



City of Rochester

**APPENDIX C
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BOARD**



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City of Rochester, NY
Lovely A. Warren, Mayor
Rochester City Council

DRAFT ANSWERS

TO

**QUESTIONS FROM THE WORKING GROUP ON POLICE REFORM &
REINVENTION**

ROCHESTER POLICE ACCOUNTABILITY BOARD

DECEMBER 2020

EXECUTIVE SUMMARY

In October 2020, the Police Accountability Board was asked to participate in the City of Rochester's Working Group on Police Reform & Reinvention. The Board was asked to submit answers to questions that ask about the City's policing practices and whether the City should implement specific public safety reforms. These answers will inform the Working Group's reform plan that must be approved by City Council in April 2021.

The Board needs community input on its answers. To get that input, the Board is submitting a preliminary set of answers to the Working Group and the public, along with the questions it was asked and community testimonials on policing that the Board has solicited in recent weeks. The Board hopes other Working Group members, Rochesterians, and local organizations will read those testimonials, reflect on the Working Group questions, and suggest additions or revisions to the Board's answers. Comments must be emailed to pab@cityofrochester.gov by January 8, 2021.

While the Board needs additional data to come to firm conclusions, its initial answers contain notable tentative findings, such as:

- Rochester has twice as many police officers per resident than the average similarly sized city.
- The Rochester Police Department has used practices widely seen as controversial or harmful.
- The RPD may lack an internal culture that keeps its officers and Rochesterians fully safe.
- Rochesterians from many backgrounds appear to want a thorough reimagining of public safety, rather than piecemeal reform.

These tentative findings have led the Board to make a set of recommended changes that can serve as first steps toward that reimagining of public safety. These proposals are meant to be a starting point for community discussions that will inform the Board's final recommendations and ongoing work. The Board's key initial recommendations are that, by the end of 2021, the City should:

- drastically expand staffing for and use of first responder systems that substitute police officers with social workers and mental health providers;
- support a community-led process to educate Rochesterians about how the City's limited public safety dollars can be spent, learn the spending priorities of city residents, and develop a budget that reflects those priorities in staffing and funding levels;
- create trainings and disciplinary policies that end RPD's use of breathing restrictions like chokeholds, chemical weapons like tear gas, protest response devices like sound cannons, and high-risk practices like no-knock warrants;
- boost funding for training, prevention, and response systems within RPD that address work-related stress and trauma in ways that shield officers, their families, and the people they serve;
- make policing transparent by collecting and releasing comprehensive data on the RPD's enforcement patterns, internal culture, and policing practices while making public all aspects of officer training; and
- protect residents and officers by investigating and dismantling structures of white supremacy, misogyny, homophobia, and transphobia that may exist in the RPD's culture and practices.

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INTRODUCTION

In June 2020, Governor Andrew Cuomo issued Executive Order 203, titled “New York State Police Reform and Reinvention Collaborative.”¹ The order required the state’s Division of the Budget to, through “guidance,” direct all local government entities in New York to “convene the head of the local police agency and stakeholders in the community” and: (1) “perform a comprehensive review” of the local police department; (2) “develop a plan” to improve that department; (3) offer that plan “for public comment to all citizens in the locality”; and (4) “adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021.” In August 2020, the state’s Executive Order 203 guidance was released. That guidance was “not intended to be the plan for any given community,” but rather intended to suggest “critical questions, information, and resources to frame and guide each community’s dialogue.”²

In mid-October 2020, Mayor Lovely Warren convened a Working Group on Police Reform & Reinvention to fulfill the requirements of Executive Order 203. To serve on the Working Group, the Mayor selected representatives from the Rochester Police Department, the Commission on Racial & Structural Equity, United Christian Leadership Ministry of Western New York, Inc., and the Police Accountability Board. Representatives from City Council have also participated in Working Group meetings. The Working Group as a whole was tasked with providing answers to thirteen core questions derived from the state’s guidance document. Each core question was accompanied by a number of subsidiary questions or issues to address.

Each Working Group entity was assigned specific core questions to answer. Some questions were assigned to multiple entities, while some questions were only assigned to the RPD. Each entity was responsible for deciding how it would answer its questions and what precise format its answers would take. The final set of answers from each Working Group entity aim to inform the initial reform plan released by the Working Group. Further details on the Working Group, including meeting minutes, can be found on the City’s Executive Order 203 webpage that is available [here](#).

The Police Accountability Board was assigned eight core questions, many of which asked for recommended changes to City policies and practices. Some questions asked whether the RPD engages in and should engage in certain controversial police practices. Other questions asked about whether the City should fundamentally reimagine public safety by changing the budget and size of the RPD. Given the size and complexity of these questions, the Board recognizes that complete answers can only come with robust data collection and extensive community engagement that must be conducted over a time period of months and years, rather than weeks.

Nevertheless, the Board began its work by attempting to understand the perspectives of everyday Rochesterians on these issues. The Board examined hundreds of public comments on policing made during recent City public engagement processes, dozens of newspaper articles, and many other documents that reveal those perspectives. The Board also solicited community testimonials from people who are either traditionally ignored in government decision making processes or who have deep experience with Rochester’s public safety system. The voices expressed in the community testimonials, which are presented at the end of this document, include those of Black

and Brown people, people from the LGBTQ community, people with disabilities, people who have faced homelessness and poverty, people who have been hurt by police officers, people who have served as police officers, medical professionals, social workers, people from a range of religious traditions, young people, community elders, parents, workers, community organizers, business owners, and retirees.

The Board recognizes that whatever final answers it submits to the Working Group will be incomplete, with recommendations that aim for achievable goals while setting the stage for the longer work of reimagining public safety that must occur in the months and years to come. Before it submits its final answers, however, the Board hopes to obtain additional community input by releasing a first draft of its answers to other members of the Working Group and the public. This document presents the Board's preliminary answers in a format that allows the public to understand those answers and provide appropriate feedback.

Each section of this document addresses a subject at the heart of a particular Working Group question, like "reimagining public safety" or "addressing controversial police practices." Each section then provides the specific question posed to the Board and a summary of the subsidiary questions or issues the Board was asked to address. Finally, each section provides an answer to these questions. The document concludes with appendices that provide the specific questions assigned to the Working Group as well as the community testimonials solicited by the Board.

The Board wishes to thank all Rochesterians who generously gave their time submitting community testimonials. The Board thanks members of City Council, the Police Accountability Board Alliance, Vocal NY, and many other community partners who assisted the Board in collecting community testimonials on short notice. Finally, the Board wishes to thank its staff for providing drafting and research assistance.

Any individual or organization looking to comment on the Board's initial answers should submit those comments via email to pab@cityofrochester.gov by Friday, January 8 at 5 PM. Comments may suggest that the Board's answers include new or revised factual statements, new or revised recommendations, or other information relevant to the Working Group or the Executive Order.

REIMAGINING PUBLIC SAFETY

How Are You Incorporating “Procedural Justice,” Which Focuses On The Manner In Which Law Enforcement Interacts With The Public?

This question asks how Rochester should (or should not) use police to keep Rochesterians safe. It poses big picture questions like: What things should the police do? What things are the police doing that should be done by others? Should resources be redistributed from the police department? Does the community think there should be more, less, or different kinds of police officers? Should police officers be in schools, be demilitarized, or be civilianized?

Brief Answer

These big picture questions about policing can only be answered by the community. The Police Accountability Board itself is designed to, in the long term, help the community answer these questions. It can do so by bringing transparency to the RPD, creating spaces for community discussion, conducting public surveys, and providing tools for translating demands into change.

Despite the need for long term community engagement on these issues, it is clear that the City needs to do some big picture things immediately. The Board recommends that the City, by the end of 2021, do the following: (1) drastically expand staffing for and use of first responder systems that substitute police with social workers and mental health providers and (2) support an independent process to educate Rochesterians about how the City’s limited public safety dollars can be spent, learn the spending priorities of city residents, and develop a budget that accurately reflects those priorities and begins to right-size the RPD and all City public safety agencies.

Full Answer

This question asks how Rochester should reimagine public safety. Another way to pose this question is to ask if the RPD is being held accountable. Government is accountable when its priorities – expressed in budgets, policies, and practices – match those of the people that government serves. For the RPD to be held accountable, then, the public safety priorities of the City must be made to match those of its residents.

Holding the RPD accountable will require investigations into the department’s inner workings, informational sessions to educate Rochesterians about those inner workings, processes that listen to both police officers and the residents who are subject to policing, public forums to discuss alternative models of public safety, commissioning of public surveys conducted and crafted by professionals, and many other tasks. Thankfully, the City has a tool with which to help lead these efforts: the Police Accountability Board. The Board has a legal duty to “ensure public accountability and transparency over the powers exercised by sworn officers of the RPD.” With its Charter-granted powers relating to transparency and public engagement, along with time and the necessary resources discussed later in the Board’s answers, the Board can fulfill this duty.

