



# SUFFOLK OFFICIALS CALL FOR



Bellone: Evidence of bias in policing is 'unacceptable'

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Evidence indicating the unequal enforcement of traffic laws by the Suffolk police is “unacceptable,” County Executive Steve Bellone said Tuesday following a Newsday analysis of data that revealed disparate treatment of minorities and the release of a consultant’s report that expanded on those findings.

“These disparities are unacceptable to me. They’re unacceptable to the police department,” Bellone said at a news conference, where he was joined by Police Commissioner Geraldine Hart to release the county’s report. Hart called the differing experiences of Black, Hispanic and white drivers “very concerning for this department.”

“Let me say that we are committed to being transparent. And that’s not always comfortable,” Hart said, adding, “Two things can be true at once. They can be a professional and effective department, and there can be room for improvements.”

Newsday’s analysis of never-publicized racial and ethnic data drawn from more than 230,000 traffic stops revealed officers pulled over Black drivers almost four times more often than white drivers, and Hispanic drivers twice as often, when matched against the size of the driving age population in the area patrolled.

After stopping drivers, police searched Black motorists over three times more frequently than whites, and Hispanics 1.7 times more frequently, the analysis showed. Newsday analyzed traffic stops from the third quarter of 2018 until the second quarter of 2020.

The John F. Finn Institute for Public Safety, hired by the county, analyzed a smaller sample of data, covering only one year starting in March 2018.

The consultant’s report high-

lighted disparities that occurred after officers had stopped Black, Hispanic and white drivers. It compared their treatment in 10 areas, including how often officers took actions such as searching drivers, using force and placing them in patrol cars.

Its report represented the department’s first full public accounting of traffic-stop data under a 6-year-old agreement with the U.S. Department of Justice, in which the county committed to collecting and analyzing the data annually.

The county’s report found Black drivers were more than twice as likely to be subjected to a vehicle search; more than twice as likely to be subjected to a search of their person; 84% more likely to be restrained; more than three times as likely to be subjected to physical force; and more likely to be detained for a longer period than white drivers.

The report also found that Hispanic drivers were 16% more likely to be subjected to a search, 16% more likely to be arrested, 32% more likely to be ticketed, 25% less likely to receive a warning and more likely to be detained for a longer time.

Asked about remedies, Bellone pointed to implicit bias training required of officers, which has been in effect since 2018.

Hart said the department will analyze this data to the officer and command level. “We will be taking a deeper dive into this data to identify where disparities are occurring, why they’re occurring and implement strategies for reform,” she said.

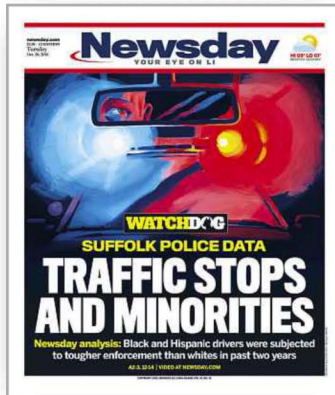
Black community leaders said the data shows the need for broader reforms.

“What people have known and spoken about for decades are born out by these numbers,” said Fred Brewington, a Hempstead civil rights attorney and co-founder of Long Island Advocates for Police Accountability. He said Nassau and Suffolk counties need outside boards to oversee complaints about police misconduct. “It tells a very sad story, that there are levels of serious disparities to how policing is done based on race.”

Elaine Gross, president of ERASE Racism, a Syosset-based civil rights group, said Newsday’s analysis “shows the biased



Police Commissioner Geraldine Hart speaks at a news conference. ■ Video: [newsday.com/suffolk](https://www.newsday.com/suffolk)



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policing against Blacks and Hispanics that many of us suspected. You run out of adjectives. It’s appalling. It’s disturbing.”

She said the analysis also highlighted the importance of collecting the data.

She said Suffolk’s report “should have come earlier from them. You would have hoped that the data would’ve been analyzed at the beginning, and they would’ve already implemented new policies and practices to stop these behaviors and what’s going on in the officers.”

