



PAB

**POLICE
ACCOUNTABILITY
BOARD**

The Right to Know

A Proposal for Change

NOTICE OF PUBLIC COMMENT PERIOD

The PAB announces the release of draft The Right to Know Legislation. We seek comment on the draft legislation, which sets guidelines for the officers of the Rochester Police Department on disclosing officer identity and the purpose of any law enforcement activity. It also provides guidelines for obtaining consent and conduct for search and seizures, as well as the collection of law enforcement activity data.

The public comment period will run from July 18, 2023 to August 17 2023.

You can submit comments online

at <https://forms.office.com/r/uHyHkvQN90>

You can submit comments by phone at 585-428-7866

You can submit comments by email at

PABFeedback@CityofRochester.gov

You can submit written comments by mail or at our drop box located at 245 E. Main Street Rochester, NY 14604

Following the public comment period, PAB staff will analyze and incorporate feedback into a revised set of draft legislative recommendations. PAB staff will present the revised draft legislation to the Board to approve, reject, or request a revision.

If the Board votes to approve the draft legislation, the final approved version will be published at rocpab.org and transmitted to City Council, the Mayor, and the Chief of Police.

The Chief of Police is required to respond to the recommendations within thirty days.

The Chief's response will be published at rocpab.org.

Contents

| | |
|---|----|
| What is a Proposal for Change? | 4 |
| PAB Policy Recommendations | 4 |
| Right to Know: A Proposal for Change | 5 |
| Executive Summary:..... | 5 |
| The “Right to Know” in Rochester:..... | 6 |
| Model Legislation: Voluntary Consent Searches. | 10 |
| Model Legislation: Identification of police officers..... | 13 |
| Model Legislation: Data collection and reporting of law enforcement activity..... | 15 |

What is a Proposal for Change?

PAB Policy Recommendations

Pursuant to City Charter Article 18-5(K)(1), the Police Accountability Board shall review and assess RPD policies, procedures, patterns and practices and recommend changes with input from the community. In April 2021, the PAB voted to execute this duty with a process called Proposals for Change. A Proposal for Change is a community and data-driven process where the PAB makes formal recommendations to change policies and practices that impact the Rochester Police Department.

Pursuant to City Charter Article 18-5(K)(2), PAB shall send policy recommendations to the Chief of Police, the Mayor, and City Council. PAB shall also publish the policy recommendations on our website, rocpab.org.

Pursuant to City Charter Article 18-5(K)(4), the Chief of Police shall respond to PAB, the Mayor, and City Council within 30 days. This written response should include an explanation of why the Chief agrees or disagrees with the recommendations.

Pursuant to City Charter Article 18-5(K)(5), if the Chief of Police agrees with a recommendation, they shall provide a timeline of implementation.

Pursuant to City Charter Article 18-5(K)(6), PAB shall track the implementation of the policy recommendations on our website, rocpab.org.

Right to Know: A Proposal for Change

Executive Summary:

The PAB recommends Right to Know legislation for the city of Rochester with the following features:

- Mandated enhanced data collection requirements modeled after California's Racial Identity Profiling Act ("RIPA" 2015)
- Enhanced mandates on interactions with civilian modeled after Right to know laws in Buffalo, New York City and Syracuse as well as Connecticut's Racial Profiling Law ("RPL" 2017) and California's RIPA
 - Informed of rights for all stops as well as complaint process if civilian feels rights have been violated
 - Data collection for **all stops** (level 1-3) as opposed to stops that result in searches (level 2-3)
- Mandate disaggregated monthly or quarterly reports on stop data, as well as complaint reviews to be published or made available to PAB.
- Create recommended data collection forms modeled after RIPA
- Mandate additional training on new process created as a result of this proposal for Rochester Police Department Officers

The “Right to Know” in Rochester:

Since its inception, the PAB has made increasing RPD transparency a priority and guiding principle for our work. To that end, we have conducted a cursory review of RPD policy as it relates to officers identifying themselves to individuals they interact with while on duty, as well as data reporting policies and procedures within RPD.

