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# Five Years After Police Reform: Why New York's 'Fix' Failed.

An Analysis of State-Mandated Use-of-Force Data (2021-2024)

[REDACTED] (BPO) [REDACTED] (100) [REDACTED]  
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# Reform was designed as the submission of paperwork, not the enforcement of outcomes.

## THE PROMISE

Source: 2020 Executive Order 203

Goal: Rethink use of force, confront racial bias, rebuild public trust.

Mechanism: Mandated "plans" and community engagement.

## THE REALITY

Source: 2024 DCJS Data

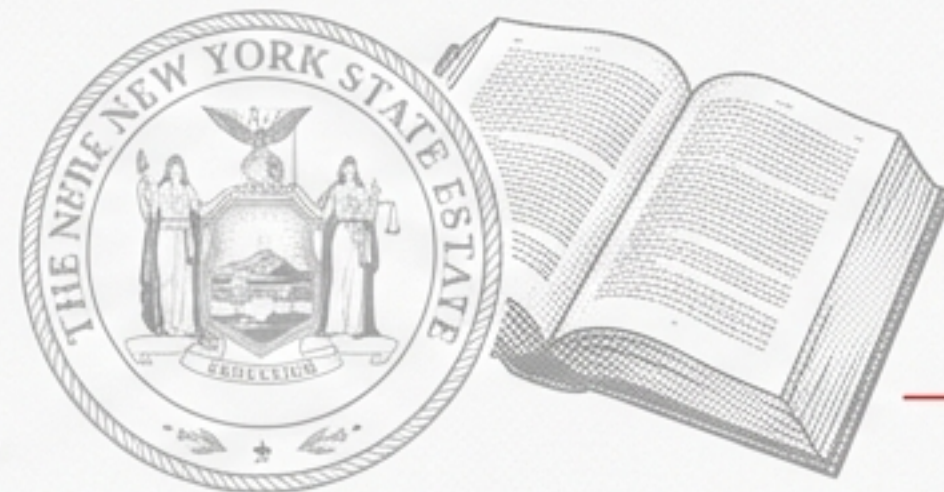
Outcome: Use of force increased. Racial disparities widened.

Key Insight: Reform efforts produced no measurable structural correction.

**Reform without enforcement is not reform.**  
**It is delay, dressed as progress.**

# THE SOURCE MATERIAL: NEW YORK STATE LAW

This analysis relies exclusively on state-mandated, publicly reported data.



## **EXECUTIVE LAW § 837-t**

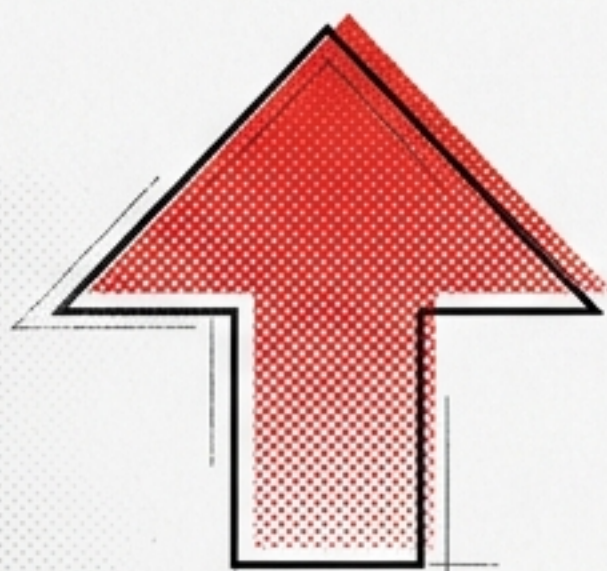
Requires every police department to report use-of-force incidents to the Division of Criminal Justice Services (DCJS).

UNIT OF ANALYSIS	TIMEFRAME	EXCLUSIONS
<b>Subjects</b> , not incidents (reflecting impact on individuals).	<b>2021-2024</b> (Post-reform era).	<b>No advocacy estimates.</b> No proprietary modeling.

# EXHIBIT A: ESCALATION IN THE SUBURBS

Despite reform plans, Nassau and Suffolk counties saw significant increases in physical coercion.

## NASSAU COUNTY



**+38%**

Increase in force subjects (2021-2024).

Black subjects constitute the largest single racial group of force subjects.

## SUFFOLK COUNTY



**+60%**

Increase in force subjects (2021-2024).

Sharpest rate of increase observed in the study.

# EXHIBIT B: THE SCALE OF THE PROBLEM (NYC)

## 7,015 FORCE SUBJECTS

(2021-2024)

### +40% INCREASE

In annual force-subject counts.

THE DISPARITY:

**4,652**

Black Subjects

vs.

