



PAB

**POLICE
ACCOUNTABILITY
BOARD**

MAY 2025

MONTHLY REPORT

Prepared by: Delores Ivey-Paige
Director of Case Management



Date Issued: 06/17/2025

Reporting Period: 05/01/2025 - 05/31/2025


Reports received during the reporting period: 4

STATEMENT OF AUTHORITY

Pursuant to Rochester City Charter Article XVIII § 18-1, the Police Accountability Board (PAB) is an independent office of municipal government responsible for promoting public accountability, transparency, and community-centered oversight of the Rochester Police Department (RPD). While the recent Supreme Court (Locust Club II) decision issued on April 28, 2025, significantly curtailed the Board's investigatory authority, the PAB retains its charter-mandated responsibilities for policy review, oversight investigations, and community engagement.

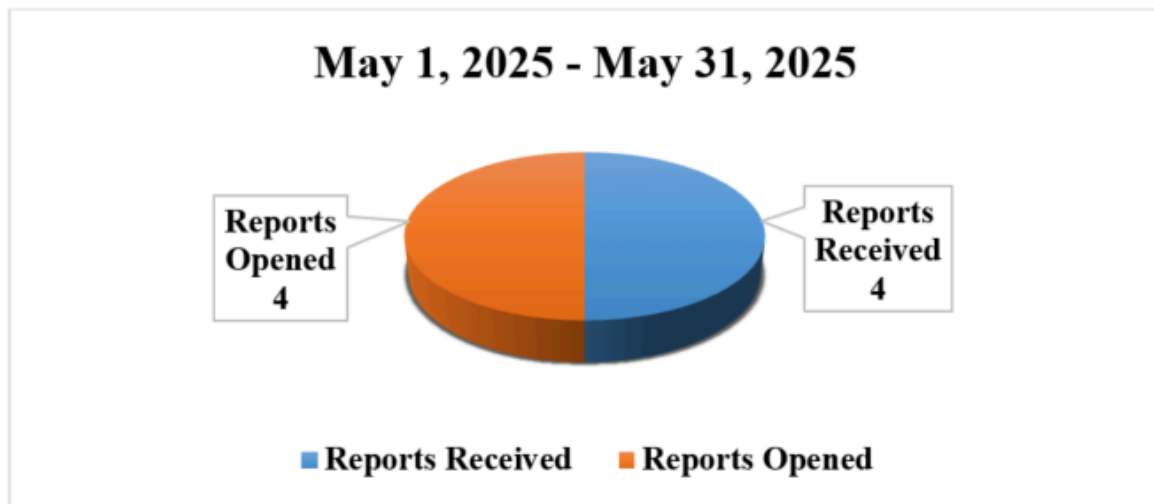
The Board continues to accept public reports related to officer conduct and department practices and will review these reports for systemic concerns. Under its current legal authority, the PAB continues to produce monthly updates to support public transparency and foster trust through data sharing and civic dialogue.

For more information and access to this report, visit: www.rocpab.org



SUMMARY OF REPORTS RECEIVED

During the month of May 2025, the PAB received and processed four (4) new reports related to police conduct and RPD practices:

