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The Shame Of Baltimore Cops Routinely Humiliating Blacks

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Today, August 10, the U.S. Department of Justice released its report on the Baltimore Police Department. As expected, they found “patterns and practices” that lead to unconstitutional policing in the city and that these adversely and disproportionately affect black Baltimoreans.

The report describes a litany of offenses and violations of basic decency perpetrated by the Baltimore Police. Each of those stories is important, but for now, I want to focus on the primary source of the violations described: unconstitutional and other investigatory stops.

The DOJ found that between January 2010 and May 2015, the Baltimore Police made at least 300,000 pedestrian stops—a number the DOJ says is almost certainly too low because of police underreporting.

Forty-four percent of these stops were made in two majority black districts of Baltimore that comprise only 11 percent of the city’s population. They found hundreds of people who were stopped more than ten times during that period, 95 percent of whom were black.

One man in his 50s was stopped over 30 times in four years and was never ticketed or arrested. That probably shouldn’t be surprising, as less than 4 percent of these stops ended in citations or arrest.

And, recalling the recent dissents in the Supreme Court decision in *Utah v. Strieff*, it’s likely that many of those arrests were for outstanding warrants for unpaid parking tickets and other minor violations that had no connection to a potentially illegal activity that allegedly justified the stops in the first place.

Moreover, the DOJ found at least 11,000 arrests by BPD were not prosecuted for lack of probable cause or other merit. Thousands more were detained for investigations and searches that went nowhere, with many people publicly strip-searched.

One, even, was strip-searched after being stopped for a broken taillight. Such unjustifiable actions serve no purpose other than public humiliation.

Black Baltimoreans were more likely to be charged with the most discretionary offenses—“failure to obey,” “trespassing,” “disorderly conduct” and “loitering”—and often without required notice that they were in violation of the law.

Indeed, the DOJ wrote that “racially disparate impact is present at every stage of BPD’s enforcement actions.” This is something black Baltimoreans know and rightfully resent.

As I’ve written before, this denial of basic rights makes Baltimoreans less secure and less safe:

If civil rights protections are widely denied, particularly to one group of people, because they are routinely ignored and capriciously violated by police officers, those rights lose all tangible meaning to that population. Mistreatment by authorities—whether official policies like Stop and Frisk, or tolerance of police brutality, corruption, or homicide—corrodes the integrity of a community. The government loses credibility by effectively nullifying its own authority by arbitrary enforcement of laws (government powers) and the protections for citizens (civil rights).

Cooperation with law enforcement must suffer as the trust required between a police department and its citizens is eroded by the rightly perceived unbalanced enforcement. Criminals become emboldened through weakened law enforcement capabilities, and the citizens become less safe. The community divests itself from the relationship with the police and societal norms become threatened.

Aggressive and unconstitutional policing is a threat to community safety. The policies that support and encourage these practices are counterproductive to public safety and actually make policing harder. They ensnare far more innocent people than guilty ones and make police-community cooperation all but impossible.

Police departments should discontinue these practices on their own, for their own interest, and not wait for the DOJ to tell them what is patently obvious to the people suffering under the policies in their communities.

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