**1,749**

White Subjects



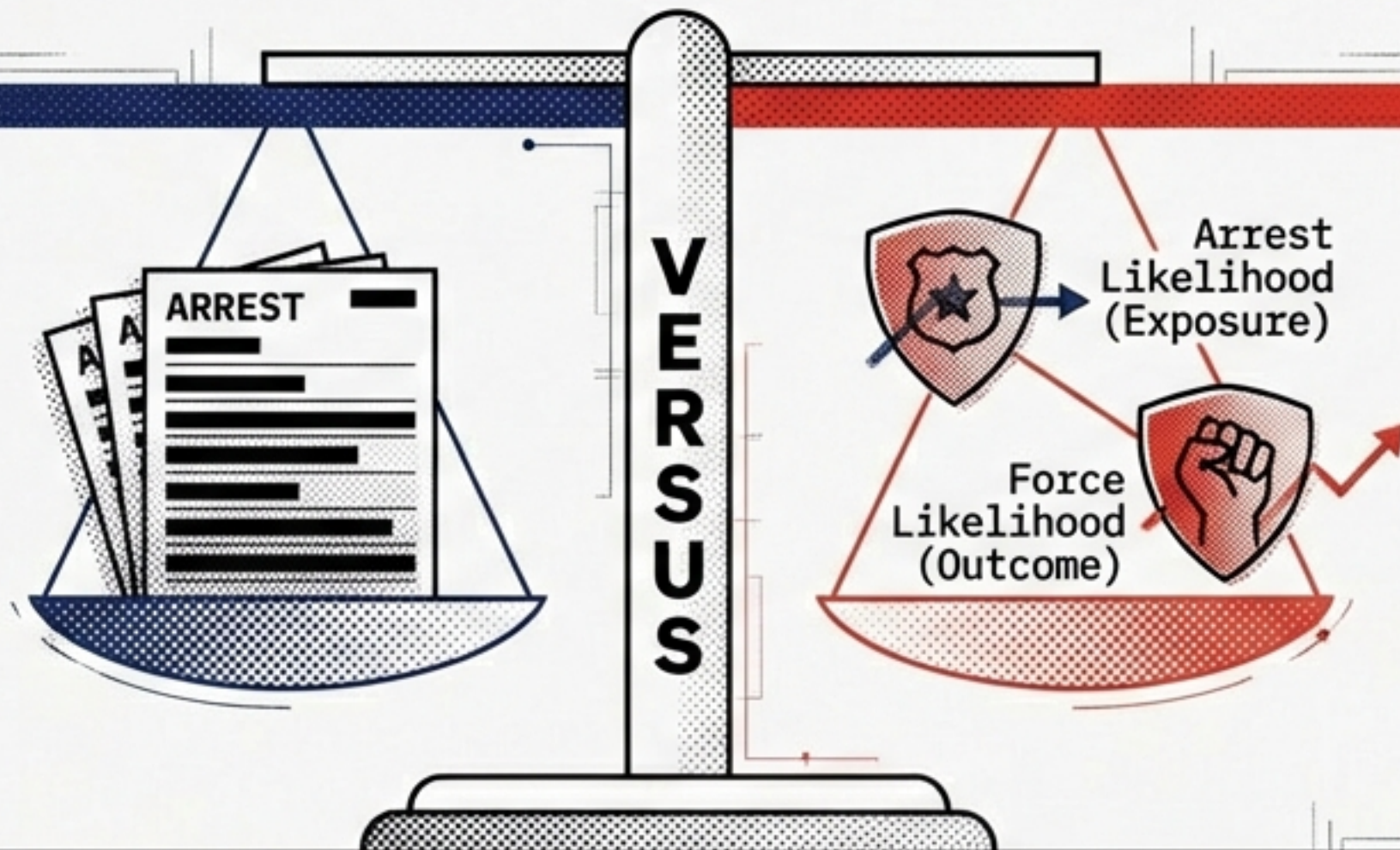
**Different scale, same pattern.** The NYPD reform apparatus produced the same failure to reduce force or disparity.

# THE 'EXPOSURE' MYTH

"It's just about crime rates" is a narrative shield, not a statistical fact.

## THE DEFENSE

The argument that police use force on Black people more because they encounter (arrest) them more.