In the present moment, however, it seems premature to provide detailed answers to big picture questions about how Rochesterians want their public safety system to operate. Rochester is a richly

diverse community, one with a multitude of perspectives on policing. Some residents may want more police. Some may want fewer. Many may want more information about policing before coming to any conclusions. Reconciling these differences and determining the right path forward will take time. The data we have now includes perspectives written in newspapers, announced by community organizations, and reflected in comments submitted through the City’s survey on policing that was released in November 2020. Unfortunately, this data is deeply incomplete, and may omit or obscure many sources of relevant and valuable information.

Curing this flaw in this pool of public information will take well-developed, long-term community engagement efforts that are thorough and transparent. To obtain some additional data immediately, the Board chose to solicit perspectives from people who are either traditionally ignored in government decision making processes or who have deep experience with Rochester’s public safety system. By asking community partners for assistance, the Board was able to obtain a set of *community testimonials* – publicly-stated answers to the following “big picture” questions:

- Imagine a Rochester that makes you feel safe. What role do police officers play in that city?
- What, if anything, should change about policing to make people in Rochester safer?
- When, if ever, should people who are NOT police officers respond first to a 911 call? Who should those people be?
- Rochester spends roughly \$150 million on policing each year. To make our community safer, should any of these funds be spent elsewhere? If so, where?

The full set of community testimonials are provided at the end of this document. The testimonials are too few and too limited in scope to serve as a strong data point on their own. Yet they are still valuable, allowing us to hear the voices of people who have seen many aspects of Rochester’s public safety system. Some themes from the testimonials include:

- *Desires for Public Safety Systems to Center Responders Who Are Not Armed Police Officers.* Many responses focused on fears about armed police officers who are not from the community responding to calls involving mental health crises, substance abuse, and unhoused people. A commonly expressed solution was to dramatically increase the use of social workers, mental health professionals, and other unarmed, non-police first responders.
- *Concerns About the City’s Public Safety Budget.* Many responses expressed concerns that the City’s public safety dollars need to be reallocated. Testimonials suggested reallocating spending from the RPD to educational, health, and youth support systems that respondents saw as better tools for addressing threats to public safety.
- *Support for Policing & Public Safety Systems That Reflect The Community and Are Controlled By The Community.* Many responses suggested that the RPD is often not respectful toward, accountable to, or reflective of everyday Rochesterians. By expressing

support for the community-led Police Accountability Board, organizational changes to the RPD, and the RPD being comprised of people who live in the city and are from the city, respondents often called for policing and public safety systems that reflect, and are controlled by, the community.

With these testimonials and the other available data in mind, there appear to be at least two changes that may have consensus or majority support from Rochesterians: drastically expanding funding for alternative first responder models and supporting a community-led public safety budgeting process.

Drastically Expanding Funding for Alternative First Responder Models

In 1976, the City of Rochester convened a Citizens Committee on Police Affairs.³ Part of the Committee's task was to "evaluate and make recommendations concerning the policies and procedures of the RPD in responding to crisis calls." When the Committee released its final report, it focused on the Family Crisis Intervention Program ("FACIT"), a program originally housed in the RPD that used social services professionals as part of the first responder system. The Committee advocated for FACIT's "expansion" and to "increase its personnel" – which, in 1977, stood at just eight people.⁴ Over forty years later, FACIT was reported to have just 10 staff, who only take about 12% of the RPD's domestic violence service calls.⁵

In September 2020, the City created a new Office of Crisis Intervention Services that is housed within the Department of Recreation and Youth Services. The Office's goal is to "create a comprehensive, community-based response to support victims and families dealing with homicides, mental health, domestic violence, and other related issues."⁶ FACIT, along with the RPD's Victim Assistance Unit, were transferred out of the RPD and into the Office in October 2020.⁷ In December 2020, the City signed a one-year, \$25,000 contract with Eugene, Oregon's White Bird Clinic – a national model for alternative first responder systems – to provide "guidance and technical support" for the Office.⁸

The Board has hopes for the work of the Office of Crisis Intervention Services. However, more information is needed to judge whether the Office's policies, practices, and procedures will create the comprehensive alternative first responder model Rochester needs. As the program coordinator for Eugene's alternative first responder program has said, the "key thing" for communities looking to create successful alternative first responder models is determining how residents can access the relevant services. Moreover, the success of those models is dependent on the expansiveness of the services they provide, which may include: conflict resolution and mediation; dispute mediation and resolution; grief and loss counseling; substance abuse counseling; providing basic supplies; addressing housing crises; providing non-emergency medical care; and providing direct funds for essential items.⁹

Funding is perhaps the most important determinant of an alternative first responder program's success. Currently, the Office of Crisis Intervention Services receives about \$1 million – or roughly 1% of the RPD's line-level budget.¹⁰ The Office will have about 14 staff, or roughly 1.5% of the RPD's budgeted staffing levels.¹¹ These budget and staffing figures should be made proportionate to the volume of calls that could be taken first by the Office's staff rather than RPD officers. It will take hard data, including information about other alternative first responder systems in Monroe County, to determine the

Office's optimal budget and staffing size. However, if the Citizens Committee on Police Affairs's estimate that 90% of police time was spent on service calls remains even remotely accurate,¹² then the Office's budget should be far more than doubled. It should be drastically expanded.

Supporting a Community-Led Public Safety Budgeting Process

Rochesterians from across a diversity backgrounds have questioned whether the City has the right-sized police department. Some Rochesterians may believe the RPD is too large. Others may believe it is too small. Regardless of which is the case, the community must review the City's current levels of policing. The question of right-sizing the RPD and all departments that aim to provide public safety services is especially pressing given that the City is facing an unprecedented budget crisis in 2021, one that will likely require cuts from many of the City's departments.¹³

The Board believes the City should have a police department in the size and scope that its residents want. Rochesterians know what makes them feel safe. With public education about different methods of spending limited public safety dollars and the costs and benefits of those methods, everyday Rochesterians can be trusted to communicate a rough sense of their public safety priorities. The City must learn these priorities and translate them into a budget that right-sizes the RPD and all other City departments that aim to achieve public safety.

This public education program must begin with basic facts about the RPD and how it compares to police departments in other communities. Some of those facts can be taken from employment data made available through the Federal Bureau of Investigation. The most recent data from the FBI, for calendar year 2019, indicates that Rochester employs a strikingly high number of police officers compared to the towns surrounding it that have police departments.¹⁴ Rochester has over three times as many officers per resident as Brighton, Gates, or Greece, nearly five times as many as Webster, and six times as many as Ogden.¹⁵

Rochester also employs a strikingly high number of officers compared to other cities. Compared to the average city among the largest 1,000 U.S. cities with police departments, Rochester has more than twice as many officers on a per resident basis.¹⁶ Of these largest cities, Rochester ranks 18th in officers per resident, ahead of cities like Atlanta, Boston, Dallas, Los Angeles, Miami, and San Francisco.¹⁷

Of course, all cities are different. Do cities with similar sizes as Rochester have similarly large police departments? The data suggests not. **Outside of Birmingham, Rochester has more officers on a per resident basis than every other one of the 70-plus cities that have between 150,000 and 250,000 residents.**¹⁸ Rochester has roughly twice as many officers per resident than the average city in this population range.¹⁹

What about cities with similar crime rates? Again, the data suggests this is not the answer. Rochester has roughly twice as many officers per resident when compared to the average of the 20 major cities (that is, cities with more than 100,000 people) with the most similar property crime rates.²⁰ Rochester has 67% more officers per resident compared to the average of the 20 major cities with the most similar violent crime rates.²¹

What about cities with similar geographic locations? Among other major Upstate New York cities, Rochester is an outlier, with 18% more officers per resident than Niagara Falls, 19% more than Albany, 22% more than Binghamton, 26% more than Buffalo, 27% more than Syracuse, 32% more than Utica, 38% more than Troy, and 46% more than Schenectady.²² Geography doesn't fully seem to explain Rochester's levels of policing.

Finally, what about cities with similar demographics? The data suggests there is no complete answer here. In recent years, the RPD created a list of cities "most similar to Rochester" along a host of variables including population density, age, sex, race, ethnicity, housing, education, health, economy, transportation, income levels, and poverty rates.²³ Of the top 20 most similar cities that reported officer employment data to the FBI in 2019, Rochester had 33% more officers than the average city.²⁴

If size, crime rate, geography, and demographics fail to fully explain the number of officers in Rochester, what does? Perhaps the answer lies in the story of a Rust Belt city maintaining the same levels of service that it once provided when its population was significantly higher. Historical employment and population figures suggest this may not be the case. Rochester reached its peak population in 1950, when it had roughly 330,000 residents; that year, the RPD had roughly 430 sworn officers.²⁵ In the years since, the size of Rochester's police force increased by two-thirds while its population shrank by a third.²⁶ In other words, Rochester's officer-to-resident ratio has nearly tripled in the last seventy years.

