



MONTHLY REPORT

Date issued: 6/8/2023

Reporting period: 5/1/2023 – 5/31/2023

Reports received during the reporting period: 26

Total reports received to date: 338

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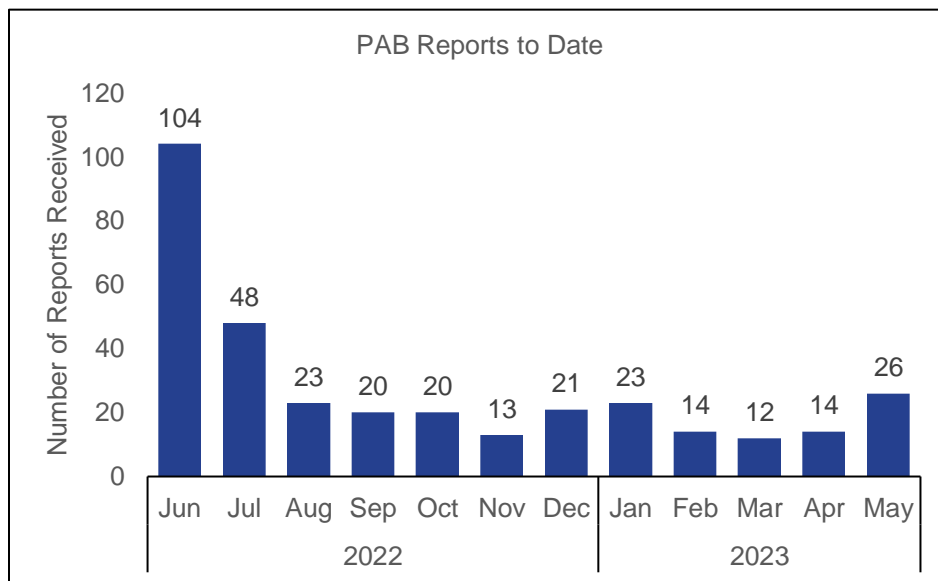
STATEMENT OF AUTHORITY

Pursuant to Rochester City Charter Article XVIII § 18-1, “The Police Accountability Board (PAB) is an independent office of municipal government and mechanism to investigate such complaints of police misconduct and to review and assess Rochester Police Department (RPD) patterns, practices, policies, and procedures. The Police Accountability Board shall ensure public accountability and transparency over the powers exercised by sworn officers of the Rochester Police Department.”

The PAB accepts reports about officer conduct, misconduct, or practices, patterns, and policies of Rochester Police Department. The PAB investigates civilian complaints of alleged misconduct or policy violations and reports of improper RPD practices, procedures, and patterns.

Pursuant to Rochester City Charter Article XVIII § 18-11(A), “The Board shall publish on its website monthly data on the receipt and dispositions of complaints.”

During the reporting period, the Police Accountability Board received 26 complaints.



PAB Reports by Disposition <i>As of May 31, 2023*</i>		
Case Status	New Reports	Reports to Date
Case Management Review	10	16
Investigations Review	14	42
Investigative Plan		20
Request for Information		50
Second Request for Information		5
Evidence Review		56
Interviews		2
Investigative Report		1
Policy & Oversight – Review	1	11
Oversight Investigation – Pending Close		
Proposal for Change – Pending Close		
Oversight Investigation – Closed		2
Proposal for Change – Closed		1
Pending Close – Board Review	1	63
Closed – Findings and Decisions Submitted		
Closed – Referred to Outside Agency		
Closed – Lack of Jurisdiction		48
Closed – Non-investigable		21
Closed – Appeal – Pending Decision		
Closed – Appeal – Reversed Decision		
Closed – Appeal – Modified Decision		
Closed – Appeal – Affirmed Decision		
Total	26	338

* PAB previously reported that 15 reports were received in April 2023. One case was withdrawn.

Due to case management system error, eight report submissions were duplicated. Those duplicate submissions were excluded from this report.

CASE STATUS DEFINITIONS

CASE MANAGEMENT REVIEW – The report is under review by the case management division or is awaiting assignment to a division for review.

INVESTIGATIONS REVIEW – The complaint is under review by the Investigations Division to determine if it fits criteria for commencing an investigation.

INVESTIGATIVE PLAN – An investigative team or team member is preparing an investigative plan.

REQUEST FOR INFORMATION – An investigative team or team member has submitted a request to a city agency to provide evidence.

EVIDENCE REVIEW – An investigative team or team member is reviewing evidence obtained in the case

INVESTIGATIVE REPORT – An investigative team or team member is preparing or has submitted a closing report for review.

INTERVIEWS – An investigative team or team member is preparing or conducting party interviews.

POLICY AND OVERSIGHT REVIEW – The complaint is under review by the Policy and Oversight Division for a Proposal for Change or Oversight Investigation.

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.

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.

PENDING CLOSE – BOARD REVIEW – The complaint is awaiting final determination from the Board to be closed or is awaiting a panel hearing.

CLOSED – FINDINGS AND DECISION SUBMITTED – The Board voted on a complaint.

CLOSED – REFERRED TO OUTSIDE AGENCY – The Board voted to close the case and refer the complaint to an outside government agency for further investigation.

CLOSED – LACK OF JURISDICTION – The Board voted to close the case due to the complaint falling outside PAB jurisdiction.

CLOSED – NON-INVESTIGABLE – The Board voted to close the case because there is no allegation of misconduct to investigate.

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 – APPEAL – MODIFIED DECISION – The Board changed part of the panel's decisions.

CLOSED – APPEAL – AFFIRMED DECISION – The Board decided that the panel made the right decision; the panel decision remains in effect.

N/A – NOT AVAILABLE – The information is not currently available for public distribution.

DEFINITIONS

REPORT – Any communications submitted to the PAB using its intake methods.

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

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.

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.

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

DISPOSITION – The status of a case, and if concluded, the outcome.

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.

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.

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.

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.