



Expert Report Shows Continuing Racial Disparities in Philadelphia Police Department Stops and Frisks

A Summary of the Plaintiffs' Seventh Report Racial Analysis

May 23, 2017

PHILADELPHIA – The ACLU of Pennsylvania and the law firm of Kairys, Rudovsky, Messing & Feinberg LLP filed a report today that examines the continuing racial disparities under the “stop-and-frisk” practices of the Philadelphia Police Department (PPD).

As reported in the [Plaintiffs' Seventh Report](#) on May 2, 2017, the overall number of stops by PPD officers was down significantly in the second half of 2016, and the percentage of stops where the officer failed to offer a legal reason for the stop is down to 25 percent. But people of color are still stopped far more often than whites. This is especially true for Black people who account for 70 percent of stops, which is much greater than their share of the population.

The PPD has explained that it stops Black pedestrians more often because it is focusing its activity in neighborhoods with higher crime rates, especially higher violent crime rates, and the residents of those neighborhoods tend to be people of color. The purpose of this report is to determine whether the Police Department's reasons for stopping Black pedestrians much more often than white pedestrians match the data. The city and the plaintiffs each hired a statistical expert to look at the data and agreed to perform a conventional regression analysis and to use the same statistical benchmarks for that analysis.

The plaintiffs' expert has concluded that the racial disparities in stops – and especially the large number of stops of Black men – cannot be entirely explained by the population of the neighborhood where stops occur, or by the crime rates in those neighborhoods, or by other factors such as age or economic status. In other words, the reasons the PPD has given for the racial disparities do not provide a non-racial justification and many of these stops would not occur – even when the officer has given a legal reason for the stop – if the pedestrian were white instead of Black.

The plaintiffs' report breaks down the data for each Police Service Area, or PSA. Each PPD District is divided into three or four smaller geographic areas, called PSAs. Table 4A of the report (at pages 19 and 20) lists the PSAs from those with the highest Black population to those with the lowest Black population. The table shows, for each PSA, the Black percentage of the population, the Black percentage of stops in that PSA, the ratio of those two numbers, the frequency of stops in the PSA (number of stops per 100 residents), and the frequency of violent

crime reports in the PSA (number of reports per 10,000 residents). (Each PSA is identified by police district, then PSA number, so the first PSA listed is the 22nd District, area 2; the second is the 12th District, area 4, and so on.)

If stops in a PSA were proportional to the race of the population, as the PPD claims, you would expect the second and third columns to be about equal – and that is what Table 4A shows for the PSAs that have near 100 percent Black population. But as the percentage of Blacks in the population drops, the percentage of Blacks who are stopped does not drop nearly as much, and the third column no longer looks like the second column. The ratio in the fourth column shows the disparity between who lives in the PSA and who is stopped in the PSA.

In PSA 392 (39th District, area 2), where Black people make up 96% of the population and 95% of the stops, the ratio between those numbers is 1. But in PSA 161 (16th District, area 1), where Black people make up 63 percent of the population and 96 percent of the stops, the ratio between those numbers is 1.53. And in PSA 91 (9th District, area 1), where Black people make up only 3 percent of the population but are 68% of the people stopped in that PSA, the ratio between those numbers is 22.66. As noted above, non-racial reasons that might contribute to these disparities do not fully explain the differences.

Moreover, some of the largest disparities between race in the population and who gets stopped occur in PSAs that have relatively few stops and relatively low reports of violent crime. For instance, in PSA 73 (7th District, area 3), the fifth column tells us that there were only 1.3 stops per 100 residents in the last six months of 2016, and the sixth column tells us that PSA received fewer violent crime reports than almost any other PSA. Blacks make up only 4 percent of the residents of PSA 73 but were 23% of the people stopped there. These stops of Black men do not, therefore, seem linked to any concern about violent crime – nor do the police stop reports suggest that suspicion of violent crime is the reasons for most stops. Instead, the great majority of stops across the entire City are for non-violent “quality of life” offenses.

The plaintiffs released [a similar racial analysis](#) for the first two quarters of 2015 as part of their Sixth Report to the Court. Table 4A to that report contains the same breakdown by PSA as in the new report. Comparing the 2015 data to the 2016 data shows very little change in the racial disparities: some PSAs show improvement, but others have even greater disparities than in 2015.

The city will submit its own statistical analysis today, as well. Once it has received all of the reports, the court will schedule a conference with the lawyers to discuss what additional steps are needed to bring the PPD’s stop-and-frisk program into compliance with the law.

The plaintiffs are represented by David Rudovsky, Paul Messing, and Susan Lin of Kairys, Rudovsky, Messing & Feinberg LLP; Mary Catherine Roper of the ACLU of Pennsylvania; and Seth Kreimer, a law professor at the University of Pennsylvania School of Law.

A copy of today’s report, previous reports, and the original complaint can be found at: www.aclupa.org/bailey.