Before the City continues funding its police department at current levels, it must engage in deep, public reflection about the size of its department that addresses a number of questions. What caused the dramatic expansion of the RPD as the City shrunk after 1950? Why do factors like size, crime rates, geography, and demographics seem unable to fully explain the RPD's current size? Is the RPD's size justified on a cost-benefit basis, especially when taking into account the costs of harmful policing practices that are disproportionately born by marginalized communities?

While the City itself must answer these questions, Rochesterians must also be asked more fundamental questions about how they want to spend the community's limited public safety dollars. Asking the right questions will be important. Questions like "Do you want more police?" are, on their own, unilluminating. This is, in part, because residents may want more police at the same time that want more youth programs, parks, mental health services, and educational spending. Deciding how to prioritize these desires given the City's limited budget means asking questions like "What percent of the City's budget should be spent on each public safety agency?"

The Board acknowledges that the right-sizing of the RPD and all the City's public safety agencies will take time. Yet the questions to guide that right-sizing can and should be answered beginning in 2021. Those questions should be asked as part of a broader partnership with the community to educate and engage Rochesterians. That partnership should develop a new budget that accurately captures Rochesterians' public safety priorities.

Regardless of what form this partnership takes, it must educate Rochesterians about how different tools, from police to social services, can change public safety in our community. It may need to be led by a coalition of organizations, inside or outside of government, that are trusted by the

community. It should canvass Black and Brown people, people facing homelessness and poverty, and marginalized communities. It should also survey Rochesterians to determine their priorities about how to deploy police, keep the community safe, and spend the City's limited public safety budget. The goal of this partnership should be a public safety budget that reflects Rochesterians' priorities – and an RPD with staffing levels justified by those priorities and a thorough cost-benefit analysis. The City should support the development of this community-driven budget during the present budget cycle.

* * *

In addition to these two recommendations, the Board also suggests the City explore more fundamental changes to the institutions within the City's public safety ecosystem. For example, the Board was not asked to discuss or address the role of the Locust Club, yet police unions play a crucial role in determining what policing looks like in a community.²⁷ *The City may wish to reexamine that role as it exists in Rochester and alter its approach to negotiating the union contract.*

The City may also wish to return to the basic public safety framework that existed in Rochester for most of the 20th century. Within that framework, which lasted from 1900 to 1970, there was no independent City department dedicated to policing. Instead, a police bureau existed within a Department of Public Safety alongside other agencies like a board of health. While the Department of Public Safety was abolished in the wake of the Civil Rights movement, thanks to politicians' concerns about "increased crime," *the City may wish to reorganize its public safety apparatuses into a structure that sees policing as one tool among many that can achieve the ultimate goal of keeping Rochesterians safe.*²⁸

ADDRESSING CONTROVERSIAL POLICE PRACTICES

Does Your Police Department Use [Certain Practices] And, If So, Which Should Be Reformed, Curtailed or Discontinued?

This question asks whether the RPD uses a specific set of practices and whether these practices should be changed. These practices are: “broken windows” policing practices; stop-and-frisk; chokeholds and other officer-initiated breathing restrictions; “less-than-lethal” weapons including tasers and pepper spray; use of force as punishment or retaliation; pretextual stops and racial profiling; informal quotas for summonses, tickets or arrests; shooting at moving vehicles; high speed pursuits; SWAT teams; no-knock warrants; and facial recognition technology.

Brief Answer

The data we have suggests that the RPD has used a number of these potentially controversial and harmful police practices. To understand the full extent of these practices in Rochester, the City must release comprehensive data on enforcement patterns, officer behavior, and training. Until that data is released, it is impossible to know precisely what changes are necessary. Nevertheless, there are some straightforward changes the City should implement immediately, including: (1) banning the use of chokeholds, neckholds, and headlocks not just through policies, but through training and strictly enforced disciplinary rules; (2) using similar tools to ban the use of chemical weapons like “CS” tear gas, protest response devices like sound cannons, and the execution of no-knock warrants; (3) restricting through policy, training, and disciplinary rules the high-risk use of “less-than-lethal” weapons like bean bag rounds to situations where deadly force is justified; and (4) learning Rochesterians’ priorities about policing low-level offenses and creating policies, trainings, and disciplinary rules to enforce those priorities.

Full Answer

Unlike a police department’s formal policies, procedures, and training regimes, police practices do not exist on paper. They can only be seen by watching the behavior of officers and other departmental employees. Unless this behavior is comprehensively measured and reported, the public must rely on media accounts, eyewitness testimony, and other fragments of evidence to gain an incomplete picture of what a police department is doing.

Presently, there are few reporting systems that allow Rochesterians to know precisely if and how the RPD uses potentially controversial police practices. For some practices, like pepperball use, the RPD may already be collecting the data necessary to understand the extent of a particular practice.²⁹ Yet unless this data and the processes for gathering it are made public, Rochesterians will never be sure about what the RPD does and does not do.

Still, there are some practices we do know about. These include:

Chokeholds & Breathing Restrictions

Definition. The RPD’s general orders define chokeholds and “similar restraints” as “[a]ny application of sustained pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air.”³⁰ This definition matches the one in New York State law.³¹ As noted in Governor Cuomo’s Executive Order 203 guidance, non-chokehold breathing restrictions include “positioning someone on their stomach while in restraints” and “the application of pressure on someone’s back while restrained face down.”³²

Data. To understand precisely if and how the RPD uses chokeholds and other breathing restrictions, we would need accurate and comprehensive data on use of force, including what breathing restrictions the RPD’s officers are using, how often those restrictions are being used, and whether those restrictions are causing injuries. The RPD may currently be collecting and releasing some of this data via the New York State Department of Criminal Justice, which recently created an online portal for police departments to submit data on use of force, users of force, and people on whom force is used.³³

What We Know. The RPD has a practice of using chokeholds and breathing restraints. In 2017, then-Chief of Police Michael Ciminelli said that the RPD “do[esn’t] train” officers to use chokeholds and said they are “prohibited unless there’s a life threatening situation.”³⁴ Ciminelli’s comments were made after the RPD suspended an officer for “appear[ing] to . . . chok[e] a handcuffed prisoner.”³⁵ Since that time, the RPD has been sued over its officers allegedly using a chokehold on a teenager³⁶ and allegedly killing Daniel Prude by applying pressure on his handcuffed body and causing him to asphyxiate.³⁷ In the latter case, according to media reports, an initial RPD investigation determined that the actions of officers were “consistent with their training.”³⁸

Controversy. The reason for the nationwide controversy over police use of chokeholds and breathing restraints is clear: these techniques have killed people, including people who may have posed little or no risk to officers.³⁹

Changes Needed. In summer 2020, the State of New York passed the Eric Garner Anti-Chokehold Act, which made it a felony for a police officer to “us[e] a chokehold or similar restraint . . . and thereby caus[e] serious physical injury or death to another person.”⁴⁰ After the Act was passed, the New York City Police Department reportedly ordered its officers to “never use a chokehold, neckhold, or headlock on the subject of an arrest” and to never “sit, kneel or stand on the subject’s torso – including the back, the chest, or the abdomen.” Moreover, officers were told “to stop any other officers who don’t follow the guidance.”⁴¹ **In August 2020, the NYPD issued a draft of new disciplinary rules that classified any use of a chokehold or refusal to stop a chokehold – even uses that do not cause an injury – as wrongdoing.**⁴² The RPD should create similar orders, training, and disciplinary rules that end the use of chokeholds, neckholds, and headlocks, as well as the use of sitting, kneeling, standing, or applying significant body weight on a handcuffed or restrained person. The RPD must strictly enforce disciplinary rules that ban these practices.

Use of “Less-Than-Lethal” Weapons

Definition. “Less-than-lethal” is an inaccurate description of the weapons the term aims to describe. As one report to the National Institute of Justice put it, less than lethal weapons are weapons “considerably less harmful than the projectiles fired from firearms” that nevertheless retain the “potential to cause death or serious injury.”⁴³

Data. To understand precisely if and how the RPD uses “less-than-lethal” weaponry, we would need accurate data on: (1) relevant training procedures; (2) spending on such weaponry; (3) use and equipment rates; (4) related injuries; and (5) the cost-benefit analyses the RPD uses to justify the training regarding, purchase of, and use of such weaponry.