§2.2 of the Rochester Police Department’s rules and regulations states:

“Officers shall respectfully furnish their name and badge number to any person requesting that information when they are on duty or presenting themselves as police officers. Exceptions may be made for person on special duties and assignments (e.g., undercover, vice assignments) with permission of their supervisor.

b) Non-sworn employees shall respectfully furnish their names to any person requesting that information [when] they are on duty or presenting themselves as Rochester Police Department employees.”¹

While RPD rules and regulations do establish a minimum requirement for officers to identify themselves, we believe a more robust approach to Officer self-identification would create a more transparent department and help to improve community trust through structural accountability, especially as it relates to voluntary consent searches.

Rochester Police Department has a number of policies in place to document the time, place and manner by which law enforcement officers (LEOs) conduct searches of civilians/suspects. RPD General Order 415 (G.O. 415) guides officers on how and when to conduct searches. G.O. 415 says that consent searches “should be in writing and read out loud to the person giving consent.”² In the event that circumstances do not allow for written consent, G.O. 415 allows for oral consent where a third party witness is present and requires LEOs to document “the actual words used by the consenting party and circumstances surrounding the consent, reason(s) why written consent was refused, [and] the name, address, and phone number of the witness when the witness is a civilian.”³

NYC, Buffalo, and Syracuse have each implemented Right to Know ordinances with the aim to increase transparency and accountability within their police departments.⁴ Each of

¹ RPD Rules and Regulations, §2.2

(2019) (<https://www.cityofrochester.gov/WorkArea/DownloadAsset.aspx?id=21474841585>)

² RPD General Order 415/Consent to Search Form 1353, [GO 415 Searches | Rochester, NY Police Department Open Data Portal \(arcgis.com\)](https://www.cityofrochester.gov/WorkArea/DownloadAsset.aspx?id=21474841585)

³ Id.

⁴ NYC Admin Code §14-173-4 (<https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYAdmin/0-0-0-128815>); Syracuse, NY City Charter §19-9 (<https://www.syr.gov/files/sharedassets/public/2-departments/common-council/documents/meeting-minutes-agenda-2018-to->

the three cities' ordinances mandate that officers provide civilians with either a business card or a stop receipt after any noncustodial questioning that doesn't result in an arrest or a summons.⁵ Each ordinance also mandates that the individual departments report out data related to the number and nature of stops.⁶ Lastly, when it comes to voluntary consent searches, all three ordinances created an affirmative duty for LEOs to:

“[Articulate], using plain and simple language delivered in a non-threatening manner, that the person who is subject of the search is being asked to voluntarily, knowingly, and intelligently consent to such search, and explaining that such search will not be conducted if such person refuses to provide consent to such search;

[Secure] such consent without threats or promises of any kind being made to such person;

[Affirm] that such person understands the information communicated pursuant to paragraph 1 of this subdivision;

[Refrain] from conducting such search where such consent has not been obtained; and

[Utilize] interpretation services when seeking consent to conduct a search of a person with limited English proficiency or such person's vehicle, home, or property, including but not limited to the use of bilingual officers and telephonic-interpretation, prior to conducting such search.”⁷

While the RPD has created a robust internal reporting mechanism for voluntary consent searches through its incident reports,⁸ investigative action reports⁹ and addendum reports,¹⁰ the Right to Know ordinances in Buffalo, Syracuse, and NYC provide an additional layer of accountability by requiring LEOs to “create an audio and/or video record [of the person giving consent for a voluntary search] when possible”¹¹ and to

[present/2020ccbook10132020.pdf](#)); Buffalo, NY City Charter §13-21 (<http://buffalony.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2084&Inline=True>)

⁵ Id.

⁶ Id.

⁷ Id.

⁸ RPD General Order 465, ([GO 465 Incident Report | Rochester, NY Police Department Open Data Portal \(arcgis.com\)](#))

⁹ RPD General Order 480, ([GO 480 Investigative Action Report | Rochester, NY Police Department Open Data Portal \(arcgis.com\)](#))

¹⁰ RPD General Order 475/ RPD Form 1189, ([GO 475 Addendum Report | Rochester, NY Police Department Open Data Portal \(arcgis.com\)](#))

¹¹ NYC Admin Code §14-173-4 (<https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYAdmin/0-0-0-128815>); Syracuse, NY City Charter §19-9 (<https://www.syr.gov/files/sharedassets/public/2-departments/common-council/documents/meeting-minutes-agenda-2018-to->

“provide the person who is the subject of the search with written instructions on how to obtain a copy of the record.”¹² **The PAB recommends the city of Rochester adopt a similar local “Right to Know” law to provide the same level of accountability as our neighboring cities.**

Three of the five largest cities within New York state have adopted some variation of a “right to know law.” Each creates a stronger affirmative obligation of law enforcement officers to inform individuals of their privacy rights when being detained and/or searched by officers.