Suffolk County Legis. William Spencer (D-Centerport) called the findings “unfortunate but not

## The ‘veil of darkness’ test

The “veil of darkness” test is designed to detect, or rule out, racial bias as a factor in traffic-stop disparities.

Police officers may stop Black or Hispanic drivers more frequently than whites for valid reasons — for example, they encounter greater numbers of Black speeders.

Or the officers may specifically target minority drivers. To do that, police must be able to see who’s behind the wheel, which requires light.

The veil of darkness test compares how frequently police pulled over minority drivers before dark and after dark, when it’s harder to identify a driver’s race or ethnicity. If the rates are similar in day and night, the theory holds that disparities alone do not prove biased policing.

At night, traffic stops should be more “race neutral,” researchers theorize.

Serving as a consultant to the Suffolk County Police Department, the Finn Institute of Public Safety examined a year of stops that occurred during a period called “inter-twilight,” which ranged in the county from as early as 4:54 p.m. in December to as late as 9:08 p.m. in June.

The researchers also factored in patterns of stops that occurred within 30 days of the beginning and end of daylight saving time.

Although the Finn Institute found that Suffolk police had pulled Black drivers over more frequently than whites compared with their proportion of the county’s population, it also reported that the veil of darkness test had discovered no statistically significant racial disparity between traffic stops that occurred during daylight and nighttime.

“The results of the veil-of-darkness analyses all lead to the same conclusion that in making the initial stop, Suffolk County police display no systematic bias against either Blacks or Hispanics,” the report states.

unexpected.”

“I kind of expect to see these sorts of trends, and the reasons we see a lot of these is because

of intrinsic bias that we all have,” Spencer said.

He reiterated that he thought Bellone and Hart have “done a



# REFORMS ON TRAFFIC STOPS



## For Black drivers . . .

- **More than twice as likely** to be subjected to a vehicle search
- **More than twice as likely** to be subjected to a search of their person
- **84% more likely** to be restrained
- **More than three times as likely** to be subjected to physical force
- **Ticketed** for a larger number of violations
- **59% more likely** to be arrested
- **29% more likely** to have the vehicle search yield no contraband

## For Hispanic drivers . . .

- **16% more likely** to be subjected to a search of their person
- **16% more likely** to be arrested
- **32% more likely** to be ticketed
- **Ticketed** for a larger number of violations
- **25% less likely** to receive a warning
- **16% more likely** to be detained for more than 15 minutes

great job, but we’re still heading in the wrong direction because it appears the ratio actually got worse [in recent years]. To me that is the most shocking thing.”

He said the county deserved credit for complying with the DOJ and presenting the data “and not hiding behind the data and I applaud them.”

“That’s the only way there’s change, to admit there’s a shortcoming.”

Noel DiGerolamo, president of the Suffolk County PBA, defended officers.

“There are myriad reasons why statistics might show certain anomalies the way they do . . . Officers are assigned to specific areas by the department and those officers are asked to perform their duties and responsibilities in the most professional manner possible to ensure public safety, which I know they do on a daily basis,” he said.

The Finn Institute report, which cost the county \$24,489, found disparities in 10 areas, including the likelihood of a vehicle search (Black drivers); the likelihood of a search of their person (Black and Hispanic drivers) the likelihood of being

restrained (Black drivers) and the likelihood of being subjected to physical force (Black drivers).

The Finn Institute analysis included a test done by researchers known as “veil of darkness” that looks at whether stops occurred in daylight or darkness. It used that test to determine that stop rates between Black, Hispanic and white drivers were not caused by race. Newsday’s analysis did not include a veil of darkness test.

It also said “the available data precluded analyses that take account of several factors that might account for these differences. Our analysis of the use of force, for example, could not account for citizens’ resistance. We advise readers to exercise caution in drawing inferences about bias in any of these forms of enforcement action.”

