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Bloomberg's Candidacy: An Analysis of Stop-and-Frisk Rhetoric

Former mayor and self-made billionaire Michael Bloomberg oversaw New York City (NYC) from 2002 to 2013, yet he also directed and strengthened a discriminatory policing practice known as Stop-and-Frisk. Founded by the Terry v. Ohio ruling (Terry v. Ohio), Stop-and-Frisk gave officers the authority to search individuals who were presumed to have “committed crimes or [were] about to commit crimes” (Bloomberg, Verdict Appeal). Though crime rates did drop, Stop-and-Frisk policing soon garnered media attention, claiming that it disproportionately stopped minorities too often in comparison to whites and in relation to demographic statistics (Brown 262). With newfound backlash, a class action lawsuit deemed the policing program unconstitutional and ordered it be reduced (Floyd v. City of New York). Though there is extensive research on the consequences of invasive tactics like Stop-and-Frisk, little analysis has been conducted on how the former mayor has shifted perspectives about this policy, especially since Bloomberg entered the 2020 presidential race. Seeing as how the political hotbed known as the democratic primaries is at the forefront of daily news, this paper will explore how Bloomberg's message regarding Stop-and-Frisk has transitioned from his time as mayor to a presidential hopeful. Through analyzing his speeches and statements, I will argue that Michael Bloomberg has changed his rhetoric about Stop-and-Frisk through 3 key shifts; acknowledging downfalls, wanting to learn from his mistakes, and championing the reduction of the program. Beginning with a summary of Stop-and-Frisk's history and criticisms, I will then

examine Bloomberg's policing beliefs during his time as mayor, and finally, will argue that he has shifted his perspective in three distinct ways in hopes of bolstering his public image and winning votes.

Under the former leadership of Mayor Rudy Giuliani (1994-2001), Stop-and-Frisk was created and known as "Quality of Life Policing;" attempting to maintain security on the streets of NYC (McArdle and Erzen 4). The program was established after *Terry v. Ohio* concluded officers have jurisdiction to frisk individuals for weapons or contraband if they are suspicious of criminal activity (*Terry v. Ohio*). Furthermore, this policing was supported by Wilson and Kelling's Broken Windows Theory (BWT) where the presence of one disorderly citizen assumes to normalize unlawful behaviour (35). Though the validity of BWT is contested (Harcourt; Keizer et al.; Sampson; Skogan; Taylor; Welsh et al.), Stop-and-Frisk was heightened after Giuliani's mayorship - under the Bloomberg administration - and saw drastic decreases in criminal activity (Rosenfeld and Fornango; Messner) possibly because civilians monitored their own behaviour through self-surveillance (Richards 1948). For instance, crimes such as burglary and robbery fell almost 50% from 2000-2010; an unprecedented crime decrease in NYC (Rosenfeld and Fornango 99).

Bloomberg's command of Stop-and-Frisk, however, has sparked controversy, as many claimed it disproportionately targeted Blacks and Hispanics (Brown; Geller and Fagan; Torres). The 2003 verdict of *Daniels v. City of New York* addressed these concerns and ordered the New York Police Department (NYPD) to more closely monitor police stops (*Daniels v. City of New York*). This attempt to curb racial profiling ultimately failed and, as Owen Brown puts it, stops kept "terrorizing and criminalizing" young minorities (260). Brown further examined NYPD records and reports that 90% of stops were on Black and Hispanic men, the vast majority of them

innocent (262). Because of this, in 2013, *Floyd v. City of New York* battled the legality of Stop-and-Frisk yet again and eventually presiding Judge Shira A. Scheindlin deemed Stop-and-Frisk unconstitutional on grounds of racial prejudice and discrimination (*Floyd v. City of New York*). Mayor Bloomberg openly expressed his dissatisfaction of the judge's ruling and appealed the verdict (Bloomberg, Verdict Appeal), but as Bloomberg had finished his term in 2013, he was succeeded by current Mayor Bill de Blasio who dismissed the appeal. Despite this, throughout his mayoral years, Bloomberg consistently reaffirmed that the program was necessary to protect civilians and would go on to defend Stop-and-Frisk some years after his time in office. However, the mayor's rhetoric has shifted while pursuing the presidency and will be examined further.