In addition, the states of California¹³ and Connecticut¹⁴ have implemented versions of Right to Know Laws that mandate the collection and reporting of police data. Specifically, both states require their various police departments to collect and publicly report the follow information: Time, date and location of stops; identifying information of officers conducting stops; perceived age, race, gender of the individual that was stopped; reason for the stop; and, the disposition of the stop.

As we have noted in our Data Transparency proposal for change,¹⁵ since 2021, the Federal Bureau of Investigation has required police departments to report certain information about every crime,¹⁶ but RPD has not fully complied. While RPD does collect a respectable amount of data, **The PAB further recommends the city of Rochester codify the mandate to collect, as well as require the public reporting of, specific data to improve how Rochesterians measure police activity and provide them with another means of ensuring police accountability. Below is a three-pronged example of what a local “Right to Know” law should look like.**

[present/2020ccbook10132020.pdf](#)); Buffalo, NY City Charter §13-

21 (<http://buffalony.iqm2.com/Citizens/FileOpen.aspx?Type=1&ID=2084&Inline=True>)

¹² Id.

¹³ Racial and Identify Profiling Act, State of California (2015) [Untitled \(ca.gov\)](#)

¹⁴ Racial Profiling Law, State of Connecticut (2017) [Chapter 959 - Court Jurisdiction and Power](#)

¹⁵ Data Transparency Proposal for Change, Rochester Police Accountability Board [Data-Transparency-Proposal-for-Change.pdf \(rocpab.org\)](#)

¹⁶ National Incident-Based Reporting System (NIBRS). <https://www.fbi.gov/services/cjis/ucr/nibrs>

Definitions.

A. As used in the following sections, the terms below have the following meanings:

Assigned Investigator. The term “assigned Investigator” means an inspector employed by the department who is leading the investigation of a particular crime or incident.

Law enforcement activity. The term “law enforcement activity” means any of the following activities when conducted by an officer:

1. Noncustodial questioning of individuals suspected of criminal activity;
2. Pedestrian stops where an officer has an individualized, reasonable suspicion that the person stopped has committed, is committing, or is about to commit a crime and where a reasonable person would not feel free to end the encounter at will;
3. Frisks;
4. Searches of persons or property, including vehicles;
5. Roadblock or checkpoint stops, including checkpoints related to enforcement of article 31 of the vehicle and traffic law, but not including planned security checks of vehicles at sensitive locations or street closures for public events or emergencies;
6. Home searches; and
7. Investigatory questioning of victims of or witnesses to crimes.

Noncustodial questioning. The term “noncustodial questioning” means the questioning of an individual during an investigation where such individual has not been detained and is free to end the encounter at will.

Officer. The term “officer” means a sworn police officer of the department.

Local Law § XX.XX Voluntary Consent Searches.

- A. The department shall develop and provide guidance for its officers, whether in uniform or civilian clothing, not including those engaged in undercover operations, with respect to obtaining voluntary, knowing, and intelligent consent prior to the search of a person, or a person's vehicle, home, or property, for a search that is based solely on a person's consent to such search, when such search is not conducted pursuant to a warrant, any other exception to the warrant requirement under applicable law, or probable cause, or when such search is not incident to a lawful arrest. Such guidance shall specify conduct for:
1. Articulating, using plain and simple language delivered in a non-threatening manner, that the person who is the subject of the search is being asked to voluntarily, knowingly, and intelligently consent to such search, and explaining that such search will not be conducted if such person refuses to provide consent to such search;
 2. Securing such consent without threats or promises of any kind being made to such person;
 3. Affirming that such person understands the information communicated pursuant to paragraph 1;
 4. Refraining from conducting such search where such consent has not been obtained; and
 5. Utilizing interpretation services pursuant to the department's language access plan, including but not limited to the use of bilingual officers and telephonic interpretation, when seeking consent to conduct a search of a person(s) who is Deaf/Hard of Hearing or has limited English proficiency, and/or their vehicle, home or property, prior to conducting such search.
- B. An officer who seeks consent to conduct a search that is subject to the guidance developed and provided pursuant to subsection a shall:
1. Create an audio and video record of the information communicated pursuant to such guidance and such person's response to such information when such officer is equipped with a body-worn camera issued by the department; and
 2. Document the time, location, and date of such search, and the apparent race/ethnicity, gender, and age of the person who was the subject of such search, and such officer's name, precinct, and shield/badge number.
- C. Where an officer has created an audio and video record pursuant to subsection b, such officer shall offer the person who is the subject of the search information on obtaining a copy of such record. Upon receiving a request from such person for a copy of such record, the department shall acknowledge receipt of such request within five days of receiving such request. Such acknowledgment shall include a date by which the department will provide such record or the basis for the denial of such request, provided that such date shall not be longer than 90 days from the date of receipt of such request. If the department is unable to provide such copy or denial to such person within 90 days due to extenuating

