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New York Police Department Stop, Question, And Frisk Program: Experiences Across Race And Gender

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NEW YORK POLICE DEPARTMENT STOP, QUESTION, AND FRISK PROGRAM:
EXPERIENCES ACROSS RACE AND GENDER

by

Thomas John Mrozla
Bachelor of Arts, University of North Dakota, 2012

A Thesis

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This thesis, submitted by Thomas Mrozla in partial fulfillment of the requirements for the Degree of Master of Arts from the University of North Dakota, has been read by the Faculty Advisory Committee under whom the work has been done and is hereby approved.

Dr. Krista Lynn Minnotte

Dr. Elizabeth Legerski

Dr. Justin Berg

This thesis is being submitted by the appointed advisory committee as having met all of the requirements of the Graduate School at the University of North Dakota and is hereby approved.

Wayne Swisher
Dean of the Graduate School

Title New York Police Department Stop, Question, and Frisk Program:
Experiences across Race and Gender

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04-11-2014

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ABSTRACT

There is an ongoing discussion on how race influences the likelihood of police contact. The findings of the existing literature on how race influences the likelihood of contact with the police is fairly mixed. Although much literature exists on race alone, we know little about how different policing strategies are experienced by males and females. This research explores the effect that a suspect's gender and race will have on the likelihood that a stop will result in the suspect being frisked, arrested, or have force used against them in the five boroughs of New York City. The data for this project are taken from the New York Police Department Stop, Question, and Frisk Database. Logistic regression revealed that Blacks and males had a higher likelihood of being frisked and having forced used against them compared to their counterparts. On the other hand, findings show that Whites and females were slightly more likely to be arrested than their counterparts. Implications of these patterns for the suspects, their families, and the police are discussed.

CHAPTER I

INTRODUCTION

Overview of the Chapter

The purpose of this thesis is to explore the effect that a suspect's gender and race will have on the likelihood that a stop will result in the suspect being frisked, arrested, or have force used against them in the five boroughs of New York City. In Chapter One I will introduce the reader to the topic of this thesis, including the thesis goals and the importance of this topic. I will also give an overview of the next four chapters of this thesis.

Introduction and Goal of Thesis

Racism and prejudice have been major issues in the United States since the colonial era. Racist and discriminatory practices have been legally sanctioned for much of America's history. A few examples of racially structured institutions include slavery, segregation, and the formation of Native American reservations. The United States took measures to end discrimination with the abolition of slavery and the passage of the Civil Rights Act in 1964. The Civil Rights Act of 1964 ended formal segregation and some institutional discrimination by race, ethnicity, and religion in education, public accommodations, voting, and federal assistance (Tomaskovic-Devey & Stainback, 2007). Although the United States took this monumental step to end formal segregation in certain institutions, racism

and prejudice have not ended altogether. Some institutions, including the criminal justice system, are still engaged in the unfair treatment of minorities. Young black men are widely viewed as 'symbolic assailants' in the popular imagination (Quillan & Pager, 2001), in the criminal justice system broadly (Bridges & Steen, 1999; Kennedy, 1997), and among the police specifically (Anderson, 1990; Skolnik, 1994). Today, mass incarceration is an issue faced by young Black men in America (Alexander, 2010). Mass incarceration can be defined as the imprisonment of large numbers of people as a result of new policies, such as drug enforcement (Alexander, 2010). This trend tends to differentially impact Black men, and more Black men are in prison or jail, on probation, or parole than were enslaved in 1850 before the Civil War (Alexander, 2010). According to Russell (2011), there are 487 white Americans in prison per 100,000 members of the population. This amount is nearly five times as high as the European average of 100. In contrast, the rate of imprisonment for American Blacks is 3,161, which is over six times the rate of American Whites and thirty-one times the European rate (Russell, 2011). From these important statistics we can see that mass incarceration is a major component of society that differentially impacts Black men.

The criminal justice system has been encouraged over the years to apply principles of equality and fairness to their practices. One segment of the criminal justice system that has been challenged to practice equality is law enforcement. Law enforcement strategies have produced many harms to minority citizens, especially Blacks, including unnecessary stops, disrespectful treatment, excessive force, and police deviance (Fagan & Davies, 2000; Mastrofski, Reisig, & McCluskey,

2002). With police stops, the problem has been police disproportionately stopping minorities, specifically Black men. Disrespectful and deviant behavior, such as excessive force, of the police reduces the citizen's sense of procedural justice. Scholars have argued that one of the most harmful elements of aggressive policing strategies is the disproportionate targeting of both minority citizens and poor minority communities (Bass, 2001; Fagan & Davies, 2000; Heymann, 2000).

One particular law enforcement technique in which unfair treatment has been documented is the practice of stop and frisk encounters. Under such programs, a police officer can stop and frisk an individual if they have reasonable suspicion that the person has committed, is committing, or is about to commit a crime and has reasonable belief that the person may be armed and dangerous (Terry, 1968). Because the stop, question, and frisk program in New York City has stopped more suspects than other programs, it is considered the most notable of such programs. Although there are many large cities in the US, there is no program as comprehensive as the NYPD Stop, Question, and Frisk program. In 2006, the New York Police Department was involved in about a half a million encounters with pedestrians who were stopped because of suspected criminal involvement (Ridgeway, 2007). Of the half million that were stopped as part of the NYPD Program over half were Black, which has raised concerns about the integrity of the program.

In a report by the Center on Quality Policing (CQP), part of the Safety and Justice Program within the RAND Corporation, it was noted that there were large

disparities with regard to race and police encounters in the NYPD Stop, Question, and Frisk Program (Ridgeway, 2007). The NYPD's stop, question, and frisk practices have raised concerns about racial profiling, illegal, stops, and privacy rights. Indeed, according to the NYPD's own reports, they have stopped hundreds of thousands of law abiding citizens, and the vast majority were Black and Latino. Those stopped the most in this program city are young, Black men between the ages of 14-24. According to the New York Civil Liberties Union (NYCLU), the number of stops of young Black men last year actually exceeded the total number of young Black men in the city (168,126 as compared to 158,406).

The accusation of racial profiling has become one of the most controversial issues in U.S. policing. Many media outlets across the country have carried stories accusing police departments of engaging in this practice. Many civil rights and civil liberties groups, such as the New York Civil Liberties Union (NYCLU) and the American Civil Liberties Union (ACLU), have labeled the problem as being endemic, and have urged bodies to pass laws prohibiting police practices that involve racial profiling (Harris, 1999). Findings such as those uncovered by The RAND Corporation in New York City have made racial profiling real for these civil liberties groups. With such hard evidence, they can better address the problem that young Black men are facing in New York City. As a result of this evidence, courts have become involved in reviewing the constitutionality of the NYPD Stop, Question, and Frisk program. On August 12th 2013, Federal Judge Shira Scheindlin made a landmark decision finding the New York City Police Department's stop-and-frisk practices unconstitutional. This came as a result of many civil suits against New

York, with *Floyd et al v New York* being the most notable. In these civil suits, stops were described as racially motivated by the police without proper cause. In *Floyd et al v New York*, Judge Scheindlin found the NYPD's practices to violate New Yorkers' Fourth Amendment rights to be free from unreasonable searches and seizures and also found that the practices were racially discriminatory in violation of the Equal Protection Clause of the Fourteenth Amendment.

The initial findings reported by the RAND Corporation and landmark decision by Judge Scheindlin evoke questions about the integrity the New York Police Department's Stop, Question, and Frisk Program. Is there a racial bias in police officers' decisions to frisk, arrest, and use force against particular pedestrians? Are officers more intrusive when stopping Black males than their counterparts? Does the gender of the suspect also come into play? With data taken from the New York Police Department (NYPD) Stop, Question, and Frisk Database, 2006, I will investigate these questions.

Research Question

The research question in this study is: How will a suspect's race and gender influence the likelihood that a stop will result in a suspect being frisked, arrested, or having force used against them in the five boroughs of New York City? When it comes to race and policing, gender is often ignored (Hurst, Frank, & Browning, 2000). Since there is very little academic literature on stop and frisk encounters and experiences across both race and gender, this thesis will contribute to the literature by presenting a scholarly discussion of these issues. While most of the focus in the

literature is on race itself, it is also important to explore the experiences of both gender and race, as experiences may vary among Black females, White males, and White females. Two theories will help to guide this inquiry into the NYPD Stop, Question, and Frisk program. The minority group threat theory will guide the discussion on race and the chivalry hypothesis will guide the discussion on gender. Together, these theories will help to enhance understandings of the influences that race and gender have on the likelihood that a stop will result in a suspect being frisked, arrested, or having force used against the in the five boroughs of New York City.

