

Wisconsin ACLU: Challenges Milwaukee Police Department's unconstitutional stop-and-frisk program

Posted on Wednesday, Feb 22, 2017

>> **WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)**

For the Last Eight Years, the Milwaukee Police Department Has Subjected Tens of Thousands of Innocent People to Unconstitutional Stops and Frisks, Disrupting Their Daily Lives Because They Are Black or Latino

CONTACT:

Molly Collins, ACLU of Wisconsin, [414-272-4032 ext. 215](tel:414-272-4032), media@aclu-wi.org
Alexandra Ringe, ACLU, [212-549-2582](tel:212-549-2582), aringe@aclu.org

MILWAUKEE — The American Civil Liberties Union, the ACLU of Wisconsin, and the law firm of Covington & Burling filed a class-action lawsuit today against the city of Milwaukee over its police department's vast stop-and-frisk program.

The department targets tens of thousands of people without reasonable suspicion of criminal activity, the legal requirement for a police stop, making the program unconstitutional, the lawsuit says. The department's repeated violations of Milwaukeeans' constitutional rights are driven by racial profiling, with preliminary data showing significant disparities between police stop rates for white people and for Black and Latino people.

"For the last decade, the Milwaukee Police Department has pursued an aggressive and unconstitutional policing strategy that treats people of color as suspects for no good reason, stopping innocent men, women, and children as they try to go about their daily lives," said Jason Williamson, senior staff attorney with the ACLU's Criminal Law Reform Project. "This approach forces tens of thousands to live under

suspicion every time they step outside.”

Charles Collins, one of the lawsuit’s six plaintiffs and the target of a police stop without reasonable suspicion, is a Black military veteran who has lived in Milwaukee for 55 years. “If I’m going out, I’m always looking over my shoulder even though I’ve done nothing wrong,” said Mr. Collins.

Between 2007 and 2015, the Milwaukee Police Department almost tripled their traffic and pedestrian stops, from around 66,000 to around 196,000, following the launch of the unlawful stop-and-frisk program in 2008.

“The Milwaukee Police Department has prioritized widespread, unconstitutional stop-and-frisk practices over its relationship with communities of color in this city,” said Karyn Rotker, senior staff attorney at the ACLU of Wisconsin. “By routinely stopping thousands of people who have done nothing wrong, the department has undermined its relationship with Milwaukee residents and created a profound lack of trust in those communities—which compromises the department’s ability to investigate crimes.”

In 2011, the Milwaukee Journal Sentinel found that Milwaukee police were seven times more likely to stop Black drivers than white drivers, and five times more likely to stop Hispanic drivers than white drivers. According to the ACLU’s preliminary analysis of records from a Milwaukee police database on stops, Black (non-Hispanic) people were the targets of 72 percent of stops from 2010 through 2012 when they made up 34 percent of the city’s population.

The department conducts far more stops and frisks in the parts of Milwaukee that are predominantly Black or Latino than in other areas.

“The department’s own records raise a red flag that unlawful stop-and-frisk in Milwaukee is a dragnet that results in racial profiling,” said Nusrat Choudhury, senior staff attorney of the ACLU’s Racial Justice Program. “But the city can keep all communities safe without trampling on people’s rights. In New York City, crime rates continued to fall even after a similar program was ended following a federal court ruling that it violated the law.”

The lawsuit filed today seeks reforms that safeguard constitutional rights by promoting bias-free and evidence-based policing, transparency, and police accountability. These reforms include an end to the Milwaukee Police Department’s

practice of conducting stops and frisks without reasonable suspicion, as well as its practice of stopping people based on their race or ethnicity. The lawsuit also seeks improved training, supervision, and monitoring of officers who conduct stops and frisks, and the collection and semiannual release to the public of data on all stops and frisks to permit further analysis for evidence of constitutional violations.