

Congress of the United States
House of Representatives
Washington, DC 20515-3208

June 6, 2013

Attorney General Eric Holder
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Holder:

I write with respect to your May 15, 2013 appearance before the House Judiciary Committee and in connection with a June 6, 2012 meeting with several members of the Congressional Black Caucus. At the meeting, you were asked to commence an investigation into the alleged constitutional and civil rights violations connected with the aggressive New York Police Department (NYPD) stop and frisk program. A year later, we await a response.

During the last ten years, there have been more than four million stop, question and frisk encounters in New York City. Strikingly, the NYPD's own statistics reveal that almost ninety percent of the individuals swept into the stop and frisk dragnet are completely innocent of any wrongdoing.¹ Equally troublesome, the overwhelming majority of the New Yorkers impacted, approximately ninety percent as well, are African American or Latino.

Indeed, although African Americans make up only 23.4% of the entire population in New York City, they are stopped more than Caucasians, Asians, Native Americans and Latinos combined.² Moreover, a recent report revealed that police officers were almost twice as likely to discover a weapon on white residents during a street encounter than on African Americans and Latinos, despite the fact that whites are stopped and frisked far less frequently.³

At the House Judiciary Committee hearing on May 15, you testified that "racial or ethnic profiling is not good law enforcement. It is simply not good law enforcement."⁴ Yet, there is

¹ *New NYCLU Report Finds NYPD Stop-and-Frisk Practices Ineffective, Reveals Depth of Racial Disparities*, NYCLU, May 9, 2012, <http://www.nyclu.org/news/new-nyclu-report-finds-nypd-stop-and-frisk-practices-ineffective-reveals-depth-of-racial-dispar>

² *NYCLU Analysis Reveals NYPD Street Stops Soar 600% Over Course of Bloomberg Administration*, NYCLU, Feb. 14, 2012, <https://www.nyclu.org/news/nyclu-analysis-reveals-nypd-street-stops-soar-600-over-course-of-bloomberg-administration>

³ *Id.* at 1.

⁴ *Oversight of the United States Department of Justice, Before the H. Comm. on the Judiciary*, 113th Cong. <http://www.c-spanvideo.org/program/312727-1> (2013) (statement of Eric Holder, United States Attorney General).

strong evidence to conclude that people of color are being targeted by the NYPD in the absence of constitutionally required reasonable suspicion.

For the above-referenced reasons, the Department of Justice should commence an investigation, or launch a preliminary inquiry, into the constitutionality and lawfulness of the NYPD stop and frisk program. On May 15, you testified that a response to the request for DOJ intervention would be forthcoming. To that end, I look forward to a prompt reply.

Sincerely,

A handwritten signature in black ink, appearing to read "Hakeem S. Jeffries". The signature is fluid and cursive, with a long horizontal stroke at the end.

HAKEEM S. JEFFRIES
Member of Congress