circumstances, it shall provide such record or denial within 30 days of such 90 days and provide the basis of such circumstances.

- D. Notwithstanding any other provision in this section, the guidance developed and provided by the department pursuant to subsection a need not apply when:
1. An officer is conducting a security search of a person or property where such search is predicated upon entrance to a public building or facility, location, event, or gathering, and where such person's entrance into any such location constitutes implied consent to be searched under an exception to the warrant requirement;
 2. Exigent circumstances require immediate action by law enforcement; or
 3. An officer reasonably expects that they or any other person is in danger of physical injury or that there is an imminent risk of damage to property, or to forestall the imminent escape of a suspect or the imminent potential destruction of evidence.
- E. Commencing within 30 days of the end of the quarter beginning on (Insert date), and within 30 days of the end of every quarter thereafter, the department shall post on its website a report of data collected pursuant to paragraph 2 of subsection b, specifically the total number of consent searches conducted during the preceding quarter disaggregated by the:
1. The perceived or known: race, color, ethnicity, age, gender, sexuality, limited or no English fluency of person involved in law enforcement activity, and disability of person involved in law enforcement activity; and
 2. Precinct where each search occurred, and further disaggregated by the apparent race/ethnicity, gender, and age of the person searched.
- F. The information required pursuant to subsection e for each reporting period shall be stored permanently and shall be accessible from the department's website and shall be provided in a format that permits automated processing. Each report shall include a comparison of the current reporting period to the prior four reporting periods, where such information is available.
- G. Nothing in this section or in the implementation hereof shall be construed to:
1. Restrict or limit any activity or proceeding regulated by the criminal procedure law or any other state law; or
 2. Create a private right of action on the part of any persons or entity against the city of Rochester, the department, or any official or employee thereof.
- H. Body-worn cameras:
1. In the event the department ceases to use body-worn cameras, the department shall (i) develop and implement a procedure to obtain objective proof of voluntary, knowing, and intelligent consent to search by documenting the information communicated by an officer pursuant to the guidance that the department developed pursuant to subsection a and the response of the person who is the subject of such search in writing and by offering such person to sign a statement confirming such consent, or by documenting such information through audio, through video and audio, or by other methods, excluding fingerprinting; and (ii) develop a process for such person to request such information or record.

2. If the department ceases to use such cameras solely due to circumstances within the control of the chief, the department shall develop and implement such procedure by the date the department intends to cease use of such cameras.
 3. If the department ceases to use such cameras due to circumstances not within the control of the chief, the department shall develop and implement such procedure no later than six months from such date or the date on which the department ceases to use such technology.
- I. Notwithstanding any other provision in this section, the procedure developed by the department pursuant to subsection h need not apply when:
1. An officer is conducting a security search of a person or property where such search is predicated upon entrance to a public building or facility, location, event, or gathering, including random security checks of backpacks and containers conducted in facilities operated by the city of Rochester, and where such person's entrance into any such location constitutes implied consent to be searched under an exception to the warrant requirement;
 2. Exigent circumstances require immediate action by law enforcement; or
 3. An officer reasonably expects that they or any other person is in danger of physical injury or that there is an imminent risk of damage to property, or to forestall the imminent escape of a suspect or the imminent potential destruction of evidence.

Local Law § XX.XX Identification of police officers.

