Why don't Rochester police track race?

Cities with information have found disparities

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USA TODAY NETWORK

Three years after the Buffalo Police Department began tracking traffic stop demographics, an analysis of the data revealed stark racial disparities in who officers were pulling over: Black drivers in Buffalo were three times more likely to be stopped than white drivers. Most of the department's traffic stops fell within predominantly Black neighborhoods.

The findings have fueled a lawsuit claiming discriminatory policing in Buffalo.

In Syracuse, an analysis of similar data found Black individuals made up nearly 65% of pedestrian and vehicle stops, while only about 30% of the city's population is Black.

In dozens of communities nationwide, efforts are underway to ban pretext stops — a legal police maneuver where officers pursue low-level traffic violations with the hopes of finding evidence of more serious crimes. Critics of pretext stops say available traffic data shows these stops are applied disproportionately to communities of color based on the "hunches" or "implicit biases" of officers.

But seeing the problem is the first step to addressing it, researchers say.

In New York, there is no law that requires police officers to track the race or ethnicity of drivers during traffic stops — and the Rochester Police Department does not record this information.

Paperno

There is no way to tell who Rochester police are pulling over.

"We see (these racial disparities) on either side of us," said Jill Paperno, a former Monroe County public defender who is studying the impact of pretext stops with the Empire Justice Center. "We see those communities taking some steps to analyze the problem and how to respond to it."

"The problem is, we're not gathering the data," she added.

Why don't Rochester police track demographics of traffic stops?

RPD Capt. Greg Bello acknowledged the lack of data is a weakness in monitoring the department's use of pretext stops.

Department policies prohibit discrimination, but some Black residents tied up in traffic stops that ended in physical confrontations with police have claimed they were repeatedly stopped for minor violations— sometimes given no reason at all — leading them to believe they were targeted because of their race or the neighborhood in which they live.

When first asked about the lack of data, Bello said RPD was constrained by state-mandated ticketing software that did not include a race field on traffic tickets — leaving the agency without a mechanism to easily collect this information. In fact, it does. The New York State Police, which manages the software known as TraCS, said the field is off by default but can be enabled by any police department.

After hearing the state's response, Bello later said RPD is exploring the "feasibility" of that option.

Rochester Capt. Greg Bello DEMOCRAT AND CHRONICLE FILE PHOTO

Before that, he talked about the challenges of documenting, storing and analyzing data: RPD is down nearly 100 officers and already struggles to keep up with calls for service.

Some traffic stops end with education — a reminder of the road rules — instead of a ticket. RPD could develop its own way to document race, Bello said, but handwritten forms don't scan into modern police databases and filling out another electronic form would create "customer service issues" and take up more time that officers don't have.

"It's about finding a balance on that tracking of data, but not being overly burdensome," he said. "Everybody wants the end result of stat tracking, but how do you get there?"

RPD has partnered with Measures for Justice to develop a tool to analyze arrest demographics. Bello said RPD is interested in expanding that work to include traffic stops, but he declined to give a timeline on when that might happen.

'We need to stop ourselves and say: Why are we doing this?'

Several other police agencies in New York have already solved the tracking question.

● Buffalo police post the racial breakdown of traffic tickets on the city's website. In 2020, police there also began issuing "stop receipts" to record details of traffic stops that do not end in a fine or summons — bringing more transparency to who police are pulling over. The stop receipts include information on the race and gender of the driver and the area, date and reason for the stop.

● The Syracuse Police Department requires its officers to immediately tell a driver why they were pulled over and has long recorded demographic data on traffic stops. Still, police there have pushed back against criticism of discriminatory policing, saying the data is simply the result of higher frequency patrolling of crime-ridden neighborhoods.

Paperno said she witnessed the real-life implications of disparate policing efforts as a public defender.

She often represented young Black teenagers who were stopped and ticketed for not having a bell on their bicycle. "In suburban communities I've never seen that happen," Paperno said.

At the Empire Justice Center, she reviewed a small subset of Rochester police data that found "substantially more ticketing" for minor violations like failure to use a turn signal or riding a bicycle without a bell in the city's primarily Black neighborhoods compared to the mostly white ones.

Paperno said the disproportionate policing of one community over another contributes to stress and trauma in those who feel targeted, increased risk of injury and death to both police and the drivers they stop, and the erosion of trust.

"We really need to stop ourselves and take a look and say: 'What are we doing? Why are we doing this? Does this make sense?'" Paperno said. "Part of our work is to educate the community about this, because we believe that the more people … see these disparities, the more there will be this desire to address them."

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