Although the debate surrounding the constitutionality of Stop-and-Frisk has been put to rest, Bloomberg has repeatedly argued that Stop-and-Frisk is vital for civilian protection, that crime is in minority neighbourhoods, and that NYPD policing does not follow minorities, it follows crime. Through coding (analyzing themes in language) transcripts of Bloomberg's rhetoric, his points are reiterated from 2011 until 2019 in speeches, conferences, and interviews (Bloomberg, Aspen Remarks; Brownsville Address; Interview by Jeffrey Brown; NYPD Address; Verdict Appeal). His first defense, that Stop-and-Frisk is essential for protection, was the most recorded theme, having been mentioned over 90 times. It is undeniable that Bloomberg strongly felt Stop-and-Frisk was crucial for the safety of New Yorkers, however, he argued in an interview by Jeffrey Brown that most officers are stationed in minority neighbourhoods because "that's where the crime is" (Bloomberg, interview). The second point of his rhetoric is that crime is centralized in predominantly Black and Hispanic neighbourhoods, which he mentions 39 times. For example, in 2015 he controversially declared that the only way to deescalate disorder in crime-ridden neighbourhoods is to deploy more officers and "throw [minorities] against the

wall and frisk them” (Bloomberg, Aspen Remarks). Though he frequently makes a correlation between minorities and criminality, he reassures the public that Stop-and-Frisk only follows crime and not certain ethnic groups. Bloomberg emphasizes that the NYPD only follows crime reports on 27 occasions yet comparing this to his previous point reveals minorities to be a true target. It becomes apparent that with correlating minorities with criminality, and claiming that police only pursue suspected criminals, one can deduce Bloomberg understands the police do in fact target minorities. Coding Bloomberg’s rhetoric from 2011 to 2019 reveals that he claims Stop-and-Frisk to be essential for protection and only targets crime, however, in November of 2019, readying his 2020 presidential bid, Michael Bloomberg suddenly changed his perspective on the discriminatory policing program that he so staunchly defended.

On November 17, 2019 Michael Bloomberg addressed the Christian Culture Center (CCC) in Brooklyn and told the public he has had regrets about Stop-and-Frisk; recognizing that it became problematic and apologizing for his error. Through speeches, interviews, and moments from Democratic debates (Bloomberg, CCC Address; Interview by Gayle King; “Bloomberg Addresses NYC Stop-and-Frisk”; “Everything at Las Vegas Debate”; “Watch South Carolina Debate”), he acknowledged Stop-and-Frisk’s shortcomings over 40 times. At the CCC, he recognized that “too many innocent people were being stopped... and the overwhelming majority of them were Black and Latino” (Bloomberg, CCC Address). This sentiment continued throughout his presidential campaign, as on the stage of the 9th Democratic debate, he claimed to be “embarrassed about [how Stop-and-Frisk] got out of control” (“Everything at Las Vegas Debate”). Additionally, Bloomberg has been apologetic about the policing program on multiple occasions. On December 6, 2019, in an interview with CBS’s Gayle King, Bloomberg said, “Looking back, I made a mistake. I’m sorry” (Bloomberg, interview). His apologies carried over

to February 25, as he “asked for forgiveness” from Black leaders in New York (“Watch South Carolina Debate”). Besides the controversial timing of his change of heart (“Bloomberg Addresses NYC Stop-and-Frisk”), Bloomberg has accepted the issues of Stop-and-Frisk and has apologized for them repeatedly. However, the former mayor has also reassured voters of his newfound beliefs by saying he will learn from his previous mistakes.

On the campaign trail, Bloomberg has regretted the consequences of Stop-and-Frisk, but he promises that those shortcomings will serve as learning opportunities; better enabling himself to “find other ways to stop the murders” (Bloomberg, Interview by Gayle King). From November 2019 to February 2020, Bloomberg has expressed desires to learn from Stop-and-Frisk on 13 occasions and at the MSNBC Democratic debate, he said he is “trying to understand how we can change our policies so we can keep the city safe”. Additionally, he has “spoke with innocent people” affected by stops and conversed with “African American clergy and businesspeople” to learn where he went wrong (“Everything at Las Vegas Debate”) Though he desires to learn about first-hand accounts from those impacted, at the CBS Democratic Debate, he told the public he wants to know what he “should do next time” (“Watch South Carolina Debate”). Looking forward, Bloomberg wants to use his previous downfalls to better himself and his understanding of policing strategies. But though he looks to the future regarding the consequences of Stop-and-Frisk, Michael Bloomberg has not forgotten about how he championed the reduction of the program.

