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Retirees Newsletter

Professional Staff Congress
Jack Judd, Editor

I. MARCH CHAPTER MEETING.

The March 4 chapter meeting will be held at 61 Broadway, 16th floor, in the PSC union hall from 1-3 PM. The featured speaker is **Mr. Larry Morgan, executive director of the PSC-CUNY Welfare Fund.** His topic is: "Your Welfare Fund Benefits."



The Executive Committee will meet at 61 Broadway from 10:30 AM - 12:00 PM in the Justice Room on the 15th floor. Anyone interested is invited to attend.

II. THE JANUARY LUNCHEON: On the afternoon of January 14, a group of 56 chapter members met to break

bread together at John Jay College's new dining hall. At the luncheon, we planned to honor Peter Jonas for his many years of devoted labors on behalf of PSC members, both in-service and retired. Unfortunately, his wife's illness prevented their attendance. So come to the June luncheon where we will say hail and farewell to the Jonas family who have since moved to Maryland.

Entertainment at our January luncheon was provided by our chapter member, David Laibman, a professor of economics who is also a professional guitar player. He regaled us with medleys of union themed songs and compositions from around the world. A good time was had by all.

III. REPORT ON THE FEBRUARY CHAPTER MEETING. We are again grateful to Joel Berger, vice-chairman of the Retirees Chapter, for this summary of the remarks made by two speakers at the February 4 meeting.

Stop and Frisk as Part of "The New Jim Crow"

Urging the Chapter and its members to join efforts to reform the practices of the New York City Police Department, both speakers at the February meeting presented facts and analyses indicating how Stop and Frisk has been ineffective, and, in many cases, unconstitutional. Udi Ofer, advocacy director of the NYCLU, asserted that, "Stop and Frisk has become a short hand for discriminatory NYPD practices, and we all need to recognize that." Stop and Frisk is a tactic used when a police officer suspects a person of wrong doing. The law permits the officer to stop that person momentarily—and if the person is suspected of being armed and dangerous, police are allowed to frisk that person. It is a search, but a limited search. The stop component has been a part of policing for many years, but the frisk has only been around since the '60s, particularly in communities of color.

The U.S. Supreme Court case *Terry vs. Ohio* (392 U.S. 1, 1968) gave the green light for police to stop a person if they had individualized suspicion of criminal activity. The Court affirmed the police's authority to frisk during these stops in the same case. That came from a concern about the officer's safety and the officer's ability to carry out an interrogation. However, according to Ofer, "Mayor

Bloomberg justifies Stop and Frisk as a tactic to find weapons. Legally that's incredibly problematic." As "it is not a tool to look for weapons," this matter is now being litigated.

The policy was encouraged and expanded under the Giuliani administration, under the "broken windows" theory of policing, which places emphasis on quality-of-life offenses and upon people who looked disorderly." Such actions are taken under this policing strategy "so that people in the neighborhoods feel safe." Arrests for panhandling, graffiti, and for other minor infractions are a way to create an appearance of order. "What we see, though, in reality, is that we really have a tale of two police departments," Ofer asserted.



The policy is being implemented only in communities of color, where the police are cracking down on any sort of appearance of disorder—even if it is a legal activity. The stop and frisking of Amadu Diallo resulted in his being shot with 41 bullets as he displayed his wallet. The heightened

consciousness on this issue resulted in a report by then Attorney General Elliot Spitzer in 1999. The report concluded that race plays an inappropriate role in Stop and Frisk, and that the NYPD was engaging in racial profiling. Two years later, a law passed by the City Council required that a form documenting each stop be filled out by the police making the stop, and that all such data collected via the forms be reported to the City Council.

In 2006, after the killing of Sean Bell, the NYCLU demanded that data collected by the Council be made public. There were 97,000 stops during 2002, the first year Mayor Bloomberg was in office. In 2011 there were 685,000 stops. The complete data for 2011 shows that the vast majority (90%) of those stopped and frisked are blacks and Latinos. Only 6% of stops lead to an arrest, and only 6% lead to summonses. "So we are seeing," Ofer concludes, "the vast majority of people are just being harassed by the police." The stop and frisk policy subjects innocent people to a "very rough affair; it is humiliating, demeaning, and also forceful." In only 1.9% of frisks are any weapons recovered. NYCLU's analysis of the data through 2011 can be downloaded at: tinyurl.com/FriskStop

NYCLU and other civic groups, including John Jay College's Center on Race and the Law, have formed a coalition called Communities United for Police Reform. A variety of strategies are being used by the

coalition and others to stop discriminatory policing in New York City. A cell-phone app called *Stop and Frisk Watch* is now available for iPhones and Android devices. Download at www.nyclu.org/app.

The app allows bystanders to fully document stop-and-frisk encounters with the video camera in their phone and alerts community members when a street stop is in progress. It also sends an email to NYCLU.



Button from "Father's Day March" on 6/17/12. The PSC endorsed the march.