The literature on police stops has found that minority citizens, particularly African Americans, are disproportionately stopped or searched by police relative to their baseline populations and white counterparts (Berejarano, 2001; Gaines, 2002; Lamberth, 1997; Lundman & Kaufman, 2003; San Diego Police Department, 2000; San Jose Police Department, 1999). The literature on police arrests tells us that Blacks have a higher susceptibility to be arrested (Alexander, 2010; Black & Reiss, 1970; Blumstein, 1982; Crawford, 2000). In terms of police use of force it has been shown that minorities, particularly African Americans, have had physical force used against them at rates that are higher than their white counterparts (Alpert, Dunham, & MacDonald 2004; Brunson & Miller, 2006; Fyfe, 1982; Geller & Scott. 1992; Holmes, 2000; Smith & Holmes, 2003; Sparger & Giacomassi, 1992). Despite this abundance of scholarly studies, gender has been largely ignored in the literature. This study will help to fill the gap that exists with regards to gender and police frisks, arrests, and force.

Organization of the Remainder of the Thesis

In this chapter I provided a general introduction on police stop and frisk policies and why there is much controversy surrounding them. In Chapter Two I will delve into previous literature on police stops, arrests, and use of force as well as explore the theoretical orientations that guide this thesis. In Chapter Three I will detail information about the data that makes this topic possible to study along with the methodology used to do the research. I will reveal the results of the statistical analysis in Chapter Four, and in Chapter Five I will discuss the results of the study in relation to previous studies, as well as the limitations of the study and ideas for future research.

CHAPTER II

Literature Review

The purpose of this thesis is to explore how the gender and race of a suspect affect the likelihood of a stop resulting in a suspect being frisked, arrested, or having force used against them in the five boroughs of New York City. In this chapter I will explain the theoretical orientations of this thesis and the previous literature on the topic. Based on the theory and literature that is reviewed, I will also propose six hypotheses.

Theoretical Orientations

Minority Group Threat

To guide this inquiry into how race influences the likelihood of a stop resulting in a suspect being frisked, arrested, or having force used against them in the five boroughs of New York City, I use the minority group threat theory. The minority group threat theory proposes that as the minority population increases in a given area, the citizen's fear of crime increases. The origins of the minority group threat theory can be traced to Hubert M. Blalock Jr. (1967) and Herbert Blumer (1958). Blalock's efforts centered on building a theoretical model of minority and majority group behavior (Blalock, 1967). As such, minority group threat is based on fear of losing dominance to a culturally dissimilar group. Fundamental to Blalock's model is a proposition that relates minority group size to majority group dominance

protection efforts (Blalock, 1967). He argued that majority groups escalate efforts to protect their dominance at a geometrically increasing rate as the minority group gets bigger. In addition to Blalock's work (1967), Herbert Blumer's (1958) concept of group threat suggests dominant groups seek to preserve their valuable position in society, and they view gains in power by subordinate groups as threatening. According to Blumer (1958), the dominant racial group usually exhibits four basic types of feelings toward other racial groups that perpetuate discrimination. They feel superior and that members of the subordinate race are inherently different. They also feel entitled to privilege and that those they view as inferior have an agenda that threatens the superiority of their group (Blumer, 1958). Supporting this perspective, Heinz, Jacob, and Lineberry (1983) suggest that Whites' fear of crime is greater in the presence of a visible, culturally dissimilar minority group.

This theoretical orientation offers insight into the way race could influence the likelihood of a stop resulting in a suspect being frisked, arrested, or having force used against them. New York City has one of the most diverse populations in the United States. Because it's so diverse, Whites' fear of crime may rise in the presence of a minority group. Therefore, the NYPD Stop, Question, and Frisk program could be used as a mechanism of social control, with Blacks stopped at a disproportionate rate compared to Whites. This study will examine how the NYPD Stop, Question, and Frisk program could act as a social control mechanism for minorities, specifically Blacks. Proponents of minority group threat work under the assumption that the majority group is White and that those engaged in acts of social control, such as police officers, are also mostly White. In line with this theory, the

NYPD has a diverse population of police officers, but the majority of them are White (Ridgeway, 2007).

Based on this theory, I expect to see more Blacks being frisked, arrested, and having force used against them because they represent the subordinate group, not because of race alone, but also because of their group size. For the inquiry into the effect that a suspect's gender has on a stop resulting in a suspect being frisked, arrested, or having force used against them, a second theoretical perspective of the chivalry hypothesis will be used.

Chivalry Hypothesis

The chivalry hypothesis posits that female criminals receive more lenient treatment in the criminal justice system. This hypothesis asserts that because women are viewed as weak and irrational, law enforcers and the criminal justice system treat them in a more lenient manner (Anderson, 1976; Pollak, 1950). Work by feminist criminologists has demonstrated that it is the type of offense rather than the severity of the offense that often determines how women are treated in the criminal justice system (Chesney-Lind, 1999; Crew, 1991). In line with the chivalry hypothesis, it would be expected that females suspected of committing less serious crimes will be treated more leniently by the police. Female suspects who commit unfeminine acts are treated more severely than their counterparts whose illegal activity conforms to the standards of womanhood. Minor crimes committed by women suspects are therefore often overlooked, whereas violent women suspects are punished to serve as a cautionary tale to women about the risks associated with

male crime (Chesney-Lind, 1999). According to this hypothesis, those women who engage in violent crimes and are hostile toward the police will more likely be denied chivalrous treatment and receive more negative sanctions from the criminal justice system. Following this line of reasoning, women suspects in New York City may be frisked, arrested, and have force used against them less often, especially when the crime is non-violent. Now that I have established two theoretical orientations to guide this study, I will review the relevant literature on police stops, arrests, and force.

Previous Literature

In the remaining portion of this chapter, I will provide a review of the existing literature concerning racial profiling as well as police stops, arrests, and use of force. The first body of literature I will discuss provides an overview of police stops. The second body of literature I will discuss will be arrests. Use of force by police will be the third body of literature that I will highlight.

Police Stops

For most of its history, the criminal justice system in America has had controversy surrounding it with regards to how minorities are treated. The question raised in most of the literature is whether police intentionally target people because of their race. Doing so is called racial profiling, which is defined as “police organizations creating and acting on a set of characteristics, which can include race, used to describe a typical offender or offending population” (Harris, 2002, p. 10). Other scholars have similarly defined it as taking place when police

officers stop or give citations to a disproportionate number of minorities (Meehan & Ponder, 2002). With little prior research on police frisks, the most relatable academic literature to frisks explores police stops because it is the next level of contact between a police officer and a suspect after a stop.

Many minorities perceive uneven treatment at the hands of police (Kennedy, 1997), yet empirical research on racial profiling is limited. Much of the literature on racial profiling pertains to traffic stops, although some literature exists on searches and arrests. Further, literature that addresses the influence of race and gender on being frisked is especially limited. Findings indicate that minority citizens, particularly African Americans, are disproportionately stopped or searched by police relative to their baseline populations and white counterparts (Berjarano, 2001; Gaines, 2006; Lamberth, 1997; Lundman & Kaufman, 2003; Cordner, Williams, & Velasco, 2000).

The magnitude of racial disparity, however, varies across studies. Gaines' (2006) Riverside Police study found that Blacks were 25 percent more likely than Whites to be stopped. Another study by Berjarano (2001) pointed to an even higher likelihood in that Blacks in San Diego were 50 percent more likely to be stopped than other drivers. In contrast, the 1999 results a study of the San Jose Police Department indicated that Blacks were stopped at only slightly higher rates than their population would suggest (4.5% of the population, 7% of the persons stopped), with the majority of the stops involving Hispanics followed by Blacks and other minorities. Similar search disparities were found by Lamberth (1997) in his

study of the Maryland and New Jersey State Police. Indeed, his research showed that 17.6% of the speeding violators were Black, but Blacks constituted 72.9% of searches.

Lundman and Kaufman (2003) were the first researchers to use the *Contacts Between the Police and the Public* component of the National Crime Victimization Survey to estimate racial disparity in police stops. Their findings indicated that Blacks and Latinos were less likely to report being stopped for a legitimate reason while controlling for social class (Lundman & Kaufman, 2003). A police stop study done by the San Diego Police Department in 2000 similarly found that both Blacks and Hispanics were overrepresented among persons stopped, searched, and arrested controlling for age, but not social class. In contrast, there are very few studies that do not reveal racial disparities with regards to stops, searches, and arrests while controlling for age and class (Gaines, 2006; Warren, Tomaskovic-Devey, Smith, Zingraff, & Marcinda, 2006; Smith & Petrocelli, 2001). Past scholarship has made it evident that there are, indeed, racial disparities in police stops. In addition to race, it is also important to study gender and police stops.

