



AM I FREE *to leave?*

An inquiry into mere encounters and stops in Philadelphia



**Citizens Police
Oversight Commission**

CITY OF PHILADELPHIA

What is Happening?



I strongly believe I was profiled and unlawfully questioned by PPD."

CPOC receives daily complaints from community members. CPOC also reviews completed investigations into complaints against police. Through this work, CPOC recently began to see a pattern of PPD officers coming up to people. Officers may ask if they have a gun, if they will lift their shirt or if they will show police inside their bags. Sometimes, officers frisk or search them. This pattern led us to look closer.

In each of these examples we reviewed, the people were not committing any crimes or carrying a gun. Each situation ended with their release without arrest or citation.

The first three examples involve investigations completed in 2025. In each of these cases, the investigation determined officers had not followed proper PPD procedure.

1

A 25-year-old Black man was biking, wearing form-fitting athletic clothing and a backpack, when he was stopped by PPD officers. The officers asked if he had a gun and he said "no". Then the officers frisked him and searched his backpack. The complainant, who has post-traumatic stress disorder (PTSD), suffered a panic attack, during which he fell to the ground in the fetal position. PPD officers did not provide medical attention.

2

A 36-year-old Black man was walking down the street when two officers in a police car started following him. They asked if he had a permit to carry or a gun and claimed to see a bulge near his left pocket. The man repeatedly insisted he had nothing on him. One officer got out of the police car and blocked his path, preventing him from moving forward. The man tried to walk around the officer, but the officer grabbed him by the waist and jacket. The officer lifted his jacket, making his shirt and undershirt untuck, and shook his pants. The man told the officer he did not consent to any of this. After confirming he had no gun, the officers told him he was free to go.

3

A 31-year-old Black man was in a laundromat when he was approached by a PPD officer who asked him if he had a gun on him. The man said "no" and told the officer not to touch him. The man then said that he was going to get his cell phone out of his pocket, prompting the officer to grab and frisk his pocket. The officer told the man he was free to leave, but continued to talk with him. The man felt the officer was trying to antagonize or provoke him by repeatedly saying, "What are you going to do?"



As a parent, I am outraged and heartbroken. My son is a child — not a suspect. He was humiliated and criminalized for no reason other than his race. He was made to feel unsafe by those who are sworn to protect him."



My child is traumatized.”

The following cases involve complaints of similar treatment: two are still under investigation, and one was closed because no PPD documentation was found.

1

A Black woman reported that her sons, aged 18 and 24, were walking to the bus stop on the way to work. A patrol car drove up, officers rolled down the window and said, “Are you all carrying guns?” The brothers informed the officers that they were not. The officers got out of the car and walked up to them. The officers said, “We’re not looking for any drugs, we’re just wondering if you’re carrying any weapons.” The brothers kept saying “no”. Then the officers asked, “Can you lift up your shirts so we can see your waist?” The brothers did lift up their shirts. The brothers even opened their backpacks, unprompted, to prove to the officers that they did not have a gun. The officers then let them go but never explained why they had stopped them.

2

The complainant, **a 40-year-old Black man, exited his house as a police vehicle pulled up.** An officer asked the man whether he had a license to carry a firearm and whether he had a firearm in his hoodie. The complainant told the officers he didn’t have a gun. One officer approached him, began circling him, and tried to shine his flashlight into the complainant’s hoodie pocket (this occurred in broad daylight). The officers told the complainant he was not detained. The officers did not frisk the complainant or physically touch him. After asking several times whether the complainant had a gun and receiving a “no” each time, the officers got back in their patrol car and left.

3

A mother reported that her son, a 13-year-old Black boy, was stopped by two officers on his way to the store. The officers asked the boy whether he had a gun and asked him to open his coat so they could view his waist. No record of this interaction could be found by Internal Affairs.



These actions not only caused unnecessary distress to these young individuals but also eroded the trust and respect that should exist between community members and law enforcement. Officers are expected to uphold professionalism and treat all citizens, regardless of age or background, with dignity and respect.”

What is legal?



[Afterwards,] I was still very shaken up. I had to stay at a family member's house for the night because I was so shaken."

Complainants explained how these situations made them feel:

Although these interactions are brief, they can profoundly impact an individual, their family, and their community. These experiences further reduce legitimacy and trust in police among affected people and communities. Many people believed that they had been targeted due to their race.