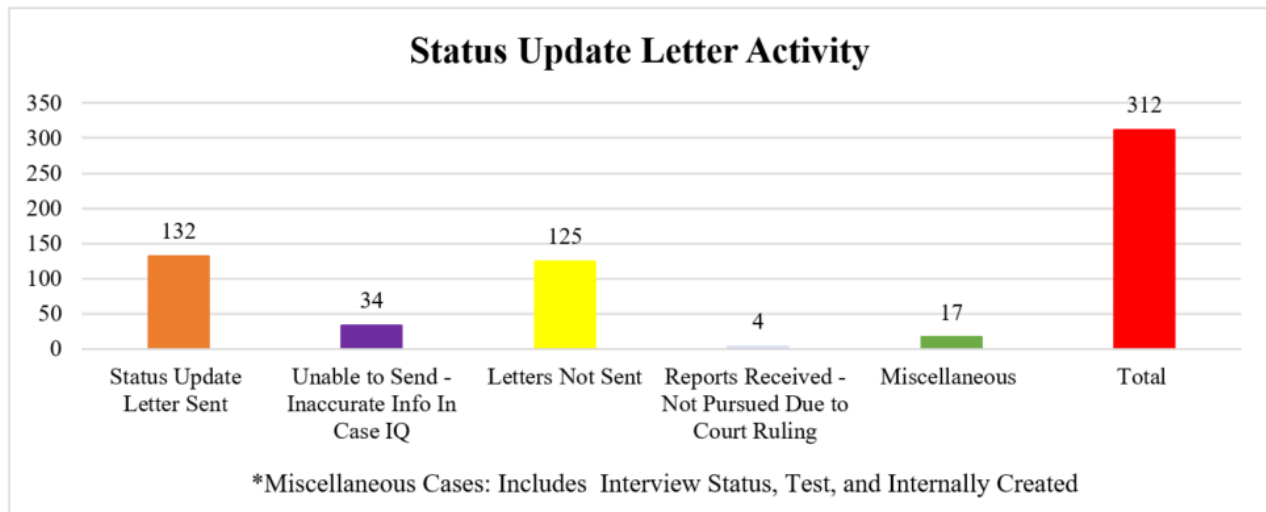


CASE MANAGEMENT UPDATE

As of May 31, 2025, the Case Management Unit is actively managing the transition of 312 pre-ruling reports in accordance with the April 28, 2025 Supreme Court (Locust Club II) decision. We continue to inform the Policy & Oversight team to evaluate cases for patterns, policies and procedural recommendations.

To ensure clarity and public trust during this transition, notification letters are being issued to all individuals who submitted a report. These letters explain the status of their submission and outline next steps in the oversight review process.

The table below provides a snapshot of letter distribution progress:



POLICY & OVERSIGHT DIVISION

While no new policy proposals were published in May, the division is actively advancing work aligned with the Board's 2025-2027 Policy Agenda. Staff are currently developing proposals in the following key areas:

- Vehicular Pursuits
- Sexual Assault Investigations
- Use of Artificial Intelligence in Law Enforcement
- Language Access and Communication Protocols

Additionally, the division continues to review reports referred by the Case Management Unit for potential inclusion in ongoing oversight investigations and future Proposals for Change.

COMMUNITY ENGAGEMENT DIVISION

In May 2025, the Community Engagement Team participated in seven outreach activities, reaching 296 individuals:

Event Name	Date	Location	Attendees
Teen Empowerment Luncheon	5/7/25	123 E. Main St.	250
ABC, NYIC, & Refugees Helping Refugees	5/7/25	Remote Meeting	2
Center for Community Alternatives	5/20/25	130 Andrews St.	5
Community Place	5/21/25	145 Parsells Ave.	1
Gandhi Institute	5/21/25	929 S. Plymouth Ave.	6
Delphi Rise	5/22/25	72 Hinchey Rd.	1
RESTORE	5/27/25	556vE. Main St.	1
Ease On Down	5/31/25	Thurston Rd.	30
		Total	296

UPDATE ON PAB AUTHORITY

As of April 28, 2025, the Police Accountability Board's authority to independently investigate individual misconduct, issue subpoenas, or recommend discipline has been legally revoked. Despite these limitations, the PAB remains fully authorized and committed to:

- Accepting and documenting public complaints
- Reviewing complaints to identify systemic issues
- Conducting oversight investigations focused on policy-level concerns
- Publishing formal Proposals for Change to inform public policy
- Leading citywide community engagement and public education initiatives
- Advancing data transparency and institutional accountability

EVOLUTION OF CIVILIAN OVERSIGHT IN ROCHESTER – VISUAL SUMMARY

The included chart outlines the historical trajectory of civilian oversight in Rochester, from the pre-2019 Civilian Review Board to the current state of the Police Accountability Board (PAB) following the Locust Club II ruling (April 2025). It highlights how legal decisions have significantly curtailed PAB’s powers—fully revoking its investigative, disciplinary, and **subpoena** authority. Despite these limitations, the chart emphasizes the continued and now primary role of community engagement, along with sustained policy review, operational independence, and board composition. This visual aid underscores the Board’s evolving mandate and the critical importance of its current work.



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Evolution of Civilian Oversight in Rochester

Feature/Function	Civilian Review Board (Pre-2019)	Original PAB (Post -2019 Charter)	Post-Locust Club I (2022 Ruling)	Post-Locust Club II (2025 Ruling)
Investigative Authority	✗ Referred to PSS	✓ Independent investigations	⚠ Allowed to investigate, but no disciplinary power	✗ Removed entirely
Disciplinary Power	✗ None	✓ Final say on discipline	✗ Struck down by court	✗ Not restored
Subpoena Power	✗ None	✓ Full subpoena power	✓ Maintained	✗ Removed entirely
Policy Review & Recommendations	✗ Informal feedback only	✓ Formal authority with charter backing	✓ Continued	✓ Continued
Community Engagement Role	⚠ Minimal	✓ Charter mandated and expanded	✓ Continued	✓ Emphasized as primary function
Board Composition	Appointed by Mayor and Council	Appointed by Council and Community orgs	✓ Continued	✓ Continued
Operational Independence	✗ Advisor only	✓ Full operational independence	⚠ Legally Challenged	✓ Operational functions remain
Legal Standing/ Recognition	☐ Limited in practice	✓ Voter-approved with Charter authority	⚠ Court began narrowing scope	⚠ Functionally weakened by ruling

Legend

✗ Not Granted / Revoked

✓ Fully Enable

⚠ Contested / Limited

☐ Present, but not enforceable

CONCLUSION

Despite the constraints imposed by the recent Supreme Court ruling in Locust Club II, the PAB remains unwavering in its mission. We are fully engaged in rigorous policy oversight, proactive community engagement, and transparent reporting. Our work continues to amplify community voices, inform evidence-based public policy, and safeguard public trust in independent civilian oversight.