What We Know. The “less-than-lethal” weaponry currently used by the RPD includes: batons, tasers (“conducted electrical weapons”), bean bag rounds (“kinetic energy impact projectiles” or “KEIP” shot via “less lethal force shotguns”), pepperballs (shot via a “pepperball launching system” or “PLS”), pepper spray (“OC spray”), and tear gas (“CS gas”).⁴⁴ The RPD also uses sound cannons (“long range acoustic devices” or “LRADs”),⁴⁵ which – while non-physical – can potentially cause serious hearing loss and harm.⁴⁶ The RPD says it does not use rubber bullets.⁴⁷

While the full extent of the deployment, training, restrictions regarding, and use of these weapons is unclear, there are some rules we do know about. For example, the RPD has published a detailed standard operating procedure manual that states the rules governing its officers’ use of pepperballs.⁴⁸ These rules explicitly allow for officers to shoot pepperballs “directly” at the “face, throat, base of the neck and spine” when the officer is “justified” in doing so. While the rules state that an officer would be “justified” if “the subject is presenting a deadly physical force threat to an officer or a third person,” the rules do not list the other circumstances that would justify – or, more importantly, not justify – shooting pepperballs at a person’s face, throat, base of neck or spine. The only clear ban on pepperball use occurs when “it is known that the subject is pregnant.” In short, even when there are published rules about less-than-lethal weaponry, it is unclear if and how these rules actually constrain and guide officer behavior.

Controversy. Less-than-lethal weaponry can carry such high risk of injury and trauma that, regardless of how they compare to “lethal” firearms, the public may want them rarely used, if at all.⁴⁹ Some of these weapons, such as tear gas, are considered so devastating that they are banned for use in warfare under both the Geneva Convention and the Chemical Weapons Convention.⁵⁰ Research suggests that the introduction of less-than-lethal weapons like tasers into a police department “leads to increased aggression” by both officers and people officers encounter.⁵¹ The RPD’s own use of less-than-lethal weaponry during recent protests has allegedly caused numerous injuries, including “broken bones and more permanent injuries.”⁵² After being exposed to tear gas thrown by officers during this summer’s protest, some Rochesterians reported “menstrual irregularities.”⁵³

Changes Needed. The use of chemical weapons like tear gas must be banned. If the international community agrees that a weapon is too brutal for warfare, it is too brutal for use on Rochesterians – no matter how disorderly. Disorders were controlled before the era of chemical weapons and can be controlled after the era of chemical weapons. Lawmakers in other cities have banned specific

uses of chemical weapons by their police departments.⁵⁴ The use of sound cannons should also be banned, especially given the uncertainties about the long-lasting effects on citizens' health.⁵⁵

Given the harms posed by other “less-than-lethal” weaponry, the City should consider banning them in 2021 on a weapon-by-weapon basis. Before doing so, the City should hold public education/deliberation sessions that make the costs and benefits of these weapons clear and conduct public surveys to determine if and how Rochesterians wish to see these weapons used against civilians. If Rochesterians appear to want a weapon banned, the City should follow their wishes – and do so without creating rules that appear to ban a weapon's use while in fact giving the RPD broad discretion to use weapons at-will.

Regardless of whether the City chooses to ban some less-than-lethal weapons, the City must more heavily restrict their use to prevent disproportionate use of force. At minimum, the City must issue policies that ban shooting civilians in the face, neck, or spine with a bean bag round or other projectile unless deadly force is justified. Moreover, the City must create training programs and strictly enforced disciplinary rules that ensure these on-paper restrictions translate into real-world changes.

Finally, the City must publicly release relevant data on training, spending, use, injuries, and cost-benefit analyses listed above.

Broken Windows Policing

Definition. According to the people who defined the term, broken windows policing is a practice of focusing police work on “enforc[ing] rules about smoking, drinking, disorderly conduct,” with enforcement typically targeted against supposedly “undesirable” people such as “addicts,” “drunks,” “derelicts,” and “strange youth.”⁵⁶ Broken windows policing (sometimes called “quality of life” policing) is based on the idea that “increased attention to, and enforcement against, lesser crimes and offenses will have a positive impact on more serious crimes.”⁵⁷ The working assumption behind this practice is that the “broken windows” and other problems in a neighborhood create an atmosphere where violence and danger are commonplace and tolerated.

Data. To understand if and how the RPD enforces low-level violations, we would need data on: (1) how often officers enforce, through both arrests and stops, certain misdemeanors and infractions including disorderly conduct, harassment, loitering, simple trespass, criminal mischief, and petit larceny; (2) what percentage of officer time is spent addressing these low-level offences; (3) the training and directions officers receive regarding whether and how to address these low-level offenses; (4) the age, gender, race, and socioeconomic status of the people whom these laws are enforced against; and (5) historical enforcement figures to compare current and past practices. Some of this data may soon become public thanks to the Police Statistics and Transparency Act recently enacted in New York State, which supporters say will help “paint a truly clear factual picture” about broken windows policing by mandating the release of “detailed data on street policing practices.”⁵⁸ The RPD should go beyond the requirements of the Act and release all of the data described above through easy-to-access public data portals.

What We Know. The RPD has regularly engaged in broken windows policing. In 2007, the RPD formally launched a “Zero Tolerance” campaign that “ignore[d] no violation, no matter how small,” focusing officers on tasks like “question[ing] people who look or act suspicious”⁵⁹ and “enforcing everything from cell phone laws to taillight infractions.”⁶⁰ Zero Tolerance, which aimed to “[m]ake people afraid to leave their home with criminal intent,” focused policing “in the city’s poorest neighborhoods.”⁶¹ Zero Tolerance was later “rebranded” as Operation Cool Down in 2012, which again focused officer response on issues like “loitering” and “broken taillights” in “crime-ridden” areas.⁶² In 2013, the RPD referred to its broken windows policing policy as place-based “quality of life enforcement” to manage “spikes and patterns” in firearm violence.⁶³ Some evidence, like a 94% drop in reported disorderly conduct incidents between 2007 and 2019, suggests that the RPD may have changed its approach to broken windows policing.⁶⁴ Nevertheless, given the absence of public data noted above, it is unclear to what extent the RPD continues to practice broken windows policing in Rochester.

However, there is evidence that broken windows policing continues to occur in Rochester. According to data publicly released by the City, in this year alone, RPD has ticketed dozens of people for low-level violations like jaywalking, not having bells or lights on a bicycle, and failing to properly use a car’s turn signal.⁶⁵ Preliminary data compiled by the Monroe County Public Defender’s Office suggests many, if not nearly all, of these tickets were given to Black and Brown people.⁶⁶

Controversy. Broken windows policing is controversial, in part, because there is limited evidence that it succeeds in achieving its goal of safer, healthier neighborhoods.⁶⁷ Questions over the benefits of broken windows policing stand in contrast to the clear evidence regarding its costs. According to critics, what broken windows policing does is “make public spaces *very, very dangerous* for black people, Latino people, poor people, LGBTQ people, people with substance abuse problems, people with mental health problems, and homeless people.”⁶⁸ This is because “every police encounter that arises out of a minor offense has the potential to end in tragedy,” given the ability of officers to use lethal force to “control” situations. In addition, “[o]ver-enforcement of minor offenses affects employment, schooling, housing, and has the potential to break up families.” Because broken windows policing often targets disproportionately poor and non-white neighborhoods, while “the intentions driving Broken Windows policing may not be discriminatory, the effects are visited largely on people of color,” causing “loss of legitimacy and trust in law enforcement and the criminal justice system.” Indeed, the *Democrat & Chronicle* noted in 2008 that “public feelings toward Zero Tolerance [in Rochester] range from support to skepticism to bitter opposition.”⁶⁹

Changes Needed. First and foremost, the City must gather and publicly release the data needed to assess the scope of broken windows policing in Rochester. Next, the City must educate the community about this data and survey Rochesterians – especially Rochesterians who bear the costs of broken windows policing – to see if they support current enforcement patterns regarding low-level offenses. Finally, the City must create disciplinary rules, policies, and practices that ensure the RPD’s low-level enforcement patterns and priorities match those of everyday Rochesterians.

Executing No-Knock Warrants

Definition. Usually, police officers can only search a house with a warrant (that is, legal permission to search from a judge) that requires them to knock, announce their presence, and state their intention to enter.⁷⁰ No-knock warrants allow police officers to ignore these requirements, though police may not necessarily need a no-knock warrant to enter a residence without warning in certain circumstances.⁷¹

Data. To understand precisely how the RPD uses no-knock warrants, we would need accurate data on past and present use of no-knock warrants, including the rejection rates for no-knock warrant requests, claims against the City for personal injuries or property damage linked to no-knock warrants, and statistics regarding raids involving no-knock warrants that were executed at the wrong location.