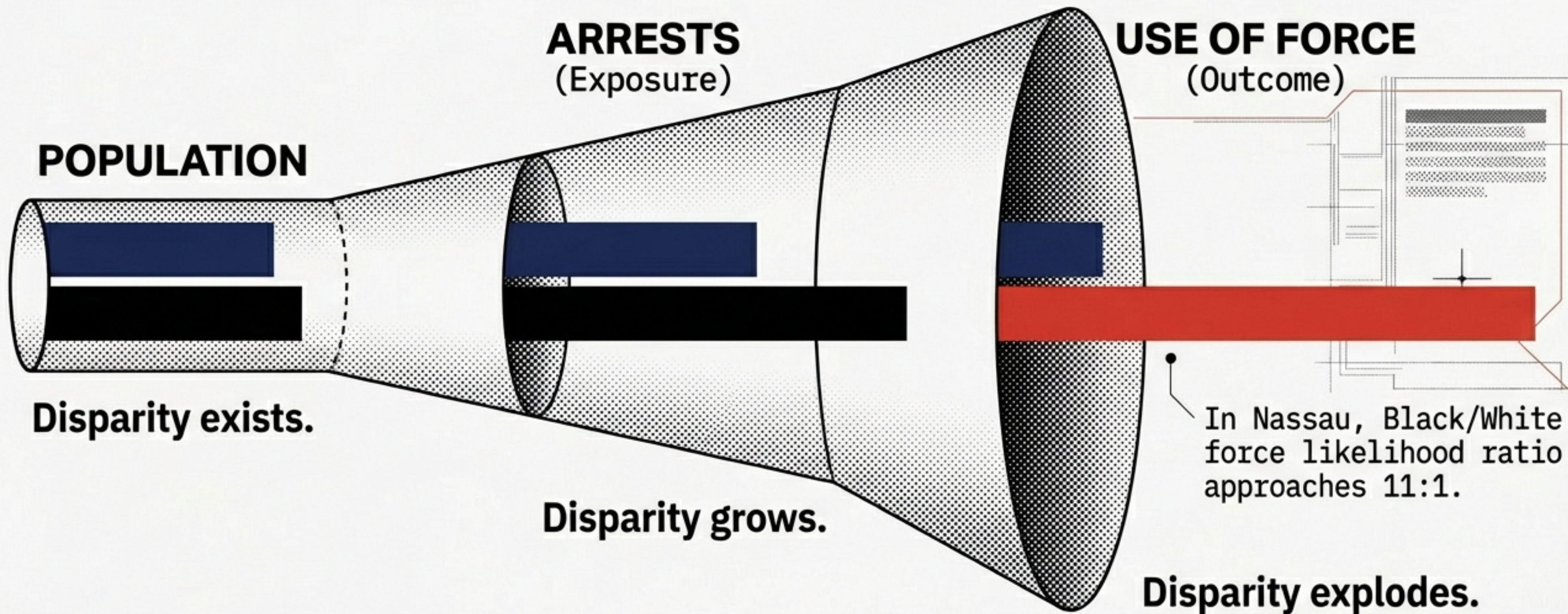


## THE TEST

Comparing Arrest Likelihood (Exposure) vs. Force Likelihood (Outcome).

**KEY CONCEPT:** Arrests are not a measure of danger; they are a measure of enforcement choice. If force was just about exposure, the racial ratios for arrests and force would be the same. They are not.