Gender and Police Stops

Gender is often overlooked in studies of police stops, however, a few studies that have taken gender into account have shown that black men and women have been routinely stopped by the police (Brunson & Miller, 2006; Lundman & Kaufman, 2003; Norris, Kemp, & Fielding 1992). Brunson and Miller (2006) examined how aggressive policing was experienced by Black youths in a poor urban community in

St. Louis, Missouri. In particular, they used in-depth interviews with youths to investigate how gender shaped interactions with the police. It was discovered that young men reported routine treatment as suspects regardless of their involvement in delinquency, with young men also being stopped disproportionately (Brunson & Miller, 2006). They also found that the young women reported being stopped for curfew violations more than their counterparts. Altogether, the literature that examines gender and police stops, provides considerable evidence that males represent the majority of police stops regardless of criminal involvement. The current study on the New York Stop, Question, and Frisk Program, guided by this body of literature, also considers gender as a main variable. By doing so, this study will also add to the growing literature on how gender shapes police encounters with suspects.

Arrests

The New Jim Crow by Michelle Alexander has opened a societal dialogue regarding how race influences arrests. She, and other scholars, have highlighted that minorities, especially Blacks, are incarcerated at a higher rate than their White counterparts (Alexander, 2010; Russell, 2011). Alexander (2010) illustrated how the war on drugs and subsequent arrests have played an influential role in the prison population boom in America. For example, arrests for marijuana possession have accounted for nearly 80 percent of the growth in arrests in the 1990s, and that vast numbers of minorities have been arrested by the police who conducted drug operations in communities of color (Alexander, 2010). Even though people of color

are no more likely to be guilty of drug crimes than whites, police are allowed to rely on race as a factor in selecting whom to stop (Alexander, 2010).

One classic study by Black and Reiss in 1970 presented a thorough examination of police control of citizens before the height of the war on drugs. Through observations of police-citizen interactions they were able to record arrests rates in Boston, Chicago, and Washington, DC. Of the encounters studied, 15% resulted in arrest. The arrest rate for Blacks was 21%, while the rate for White arrests was only 8%. For the researchers, this difference raised the question of whether racial discrimination played a role in arrests. Although very little academic literature exists on arrests, some research has shown that Blacks are more likely to be arrested because they are more likely (than Whites) to be participants in the serious types of crimes or offenses that warrant police responsiveness (Alexander, 2010; Black & Reiss, 1970; Decker & Kohlfeld, 1985; Visher, 1983). One notable study, however, showed that Blacks were less likely than whites to be arrested (Stolzenberg, D'Alessio, & Eitle 2004). In racially segregated cities, the authors found that crimes involving black offenders were much less likely to result in an arrest (Stolzenberg et al., 2004). Because these cities were segregated, most of the crime was intra-racial. When crime had a Black offender and victim there was less of a chance that an arrest would take place compared to if the crime had a White victim and a Black offender (Stolzenberg et al., 2004). The present study will contribute to the literature by examining how the race of a suspect will influence the chance of arrest during a stop, question, and frisk encounter in New York City.

Gender and Arrests

Gender is an important variable when it comes to studying arrests, however, it is often overlooked. One study that did take gender into account was Visher's (1983) study of police-citizen encounters in 24 police departments that focused on analyzing the arrest decisions of police. She found older, White, female suspects were less likely to be arrested than their younger Black counterparts involved in similar crimes. Males were arrested at a rate of 20%, whereas females were arrested at a rate of 16%. The present study will add to the literature on arrests by comparing arrest rates of males and females in New York City that were part of the Stop, Question, and Frisk Program. Because we know little about how gender influences the likelihood of an arrest occurring after a stop, this study will examine experiences of males and females who were suspects in the NYPD Stop, Question, and Frisk program.

Use of Force

The legitimate use of force is at the core of the police role (Bittner, 1980). The police role in modern society has been described as a mechanism for the distribution of non-negotiable coercive force based upon an intuitive understanding of situational factors (Bittner, 1980). Historically, minorities, particularly African Americans, have had deadly force used against them at higher rates than their white counterparts. One of the most notable police shootings was that of African American Amadou Diallo in 1999. Diallo was followed to his home by four White police officers who were part of the elite Street Crime Unit in New York City

(Alexander, 2010). These officers thought he looked suspicious and wanted to question him. They ordered him to stop, but the officers said he didn't respond to the orders. Diallo continued to walk to his apartment, opened the door, and retrieved his wallet to produce identification (Alexander, 2010). The officers thought the wallet was a gun and fired 41 shots which killed Diallo. His murder sparked many protests and a societal debate on the role race plays in police shootings. As a result, a series of inquiries took place by the attorney general of New York. Rather than reducing their reliance on stop and frisk practices, the NYPD increased its number of pedestrian stops.

Academic research has also analyzed police use of force in a broad manner. Most studies show that police use of force is somewhat rare (Buchanan, Garner, Hepburn, & Schade, 1996). Studies have shown that when use of force does occur the majority of police actions are typically minor (Alpert & Dunham, 1999; Garner & Maxwell, 1999). Studies that focus on general use of force have shown that police are more likely to use force against non-White suspects compared to Whites (Brunson & Miller, 2006; Holmes, 2000; Smith & Holmes, 2003). In line with the minority threat hypothesis, Holmes (2000) found a strong positive relationship between percent Black and citizen complaints. Also consistent with the minority threat hypothesis, Smith and Holmes (2003) found that the police's perception of minority threat increased the use of coercive controls, such as excessive force. In contrast, one study found no relationship between race and excessive force with other suspect characteristics, such as sex and age being controlled for (McCluskey, Terrill, & Paoline, 2005).

A number of studies have shown that police were more likely to use deadly force with a weapon against non-White suspects compared to whites (Alpert et al., 2004; Fyfe, 1982; Geller & Scott, 1992; Sparger & Giacomassi, 1992). For instance, Fyfe found that 85.7 percent of the suspects in elective shootings were Black in Memphis (Fyfe, 1982). Fyfe (1982) concluded that Memphis police officers shot blacks in "circumstances less threatening than those in which they shot whites" (p. 721). Additionally, Sparger and Giacomassi (1992) and Geller and Scott (1992) found that African Americans outnumbered whites as victims of police gunfire. This study will also identify if any racial disparities exist when looking at police use of force in the NYPD Stop, Question, and Frisk program.

Gender and Use of Force

Like other scholarship in this area, the literature on police use of force has largely ignored gender. Of the studies that do exist, it has been shown that Black males and females have their own unique experiences when it comes to police force. In Brunson and Miller's (2006) study, young Black men described being thrown to the ground, kicked, choked, and hit with batons. Many young women also reported police violence, including being beaten and held to the ground. In addition to research on gender and use of police force, Fine and colleagues (2003) surveyed 911 New York City-based urban youth. They found that two-fifths of young women complained of sexual harassment by police officers. Their study showed that excessive force was experienced differently by young women compared to men. When taking gender into account, McCluskey, Terrill, & Paoline (2005) found young

and male suspects were more likely to encounter higher levels of force compared to their female and older counterparts. The literature on police use of force provides a background to this study, which will also examine police use of force, but in the context of the New York City Stop, Question, and Frisk program.

Presentation of Hypotheses

Most of the literature on racial profiling is dated, has been descriptive in nature, and has been conducted by law enforcement agencies and special interests groups. It has generally not been subjected to peer review, and it has often ignored gender. This study will help to fill the gap in the literature by examining how both gender and race come into play. The majority of the existing literature has shown that Blacks and males are more likely to be stopped, arrested, and have force used against them. This scholarship, along with the theoretical orientations, offer a solid foundation for six hypotheses regarding how a suspect's race and gender affect the likelihood of a stop resulting in a frisk, arrest, or use of force. The hypotheses are:

Hypothesis 1: Stops involving Black suspects will have a higher likelihood of the suspect being frisked than stops involving White suspects.

Hypothesis 2: Stops involving male suspects will have a higher likelihood of the suspect being frisked than stops involving female suspects.

Hypothesis 3: Stops involving Black suspects will have a higher likelihood of the suspect being arrested than stops involving White suspects.

Hypothesis 4: Stops involving male suspects will have a higher likelihood of the suspect being arrested than stops involving female suspects.

Hypothesis 5: Stops involving Black suspects will have a higher likelihood of the suspect having force used against them than stops involving White suspects.

Hypothesis 6: Stops involving male suspects will have a higher likelihood of the suspect having force used against them than stops involving female suspects.