- A. During a law enforcement activity, an officer shall:
1. Identify themselves to the person who is the subject of such law enforcement activity by providing his or her name, rank and command;
 2. Provide to such person an explanation of the reason for such law enforcement activity, unless providing such information would impair a criminal investigation;
 3. Offer a business card to such person at the conclusion of any such activity that does not result in an arrest or summons, provided that where such person is a minor, the officer shall offer such business card to the minor or, if present at the scene, to a parent, legal guardian, or responsible adult, and provided further that where such activity is the first in-person investigatory questioning of victims of or witnesses to a crime, only the assigned investigator for such investigation shall be required to offer such business card to such person at the conclusion of such activity;
 4. Offer to provide to such person the information set forth in paragraph 1 of subsection f on a hand-written card, when such officer does not have an adequate number of pre-printed business cards on his or her person at the time of such law enforcement activity; and
 5. Offer to provide to such person the information set forth in paragraph 1 of subsection f verbally and allow sufficient time for such person to record such information when such officer does not have an adequate number of pre-printed business cards or hand-written cards on his or her person at the time of such law enforcement activity.
- B. Notwithstanding the provisions of subsection b, an officer shall offer a business card to any person requesting identifying information, or provide such information verbally to such person and allow such person sufficient time to record such information when such officer does not have an adequate number of pre-printed business cards or hand-written cards on his or her person at the time of such law enforcement activity.
- C. The department shall develop a plan to ensure that officers have an adequate number of business cards prior to engaging in any law enforcement activity and that such cards be replenished within 30 business days after such cards become unavailable. The department shall publish such plan on the department's website. No later than 24 hours after any amendment to the department's plan, the department shall update such plan on the department's website to reflect such amendment and shall conspicuously note any amended language and the effective dates of such amended language.
- D. An officer shall not be required to comply with this section where:
1. Such officer is engaged in an approved undercover activity or operation, and law enforcement activity is taken pursuant to such undercover activity or operation;
 2. Exigent circumstances require immediate action by such officer;

3. Such officer reasonably expects that they or any other person is in danger of physical injury or that there is an imminent risk of damage to property, or to forestall the imminent escape of a suspect or imminent potential destruction of evidence;
 4. Such officer is conducting a security search of a person or property, including a consent search or identification check where such search or identification check is predicated upon entrance to a public building or facility, location, event, or gathering, including random security checks of backpacks and containers conducted in facilities operated by the city of Rochester, provided, however, such officer shall be required to identify themselves and offer a business card when such information is requested by the person who is the subject of such search or identification check; or
 5. Such officer is verifying the identity of a person seeking entry to an area access to which is restricted by the department due to a public health, public safety or security concern, such as a terrorist attack or natural disaster.
- E. Any business cards used by an officer to identify themselves to a person who is the subject of law enforcement activity shall be pre-printed and include, at a minimum:
1. The name, rank, shield/badge number, and a space to write in the command of such officer, which shall be indicated; and
 2. A phone number for the Police Accountability Board and an indication that such phone number may be used to submit comments, commendations or complaints about the encounter between such officer and such person.
- F. Nothing in this section or in the implementation thereof shall be construed to:
1. Restrict or limit any activity or proceeding regulated by the criminal procedure law or any other state law; or
 2. Create a private right of action on the part of any persons or entity against the city of Rochester, the department, or any official or employee thereof.

Local Law § XX-XX Data collection and reporting of law enforcement activity

- A. Not later than [insert date], the Rochester Police Department shall, in consultation with the Police Accountability Board established in section 18 of the city charter, develop and implement a standardized method and form to be used by police officers of the Rochester Police Department to record law enforcement activity information unless the police officer is required to leave the location of the stop prior to completing such form in order to respond to an emergency or due to some other exigent circumstance within the scope of such police officer's duties. The standardized method and any form developed and implemented pursuant to such standardized method shall allow the following information to be recorded:
1. The date and time of the law enforcement activity;
 2. The specific geographic location of the law enforcement activity;
 3. The unique identifying numbers of the police officer involved in the law enforcement activity, or the name and title of the person involved in the law enforcement activity if such person does not have a unique identifying number,
 4. The perceived or known: race, color, ethnicity, age, gender, sexuality, limited or no English fluency of person involved in law enforcement activity, and disability of person involved in law enforcement activity;
 5. The nature of the alleged traffic violation or other violation that caused the stop to be made and the statutory citation for such violation;
 6. Actions taken by the officer involved in law enforcement activity such as person removed from vehicle by order, person removed from vehicle by physical contact, field sobriety test conducted, curbside detention (this refers to any time an officer directs the person to sit on the sidewalk, curb, or ground), handcuffed or flex cuffed, patrol car detention, canine removed from vehicle or used to search, firearm pointed at a person, firearm discharge or use, electronic control device used, impact projectile discharged or used (e.g., blunt impact projectile, rubber bullets, or bean bags), canine bit or held person, baton or other impact weapon used, chemical spray used (e.g., pepper spray, mace, or other chemical irritants), other physical or vehicle contact (this refers to any of the following contacts by the officer, when the purpose of such contact is to restrict movement or control a person's resistance: any physical strike by the officer; instrumental contact with a person by an officer; or the use of significant physical contact by the officer. Examples of such contacts include, but are not limited to, carotid restraints, hard hand controls, the forcible taking of a subject to the ground, or use of vehicle in apprehension.), person photographed, asked for consent to search person, consent to search person was/was not given, search of person was conducted regardless of whether the officer asked for or received consent to search the person, asked for consent to search property, consent to search property was/was not given, search of property was conducted regardless of whether the officer asked for or received consent

