

## Police Get Added Order: Stop, Frisk and 'Explain'

By AL BAKER

The Police Department says its practice of stopping, and sometimes frisking, thousands of people a year in high-crime neighborhoods has helped keep those areas safe.

But the growing use of so-called stop and frisks has also irritated some of those communities, so the police are adding a step to the procedure: "Explain."

Any officer stopping a person in the street must tell the person "the reason, or reasons, why it occurred," according to a letter from Police Commissioner Raymond W. Kelly. The policy took effect April 23, according to a departmental order to revise the police patrol guide.

Mr. Kelly said on Thursday that in a pilot program, officers in three precincts — in Harlem, the South Bronx and East New York, Brooklyn — were handing out baseball card-size slips of paper explaining both the legal foundation for the stops (reasonable suspicion that the person "has committed, is committing or is about to commit" a crime) and some common reasons for them, including "carrying what appears to be a weapon," and "sights or sounds suggestive of criminal activity (ringing alarm, running from crime scene)." The cards also include directions in several languages for accessing the department's Web site.

While Mr. Kelly was discussing the new policy, at a news conference devoted mainly to the introduction of hybrid patrol cars, the department was skipping a City Council Public Safety Committee hearing about the "stop and frisk" practice. Instead of attending himself, Mr. Kelly sent an assistant commissioner to read his letter but to take no questions.

*Christine Hauser contributed reporting.*

"The speaker and I are very disappointed, first of all, that the Police Department did not answer questions and secondly that they only advised us eight days ago that they would not be testifying when they had well over three weeks' notice that we were preparing for this hearing," said Peter F. Vallone Jr., the committee chairman.

Mr. Vallone hailed the new procedure, but objected to the way those plans were made public.

"It seems that some of their best policy improvements, like this one, come on the eve of a public safety hearing, which then slants coverage of the hearing toward their new policy," Mr. Vallone said. "If that works to improve the Police Department, I am O.K. with it, but I would rather it not happen that way."

Police officials said they did not attend the hearing because of a pending federal lawsuit over the practice. Mr. Kelly wrote a letter to Council Speaker Christine C. Quinn on April 22 asking that the hearing be deferred until the litigation was resolved.

The suit, filed by the Center for Constitutional Rights, charges that the stops are unconstitutional and single out minorities. Mr. Kelly has repeatedly said that the racial breakdown of the stops correlates to the racial breakdown of crime suspects and that officers do not practice racial profiling.

Street stops jumped to 508,540 in 2006, from 97,296 in 2002, according to data from the police, and reached 531,159 last year, the most on record.

Christopher T. Dunn, the associate legal director of the New York Civil Liberties Union, said that 10 percent of all stops led to arrests or summonses. He said it was the high number of "inappropriate" stops that was most alarming. "And this new policy does nothing to fix that," he said.