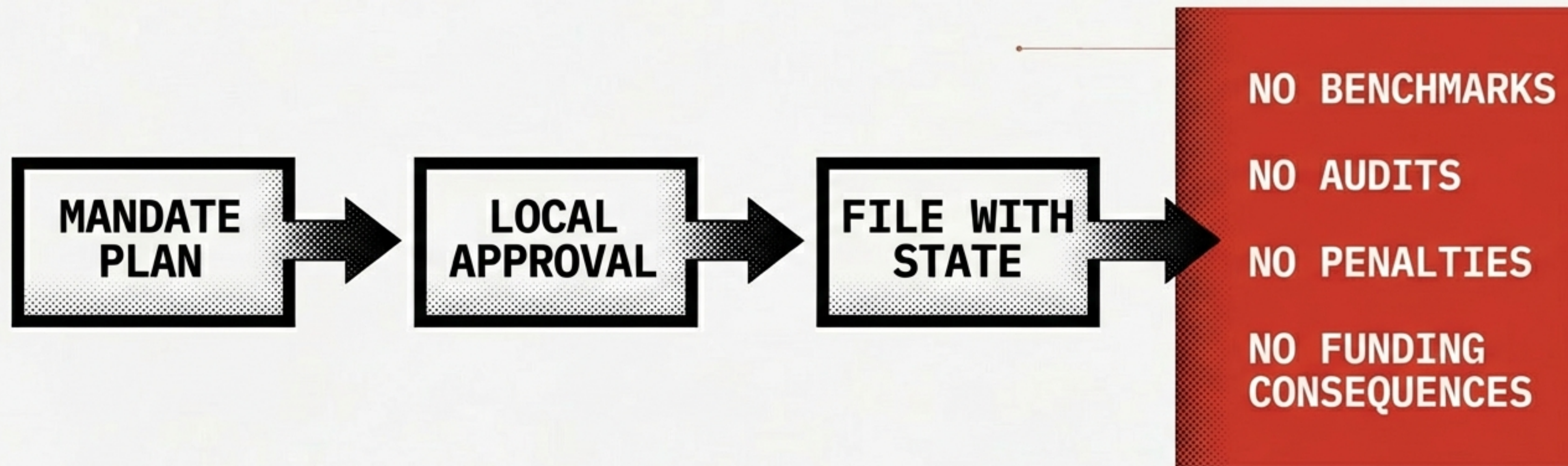
# THE WIDENING GAP



The bias intensifies DURING the police encounter.

# DESIGNED TO STALL

Why the structure of Executive Order 203 guaranteed failure.



When no benchmarks exist, no one technically fails.  
The state required the performance of reform,  
not the enforcement of outcomes.



# AVERAGING HARM AS CAMOUFLAGE

## THE PROBLEM OF AGGREGATION

1. "Countywide" averages hide the specific precincts driving violence.
2. Allows bad actors to hide behind general statistics.



**“HARM IS  
VISIBLE, BUT  
RESPONSIBILITY  
IS NOT.”**

# GOVERNANCE, NOT ACCIDENTS

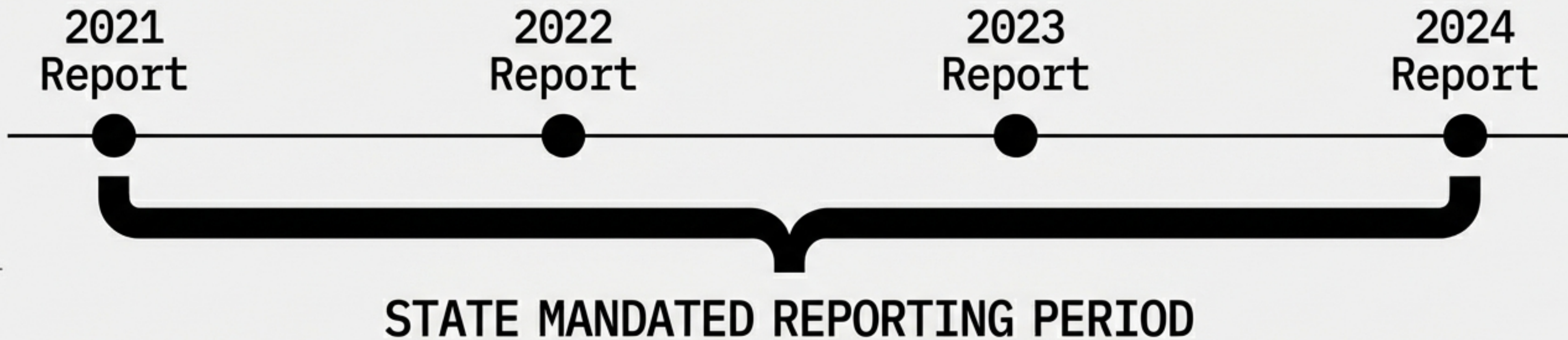


## INSTITUTIONAL OUTPUTS

Force isn't random; it's concentrated in the largest agencies with the most insulation.

**These outcomes are the result of policy, training, and tolerance.**

# FROM IGNORANCE TO ACQUIESCENCE



Because the State mandated this reporting, they cannot claim they didn't know. The disparities are now "KNOWN CONDITIONS."

**LEGAL VERDICT: DELIBERATE INDIFFERENCE**

# LIABILITY BEYOND INTENT

The failure to fix the numbers is no longer just a policy failure; it is a liability risk.

## EQUAL PROTECTION

Systemic disparate outcomes that are tolerated and reinforced over time implicate the Equal Protection Clause, even without proving individual animus.

## FOURTH AMENDMENT

"Reasonableness" is shaped by training. If training consistently produces racial disparity, the framework authorizing that force invites scrutiny.

**Takeaway: Municipal liability attaches when policy or custom creates constitutional violations.**

# **ACCOUNTABILITY REQUIRES MORE THAN MEASUREMENT.**

**The data is in. The patterns are stable. The reform era failed to alter the distribution of force.**

**MOVE FROM THE "PERFORMANCE OF REFORM"  
TO THE "ENFORCEMENT OF OUTCOMES."**

# THE NUMBERS DON'T LIE.

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The Sanders Firm, P.C.

Eric Sanders

Civil Rights Litigation | Police Misconduct & Systemic Reform



Based on 'Five Years After Police Reform, the Numbers Don't Lie' - January 2026.