to search the property, property was seized, vehicle impounded, and other information deemed appropriate.

7. The disposition of the stop, including whether a warning, citation or summons was issued, whether a search was conducted, the authority for any search conducted, the result of any search conducted, the statute or regulation citation for any warning, citation or summons issued and whether a custodial arrest was made, and any other information deemed appropriate; and
 8. any other information deemed appropriate.
- B. The method shall also provide for:
1. Notice to be given to the person involved in law enforcement activity that if such person believes that such person has been subjected to law enforcement activity solely because of race, color, ethnicity, age, gender, sexual orientation, religion or membership in any other protected class, such person may file a complaint with the appropriate law enforcement agency unless the police officer was required to leave the location of the stop prior to providing such notice in order to respond to an emergency or due to some other exigent circumstance within the scope of such police officer's duties. and
 2. Instructions to be given to the person involved in law enforcement activity on how to file such complaint unless the police officer was required to leave the location of the stop prior to providing such instructions to respond to an emergency or due to some other exigent circumstance within the scope of such police officer's duties;
 3. To be used to report complaints pursuant to this section by any person who believes such person has been subjected law enforcement activity by a police officer solely based on race, color, ethnicity, age, gender, sexual orientation or religion or membership in any other protected class, and;
 4. To be used by the Rochester Police Department to report data to the public and the Police Accountability Board and pursuant to subsection (e) of this section.
- C. Not later than [insert date]
1. training police officers of such agency in the completion of the form developed and implemented pursuant subsection (a) of this section, and
 2. evaluating the information collected by the police officers of Rochester Police Department pursuant to subsection (a) of this section for use in the counseling and training of such police officers.

On and after the date a standardized method and form have been developed and implemented pursuant to subdivision (a) of this section, the Rochester Police Department shall record and retain the information required to be recorded pursuant to such standardized method and any additional information that they deem appropriate, provided such information shall not include any other identifying information about any person involved in law enforcement activity such as the person's operator's license number, name or address.

- D. The Rochester Police Department shall provide to the Police Accountability Board a copy of each complaint received pursuant to this section, and written notification of the review and disposition of such complaint.
 - 1. No copy of such complaint shall include any other identifying information about the complainant such as the complainant's operator's license number, name or address.
- E. Any police officer who in good faith records law enforcement activity information pursuant to the requirements of this section shall not be held civilly liable for the act of recording such information unless the officer's conduct was unreasonable or reckless.
- F. Not later [insert date], the Rochester Police Department shall provide to the Police Accountability Board a summary report of the information recorded pursuant to subsection (a) of this section on an incident level. On and after [insert date], the Rochester Police Department shall provide to the public and the Police Accountability Board a monthly report of the information recorded pursuant to subsection (a) of this section for all law enforcement activity on an incident level but shall not include any other identifying information about the complainant such as the complainant's operator's license number, name or address.
- G. The Police Accountability Board shall, within available resources, review the prevalence and disposition of law enforcement activity and complaints reported pursuant to this section, including any law enforcement activity on suspicion of a violation of section XXX, XXX. Not later than [insert date], and annually thereafter, the Police Accountability Board shall report the results of any such review, including any recommendations, to the Mayor, City Council, the Rochester Police Department and any other entity deemed appropriate. The Police Accountability Board shall make such reports publicly available on its website.