Control Variables

The control variables of age of suspect, borough, and suspected offense are also included in this study. Age will be used because much of the past literature has highlighted the importance of age when it comes to stops (Berjarano, 2001; Brunson & Miller, 2006; Gaines, 2006; Lamberth, 1997; Lundman & Kaufman, 2003; Cordner, Williams, & Velasco, 2000; Norris et al., 1992), arrests (Alexander, 2010; Black & Reiss, 1970; Russell, 2011; Stolzenberg et al., 2004), and use of police force (Alpert et al., 2004; Brunson & Miller, 2006; Fyfe, 1982; Geller & Scott, 1992; Holmes, 2000; Smith & Holmes, 2003; Sparger & Giacomassi, 1992). The past literature has shown that it is mainly young suspects, particularly Blacks, who are subject to higher rates of these practices. Borough will be used to discover if specific parts of New York City have higher rates of frisks, arrests, and police use of force. Suspected offense will be used because a violent suspected offense might influence frisk, arrest, and police use of force outcomes differently than a non-violent suspected offense.

Summary

In Chapter Two I introduced minority group threat and the chivalry hypothesis as the theoretical orientations of this thesis. I also reviewed past literature pertaining to the main variables used in this thesis. Hypotheses based on previous literature were also introduced. In the next chapter, I will describe the methodology of this thesis. The measurement of the variables I utilize in this study will be explained as well as the strategies used to investigate the research questions.

CHAPTER III

METHODOLOGY

The purpose of this thesis is to explore how the gender and race of a suspect affect the likelihood of a stop resulting in a suspect being frisked, arrested, or having force used against them in the five boroughs of New York City. A secondary data set will be used to address this research question and the hypotheses. In this chapter I detail the methodology of the thesis. In the first part of the chapter, I will explain the data set that is used. In the second part of this chapter, I will describe the measurement of frisks, arrests, use of force, the independent variables, and the control variables. In the final section of this chapter, I will detail the analytic strategy used to explore the hypotheses.

Data and Sample

The data for this project are taken from the New York Police Department Stop, Question, and Frisk Database. These data were originally collected by New York Police Department officers and record information gathered as a result of stop, question, and frisk (SQF) encounters during 2006. After each stop in 2006, the officers filled out a UF250, or Unified Report 250. These forms included data on the stop that occurred, including the officer's reasons for initiating a stop, whether the

stop led to a summons or arrest, demographic information for the person stopped, and the suspected criminal behavior. The unit of analysis will be each police-citizen encounter, or stop, in New York City, New York. The number of stops was 506,491 for the year of 2006. In the analysis listwise deletion was used and other cases were eliminated because they did not fit the research question, resulting in 315,186 cases.

Measures

Dependent Variables

The dependent variables are *frisked*, *arrested*, and *use of force*. The first dependent variable, *frisked*, asked the police officer if they frisked the suspect. Response categories were organized into two groups: (0) “no” (1) “yes”. The second dependent variable, *arrested*, asked the police officer if they arrested the suspect. Response categories were organized into two groups: (0) “no” (1) “yes”. The third independent variable, *use of force*, asked the police officer if they used force against the suspect. Originally, there were nine different responses: “hands”, “ground”, “wall”, “weapon drawn”, “weapon pointed”, “baton”, “handcuffs”, “pepper spray”, and “other”. For this study, I combined all the different responses into one *use of force* variable with response categories of (0) “no force used” (1) “force used”.

Independent Variables

The independent variables for this study are gender and race. The first independent variable *gender* asked the officer the gender of the suspect. I coded this variable into a dummy variable, with men coded as “1” and women coded as “0.”

Race was also coded into a dummy variable. For *race* “0” indicated White suspects and “1” indicated Black suspects. All other racial groups were excluded from the analysis.

Control Variables

The control variables of age of suspect, borough, and suspected offense are also included in this study. *Age* was measured in years. The five boroughs included in the analysis are: Manhattan, Bronx, Brooklyn, Queens, and Staten Island. The Bronx will be used as the comparison category. *Borough* was coded into 5 different dummy variables in which the response categories were (1)“took place in this specific borough” and (0)“took place in another borough.” *Suspected offense* was coded into a dummy variable where “0” indicated a non-violent suspected offense and where “1” indicated a violent suspected offense.

Analytic Strategy

The purpose of this thesis is to explore how the gender and race of a suspect affect the likelihood of a stop resulting in the suspect being frisked, arrested, or having force used against them in the five boroughs of New York City. I will use univariate, bivariate, and multivariate analyses to address this research question. I will present descriptive statistics to provide an overview of the distribution of the variables, and bivariate correlations will be conducted to determine the relationships between the variables. Logistic regression will be conducted to explore the hypotheses. Three models of logistic regression will be used.

Model 1 will address the first and second hypotheses by testing the effects that gender, race, age, borough, and suspected offense have on the likelihood a stop will result in a suspect being frisked. Model 2 will address the third and fourth hypotheses by testing the effects that gender, race, age, borough, and suspected offense have on the likelihood that a stop will result in a suspect being arrested. Model 3 will address the fifth and sixth hypotheses by testing the effects that gender, race, age, borough, and suspected offense have on the likelihood that a stop will result in a suspect having force used against them. All models will also include the control variables.

Summary

In this chapter, I gave an overview of the methodology used in this thesis, including a description of the data set used. I detailed the dependent, independent, and control variables, and I explained the analytic strategy used. In Chapter Four, I will provide the results of this thesis. In Chapter Five, I will discuss the results of the study in relation to previous studies, as well as the limitations of the study and ideas for future research.

CHAPTER IV

RESULTS

The goal of this thesis is to explore how the gender and race of a suspect affect the likelihood that a stop will result in the suspect being frisked, arrested, or having force used against them in the five boroughs of New York City. The data for this project are taken from the New York Police Department Stop, Question, and Frisk Database. This chapter will outline the descriptive statistics, present the results of the bivariate correlations, and discuss the results of the logistic regression models.

Descriptive Statistics

The descriptive statistics for the variables used in this study are shown in Table 1. Looking at the dependent variables, 42.8% of the suspects were frisked, 4.2% were arrested, and 20.2% had physical force used against them during 2006 in New York City.

The majority of the suspects who were stopped were male. Indeed, 92.7 percent of those stopped were male and 7.3 percent were female. The majority of the suspects stopped were Black who comprised 83.3 percent of the stops included in this study, whereas Whites only constituted 16.6 percent of the stops.

The three control variables in this analysis are age, borough, and suspected offense. For age, the mean was 28.19 ($SD = 11.70$). Most stops took place in

Brooklyn (40.8%), and 22.8 percent were in Manhattan, 19.5 percent were in Queens, 12.1 percent were in The Bronx, and 4.7 percent were in Staten Island. Lastly, 80.3 percent of the suspected offenses were non-violent, whereas 19.7 percent were violent.

Table 1. *Descriptive Statistics (N = 315,186)*

Variables	<i>M</i>	<i>SD</i>
Frisked	.43	--
Arrest	.04	--
Physical force	.20	--
Sex ^a	.07	--
Race ^b	.83	--
Age	28.19	11.70
Suspected offense ^c	.19	--
Manhattan	.2283	--
Bronx	.1213	--
Brooklyn	.4076	--
Queens	.1954	--
Staten Island	.0474	--

^aSex was a dummy variable with male suspects coded as 0 and female suspects coded as 1. ^bRace was a dummy variable with White suspects coded as 0 and Black suspects coded as 1. ^cSuspected offense was a dummy variable with non-violent coded as 0 and violent coded as 1.

Bivariate Analyses

Bivariate correlations were conducted to see how the variables were related to each other. The results of this analysis are presented in Table 2, and the

correlations between the key independent and dependent variables will be the focus of this discussion. According to bivariate correlations, stops involving Blacks ($r = .072, p < .001$) were more likely to result in the suspect being frisked. In addition, stops involving Blacks ($r = .064, p < .001$) were more likely to result in the suspect experiencing physical force. In contrast, stops involving Whites ($r = -.014, p < .001$) were more likely to result in an arrest. When looking at sex, stops involving males ($r = .143, p < .001$) were more likely to result in the suspect being frisked. In addition, stops involving Whites ($r = -.069, p < .001$) were more likely to result in the suspect experiencing physical force. In contrast, stops involving females ($r = .012, p < .001$) were more likely to result in the suspect being arrested. While these correlations are significant, some are extremely weak.