What We Know. The RPD engages in this practice.⁷² While many police departments say that banning no-knock warrants “would either jeopardize police safety or make it impossible for them to fight crime,”⁷³ states like Florida, Oregon, and Virginia have banned no-knock warrants,⁷⁴ as have cities like Louisville, Memphis, Indianapolis,⁷⁵ Aurora,⁷⁶ and Santa Fe.⁷⁷

Controversy. As one legal expert said, executing no-knock warrants is a “very dangerous tactic” that “appears to be used most frequently in drug cases, and it disproportionately impacts African Americans and other people of color.”⁷⁸ As one recent newspaper editorial stated:

The use of “no-knock” warrants has greatly increased since the early 1980s, growing from approximately 1,500 executed annually to about 45,000 in 2010. Primarily used in drug investigations, such warrants are typically justified by the belief that offenders will destroy evidence if the police announce their presence. However, these efforts at preserving evidence come at a cost: at least 81 civilians and 13 law enforcement officers died executing such warrants from 2010 through 2016. That is at least 94 people who are no longer with us because evidence from drug activity needed to be preserved. Importantly, these numbers only include deaths. They do not include people who have been permanently injured or wounded or had property damaged as a result of these raids. . . . Of those 81 civilian deaths, half were members of minority groups.⁷⁹

Changes Needed. The City should ban the execution of no-knock warrants. It should also release public data on past and present use of no-knock warrants, including the rejection rates for no-knock warrant requests.

Other Potentially Controversial Policies

The other potentially controversial policies the Board was asked to review are discussed briefly below.

- 1. Use Of Force As Punishment Or Retaliation.** The RPD may engage in this practice. In recent years, Rochester police officers have been suspended for – and found guilty of –

assaults on civilians that may have been punitive or retaliatory.⁸⁰ To ensure this practice is not used, the City must: investigate what role systemic racism plays in officer use of force; create disciplinary rules, training, and orders that eliminate the potential use of punitive or retaliatory practices; and support the Police Accountability Board's disciplinary process, which allows civilians – rather than officers – to determine whether officer action is punitive or retaliatory.

- 2. Pretextual Stops & Racial Profiling.** Police engage in pretextual stops when they use the appearance of a low-level violation to justify a stop that, in reality, is not actually about the low-level violation. One kind of pretextual stop is “driving while Black,” where officers use minor traffic violations to stop and harass Black drivers.⁸¹ The RPD may engage in these kinds of pretextual stops. As the *Democrat & Chronicle* reported in 1999, “racism – as evidenced by allegations of racial profiling – has woven its way into [Rochester] law enforcement, some lawmaker and activists maintain. Many local American men and women, whatever their profession, have stories about times they were stopped and questioned by police on the pretext of a minor traffic violation. They say their only ‘offense’ is DWB – Driving While Black.”⁸²

The RPD has held meetings to specifically address concerns about pretextual stops⁸³ and has issued General Order 502 (“Equitable Policing”), which states that the RPD “neither condones nor permits the use of any bias-based profiling in arrests, traffic contacts, field contacts, investigations, or asset seizure and forfeiture efforts.”⁸⁴ However, it is unclear whether this rule is followed in practice. The City must create strict disciplinary rules banning discriminatory enforcement patterns and enforce those rules using data gathering methods that reveal the enforcement patterns of individual officers who conduct arrests and stops. While these rules may identify and address “outliers” in the RPD, they are not enough to end department-wide discriminatory enforcement patterns. The City must therefore craft and fund robust training on white supremacy and structural racism – training that must be transparent to the public, regularly conducted, and closely monitored for effectiveness on an officer-by-officer basis.

- 3. Informal Quotas For Summonses, Tickets Or Arrests.** It is unclear if the RPD engages in a practice of requiring its officers to issue a certain number of tickets or make a certain number of arrests in a given period of time. This kind of practice, if tied to any implicit or explicit penalty, would be illegal under New York State law.⁸⁵ The City may need to conduct confidential interviews with former officers, union officials, Monroe County public defenders, and others to determine if the RPD or subunits of the RPD use “enforcement goals” or other performance-based metrics to constrain officer behavior.
- 4. Shooting At Moving Vehicles.** The RPD engages in this practice, as its officers have shot teenagers driving stolen cars in 2002 and 2018.⁸⁶ The RPD’s “Use of Deadly Force” policy allows officers to shoot at moving vehicles when “the member reasonably believes that the occupant(s) of the vehicle are using or are about to use deadly physical force against the member or another person.”⁸⁷ The RPD’s policy stands in contrast to that of the NYPD, which “banned shooting at moving vehicles altogether as long as the only physical threat was from the car, not another weapon.” As reported in Vox, “experts widely argue” that

the NYPD's more restrictive policy "should be the policy for all police departments," as the policy would prevent deaths "while actually making police safer."⁸⁸ The RPD should ban shooting at moving vehicles unless there is a threat of deadly physical, non-vehicular force against an officer or civilian.

5. **High Speed Pursuits.** The RPD engages in this practice.⁸⁹ The RPD's General Order 530 places significant restrictions on vehicular pursuits, including a ban on "overtaking," a limit on pursuing vehicles that have been engaged in low-level offenses, and a requirement that officers engage in cost-benefit analyses before conducting pursuits. To better understand if and how officers follow these guidelines, the RPD should publicly release data on number of pursuits, speed by which pursuing officers override the speed limit, and any accidents officers have been involved in during pursuits.
6. **Use of SWAT Teams.** The RPD engages in this practice. The RPD's SWAT team has been criticized for its killings of people and animals.⁹⁰ The City must make the RPD's use of SWAT teams transparent by releasing data on SWAT training and SWAT activity to determine how often SWAT is used in hostage or active shooter situations as opposed to search warrant execution that could be performed by different public safety officials.⁹¹
7. **Facial Recognition Technology.** It is unclear if the RPD engages in this practice, though it may have the capacity to do so in the future. The RPD has signed an agreement in 2019 with Ring,⁹² an Amazon-owned company that sells a "smart" doorbell that "records video footage of people who come to your home which police can gain access to."⁹³ While Ring says it "does not use facial recognition technology in any of its devices,"⁹⁴ investigative reports suggest that Ring may be "testing the waters" about using "facial recognition and license plate scanning tools in their devices."⁹⁵ The RPD should state if it uses any facial recognition technology and the City should survey residents on whether the RPD should use facial recognition technology.

ADDRESSING POTENTIALLY POSITIVE LAW ENFORCEMENT PRACTICES

To What Extent Is Law Enforcement Utilizing [Certain] Strategies, Which Reduce Racial Disparities And Build Trust?

This question asks whether the City of Rochester uses a specific set of potentially positive law enforcement practices. These practices include: using summonses rather than warrantless arrests for specified offences; diversion programs; restorative justice programs; community-based outreach and violence interruption programs; hot-spot policing and focused deterrence; and de-escalation strategies.

Brief Answer

While the City may use many of the practices listed above, it is unclear whether these programs have been funded and implemented in ways that effectively reduce harm and enhance public safety. This is particularly true of the RPD's de-escalation practices. The Board was not asked to determine if any of these programs should be used more or less extensively. Nevertheless, the City must release comprehensive data on budgets, staffing, training, goal achievement, and resident satisfaction regarding nontraditional policing programs and tactics – including de-escalation – to ensure Rochesterians can determine whether these programs should be continued, expanded, or ended. Moreover, the City must release demographic data to reveal if and how alternatives to incarceration are being provided disproportionately to people of certain races or backgrounds.

Full Answer

The City uses many practices seen as alternatives to traditional policing. These include civilian-police patrol partnerships ("Clergy on Patrol" and "Police and Citizens Together Against Crime" or "PAC-TAC"), community advisory committees ("Police Citizens Interaction Committees" and the "Police Training Advisory Committee"), violence prevention initiatives ("ROC Against Gun Violence Coalition" and "Pathways to Peace"), and programs to gather information about the policing preferences of residents ("Project T.I.P.S." and officer attendance at neighborhood association meetings). Many of these programs have admirable goals and may be defined by community satisfaction.

However, it is difficult to gauge the success of these programs. These programs may be deployed infrequently or without adequate resources. Programs may require officers to listen to community members but not change police behaviors and tactics based on what community members say. Success of programs may be measured by number of meetings or community contacts, rather than whether programs achieve their goals, satisfy residents, or fulfill the community's expressed public safety needs. Without comprehensive data on the implementation of these programs, the City cannot know whether these programs should be continued, expanded, or ended. Moreover, the City must release demographic data to reveal if and how alternatives to incarceration are being provided disproportionately to people of certain races or backgrounds.

The Board's answers here will focus on two practices: de-escalation and officer alternatives to arrest & penalties.