Important legislative initiatives are also awaiting passage in the New York City Council. One bill would ban racial profiling. Another would create a private cause of action for disparate impact claims and hold the NYPD liable for civil damages if it is shown that the NYPD disproportionately targets certain communities. Yet another bill would require the NYPD to inform people of their right to refuse "consensual searches." Finally, there is a City

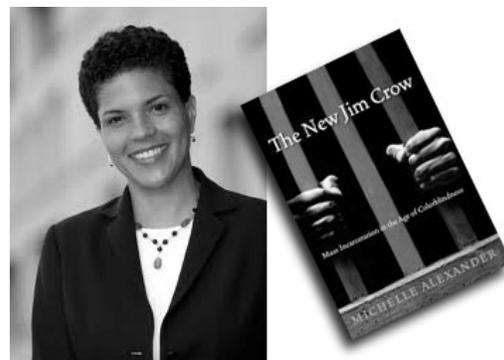
Council bill that would appoint an NYPD Inspector General from outside the department. These bills have majority support in the Council, and should be ready for passage. In the coming weeks, court cases will be heard challenging stop and frisk and all of its implications.

Reinforcing and expanding upon these themes, Robert Gangi, described his personal familiarity with the problems of policing in New York City. As director of the Correctional Association of New York, Mr. Gangi, working with other groups, was able to improve the jail conditions of those held in cells awaiting arraignment. Waiting times were reduced from 2-3 days to about 24 hours. He observed that, "a reality in these facilities that did not change was the racial composition of the people detained...cell after cell of black and brown faces." Most of those being held were facing minor charges—sleeping on the subway, selling flowers on the street, driving without a license." This stark racial disproportion was not an accident...it was a function of deliberate NYPD policy and practice." In the last two years, Mr Gangi has been working with the Urban Justice Center to help create PROP (Police Reform Organizing Project).

That group found that "the NYPD engages in harassment and bullying tactics" in regard to minority populations. People are being arrested when they have done

nothing wrong. The Urban Justice Center collects reports from affected individuals and retired police. What has emerged from the reports is a pattern of arrests stemming from a quota system rewarding stop and frisks, and summonses for minor offenses. The quota system puts pressure on the police to lie and falsify evidence. Michelle Alexander, author of *The New Jim Crow: Mass Incarceration in the Age of Color Blindness* made a similar argument in her op-ed piece, "Why Police Lie Under Oath" in the Sunday *New York Times* of Feb. 3, 2013.

tinyurl.com/NYTAlexander



Mr. Gangi ended his presentation by reading a variety of testimonies highlighting how quotas have led to a culture of "patrol and control" rather than true community policing. With the mayoral election campaign heating up, chapter members have the opportunity to become engaged in the issue of police reform.

IV. A THEATER PARTY

For the last few years, the Retirees' Chapter and the PSC Women's Committee have cosponsored a spring Theater Party at a Working

Theater production. Being so popular, these events are often sold out. The Working Theater is an important organization dedicated to producing new plays on contemporary themes for audiences of union members and other workers. Its personnel are mostly member of Actors Equity, a labor union that represents more than 49,000 actors and stage managers in the United States.



This year's play is *La Ruta* (the route), a drama that follows the fates of several undocumented immigrants and their smugglers en route from the Mexican border into the United States. The audience is immersed in the world of the play; they find themselves experiencing the journey alongside the characters as the play is performed inside an actual 48 foot tractor trailer truck.

Through *La Ruta*, the Working Theater and their collaborator, the Magnum Foundation, hope to raise awareness about the plight of

undocumented immigrants and challenge our diverse communities to consider the experience of this large, yet too often ignored, immigrant constituency.

Seating for this performance is limited to 30 and tickets for PSC members are only \$20. You can get your tickets while they last at the March 4 Retirees Chapter meeting by bringing a check for \$20 per seat payable to Working Theater, or by mailing your check to Marcia Newfield at the PSC, 61 Broadway, 15th floor, New York, NY 10006. Your tickets will be mailed to you.

Don't delay! Put this year's Theater Party in your date book for the Sunday matinee, April 21 at 3 PM at the Cathedral of St. John the Divine, Amsterdam Ave. at 112th Street.

You can download a flyer for the *La Ruta* theater party at tinyurl.com/PSCplay

V. LABOR GOES TO THE MOVIES PRESENTS MOOLAADÉ (SENEGAL 2004)

PSC's ongoing film series, *Labor Goes to the Movies*, will present *Moolaadé* (2004) on Friday, March 15 in the PSC Union Hall (61 Broadway, 16th floor). The final film of the acclaimed Senegalese director Ousmane Sembène, *Moolaadé* depicts the conflict in a village in Burkina Faso over the growing resistance to female genital mutilation. The film was awarded the prize Un Certain Regard at the 2004 Cannes Film Festival. Go to

tinyurl.com/MarchMovie to learn more about the movie and our guest speakers. Doors open at 6:00 PM. Light food and drink provided. There is a suggested donation of \$2.

For Your Health

You can download a fact sheet on preventing falls from the National Institute for Aging at the National Institute for Health at tinyurl.com/PreventMostFalls