



MONTHLY REPORT

Date issued: 11/9/2023
Reporting period: 10/1/2023 – 10/31/2023
Reports received during the reporting period: 10
Reports received during fiscal year 2023-24: 71
Total reports received since 6/20/2022: 432
Prepared by: Sara Jenks, Jonathan Khoury

STATEMENT OF AUTHORITY

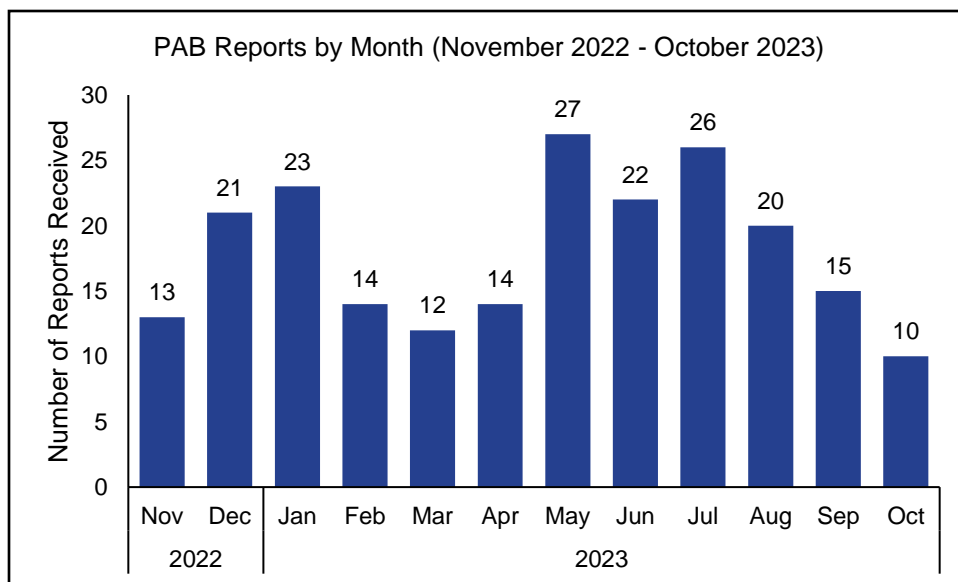
Pursuant to Rochester City Charter Article XVIII § 18-1, “The Police Accountability Board (PAB) is an independent office of municipal government and mechanism to investigate such complaints of police misconduct and to review and assess Rochester Police Department (RPD) patterns, practices, policies, 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 10 complaints.

The chart below shows the number of reports received over the past 12 months.



PAB Reports by Disposition*
As of October 31, 2023

Case Status	New Reports	FY 2023-24	Total Reports Since 6/20/2022
Case Management Review	3	4	
Investigations Review	2	5	
Investigative Plan		7	
Request for Information	1	19	
Second Request for Information		5	
Third Request for Information		1	
Fourth Request for Information			
Evidence Review	3	10	
Interviews			
Investigative Report		1	
Policy & Oversight – Review	1	3	
Oversight Investigation – Investigative Plan			
Oversight Investigation – Closed			
Proposal for Change – Closed			
Pending Close – Board Review		1	
Closed – Findings and Decisions Submitted			
Closed – Lack of Jurisdiction		8	
Closed – Non-investigable		5	
Closed – Insufficient Information		2	
Closed – Appeal – Pending Decision			
Closed – Appeal – Reversed Decision			
Closed – Appeal – Modified Decision			
Closed – Appeal – Affirmed Decision			
Total	10	71	432

*Due to a temporary malfunction of the case management system, we are unable to report on the disposition of all cases at this time. We are working with the software vendor to resolve this issue.

The Division of Policy & Oversight did not conduct public input sessions in October. The public comment period concluded for the Proposal for Change on a Right to Know policy. Members of the public can read the draft proposal at www.rocpab.org. The Policy & Oversight team has analyzed and incorporated feedback into a revised set of draft legislative recommendations. PAB staff will present the revised policy proposal to the Board to approve, reject, or request a revision.

PAB Policy & Oversight Activity				
<i>As of October 31, 2023</i>				
	Reporting Period		FY 2023-24	
	Sessions	Attendees	Sessions	Attendees
Community Organization Sessions			8	83
Public Input Sessions			2	57
Total	0	0	10	140

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

INVESTIGATIVE PLAN – The case has been assigned to an investigator and an investigative plan is being prepared.

REQUEST FOR INFORMATION – The Investigations Division has submitted a request for evidence from RPD and other relevant agencies.

EVIDENCE REVIEW – The Investigations Division is reviewing evidence obtained in the case.

INVESTIGATIVE REPORT – The Investigations Division is preparing a report of case findings and/or recommendations.

INTERVIEWS – The Investigations Division 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 – 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 – INSUFFICIENT INFORMATION – The Board closed the case because there is not enough information to investigate the allegation of misconduct.

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.