Most Philadelphians are familiar with Stop and Frisk – a legal framework based in the 4th Amendment to the U.S. Constitution and Article I, Section 8 of the Pennsylvania Constitution. However, in the cases described above, PPD officers claimed they intended to conduct not a “stop” but a “mere encounter.”

A STOP IS:

- a brief investigative detention
- when an officer has reasonable, articulable suspicion that a particular person has committed, is committing, or is about to commit a crime, and
- that person is not free to leave.

A MERE ENCOUNTER IS:

- not a detention,
- the officers do not have reasonable suspicion of a crime, and
- the person is free to leave and may refuse to answer the officer's questions.

Although these stops and mere encounters, they can be difficult or impossible to tell apart during actual encounters, even if the officer complies with legal requirements. First, only the officer knows if they have reasonable suspicion of a crime and what kind of interaction they plan to pursue. Second, most people do not feel “free to leave” and do not know if they are allowed to do so. Lastly, individuals often cannot get clarification from the officer about whether they are being detained. Sometimes, officers ignore questions or negative responses (such as “no, I don’t have a gun”), dismiss refusals to talk or asserting rights, and continue to pressure the person to prove they are unarmed.

REASONABLE, ARTICULABLE SUSPICION

Means the officer must make factual observations which he or she can explain, not just have a hunch about someone.

FRISK AND SEARCH

An officer may not frisk or search a person during a mere encounter, only during a stop with additional suspicion.

A **frisk** is when an officer pats the exterior of a person's clothing or property, based on the officer having reasonable suspicion that the person is armed and dangerous.

A **search** is when an officer reaches into a person's clothing, like a pocket, or property, like a bag, based on the officer having probable cause that a crime has been, is being, or is about to be committed.



Why are we concerned?

As we began examining mere encounters, the lack of information was a primary obstacle.

Officers are not required to complete a report after a mere encounter, as they are after a stop. While they should turn on their body-worn cameras for the entirety of these interactions, we don't have a complete picture of how often this happens.

Complaints were filed about the mere encounters described above. But without more data, we don't know whether these are typical characteristics of mere encounters. Mere encounters may sometimes resemble the situations described above, or they might be community policing interactions, non-specific radio calls about a person with a gun, or something else. Beyond what the complainants shared, we also don't know how most people feel after these interactions.

For the many people who are not arrested, the interaction ends and the person may feel violated, disrespected, and traumatized. Because the individual was not arrested, there is rarely any further examination of the interaction. Few people will file a complaint or pursue a lawsuit, so the scope of the impact on individuals and communities is hard to quantify.

Although little data have been collected on mere encounters, we do know a little based on a preliminary review of incident data from a 6-month period last year. This data showed that mere encounters are among the most common classifications of PPD incidents, accounting for about 6% of total police incidents¹. The data indicates that correctly tagged and linked body-worn camera video is available for only about 21% of those interactions².

Without more complete data on mere encounters, we don't know the scope of this practice, and we can't measure how harmful or effective it is. Without data, we can't tell whether the bad behavior identified in some of the investigations above is routine or unusual – and misconduct can persist unchecked.

Harm can also occur at the systemic level, depending on how a policy is implemented. As with stop and frisk, mere encounters may be lawful, but also harassing to an individual and a community. Furthermore, because many complainants reported feeling racially profiled, and because stop and frisk was challenged for having a discriminatory impact, it is important to investigate who is affected (people of any particular race, gender, age or other identity).

¹Data from the 24th Districts from December 2024; the 18th District from February 2025; the 15th District from March 2025; and from the 22nd District from April and June 2025. These districts were chosen to be representative of different parts of the city, one from each division (Central, East, Southwest, Northeast) and generally districts with more police activity and high numbers of complaints.

²With limited information about how the incident and body-worn camera storage systems are linked, this may not represent the complete picture of mere encounters which have associated body-worn camera video.

CPOC plans to gather more information about PPD's practice of mere encounters by requesting data from PPD and community members. We hope to review this qualitative and quantitative data to get a clearer picture of how mere encounters occur and how they affect Philadelphians.

From PPD, CPOC will request data on interactions that PPD officers have coded as "mere encounters" in their incident tracking system and in their body-worn camera video storage system. After assessing what data exists, we plan to follow up to request a representative sample of incident data for review and analysis of what happens during mere encounters. CPOC also hopes to learn about PPD's mere encounters policy and practice through interviews with patrol operations and audits and inspections.

From the community, CPOC will be collecting stories of people's experiences through an online survey and through **community workshops** around the city.



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Fill out our survey:



Contact us to host or
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