Table 2. *Bivariate Correlations between Independent and Dependent Variables (N = 315,186)*

Variable	1	2	3	4	5	6	7	8	9	10	11	12
1. Frisked	--	.162***	.474***	-.143***	.122***	.072***	-.142***	-.013***	.102***	-.018***	-.012***	-.067*
2. Arrested	--	--	.163***	.012***	-.014***	-.007***	.023***	.029***	.020***	-.070***	.032***	.015**
3. Force	--	--	--	-.069***	.064***	.059***	-.082***	.019***	.066***	-.076***	.033***	-.024*
4. Sex ^a	--	--	--	--	-.042***	-.045***	.036***	.004***	-.008***	.006***	-.020***	.029**
5. Race ^b	--	--	--	--	--	.043***	-.030***	.036***	.096***	.065***	-.072***	-.234*
6. Offense ^c	--	--	--	--	--	--	-.109***	-.038***	-.042***	.043***	.049***	-.051*
7. Age	--	--	--	--	--	--	--	.154***	-.032***	-.036***	-.062***	-.055*
8. Manhattan	--	--	--	--	--	--	--	--	-.202***	-.451***	-.268***	-.121*
9. Bronx	--	--	--	--	--	--	--	--	--	-.308***	-.183***	-.083*
10. Brooklyn	--	--	--	--	--	--	--	--	--	--	-.409***	-.185*
11. Queens	--	--	--	--	--	--	--	--	--	--	--	-.110*
12. Staten Island	--	--	--	--	--	--	--	--	--	--	--	--

Note: * $p < .05$, ** $p < .01$, *** $p < .001$ (two-tailed test)

^aSex was a dummy variable with male suspects coded as 0 and female suspects coded as 1. ^bRace was a dummy variable with White suspects coded as 0 and Black suspects coded as 1. ^cSuspected offense was a dummy variable with non-violent coded as 0 and violent coded as 1.

Results of Logistic Regression

Logistic regression was used to assess the likelihood that a stop will result in a suspect being frisked, arrested, or have force used against them given the independent variables and control variables. Model 1 will address the first and second hypotheses by testing the effects that gender, race, age, borough, and suspected offense have on the likelihood a stop will result in a suspect being frisked. The results are presented in Table 3. The first hypothesis posited stops involving Black suspects will have higher likelihoods of the suspect being frisked than those involving Whites. In addition, the second hypothesis stated that stops involving male suspects will have a higher likelihood of the suspect being frisked than stops involving female suspects. Based on Model 1, support was found for the first and second hypotheses. Stops involving Blacks and stops involving male suspects do have a higher likelihood of the suspect being frisked than those involving other groups. Sex is the most predictive variable with regards to which stops will result in the suspect being frisked. The suspect being female decreased the odds of a stop resulting in the suspect being frisked by a factor of .285, while holding race, age, borough, and suspected offense constant ($e^b = .285$, $p < .001$). The suspect being Black increased the odds of a stop resulting in the suspect being frisked by a factor of 1.751, while holding sex, age, borough, and suspected offense constant ($e^b = 1.751$, $p < .001$).

In addition, as age of the suspect increased, the odds of a stop resulting in a frisk were reduced by a factor of .975, while holding other variables constant ($e^b =$

.975, $p < .001$). Suspects who were stopped and more likely to be frisked also include those who were suspected of a violent offense. Those suspects who had a violent suspected offense increased the chances of a stop resulting in a frisk occurring by a factor of 1.313, while controlling for other variables ($e^b = 1.313$, $p < .001$). Of the five boroughs, the most predictive was Staten Island. While holding sex, race, age, suspected offense, and all other boroughs constant, suspects who were stopped in Staten Island had decreased odds of a stop resulting in a frisk by a factor of .372 ($e^b = .372$, $p < .001$) compared to stops in The Bronx.

Table 3. *Logistic Regression for the Effects that Gender, Race, Age, Borough, and Suspected Offense have on the Likelihood a Stop will Result in a Suspect Being Frisked (N = 315,186)*

	B	SEB	e^b
Sex ^a	-1.255***	.018	.285
Race ^b	.560***	.011	1.751
Age	-.025***	.000	.975
Suspected offense ^c	.272***	.009	1.313
Staten Island ^d	-.988***	.022	.372
Queens ^d	-.586***	.014	.557
Manhattan ^d	-.475***	.013	.622
Brooklyn ^d	-.583***	.012	.558
-2 log likelihood	408916.585	--	--
Nagelkerke R ²	.089	--	--

* $p < .05$, ** $p < .01$, *** $p < .001$; (two-tailed test)

^aSex was a dummy variable with male suspects coded as 0 and female suspects coded as 1. ^bRace was a dummy variable with White suspects coded as 0 and Black suspects coded as 1. ^cSuspected offense was a dummy

variable with non-violent coded as 0 and violent coded as 1. ^dThe Bronx borough is used as the comparison group.

Model 2 addressed the third and fourth hypotheses by testing the effects that gender, race, age, borough, and suspected offense have on the likelihood a stop will result in a suspect being arrested. The results are presented in Table 4. The third hypothesis posited stops involving Black suspects will have a higher likelihood of the suspect being arrested than those involving Whites. In addition, the fourth hypothesis stated that stops involving male suspects will have a higher likelihood of the suspect being arrested than stops involving female suspects. Based on Model 2, no support was found for the third and fourth hypotheses. In contrast, stops involving Whites and stops involving female suspects had significantly higher likelihoods of the suspect being arrested than those involving other groups. According to Model 2, the suspect being a female increased the odds of a stop resulting in the suspect being arrested by a factor of 1.218, while holding all race, age, suspected offense, and borough constant ($e^b = 1.218, p < .001$). The results also showed that the suspect being Black decreased the odds of a stop resulting in the suspect being arrested by .912, while holding all other variables constant ($e^b = .912, p < .001$).

Age and the Brooklyn borough are also significant variables in the model. As age of the suspect increased, the odds of a stop resulting in an arrest increased by a factor of 1.009, while holding all other variables constant ($e^b = 1.009, p < .001$). Being stopped in Brooklyn decreased the odds of a stop resulting in the suspect

being arrested by .453 compared to stops in The Bronx, while controlling for other variables ($e^b = .453, p < .001$).

Table 4. *Logistic Regression for the Effects that Gender, Race, Age, Borough, and Suspected Offense have on the Likelihood that a Stop will Result in a Suspect Being Arrested (N = 315,186)*

	B	SEB	e^b
Sex ^a	.197***	.031	1.218
Race ^b	-.092***	.024	.912
Age	.009***	.001	1.009
Suspected			
Offense ^c	-.012	.023	.988
Staten Island ^d	-.004	.044	.996
Queens ^d	.025	.029	1.025
Manhattan ^d	-.048	.029	.953
Brooklyn ^d	-.792***	.029	.453
-2 log likelihood	107814.589	--	--
Nagelkerke R ²	.020	--	--

* $p < .05$, ** $p < .01$, *** $p < .001$ (two-tailed test)

^aSex was a dummy variable with male suspects coded as 0 and female suspects coded as 1. ^bRace was a dummy variable with White suspects coded as 0 and Black suspects coded as 1. ^cSuspected offense was a dummy variable with non-violent coded as 0 and violent coded as 1. ^dThe Bronx borough is used as the comparison group.

Model 3 addressed the fifth and sixth hypotheses by testing the effects that gender, race, age, borough, and suspected offense have on the likelihood a stop will result in a suspect having force used against them. The results are presented in Table 5. The fifth hypothesis posited that stops involving Black suspects will have a

higher likelihood of physical force being used against the suspect than those involving Whites. In addition, the sixth hypothesis stated that stops involving male suspects will have a higher likelihood of physical force being used against the suspect than stops involving female suspects. Based on Model 3, support was found for the fifth and sixth hypotheses. According to Model 3, the suspect being female decreased the odds of a stop resulting in the suspect having force used against them by .471, net of other effects ($e^b = .471, p < .001$). The suspect being Black increased the odds of a stop resulting in the suspect having force used against them by 1.499, while holding sex, age, suspected offense, and boroughs constant ($e^b = 1.499, p < .001$).

The results also showed that as the age of a suspect increases the odds of a stop resulting in having force used against them decreased by .982, net of other effects ($e^b = .982, p < .001$). When the suspected offense was considered violent, the odds of a stop resulting in the use of physical force increased by 1.344, while holding sex, race, age, and boroughs constant ($e^b = 1.344, p < .001$). The Brooklyn borough was the most predictive borough for physical force. Stops that occurred in the Brooklyn borough had decreased odds of a stop resulting in physical force by .805 as compared to The Bronx, while holding all other variables constant ($e^b = .805, p < .001$).

Table 5. *Logistic Regression for the Effects that Gender, Race, Age, Borough, and Suspected Offense Have on the Likelihood that a Stop will Result in a Suspect Having Force used Against Them (N = 315,186)*

	B	SEB	e ^b
Sex ^a	-.752***	.022	.471
Race ^b	.405***	.014	1.499
Age	-.018***	.000	.982
Suspected			
Offense ^c	.296	.011	1.344
Staten Island ^d	-.509	.026	.601
Queens ^d	-.222	.015	.801
Manhattan ^d	-.217	.015	.805
Brooklyn ^d	-.635	.014	.530
-2 log likelihood	308724.991	--	--
Nagelkerke R ²	.041	--	--

* $p < .05$, ** $p < .01$, *** $p < .001$ (two-tailed test)

^aSex was a dummy variable with male suspects coded as 0 and female suspects coded as 1. ^bRace was a dummy variable with White suspects coded as 0 and Black suspects coded as 1. ^cSuspected offense was a dummy variable with non-violent coded as 0 and violent coded as 1. ^dThe Bronx borough is used as the comparison group.