De-Escalation

Definition. De-escalation is the attempt to peacefully defuse a potentially dangerous situation.⁹⁶ When it comes to policing, de-escalation can be accomplished in two ways. First, officers can deploy specific techniques, like active listening and empathy exercises, to defuse situations themselves.⁹⁷ Second, cities can create systems where crisis situations are responded to by people who are not armed and/or dressed up like ordinary police officers.⁹⁸

Data. To understand precisely if and how the RPD uses de-escalation tactics, the City would need to publicly release accurate data on: (1) hours spent training officers on de-escalation tactics; (2) percentage of training devoted to de-escalation; (3) specific de-escalation tactics taught to officers; (4) percentage of crisis calls responded to by people not armed and/or dressed up as ordinary police officers; (5) how and when officers are deploying de-escalation tactics on a day-to-day basis; and (6) what written and verbal policies relating to de-escalation the RPD has issued.

What We Know. Without all of the data listed above, it is difficult to understand if and how the RPD uses de-escalation tactics. In 2016, a national police reform group criticized the RPD because its use-of-force policy did not require de-escalation, a warning before shooting, or the exhaustion of all other means before shooting.⁹⁹ Since then, the City has announced that it has implemented policies that provide officers with de-escalation training, require officers to provide verbalized warnings in certain circumstances, and require officers to exhaust of all available alternatives before the use of force.¹⁰⁰ Nevertheless, the RPD has recently been criticized by mental health experts for its officers' apparent failure to properly de-escalate potentially dangerous situations.¹⁰¹

Officer Alternatives to Arrest & Penalties

Definition. Police officers are often given discretion in choosing whether to arrest people for low-level violations.¹⁰² Officers can issue "summonses" or "appearance tickets" that allow potential offenders to avoid arrest and instead appear at court at a later date to deal with their alleged wrongdoing. Officers can also be given discretion to void tickets for traffic violations.

Data. To understand precisely if and how the RPD uses alternatives to arrest, the City would need to publicly release accurate data on enforcement, non-enforcement, and offender demographics regarding appearance tickets, issuance of warnings for traffic violations, and voiding of parking violations.

What We Know. The City engages in this practice, though it is unclear exactly how it does so. The RPD's general orders regarding traffic enforcement, parking violations, and appearance tickets give officers great discretion in allowing low-level offenders to avoid arrest and/or penalty.¹⁰³ For example, rather than forcing officers to issue appearance tickets to eligible offenders, the RPD allows officers to use their "good judgment" to deny such tickets.¹⁰⁴ By allowing officers to issue appearance tickets based on temperament, perspective, and chance, the RPD may be allowing wrongdoing and discrimination to seep into law enforcement practices. In 2012, a *Democrat &*

Chronicle investigation found that a “large number of officers [are] thought to have improperly voided tickets for themselves, other officers, friends and relatives,” with then-Chief James Sheppard calling ticket-fixing “systemic” within the RPD.¹⁰⁵ While Sheppard “put in place more stringent orders governing the issuing and voiding of parking tickets,” it is unclear whether those orders have changed officer behavior.

Other Potentially Positive Policies

The other potentially positive policies the Board was asked to review are discussed briefly below.

- 1. Diversion Programs.** Diversion programs aim to prevent people, especially youth, from being arrested or incarcerated because of criminal offenses. The City engages in this practice through programs like Rochester Teen Court.¹⁰⁶ However, without public data on effectiveness, funding, and staffing for these programs, it is unclear precisely how the City continues to engage in these kinds of practices.
- 2. Restorative Justice Programs.** Restorative justice programs “offer people a meaningful chance to respond to a conflict outside of the traditional courtroom process” and avoid violence and the criminal justice system.¹⁰⁷ The City has engaged in this practice in some Rochester City School District settings.¹⁰⁸ However, without public data on effectiveness, funding, and staffing for these programs, it is unclear precisely how the City continues to engage in these kinds of practices.
- 3. Community-Based Outreach & Violence Interruption Programs.** These practices aim to prevent crime and violence by educating residents, listening to their needs, and addressing those needs before wrongdoing occurs. The City engages in this practice through programs like the Pathways to Peace program.¹⁰⁹ However, without public data on effectiveness, funding, and staffing for these programs, it is unclear precisely how the City continues to engage in these kinds of practices.
- 4. Hot Spot Policing.** Hot spot policing is the practice of concentrating police activity on a specific area deemed to be “high crime.” The City has long engaged in this practice.¹¹⁰ However, without public data on costs, benefits, funding, and staffing for this kind of practice, it is unclear precisely how the City engages in hot spot policing.

HOLDING THE POLICE ACCOUNTABLE

Do You Engage [In] Citizen Oversight And Other External Accountability?

This question asks whether the City of Rochester has created an effective mechanism for holding the RPD accountable. Specifically, the question asks if there is an easy, accessible and well-publicized process for members of the public to report complaints about police misconduct, with investigation outcomes reported to the complainant and the public. It also asks if City Council engages in formal oversight of the police (and if those oversight powers should change), if the RPD is accredited by any external entity, and whether the RPD conducts an annual community survey to gauge community trust. The question then asks about what systems of external accountability Rochester should have over the RPD. Specifically, the question asks what “level of review” an accountability agency should conduct, whether the agency has “mechanisms in place to ensure subject and witness officers fully cooperate,” and if: its investigations should be independent of the RPD’s; it needs the power to interview witnesses, compel testimony, review Department-created documents and evidence, impose discipline, and refer cases to the Attorney General or District Attorney.

Brief Answer

Yes, the City uses citizen oversight and forms of police accountability – though these systems need the proper resources to ensure they work. In the Police Accountability Board, Rochester has the foundation for becoming a national model for holding the police accountable. The Board has the right on-paper legal powers, the right leadership, and the necessary commitment to fairness, truth, and justice. To have disciplinary and oversight processes are effective, quick, and thorough, the City should: (1) approve the proposed Board budget described in the City Charter, which must “provide for sufficient funding to carry out the powers and duties set forth in the Police Accountability Board article, including the funding of staff and all necessary operating expenses for the purpose of resolving all complaints within 90 days”; and (2) make the RPD’s internal disciplinary processes transparent, especially by making public the disciplinary history of individual officers.

Full Answer

The City currently lacks an easy, accessible and well-publicized process for members of the public to report complaints about police misconduct. The model of oversight reflected in the City’s Civilian Review Board and the RPD’s Professional Standards Section has failed in the eyes of Rochester’s voters, who overwhelmingly chose to create a robust system of independent oversight that is reflected in the Police Accountability Board.¹¹¹ Rather than reviewing the failures of the old system, the Board’s answer will focus on the potential of the new system, detailed in the next answer below.

Nevertheless, as the Board’s disciplinary powers are currently suspended,¹¹² it is worth addressing a major flaw of the current system: a lack of transparency. Everyday Rochesterians do not understand how the RPD’s Professional Standards Section investigates officer wrongdoing and holds wrongdoers accountable. The City should fix this flaw by releasing comprehensive statistics

on the RPD's internal investigations. The City should invest whatever resources are necessary to release, as soon as possible, its planned online portal that will allow the public to review the disciplinary histories of individual officers.¹¹³

Turning back to the City's new model, it is clear that the Police Accountability Board has a robust set of legal powers that can allow it to hold the RPD accountable. The Board has the power to create a justice system that fairly and transparently prosecutes officer misconduct. It has the power to reveal the RPD's practices and priorities to the public. It has the power to canvass everyday Rochesterians so the City understands their public safety priorities. And it has the power to create disciplinary rules that ensure those priorities help govern the RPD's operations. If exercised properly, these powers will transform Rochester into a safer, more just city.¹¹⁴

Properly exercising these powers will require proper resources. Without the appropriate staff, equipment, and services, the Board's legal powers will merely be words on a page. Indeed, the failures of many (if not most) civilian oversight boards can be blamed on a lack of resources.¹¹⁵ Some cities give their boards no funding at all, while others spend a few hundred dollars per officer on civilian oversight. Cities that lead on civilian oversight like Berkeley, Eugene, and Oakland spend thousands of dollars per officer on civilian oversight and still struggle to conduct thorough oversight operations.¹¹⁶ In short, there is no model when it comes to financially supporting civilian oversight boards.

Rochester, however, may become that model. This is, in part, because the link between funding and oversight success is recognized in the City Charter itself. Section 18-13 of the Charter, located in the article devoted to the Police Accountability Board, states: "The annual proposed budget of the Police Accountability Board shall provide for sufficient funding to carry out the powers and duties set forth in the Police Accountability Board article, including the funding of staff and all necessary operating expenses for the purpose of resolving all complaints within 90 days."

