

Ministers allege police aggression in traffic stop

RPD probing arrest, says cellphone video incomplete

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A group of local ministers say a video of a Sept. 11 traffic stop shows Rochester police aggressively arresting two men in

a driveway off Borchard Street needs to be addressed.

The video, recorded by a bystander and shared on Facebook, captures an RPD officer and two men arguing for more than three minutes over an un-inspected vehicle in the driveway.

As more police arrived as backup, the first officer moved to arrest one of the men, at one point hooking his arm around the man's neck, the video shows. Other officers rushed in, pulling the man's legs off the ground, punching him at least twice and kneeling on his back as they placed him in handcuffs, as seen in the video.

The second man was also thrown to the ground and arrested after trying to pull police off the first man.

The Rev. Dwight Fowler, president of the United Christian Leadership Ministry, said the video showed police officers acting like "thugs in uniform" rather

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than community guardians.

“While I expect police officers to do their job,” he said, “I expect them to engage in de-escalation as opposed to operating in a manner that escalates a problem and causes it to go from bad to worse.”

Fowler said UCLM canceled a planned Monday news conference about the incident while they gather more information and meet with the men involved. He declined to identify the two men.

RPD: Internal investigation into Borchard Street arrest ongoing

Capt. Greg Bello said RPD has opened an internal investigation into the arrest. Bello said the cellphone video shared on social media does not capture the entire encounter and internal investigators are reviewing other civilian videos and body-worn camera footage to understand what happened.

The Democrat and Chronicle has asked for copies of the other videos and related police reports.

“As you know, these investigations take time in order to fully investigate the facts of a situation rather than make a hasty determination that has a lasting

impact,” Bello said in an email. “The Chief has a responsibility to both the public and to the Officers involved to ensure that as much evidence, witness testimony, videos, etc. are gathered so that he may make an informed decision as to the Officer(s) actions and compliance, or non-compliance, with policy.”

He said internal investigators are also looking into a lack of body-worn camera footage from the initial responding officer.

At one point in the cellphone video, a bystander points out that the officer’s body-worn camera is not recording. The officer pulls it off to check and tells them that the battery died.

RPD policy requires officers to check that their body-worn camera is charged and working properly at the start of their shift. Bello said the cameras have a 12-hour battery life, but officers occasionally run into problems if the camera was not seated properly on a charger.

What does the cellphone video show?

The missing body-worn camera footage leaves us without video or context around the beginning of the traffic stop. The cellphone video of the confrontation starts mid-interaction and is hard to hear at times. It is not entirely clear from the footage what prompted the initial police stop.

The person who posted the video on

Facebook said her brother was trying to move a car in the driveway so his mother would have room to park. Bello said the traffic stop was for an uninspected vehicle.

On the video, the car does not have a front license plate. The officer claims to have seen the car in the road before it pulled into the driveway.

The Rev. Fowler acknowledged the two men were verbally combative with the officer but said they were not physically aggressive, and many times asked for a sergeant to help resolve the issue.

It’s not clear whether the officer called for a supervisor. The three men spent several minutes yelling at one another. At one point, the officer leaned against a chain-link fence in the driveway and put black gloves on, the video shows.

“The only reason I’m not putting you in cuffs is because I don’t have backup right now,” he told one of the men. As a second patrol car arrived, the police officer asked, “You ready to do this?”

Fowler said that to him, those actions indicated the officer was “getting ready to go into battle.”

“As soon as the other two cars pulled up, he grabbed the guy to slam dunk him,” Fowler said. “I mean, it was a bit ruthless. There was no manner, in any way, shape or form, that would suggest his goal was de-escalation. His goal was physical punishment and arrest.”

The camera panned away for a split-

second to capture the second cop car arriving, so it does not show the initial moment of contact.

Both men were arrested. Bello said one of the men was charged with traffic violations and a misdemeanor for resisting arrest; the other with obstruction of governmental administration.

He declined to name the officers involved and said they remain on regular duty pending the investigation.

In the cellphone video, a woman off-screen yelled that the cops were “abusing your (expletive) power when you’re supposed to protect us.” A crowd of at least a dozen neighbors, including several children, came out of their houses to see what was happening.

“This was clearly folks who were choosing not to be guardians, but rather, thugs in uniform,” Fowler said. “It just did not look good, and it is not something that will help bring about trust and peace among law enforcement, RPD and the community — and that’s a great concern of mine. I’m looking for guardians — and warriors when necessary — but not officers whose goal is to escalate based upon how they feel emotionally.”

— *Kayla Canne covers community safety for the Democrat and Chronicle, with a focus on police accountability, government surveillance and how individuals are impacted by violence. Follow her on Twitter @kaylacanne and @bykaylacanne on Instagram. Get in touch at kcanne@gannett.com.*