Summary

This chapter presented the descriptive statistics, the bivariate correlations, and the results of the logistic regression models. Sex, race, age, suspected offense, and borough all have significant influences on the three key dependent variables. Chapter Five will provide additional discussion of the results, as well as connect the results back to minority group threat theory, chivalry hypothesis, and the previous

literature. The next chapter will also discuss the implications of the results and the limitations of this thesis. Additionally, ideas for future research will be proposed.

CHAPTER V

DISCUSSION

The purpose of this thesis is to explore the effect that a suspect's gender and race will have on the likelihood that a stop will result in the suspect being frisked, arrested, or have force used against them in the five boroughs of New York City. To answer this question data were analyzed from the New York Police Department Stop, Question, and Frisk Database. In this chapter I will review and discuss the findings of this thesis. I will tie the results back to the theoretical orientations and previous literature that guided this thesis. Implications of the findings and the limitations will then be discussed. Finally, I will discuss future avenues for research and offer a brief conclusion that summarizes the results of the thesis.

Discussion of Results

Likelihood a Stop will Result in a Suspect Being Frisked

Although all variables in the analysis were significant in predicting if a stop would result in a suspect being frisked, sex and race are important independent variables to discuss. Stops involving Black suspects were more likely to result in the officer frisking the suspect. This finding supported the first hypothesis, which stated that stops involving Black suspects will have a higher likelihood of the suspect being frisked than stops involving White suspects.

Further, stops involving female suspects were less likely to result in the officer frisking the suspect. These findings supported the second hypothesis, which stated that stops involving male suspects will have a higher likelihood of the suspect being frisked than stops involving female suspects. Past literature has shown that both males and females are stopped by the police, but for different reasons (Brunson & Miller, 2006; Lundman & Kaufman, 2003; Norris et al., 1992). Gender differences in criminal behavior is a possible explanation for male and females being stopped for different reasons. Another possible explanation for the findings is that officers may find male suspects more threatening and believe they are more likely to be carrying weapons. This would lead to more frisking of males. Because very little academic literature exists on gender and police stops and frisks, this study adds to the literature by considering gender as a main variable.

In addition, stops involving Black suspects increased the likelihood that a stop would result in the suspect being frisked. According to past literature, Blacks are disproportionately stopped or searched by police relative to their baseline populations and compared to white counterparts (Berjarano, 2001; Gaines, 2006; Lamberth, 1997; Lundman & Kaufman, 2003; Cordner, Williams, & Velasco, 2000). Past scholarship has made it evident that there are, indeed, racial disparities in police stops, and this study's findings are consistent with the past literature. In other words, this thesis underscores that the frisking of suspects may be racially motivated.

Findings are also consistent with the minority group hypothesis, which proposes that as the minority population increases in a given area, the citizen's fear of crime increases. Given the large Black population in New York City, the dominant group could use the NYPD Stop, Question, and Frisk program as a mechanism of social control, with Blacks frisked at a disproportionate rate compared to Whites. This thesis demonstrates that stops involving Blacks and males were significantly more likely to result in the suspect being frisked. Because of the findings that Black and male suspects are frisked at higher rates, this could be evidence that the dominant group is exhibiting the feelings Blumer (1958) suggested, which underlie such interactions in that Whites in New York City may feel superior and think members of the Black population are inherently different. They may also feel that members of the Black population have an agenda that threatens the superiority of their group. As a result, increased frisking of minorities, particularly Blacks, could result from those feelings. Findings were also consistent with the chivalry hypothesis, which suggests that women would be treated in a more lenient manner compared to men. This thesis provides evidence that women in New York City are being treated more leniently than men during stops when it comes to frisking, even when the severity of the suspected offense is considered. Overall, findings of this thesis pertaining to frisking were consistent with the two theories that were presented.

Likelihood a Stop will Result in a Suspect being Arrested

Sex and race of the suspect were both significant in predicting if a stop would result in a suspect being arrested. Stops involving Blacks were less likely to result in the officer arresting the suspect. This finding did not provide support for the third hypothesis, which stated that stops involving Black suspects will have a higher likelihood of the suspect being arrested than stops involving White suspects. Further, stops involving female suspects were more likely to result in the officer arresting the suspect. This finding did not support the fourth hypothesis, which stated that stops involving male suspects will have a higher likelihood of the suspect being arrested than stops involving female suspects. A possible explanation for these findings is that Whites and females may be more likely to have committed the offenses that they are being stopped for. Blacks may be stopped disproportionately for crimes they have not committed as a result of police bias. In contrast, when Whites and females arouse suspicions in police officers leading to a stop, it may be more likely they actually committed the offense. This suggests that Whites and females may be more likely to be legitimately stopped rather than stopped as a result of police bias. This was confirmed in a study by the Office of the Attorney General of New York State in 1999. The study found that even though Blacks were six times more likely to be stopped, they were less likely to be arrested than Whites because they were less likely to be found with drugs or other contraband. The finding that Whites were more likely to be carrying illegal drugs than Blacks was also confirmed in a New Jersey study. Whites in New Jersey were almost twice as likely to be found with illegal drugs or contraband than Blacks (Harris, 2002).

Past literature has shown that Blacks have higher rates of arrest because they are more likely (than Whites) to be participants in the serious types of offenses that warrant police responsiveness (Black & Reiss, 1970; Decker & Kohlfeld, 1985; Visher, 1983). In contrast, Stolzenberg, D'Alessio, & Eitle (2004) found that crimes involving black offenders were less likely to result in an arrest, which is consistent with the findings of this thesis. The explanation these scholars offered was that increased racial segregation in cities decreased the chances of a Black offender being arrested because the victim was almost always Black. This relates to this thesis because, although borough is being controlled for, the racial backgrounds of the victims are not known. This makes it difficult to see if a similar pattern exists in this thesis. Some boroughs may be more racially segregated than others, which could affect arrest rates. Relating the findings on gender to past literature, Visher's (1983) study found that older, White, female suspects were less likely to be arrested than their younger Black counterparts involved in similar crimes. The findings of this thesis are consistent with past literature on gender. It could be that Whites and females in New York City are being stopped legitimately by police without police bias because they are more likely they have actually committed crimes they have been suspected of committing.

These findings were not consistent with the two theoretical perspectives guiding this study. According to minority group threat and the chivalry hypothesis, it would have been expected that Blacks and males would have been more likely to be arrested. Instead, the opposite was found. Other factors may be contributing to these findings. For example, Whites and females may be committing legitimate

crimes that have raised suspicions in the police. This would lead to a higher likelihood of arrest because the stops would be less likely to be the result of police bias compared to unbiased stops.

Likelihood a Stop will Result in a Suspect Having Force used Against Them

Although all variables in the analysis were significant in predicting if a stop would result in a suspect having force used against them, sex and race are important independent variables to discuss. Stops involving Blacks were significantly more likely to result in the officer using physical force against the suspect. This finding supported the fifth hypothesis, which stated that stops involving Black suspects will have a higher likelihood of the suspect having force used against them than stops involving White suspects. Further, stops involving female suspects were less likely to result in the officer using force against the suspect. This finding supported the sixth hypothesis, which stated that stops involving male suspects will have a higher likelihood of the suspect having force used against them than stops involving female suspects. Past scholarship has shown that police are more likely to use force against non-White suspects compared to White suspects (Brunson & Miller, 2006; Holmes, 2000; Smith & Holmes, 2003). The findings of this thesis are consistent with such findings. Past research has also demonstrated that gender plays an important role in use of force, with Black males and females having unique experiences when it comes to police force. Brunson and Miller (2006) found young Black men described being thrown to the ground, kicked, choked, and hit with batons. Many young women also reported police violence, including being beaten and held to the ground.

The findings of this thesis are consistent with past literature on gender. Although the rates and likelihood between the genders vary, it confirms that male and female suspects do have force used against them in New York City. This is consistent with the literature because police are more likely to use force against non-White suspects and males compared to Whites and females.

The findings of this thesis are consistent with what the theoretical orientations would suggest when it comes to use of police force. Minority group threat theory suggests that the dominant group exercises use of force on a subordinate group to help keep their superior position in society. This would come as a result of them feeling superior to the Black population or thinking that African Americans have an agenda that threatens the superiority of their group. The chivalry hypothesis would suggest that because females are seen as weaker (Anderson, 1976), law enforcement would not need to take extra steps to use force. Females may be more compliant with police officers, which may lead to lower use of force rates. This idea is consistent with past literature, as it was shown that females do, indeed, have force used against them at a lower rate compared to males (Brunson & Miller, 2006). Although there are some females in this thesis who do have force used against them, the findings of this study do show that females have a decreased likelihood of having force used against them. Another explanation is that police officers may see stops involving male suspects as more threatening and using force is a way to assert their dominance over them. Officers may fear losing control over situations with male suspects, which could increase the likelihood of physical force.