Researchers who reviewed Newsday’s analysis said that all the disparities, from searches to stops to what was found, indicate that race played a factor.

With Matt Clark and Paul LaRocco

## Nassau officials: We will release police-stop data

Nassau County Executive Laura Curran and Police Commissioner Patrick Ryder pledged Tuesday to publicly release data, collected over the past two years, tracking the race and ethnicity of motorists stopped and searched by police.

The move comes a day after a Newsday data analysis showed Suffolk County police subjected Black and Hispanic drivers to tougher traffic enforcement actions than white motorists.

Curran, a Democrat, called the data collection an “incredibly important” step in improving relations between the community and police. She said she would release the information no matter what it shows.

“We are doing a full-court press to get the data, and I know day-to-day we are getting more and more,” Curran said after a news conference Tuesday in Oceanside. “We are synthesizing it and going through it. And hopefully soon we will have news to share.”

In an interview Tuesday, Ryder said his officers began to collect traffic stop data about two years ago that includes the race and ethnicity of the driver.

“We have a small sampling which is not fair to either side,” Ryder said of the data collected. “We will release it. That is not a problem. We will give you those numbers. But we should really be better in collecting it by race.”

Long Island minority advocates encouraged Nassau to quickly analyze and publicly release its data.

“If they do not have the data, then say you don’t have the data,” said Tracey Edwards, Long Island’s regional director of the NAACP New York State Conference. “If you do have the data, and it hasn’t been analyzed, then analyze it.”

This story was reported by **Robert Brodsky, Anthony M. DeStefano** and **Matthew Chayes**. It was written by Brodsky.

Edwards said Newsday’s analysis validates concerns that minorities are subject to stricter traffic enforcement than whites in Suffolk, even though the department has said its policing practices were free of bias.

“Now we have the facts that dispute their claim of bias-free policing,” she said, “and we need to have that same assessment done in Nassau County.”

Newsday’s analysis found that from March 2018 through the end of 2019, Suffolk police officers pulled over Black drivers four times more often than white drivers and searched their vehicles three times more frequently.

Hispanic drivers were pulled over twice as often as whites and were 1.7 times more likely to be searched by police, according to the data, which was collected by Suffolk as part of a federal consent decree with the U.S. Department of Justice after the 2008 killing of Ecuadorian immigrant Marcelo Lucero in an attack by seven teenagers.

But the data also shows Suffolk police found weapons and drugs less frequently when searching the Black and Hispanic drivers than when they searched white motorists.

Law enforcement needs proper legal grounds to stop a motorist, order a driver from their car or to search a vehicle.

Earlier this week, the Nassau Police Department, which is not under a similar federal agreement, declined to provide Newsday with its traffic stop data or to provide an accounting of the information it collected.

The state’s traffic summons system, known as TraCS, captures the name of the driver, the type of infraction, the vehicle involved in the stop and the location of the incident.

As part of Nassau’s compliance with Gov. Andrew M. Cuomo’s June executive order — mandating every police agency in the state evaluate its policies on the use of force, crowd management and bias training — Ryder plans to recommend that a motorist’s race be added to the TraCS system, “so that our data is then accurate and it’s recorded a lot better than it is currently being reported.”

Cuomo’s executive order, and subsequent legislative police reform bills, were sparked by nationwide protests in the wake of George Floyd’s death while in police custody in Minneapolis.

E. Reginald Pope, president of the Nassau chapter of the Rev. Al Sharpton’s National Action Network, contends the county’s unwillingness to release its data is emblematic of the “Blue Wall of Silence,” when officers decline to report on their colleagues’ errors and misconduct.

“They’re not transparent,” said Pope, of Roosevelt. “. . . You’re not really aware of it because there’s no statistics provided.”

Pope recalled that as a young real estate broker working in then majority-white communities of East Meadow, Levittown and on the North Shore he would routinely be stopped by the police, questioned and ticketed — even when, he said, he had done nothing wrong.

“They would target you here,” he said.

Lessons of ‘I Divided’ to be focus of webinar

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