The City should craft a proposed budget for the Police Accountability that, using accurate case processing statistics from other jurisdictions and other data, fulfills the City Charter's requirements. The City should approve this proposed budget and revise it as necessary to ensure that the Board can continue to fulfill its duties as more and more Rochesterians engage with its work. The City should also take whatever legal steps are necessary to fully protect and support the Board's investigations into individual RPD officers as well as the RPD's policies, practices, and procedures.

GATHERING DATA & CREATING TRANSPARENCY

How Are You Using Data To Guide Policies, Procedures And Activity While Enhancing Public Transparency?

This question asks what public safety related data the City should collect and how the City can use that data to improve public safety. Specifically, the question asks: what data relating to policing – such as that relating to incidents, complaints, activity, and demographics – should be collected; what part of this data should be made public; how often that data should be made public; whether and when the City should release aggregated data about the RPD, individualized data about specific officers, or both; whether use-of-force incident data should be released that communicates how the RPD is reviewing such incidents, how many incidents are reviewed, how many are found to be inconsistent with Department policy, and how many are referred for prosecution; and whether complaint-related data should be released that communicates how many complaints are filed, how those complaints are dealt with, and what discipline comes from those complaints. More broadly, the question asks how the City should: leverage data to drive policing strategies; demonstrate a commitment to transparency in public interactions; and make its policies and procedures more transparent.

Full Answer

The City has taken important steps to develop, use, and publicize data about its public safety operations, thanks in part to the work of its Office of Business Intelligence.¹¹⁷ However, as explained in the Board's other answers, more steps must be taken. Collecting and releasing data that will make the RPD's work transparent to the public will take significant resources. The City must reallocate RPD funds to boost support for the Office of Business Intelligence or other citywide information-gathering entities to ensure accurate data is released in a timely and accessible manner. Some information may need to be anonymized to be released without jeopardizing officer safety.

At minimum, the City must create easily accessible online portals where a wide swath of data is publicly released on a regular basis without individuals or organizations having to submit Freedom of Information Law requests. At minimum, these portals must provide data on:

- responses to 911 and 311 calls, with information on call type, demographics of people involved in the calls, type of personnel, officer, or unit dispatched to the call, and whether force was used by responding officer, along with all other data that will allow Rochesterians to understand how many calls involve the need for armed police response;
- what officers are being trained on, what officers are not being trained on, hours per training session, how officer training is reinforced, how often officers face discipline for failing to follow training rules, whether and how training explicitly addresses white supremacy, misogyny, homophobia, and transphobia, and whether and how training addresses on-the-job trauma;

- the historical size and budget of the RPD, comparative data that allows Rochesterians to compare the RPD’s operations and per-resident staffing levels to other communities, and program-specific budget and staffing data that will reveal the RPD’s public safety priorities;
- what force tactics RPD officers are using (including, but not limited to, breathing restrictions), how often those tactics are being used, what racial and ethnic groups those tactics are being used against, the written and verbal instructions that determine how officers choose what tactics to use, when those tactics cause injuries, and whether an internal review was conducted after the use of a given tactic;
- if and how the RPD uses “less-than-lethal” weaponry, including data on: (1) relevant training procedures; (2) spending on such weaponry; (3) use and equipment rates; (4) related injuries; (5) the cost-benefit analyses the RPD uses to justify the training regarding, purchase of, and use of such weaponry; and (6) verbal and written instructions about how to use such weaponry;
- if and how the RPD enforces low-level violations, including data on: (1) how often officers enforce, through both arrests and stops, certain misdemeanors and infractions including disorderly conduct, harassment, loitering, simple trespass, criminal mischief, and petit larceny; (2) what percentage of officer time is spent addressing these low-level offenses; (3) the training and directions officers receive regarding whether and how to address these low-level offenses; (4) the age, gender, race, and socioeconomic status of the people whom these laws are enforced against; and (5) historical enforcement figures to compare current and past practices;
- how much revenue the City generates from traffic tickets and code enforcement, who is subject to this kind of enforcement, the difference between what violations people are ticketed for and what violations people are pleading to, and whether the City is using this kind of enforcement to fill budget gaps;
- if and how the RPD conducts stop-and-frisk practices, including data on enforcement patterns of individual officers who conduct arrests and stops and data on numbers of stop-and-frisk incidents that retrieve no evidence or contraband along with demographic and geographic data;
- how the RPD engages in high-speed pursuits, including data on the number of pursuits, speed by which pursuing officers override the speed limit, and any accidents officers have been involved in during pursuits;
- SWAT training and SWAT activity to determine how often SWAT is used in hostage or active shooter situations as opposed to search warrant execution;

- past and present use of no-knock warrants, including the rejection rates for no-knock warrant requests, claims against the city for personal injuries or property damage linked to no-knock warrants, and statistics regarding raids involving no-knock warrants that were executed at the wrong location;
- if and how the RPD uses de-escalation tactics, including data on: (1) hours spent training officers on de-escalation tactics; (2) percentage of training devoted to de-escalation; (3) specific de-escalation tactics taught to officers; (4) percentage of crisis calls responded to by people not armed and/or dressed up as ordinary police officers; (5) how and when officers are deploying de-escalation tactics on a day-to-day basis; and (6) what written and verbal policies relating to de-escalation the RPD has issued;
- if and how the RPD uses alternatives to arrest, including data on enforcement, non-enforcement, and offender demographics regarding appearance tickets, issuance of warnings for traffic violations, voiding of parking violations, and a list of all cases where these alternatives were used that include demographic data and location;
- effectiveness, funding, and staffing for diversion programs, restorative justice programs, community-based outreach & violence interruption programs, and hot spot policing;
- purchase and use of advanced technologies such as ShotSpotter;
- budgets, case processing statistics, and staffing levels of other civilian review boards, as well as any other data that will allow the City to craft a proposed budget for the Police Accountability Board that fulfills the City Charter's requirements;
- anonymized aggregate data on how officers who are Black and Brown, women, and LGBTQ populations are disciplined, promoted, recruited, and terminated;
- per-officer spending on trauma-related support, the rates at which officers use trauma support, and the incidents of domestic violence, workplace harassment, and other outcomes of untreated trauma;
- backgrounds of recruits and new hires, including information on whether officers are recruited or hired from the military and information on whether new hires have disciplinary histories from law enforcement agencies in which they previously served;
- data on number of officers who claim disability for injuries stemming from incidents where civilians were also injured;
- number of civil and criminal cases filed against officers, along with case disposition and settlement data;

- number of cases where felony for causing an injury to an officer was filed, nature of injuries to officers in such cases, and nature of injuries to civilians in such cases; and
- budgets, staffing, training, goal achievement, and resident satisfaction regarding nontraditional policing programs and tactics to ensure Rochesterians can determine whether these programs should be continued, expanded, or ended.

MAKING POLICE TECHNOLOGY TRANSPARENT

How Can Your Police Department Ensure Adequate Transparency In Its Use Of Automated Systems And “High-Risk” Technologies?

This question specifically asks about the processes the RPD has to: adopt new technologies while soliciting community, stakeholder, and researcher input; publish clear policies about technology function, use, and auditing; perform cost-benefit analysis when adopting new technologies; consider all the risks of novel technologies and their ability to actually solve existing problems; procuring or using new technologies; study the effectiveness of new technologies and their potential for biases; train officers on how properly to use new technologies; ensure that vendor contracts do not interfere with transparency; allow residents to register feedback on a certain technology or request information on any personal data it has collected about them without their knowledge; maintain sensitive data or information; and disclose the technologies its uses to the public, including whether technologies were given to the police department (i.e., not procured).

Full Answer

It is unclear if and how the RPD makes its purchase and use of technology transparent. However, the Police Accountability Board’s own inability to gather publicly available information about the RPD’s technology use suggests that the RPD may be failing to do so. This is a problem, as technologies used by the RPD like ShotSpotter – which may be beneficial to the public¹¹⁸ – have nevertheless become heavily criticized.¹¹⁹ The City must create policies and data-release procedures that allow the public to monitor the RPD’s justifications for, purchase of, and use of all its technologies, including ShotSpotter. The City must also release comprehensive data on its citizen surveillance technology, such as traffic cameras, police surveillance cameras, and wiretap usage, as Rochester was found by one recent survey to be the fifth-most surveilled city in the United States.¹²⁰

EFFECTIVELY USING BODY WORN CAMERAS

Should Your Police Department Leverage Video Cameras To Ensure Law Enforcement Accountability And Increase Transparency?

This question specifically asks when officers should be required to turn on body worn cameras and notify members of the public that those cameras are on. The question also asks what the penalties should be for non-compliance with body worn camera policies, how long the RPD should maintain body worn camera footage, and when such footage should be given to officers, investigators, and/or the public.