In conclusion, most past literature on frisks, arrests, and physical force is generally not theoretically oriented. Guided by two theories this thesis contributes to the literature by doing so and offering a better understanding of certain police practices. With regards to minority group threat, this study has examined how the NYPD Stop, Question, and Frisk program could act as a social control mechanism for minorities, specifically Blacks. Following the chivalry hypothesis, this study examined if women in New York City might be frisked, arrested, and have force used against them less often, especially when the crime is non-violent. Examination of the NYPD Stop, Question, and Frisk program benefits from these theoretical orientations because it was found that both race and gender are influential in predicting frisks, arrests, and use of force. Much of the past literature on police practices lacks theoretical explanations. This study is strengthened by utilizing theories that address both race and gender in relation to the NYPD stop, question, and frisk practices.

Implications

Racial differences in stop, question, and frisk rates have generated substantial concern in New York City and continue to be discussed in the media and by policymakers. The findings of this thesis carry implications for both suspects and police officers. This thesis found that Blacks and males were more likely to be frisked and have force used against them. This could lead Black men to live their lives in fear. Many minorities may continuously feel like a 'symbolic assailant' when conducting everyday activities (Quillan & Pager, 2001). Because of this, they may

feel the need to change their habits by always carrying identification or mail to prove who they are when they are stopped (Zamani, 2012). Some may even go so far as to change their hairstyle or the way they dress to decrease the chances they will be stopped. They may avoid walking on the street and going outside altogether. Such actions may lead to psychological damage as a result of living in daily fear and to cultural opposition to the majority group. Such opposition could lead to more aggressive encounters with the police.

Along similar lines, while not all stops result in a suspect being arrested, those who are arrested suffer many economic consequences. In this thesis, it was found that Whites and females were more likely to be arrested. Most of the empirical literature concludes that contact with the criminal justice system is detrimental to future labor market opportunities (Burkhardt, 2009; Pager, 2007; Pettit & Lyons, 2009; Raphael, 2011; Ramakers, Wilson, & Apel, 2012). Devah Pager (2007) described the difficulties those who are arrested will face in the labor market through her idea of a “negative credential.” A negative credential is an official marker that restricts access and opportunities rather than enabling them (Pager, 2007). A criminal record is a classic example of a “negative credential.” A criminal record is official state certification of an individual's criminal acts (Pager, 2007). A “negative credential” can result in both legal and social exclusion of arrestees by both state and federal laws (Pager, 2007). Stops and frisks also have an impact that extends to family members of people who are stopped and/or arrested. Children, parents, siblings, and other family members are subjected to seeing their family or community members being routinely disrespected by police must also live with the

repercussions of the NYPD Stop, Question, and Frisk program (Zamani, 2012). Goffman (2009) found that police often visit suspects' homes and workplaces threatening their family or friends with arrest, particularly when they have their own lower-level warrants or are on probation or have a pending court case.

The findings of this thesis also have implications for the police officers themselves. Because Blacks and other minorities are being stopped disproportionately compared to whites, community trust has decreased between the police and public (Ridgeway, 2007). In addition, the public image of the police has eroded in New York City due to the racial disparities in stops. These implications have created an "us" versus "them" relationship between minorities and police officers in New York City. This thesis also suggests that police should have their behavior monitored in stop, question, and frisk encounters. Officers should clearly explain to pedestrians why they are being stopped. By doing so, community trust and understanding could be bolstered. Officers with out-of-the-ordinary stop patterns should be identified and investigated. This could be part of an early warning system within departments to flag officers with substantial deviations from their colleagues (Ridgeway, 2007).

The findings of this thesis also contribute to the larger conversation on the New York Police Department Stop, Question, and Frisk program being held by the courts. On August 12th 2013, Federal Judge Shira Scheindlin made a decision finding the New York City Police Department's stop-and-frisk practices unconstitutional. The findings of this thesis offer further evidence of *Floyd et al v New York* finding

that the NYPD's practices did violate citizens' rights to be free from unreasonable searches and seizures based on the large number of suspicionless stops of Blacks and other minorities. This is reflected in this study in that being Black significantly increased the odds that a stop would result in the officer frisking or using force against the suspect. A series of hearings will take place in 2014 to examine if the original decision reached the correct constitutional conclusion regarding the police tactics. Studies like this thesis could play a major role in deciding the constitutionality of the NYPD Stop, Question, and Frisk program. Altogether, the NYPD Stop, Question, and Frisk program has carried important implications for Blacks, police departments, and police officers.

Limitations

There are a few limitations of this thesis that should be mentioned. First, this study only addressed New York City, and the findings cannot be generalized to other cities. New York City has the most comprehensive Stop, Question, and Frisk program, which grants police officers considerable discretion. Police departments as well as procedures vary from city to city making it difficult to generalize across America. Nevertheless, we might expect counties with similar demographic makeup to encounter similar patterns of frisks, arrests, and use of force. Another limitation is that the police themselves provided the information about the stop that was used in the data set. Some of the questions could have been answered in a biased manner by the officers. For example, when it comes to police use of force, the officers could

have downplayed instances of force. This would ultimately affect the outcome of the study, as the use of force rates would be underestimated.

Another notable limitation is that this dataset did not contain comprehensive information about each stop. More information about the suspect would have been helpful, such as education level, prior arrests, and socioeconomic status. These would have helped to better understand who made up the suspects being stopped in this program. More demographic information about the police officer would also have been helpful, such as race, age, and sex, as this would have given us a better idea of who was making the stops. Comparisons could have been made between White versus Black officers and younger officers compared to older officers. The rank of the officer was also not provided in the dataset, so officer experience could have been another variable to consider.

Directions for Future Research

The purpose of this thesis has been to explore the effect that a suspect's gender and race will have on the likelihood that a stop will result in the suspect being frisked, arrested, or have force used against them in the five boroughs of New York City. Because the third and fourth hypotheses were not supported, they may be an avenue for future research. Why are Whites and females more likely to be arrested as part of the New York Stop, Question, and Frisk program? Is this phenomenon unique to just New York City? These questions could be answered by future researchers analyzing both race and gender jointly to see how they impact arrest rates. Another direction for future research could be a qualitative study on

the NYPD Stop, Question, and Frisk program. A qualitative study would give firsthand accounts of the suspects, the officers, and the circumstances surrounding a stop. This could give a study more of an appeal to readers and policymakers, as it would tell the story of minority relations with police in New York City. Future studies could also explore how the NYPD Stop, Question, and Frisk program has impacted other minorities beyond Blacks.

Conclusion

This thesis examined the effect that a suspect's gender and race will have on the likelihood that a stop will result in the suspect being frisked, arrested, or have force used against them in the five boroughs of New York City. The criminal justice system has been challenged over the years to apply principles of equality and fairness to their practices. Law enforcement strategies, such as the New York City Stop, Question, and Frisk program, have produced much harm to minority citizens, especially Blacks, including unnecessary stops, arrests, and use of force. This thesis has reinforced existing literature in these areas by finding that Blacks and males, are indeed, more likely to be frisked and have force used against them in New York City. This thesis also contributes to literature because the results did not support the second hypothesis that proposed that stops involving Black male suspects will have a higher likelihood of the suspect being arrested than those involving Black females, White males, and White females. This is a contribution because popular belief suggests Blacks have a higher likelihood of arrest. By learning that is not the case in New York City, it provides the opportunity for more research to be done in this area,

especially in terms of explaining this finding. Law enforcement practices like the NYPD Stop, Question, and Frisk program have reinforced the idea that young black men are widely viewed as 'symbolic assailants' in the popular imagination (Quillian & Pager, 2001), in the criminal justice system broadly (Bridges & Steen, 1999; Kennedy, 1997), and among the police specifically (Anderson, 1990; Skolnick, 1994). This thesis demonstrates that Blacks are still treated differently than Whites when it comes to policing. Overall, the results of this thesis have opened new doors to future research in policing in general and in specific contexts like stop, question, and frisk programs.