Bloomberg has understood Stop-and-Frisk to be a negative aspect of his political career, but he consistently tells voters that he was the one who realized the program was becoming troublesome and essentially dismantled it himself. The mention of his realization and reduction was recorded over 10 times throughout the presidential race. On the stage of the MSNBC

Democratic debate, Bloomberg stated that “when we discovered – when I discovered that we were doing... too many stop-and-frisks we cut 95% of it out” (“Everything at Las Vegas Debate”). As Bloomberg stops short with the mention of “we,” one could argue that this is a tactic to position himself in the limelight and take full responsibility for realizing the implications of Stop-and-Frisk. Furthermore, the point of cutting “95% of it out” is mentioned in other statements as well (Bloomberg, CCC Address; Interview by Judy Woodruff; “Watch South Carolina Debate”). Though Bloomberg claims himself as a champion of reducing the program, it’s interesting to note the mayor did not have a choice; he was demanded by court order. As mentioned above, *Floyd v. City of New York* under Judge Scheindlin concluded Stop-and-Frisk to be unconstitutional and be dismantled (*Floyd v City of New York*). The facts do not line up with the mayor’s self-praise, however, he does effectively paint himself as a hero against the discriminatory policing of Stop-and-Frisk.

Throughout his years as mayor of NYC, Michael Bloomberg had defended the expansion and utilization of the policing policy known as Stop-and-Frisk. Giving officers the right to frisk those that seemed suspicious of criminal activity, Bloomberg assured the public this was necessary for protection. Also, while addressing the program’s discrimination, Bloomberg claimed that crime is rampant in minority neighbourhoods yet the NYPD targets criminals, not minorities. These two points, when shown together, conclude that indeed Bloomberg was aware of the racial profiling apparent in police stops. However, though Bloomberg was adamant about the necessity of Stop-and-Frisk, analysis of his statements while vying for the presidential nomination shows he changed his perspective through acknowledging downfalls, wanting to learn from previous errors, and boasting about *his* reduction of the program. The timing of his newfound beliefs was controversial; however, his three points were consistently reaffirmed

throughout his campaign. The analysis of Bloomberg's rhetoric offers new insight as to how the former mayor shifted views about Stop-and-Frisk, but further research should be conducted examining the effectiveness of Bloomberg's rhetorical tactics. Comparing polling statistics to Michael Bloomberg's rhetoric change could lead to future discussions about how politicians could, through their word choice and emphasis of certain talking points, rise in popularity despite their careers being tainted with unsavoury moments. The power of persuasion is extraordinary, and though it could be contested that Michael Bloomberg truly changed his beliefs, he created a public image that depicted him as a mayor of the people, rather than the individual who strengthened the invasive policing of Stop-and-Frisk.

Works Cited

- “Bloomberg Addresses NYC Stop and Frisk Policy | The View.” *YouTube*, uploaded by The View, 15 Jan. 2020, https://www.youtube.com/watch?v=5_hN28mSeCY (2:15-5:07).
- Bloomberg, Michael, Remarks at the Aspen Institute. 5 Feb 2015, Aspen Institute, Aspen, CO. Aspen Remarks, <https://www.youtube.com/watch?v=1bbjB3jVGRU> (43:27-44:20)
- Bloomberg, Michael. Address on Public Safety to NYPD Leadership. 30 Apr. 2013, One Police Plaza, New York City, NY. NYPD Address, <https://www1.nyc.gov/office-of-the-mayor/news/151-13/mayor-bloomberg-delivers-address-public-safety-nypd-leadership>.
- Bloomberg, Michael. Address to Congregation at Christian Cultural Center in Brooklyn. 17 Nov. 2019, Christian Cultural Center – Brooklyn Campus, New York City, NY. CCC Address, <https://www.youtube.com/watch?v=Rla4v47X2IE>
- Bloomberg, Michael. Address to The First Baptist Church of Brownsville, 10 Jun. 2012, First Baptist Church of Brownsville, New York City, NY. Brownsville Address, <https://www1.nyc.gov/office-of-the-mayor/news/205-12/mayor-bloomberg-speaks-parishioners-the-first-baptist-church-brownsville-how-crime>.
- Bloomberg, Michael. Interview by Gayle King. *Michael Bloomberg’s Extended Interview with Gayle King*, 6 Dec. 2019, <https://www.cbsnews.com/video/michael-bloombergs-extended-interview-with-gayle-king/> (15:38-16:38).
- Bloomberg, Michael. Interview by Jeffrey Brown. *Bloomberg Kicks Off New Effort to Empower Black, Latino Men*, 4 Aug. 2001, <https://www.youtube.com/watch?v=4KX6swK-JoU> (1:01-
- Bloomberg, Michael. Interview by Judy Woodruff. *Full Interview with 2020 Candidate Michael Bloomberg*, 27 Feb. 2020, <https://www.youtube.com/watch?v=mDj2x8DsM74> (14:16-15:02).

