receive training on CopWatch, and to find out whether CopWatch could be implemented in the UK.

What does MXGM do?

MXGM carries out a range of programs. These include:

- The Peoples' Self Defence Campaign. This includes the use of CopWatch, Know Your Rights workshops, and legal and organising support to victims and families affected by police brutality and misconduct.
- Community Education Workshops based on issues faced by Africans in America. These workshops cover topics such as 'Alternative Approaches to Education' and 'Political Prisoners and Prisoners of War'.
- Safe Space Initiatives, which provide communities with somewhere to come together, and build relationships.

CopWatch has been an important part of documenting police misconduct. CopWatch activist, Djibril Toure, led the training and also recalled his own brushes with the police. Whilst filming the NYPD during a CopWatch neighbourhood round, he was arrested, and the cameras were taken into police custody. The CopWatch team were then charged with assaulting police officers; however, the video footage cleared them. As a result, they successfully sued the NYPD for being falsely arrested.



CopWatch training

Conclusions

What did we learn? What can we take forward?

As well as the academic statistics, facts, discussions and observations at the conference, it was particularly useful to view real life 'on the ground' experiences impacted by Stop & Search. Both the visit to the Make the Road project and the CopWatch training session were two very special insights into community projects that work.

Community

Engaging the community in Stop & Search issues is the first step to a successful campaign. Examples such as the Make the Road 'graffiti advert' campaign which used walls in the local area to educate people about their rights in a Stop & Search as well as the filming of the police by CopWatch show how the community can be reached and involved in police accountability.

Due to largely 'exclusive conference' of police officials, lawyers and academics, it was noted how important it is to engage the general public in Stop & Search issues. Hopefully, upcoming projects organised by StopWatch will address this challenge through upcoming and actual projects e.g; videos, website, promotional cards/leaflets and newspaper articles.

Media

During the conference, a US media specialist who covered the 1981 Brixton Riots noted that the '*media is a key actor for change in criminal justice issues*'. At a time where the youth voice is being ignored, it is important that we start engaging with journalists, bloggers and news stations as soon as possible in order to create maximum media impact. Some of the articles which have been by members of the StopWatch group, could be used to engage the wider public on the issue. Social media has a major impact on campaign organization, we must utilize such medium to promote the issue.

Research

One key realisation from the conference was a need for more research (of course the academics would say this!). But on a serious note, a US youth led research project 'Growing up Policed' that conducted surveys *by youth about youth*, was very successful in collecting 'on the ground' experiences of Stop & Search. There could be an opportunity for StopWatch youth group to conduct a similar research project which could be used to complement wider research on the subject or used as an opportunity to promote the 'Youth Voice' through media channels.

Practical projects

CopWatch is certainly a possible practical project for the StopWatch Youth Group to develop in the UK. Visiting an actual training session showed how an organised group could really make a difference in the community by filming the police while they are stopping & searching people. It often leads to better behaviour once police realise they are on film and certainly can make police think twice before conducting a stop & search that they are doing it for the right reasons and backed up with the correct legislation and intelligence. It also allows evidence of bad police practice to be documented (and provides vital back up legal support) should the victim wish to complain.

However, the provocative nature of filming the police officer may also lead to relations being strained to an extent. Officers may feel intimidated and there are reports in the US where the police have threatened Copwatch members with guns. This could have the unintended effect of escalating the divisions between BAME communities and the police.

'Knowing Your Rights Training' has been very important in allowing young people to feel more comfortable around the police, and understanding the stop and search and arrest procedure. Bringing together young people from a specific area, and training them on knowing their rights

can help their own self-esteem, as well be a tool to break down any barriers and divisions between them.

The riots in August sprung up some important issues that need to be addressed; these are issues that can be tackle by one organisation or body. It will require a collective effort by individuals, NGOs, faith groups, private sector and public sector. With the current state of youth services in the UK, some councilshave cut their youth services budget by 75%. There is a great need for the voice of the youth to become more powerful, organisations such as StopWatch can play an important role is developing this framework. Various methods can be used to echo the concerns of the youth, running sessions at different events, debate, and forums. However, these activities should complement other projects or research undertaken by StopWatch.

“Tomorrow belongs to those who prepare today.”Malcolm X

Links

StopWatch: www.stopwatch.org.uk

Make The Road NY: www.maketheroad.org

The Justice Committee: www.thejusticecommitee.org

Malcolm X Grassroots Movement: www.mxgm.org

John Jay College of Criminal Justice: www.jjay.cuny.edu