References

- Alexander, M. (2010). *The new Jim Crow: Mass incarceration in the age of colorblindness*. New York: The New Press.
- Alpert, D., & Dunham, R. (1999). The force factor: Measuring and assessing police use of force and suspect resistance. In *Use of Force by Police: Overview of National and Local Data*. Washington, DC. National Institute of Justice. 45-60.
- Alpert, G. P., Dunham, R. G., & MacDonald, J. M. (2004). Interactive police-citizen encounters that result in force. *Police Quarterly*, 7, 475-488.
- Anderson, E. A. (1976). The chivalrous treatment of the female offender in the arms of the criminal justice system: A review of the literature. *Social Problems*, 23, 350-357.
- Anderson, E. (1990). *Streetwise: race, class, and change in an urban community*. Chicago: University of Chicago Press.
- Bass, S. (2001). Policing space, policing race: Social control imperatives and police discretionary decisions. *Social Justice*, 28, 156-76.
- Berjarano, D. (2001). Vehicle stop study year end report. San Diego: San Diego Police Department.

- Bittner, E. (1980). *The functions of the police in modern society: A review of background factors, current practices, and possible role models*. Ann Arbor, MI: University of Michigan Publishing.
- Black, D. J., & Reiss, A. J. (1970). Police control of juveniles. *American Sociological Review*, 35, 63-77.
- Blalock, H. (1967). *Toward a theory of minority group relations*. New York: John Wiley
- Blumer, H. (1958). Race prejudice as a sense of group position. *The Pacific Sociological Review*, 1, 3-7.
- Bridges, G. S., & Steen, S. (1999). Racial disparities in official assessments of juvenile offenders: Attributional stereotypes as mediating mechanisms. *American Sociological Review*, 63, 554-570.
- Brunson, R. K., & Miller, J. (2006). Gender, race, and urban policing: The experience of African American youths. *Gender and Society*, 20, 531-552.
- Buchanan, J., Garner, J., Schade, T., & Hepburn, J. (1996). *Understanding the use of force by and against the police*. National Institute of Justice: U.S. Department of Justice.
- Burkhardt, B. (2009). Criminal punishment, labor market outcomes, and economic inequality in an era of mass incarceration. *Law and Social Inquiry*, 34, 1039-1060
- Chesney-Lind, M. (1999). Media misogyny: Demonizing "violent" girls and women. In J. Ferrel & Neil Websdale (Eds.), *Making trouble: Cultural representations of*

crime, deviance and control. (pp. 115-140) New Brunswick, NJ: Aldine De Gruyter.

Crew, K. (1991). Sex differences in criminal sentencing: Chivalry or patriarchy? *Justice Quarterly*, 8, 59-83.

Cordner, G., Williams, B., & Velasco, A. (2000). Vehicle stops in San Diego: 2000. San Diego Police Department.

Decker, S. H., & Kohfeld, Carol. (1985). Crimes, crime rates, arrests and arrest ratios: Implications for deterrence theory. *Criminology*, 23, 437-450.

Fagan, J., & Davies, G. (2000). Street stops and broken windows: Terry, race, and disorder in New York City. *Fordham Urban Law Journal*, 28, 457-504.

Fine, M., Freudenberg, N., Payne, Y., Perkins, T., Smith, K., & Wanzer, K. (2003). Anything can happen with police around: Urban youth evaluate strategies of surveillance in public places. *Journal of Social Issues*, 59, 141-158.

Fyfe, J. (1982). Blind Justice: Police shootings in Memphis. *Journal of Criminal Law and Criminology*, 16, 707-22.

Gaines, Larry K. (2006). An analysis of traffic stop data in Riverside, California. *Police Quarterly*, 9, 210-233.

Garner, J. H., & Maxwell, C. D. (1999). Measuring the amount of force used by and against the police in six jurisdictions. In [*Use of Force By Police: Overview of National and Local Data*](#) (pp. 25-44). Washington, D.C.: National Institute of

Justice and Bureau of Justice Statistics, Office of Justice Programs, U.S.
Department of Justice.

Geller, W., & Scott, M. (1992). *Deadly force: What we know*. Washington, DC: Police
Executive Research Form.

Goffman, A. (2009). On the run: Wanted men in a Philadelphia ghetto. *American
Sociological Review, 74*, 339-357.

Harris, D. (1999). *Driving while Black: Racial profiling on our nation's highways*.
Washington, DC: ACLU.

Harris, D. A. (2002). *Profiles of injustice: Why racial profiling cannot work*. New York:
The New Press.

Heinz, A., Jacob, H., & Lineberry, R. (1983). *Crime in city politics*. New York: Longman.

Heymann, P. B. (2000). The new policing. *Fordham Urban Law Journal, 28*, 407-456.

Holmes, M. (2000). Minority threat and police brutality: Determinants of civil rights
criminal complaints in U.S. municipalities. *Criminology, 38*, 343-365.

Hurst, Y. G., Frank J., & Browning S.L. (2000). The attitudes of juveniles toward the
police: A comparison of Black and white youth. *Policing, 23*, 37-53.

Kennedy, R. (1997). *Race, crime and the law*. New York: Vintage.

- Lamberth, J.D. (1997). Report of John Lamberth, PhD.,” American Civil Liberties Union: available at <http://www.aclu.org/court/lamberth.html>.
- Lundman, R. J., & Kaufman, R.L. (2003). Driving while Black: Effects of race, ethnicity, and gender on citizen self-reports of traffic stops and police actions. *Criminology*, 41,195-220.
- Mastrofski, S. D., Reisig, M. D., & McCluskey, J. D. (2002). Police disrespect toward the public: An encounter-based analysis. *Criminology*, 40, 519-552.
- McCluskey, J. D., Terrill, W., & Paoline, E. A. (2005). Peer group aggressiveness and the use of coercion in police-suspect encounters. *Police Practice and Research*, 2, 19-37.
- Meehan, A.L., & Ponder M.C. (2002). Race and place: The ecology of racial profiling African American motorists. *Justice Quarterly*, 19, 400-430.
- Norris, C., Fielding, N., Kemp, C., & Fielding, J. (1992). Black and blue: An analysis of the influence of race on being stopped by the police. *The British Journal of Sociology*, 43, 207-224.
- Office of the Attorney General of New York State. (1999). *Report on the New York City Police Department’s stop and frisk practices*. New York: Office of the Attorney General of New York State.
- Pager, D. (2007). *Marked: Race, crime, and finding work in an era of mass incarceration*. Chicago, IL: University of Chicago Press

- Pettit, B., & Lyons, C. (2009). Incarceration and the legitimate labor market: Examining age-graded effects on employment and wages. *Law & Society Review, 43*, 725-756.
- Pollak, O. (1950). *The criminality of women*. Philadelphia: University of Pennsylvania Press.
- Quillian, L., & Pager, D. (2001). Black neighbors, higher crime? The role of racial stereotypes in evaluations of neighborhood crime. *American Journal of Sociology, 107*, 717-67.
- Ramakers, A., Wilsem, J., & Apel, R. (2012). The effect of labour market absence on finding employment. *European Journal of Criminology, 9*, 442-461.
- Rapheal, S. (2011). Incarceration and prisoner reentry in the United States. *ANNALS of the American Academy of Political and Social Science, 635*, 192-215.
- Ridgeway, G. (2007). *Analysis of racial disparities in the New York Police Department's stop, question, and frisk practices*. Santa Monica, CA: Rand Corporation.
- Russell, J.W. (2011). *Double standard: social policy in Europe and the United States*, Second Edition. Lanham: Rowman & Littlefield.
- Skolnick, J. H. (1994). *Justice without trial: Law enforcement in democratic societies*. New York: MacMillan.

- Smith, B., & Holmes, M. (2003). Community accountability, minority threat, and police brutality: An examination of civil rights criminal complaints. *Criminology, 41*, 1035-1063
- Smith, M.R., & Petrocelli M. (2001). Racial profiling? A multivariate analysis of police traffic stop data. *Police Quarterly, 4*, 4-27.
- Sparger, J. R., & Giacomassi, D. J. (1992). Memphis revisited: A reexamination of police shootings after the Garner decision. *Justice Quarterly, 9*, 211-225.
- Stolzenberg, L., D'Alessio, S., & Eitle D. (2004). Sex differences in the likelihood of arrest. *Journal of Criminal Justice, 32*, 443-454.
- Terry v. Ohio*, 392 U.S. 1, 88 S. Ct. 1868, 20 L. Ed. 2d 889 (1968)
- Tomaskovic-Devey, D., & Stainback, K. (2007). Discrimination and desegregation: Equal opportunity progress in U.S. private sector workplaces since the civil rights act. *The ANNALS of the American Academy of Political and Social Science, 609*, 49-84.
- Visher, C. A. (1983). Gender, police arrest decisions, and notions of chivalry. *Criminology, 21*, 5-28.
- Warren, P., Tomaskovic-Devey D., Smith W., Zingraff M., & Marcinda M. (2006). Driving while Black: Bias processes and racial disparity in police stops." *Criminology, 44*, 709-738.

Zamani, N. (2012). *Stop and frisk: The human impact*. New York City, NY: Center for Human Rights.