City Council is encouraged to provide feedback or request additional information by contacting the Executive Director's Office or emailing: **PABFeedback@CityofRochester.gov**. Your partnership is essential as we move forward with purpose and resolve.

***CASE STATUS DEFINITIONS**

Appeal-Affirmed Decision: The Board decided that the panel made the right decision; the panel decision remains in effect.

Appeal-Modified Decision: The Board changed part of the panel's decisions.

Appeal-Pending Decision: Awaiting determination from the board.

Appeal-Reversed Decision: The Board decided that the decision of the panel was wrong and vacates (cancels) the decision of the panel.

Board: The Police Accountability Board; such Board is a public agency within the meaning of New York Civil Rights Law §50-a.

Case Management Review: The report is under review by the case management division or is awaiting assignment to a division for review.

Closed -Appeal - Affirmed Decision: The Police Accountability Board; such Board is a public agency within the meaning of New York Civil Rights Law §50-a.

Closed -Appeal Modified Decision: The Board changed part of the panel's decisions.

Closed -Appeal Pending Decision: Awaiting determination from the Board.

Closed -Appeal Reversed Decision: The Board decided that the decision of the panel was wrong and vacates (cancels) the decision of the panel.

Closed -Finding and Decision Submitted: The board voted on a complaint.

Closed -Insufficient Information (reporter): The Board closed the case because the reporter did not provide enough information to investigate the allegation of misconduct.

Closed -Insufficient Information (RPD): The Board closed the case because the Rochester Police Department did not provide enough information to investigate the allegation of misconduct.

Closed -Lack of Jurisdiction: The Board closed the case due to the complaint falling outside PAB jurisdiction.

Closed -Non Investigable: The Board closed the case because there is no allegation of misconduct to investigate.

Closed - Statute of Limitation Expired: In accordance with New York State Civil Service Law, the Board closed the case because eighteen months has passed since the allegation of misconduct.

Complaint: A written or oral report regarding police misconduct made by any individual or group of individuals.

Disposition: The status of a case, and if concluded, the outcome.

Evidence Review: The Investigations Division is reviewing evidence obtained in the case.

Intake: PAB's case management team initially handles reports from the public. Case management takes reports that come via live phone calls, voicemails, an online complaint form, or email.

Interviews: The Investigations Division is preparing or conducting party interviews.

Investigation: PAB investigators gather and review evidence and information to prepare reports on misconduct allegations. An investigation ends when a findings report or investigative summary is prepared detailing the evidence and legal analysis, and the report is provided to the board for review.

Investigative Plan: The case has been assigned to an investigator and an investigative plan is being prepared.

Investigative Report: The Investigations Division is preparing a report of case findings and/or recommendations.

Investigative Review: The Director of Investigations is reviewing the complaint to determine if it meets the criteria for opening an investigation.

Misconduct: Any acts or omissions by an officer of the Rochester Police Department that are unlawful, contrary to Rochester Police Department policy, or otherwise inappropriate.

Non-Investigable: When the PAB is unable to obtain sufficient information from a reporter, determines the report is outside of PAB jurisdiction, or if the report does not contain an allegation of officer misconduct or RPD policy recommendations, the case is closed as non-investigable.

Officers: The sworn officers of the RPD, including but not limited to the Chief, deputies, captains, lieutenants, commanders, and all other sworn law enforcement professionals.

Oversight Investigation: The Policy and Oversight Division is conducting a policy-level investigation that addresses a specific subject or aims to answer a particular question.

Pending Close- Board Review: The complaint is awaiting final determination from the Board to be closed or is awaiting a panel hearing.

Policy and Oversight Review: The complaint is under review by the Policy and Oversight Division for a Proposal for Change or Oversight Investigation.

Proposal for Change: The Policy and Oversight division is preparing a Proposal for Change, which is a community and data-driven process where the PAB makes formal recommendations to change policies and practices that impact the Rochester Police Department.

Report: Any communications submitted to the PAB using its intake methods.

Request for Information: The Investigations Division has submitted a request for evidence from RPD and other relevant agencies.

**Note: Due to the recent court decision dated April 28, 2025, several definitions will be removed or revised to reflect the current limitations on the Police Accountability Board's authority. As the PAB is no longer legally permitted to conduct investigations, hold panel reviews, issue findings, or make disciplinary determinations, any language implying these functions will be updated to align with the Board's revised scope of work.*

The PAB is committed to producing monthly reports that are valuable to the public and welcomes feedback on how to make its data more accessible. Feedback can be submitted via email to PABFeedback@CityofRochester.gov