Bloomberg, Michael. Plan to Appeal Stop-and-Frisk Decision. 12 Aug. 2013, New York City Hall, New York City, NY. Verdict Appeal, <https://www.youtube.com/watch?v=iw8BMrF7r8Y> (0:00-7:04)

Brown, Owen. "The Legal Murder of Trayvon Martin and New York City Stop-and-Frisk Law: America's War Against Black Males Rages On." *Western Journal of Black Studies*, vol. 37, no. 4, 2013, pp. 258-271.

"Everything Mike Bloomberg Said at the Las Vegas Democratic Debate | NBC New York." *YouTube*, uploaded by NBC New York, 19 Feb. 2020, <https://www.youtube.com/watch?v=XpjEsavZLbc> (2:53-4:48).

Geller, Amanda, and Jeffrey Fagan. "Pot as Pretext: Marijuana, Race, and the New Disorder in New York City Street Policing." *Journal of Empirical Legal Studies*, vol. 7, no. 4, 2010, pp. 591-633.

Harcourt, Bernard E. *Illusion of Order: The False Promise of Broken Windows Policing*. Harvard University Press, Cambridge, Mass, 2001.

Keizer, Kees, Siegwart Lindenberg, and Linda Steg. "The Spreading of Disorder." *Science*, vol. 322, no. 5908, 2008, pp. 1681-1685.

McArdle, Andrea, and Tanya Erzen. *Zero Tolerance: Quality of Life and the New Police Brutality in New York City*. New York University Press, New York; London, 2001.

Messner, Steven F., et al. "Policing, Drugs, and the Homicide Decline in New York City in the 1990s." *Criminology*, vol. 45, no. 2, 2007, pp. 385-414.

Richards, Neil M. "The Dangers of Surveillance." *Harvard Law Review*, vol. 126, no. 7, 2013, pp. 1934-1965.

- Rosenfeld, Richard, and Robert Fornango. "The Impact of Police Stops on Precinct Robbery and Burglary Rates in New York City, 2003-2010." *Justice Quarterly*, vol. 31, no. 1, 2014, pp. 96-122.
- Sampson, Robert J. "Rethinking Crime and Immigration." *Contexts*, vol. 7, no. 1, 2008, pp. 28-33.
- Skogan, Wesley. "Disorder and Decline: The State of Research." *Journal of Research in Crime and Delinquency*, vol. 52, no. 4, 2015, pp. 464-485.
- Southern District of New York, *Daniels v City of New York*. 15 Mar. 2001. *Caselaw Access Project*, Harvard Law School, <https://cite.case.law/frd/199/513/>.
- Southern District of New York, *Floyd v. City of New York*. 12 Aug. 2012. *H2O*, Harvard Law School, <https://h2o.law.harvard.edu/cases/4166>.
- Taylor, Ralph B. *Breaking Away from Broken Windows: Baltimore Neighborhoods and the Nationwide Fight Against Crime, Grime, Fear, and Decline*. Westview Press, Boulder, CO, 2001.
- Torres, Jose. "Race/Ethnicity and Stop-and-Frisk: Past, Present, Future." *Sociology Compass*, vol. 9, no. 11, 2015, pp. 931-939.
- United States, Supreme Court, *Terry v. Ohio*. 10 June 1968. *Library of Congress*, United States Legislative Information, <https://www.loc.gov/item/usrep392001/>.
- "Watch full South Carolina Democratic Debate | CBS News." *YouTube*, uploaded by CBS News, 25 Feb. 2020, <https://www.youtube.com/watch?v=kIDbFuxmXrA> (1:13:40-1:15:01).
- Welsh, Brandon C., Anthony A. Braga, and Gerben J. N. Bruinsma. "Reimagining Broken Windows: From Theory to Policy." *Journal of Research in Crime and Delinquency*, vol. 52, no. 4, 2015, pp. 447-463.

Wilson, James Q. and George L. Kelling. "Broken Windows: The Police and Neighborhood Safety." *Atlantic Monthly*, Mar. 1982, pp. 29-38.