Full Answer

Yes, the City needs to leverage video cameras in policing. The City should be commended for bringing body worn cameras into the RPD. Yet there is more work to be done, as the work of the Community Justice Advisory Board has shown.¹²¹ The public must know what, if any, difficulties officers have in using body worn cameras. The City must provide the training and resources to ensure officers use their cameras correctly. A zero tolerance policy may be appropriate for officers who fail to turn on their body worn cameras; that policy should be accompanied by strict penalties, which may include dismissal. Current Departmental policies regarding storage of body worn camera footage and public release of that footage may be inappropriate. The Board may investigate body worn camera usage and policies in the future.

CREATING A DIVERSE & HEALTHY POLICE CULTURE

Are You Recruiting A Diverse [Police] Workforce & Is Training Sufficient?

This question asks for information about the demographics of the RPD, the demographics of Rochester residents, whether those demographics are “aligned,” what steps the RPD has taken to make itself more diverse, and whether the RPD’s officers relate to the community in terms of socioeconomic background, life experience, and “other metrics.” Next, the question asks recruitment-related questions about how the RPD can: re-evaluate hiring practices and testing to remove barriers in hiring underrepresented communities; encourage local youth to pursue careers in law enforcement; and foster the continued development and retention of diverse officers. The question then asks training-related questions about how the RPD can: develop officer training programs that reflect community values and build trust between police officers and the communities they serve; ensure that police officers continuously receive high-quality and relevant in-service training sessions; use training programs to avoid incidents involving unnecessary use of lethal or nonlethal force; use its training programs to avoid potential bias incidents and build stronger connections with communities of color and vulnerable populations; help officers effectively and safely respond to individuals experiencing mental health crises or struggling with substance abuse; and measure the quality and efficacy of a police department’s training programs using specific practices and procedures.

Full Answer

No, the RPD is not recruiting a diverse workforce or providing officers with sufficient training and support.

There is a gulf between the RPD’s sworn officers and the people they serve. Data released by the RPD and the U.S. Census Bureau establish some stark facts.¹²² 87% of officers are white, while just 47% of Rochesterians are white. 87% of officers are men, while just 48% of Rochesterians are men. 94% of officers live outside of the city. Despite many policy changes and a federal consent decree, this gulf between Rochesterians and the officers sworn to protect them has persisted and even grown.¹²³

The City must uncover and confront whatever realities sustain this gulf. These realities may include inappropriate or underfunded recruiting programs. Yet the barriers to a diverse public safety workforce may be more fundamental. These barriers may include systemic racism, white supremacy, misogyny, homophobia, and other structures of oppression that harm the advancement, recruitment, and health of officers – and the safety of civilians – who are Black and Brown, women, or belong to the LGBTQ community. As Locust Club President Mike Mazzeo recently said, “I believe that there is some level of systemic racism which currently exists within the RPD. I also believe that there is systemic racism existing in every institution that exists in this country.”¹²⁴

The Board recommends that the City formally investigate racism and structural oppression within the RPD. The City should: anonymously survey current and former officers who are Black and Brown, women, and from the LGBTQ community to determine their experiences with oppression on the force; ask these populations what policies and practices would (or would have) made their

work healthier and free of racism, misogyny, homophobia, and transphobia; and release anonymized aggregate data on how these officer populations are disciplined, promoted, recruited, and terminated.

Regardless of what this investigation finds, the City must fund policies and practices that begin to inoculate the RPD from systemic oppression. These practices should include: educating officers using immersive training methods that teach how systemic racism and other forms of structural oppression, as opposed to mere “bias” or “prejudice,” can influence policing practices; reinforcing this training throughout officers’ careers; testing officers on their knowledge and providing assistance as necessary; creating and enforcing disciplinary rules that combat racism, misogyny, and homophobia, including by terminating officers who support white supremacist organizations; and ensuring that all emergency services are provided in Spanish and the other languages that predominate in Rochester’s Limited English Proficiency and deaf-and-hard-of-hearing communities.

The Board also recommends that the City fund policies and practices that address officer trauma and make its effects known to the public. The City must significantly increase funding for training, monitoring, prevention, and response systems that protect officers, their families, and the people they serve from officers’ stress and trauma. The City must educate Rochesterians on what trauma officers have to suffer by merely doing their jobs – especially officers who are Black and Brown, women, and members of the LGBTQ community. The City must also release data on per-officer spending on trauma-related support, the rates at which officers use trauma support, and the incidents of domestic violence, workplace harassment, and other outcomes of untreated trauma.

APPENDIX I: WORKING GROUP ON POLICE REFORM & REINVENTION QUESTIONS

Below are the list of questions posed to the various members of the City’s Working Group on Police Reform & Reinvention. These questions are presented in the format that they were circulated in, with one exception: the Working Group members who were assigned to a particular question are named in red text next to each question.

Key Questions to be answered:

- 1. How are you incorporating “Procedural Justice,” which focuses on the manner in which law enforcement interacts with the public? [Question Assigned to: Rochester Police Department, Commission on Racial & Structural Equity, Police Accountability Board, and United Christian Leadership Ministry]**
 - What functions should the Police perform?
 - Should you deploy social services personnel instead of or in addition to police officers in some situations?
 - Can your community reduce violence more effectively by redeploying resources from policing to other programs?
 - What function should 911 call centers play in your community?
 - Should law enforcement have a presence in schools?
 - What are the staffing needs of the police department the community wants?
 - Should components of the police department be civilianized?
 - How should the police engage in crowd control?
 - Should the police be “demilitarized”?

- 2. Does your Police Department use these practices and, if so, which should be reformed, curtailed or discontinued? [Question Assigned to: Rochester Police Department, Police Accountability Board, and United Christian Leadership Ministry]**
 - “Broken Windows”
 - “Stop and Frisk”
 - Chokeholds and Other Restrictions on Breathing
 - Use of Force for Punitive or Retaliatory Reasons
 - Pretextual Stops
 - Informal Quotas for Summonses, Tickets or Arrests
 - Shooting at Moving Vehicles
 - High Speed Pursuits
 - Use of SWAT Teams
 - No-Knock Warrants
 - Less-Than-Lethal Weaponry such as Tasers and Pepper Spray
 - Facial Recognition Technology

- 3. To what extent is Law Enforcement utilizing the following strategies, which reduce racial disparities and build trust? [Question Assigned to: Rochester Police Department, Commission on Racial & Structural Equity, Police Accountability Board, and United Christian Leadership Ministry]**

- Using Summonses Rather than Warrantless Arrests for Specified Offenses
- Diversion Programs
- Restorative Justice Programs
- Community-Based Outreach and Violence Interruption Programs
- Hot-Spot Policing and Focused Deterrence
- De-Escalation Strategies

4. Can Law Enforcement effectively identify, investigate and prosecute hate crimes? [Question Assigned to: Rochester Police Department]

- Are members of your department trained to investigate hate crimes and interview members of minority communities and groups?
- What additional training and community resources can you draw on to enhance hate crime prevention and response?

5. Have the following Community Policing techniques/strategies been instituted in your community? [Question Assigned to: Rochester Police Department]

- Community outreach plans – These are plans for institutionalizing community engagement.
- Citizen advisory boards and committees – A community advisory board/committee is a group that meets regularly to provide advice and perspectives to executive staff in law enforcement agencies.
- Partnership with community organizations and faith communities
- Partnering with students and schools
- Police-community reconciliation – A process that seeks to improve strained relationships between police and communities of color
- Attention to Marginalized Communities, such as Limited English Proficiency Citizens, Citizens with communication disabilities, The LGBTQIA+ Community, Immigrant Communities
- Involving youth in discussions on the role of law enforcement agencies
- How can you develop officer training programs that reflect your community values and build trust between police officers and the communities they serve?

6. How are you fostering community-oriented leadership, culture and accountability? [Question Assigned to: Rochester Police Department]

- Is your leadership selection process designed to produce the police community relationship you want?
- Does your officer evaluation structure help advance your policing goals?
- What incentives does your department offer officers to advance policing goals?
- Does your hiring and promotion process help build an effective and diverse leadership team?
- What is your strategy to ensure that your department’s cultural-norms and informal processes reflect your formal rules and policies?
- How can leadership training improve community policing and strengthen relationships between your police department and members of the public?

7. Are you tracking and reviewing use of force and identifying misconduct? [Question Assigned to: Rochester Police Department]

- When should officers be required to report use of force to their supervisor?
- What internal review is required after a use of force?
- Does your department review officers’ use of force and/or misconduct during performance reviews?

- Does your department use external, independent reviewers to examine uses of force or misconduct?
- Does your department leverage Early Intervention Systems (EIS) to prevent problematic behavior?
- Does your department review “sentinel” or “near-miss” events?
- Does the RPD respond to questionable uses of force with non-punitive measures designed to improve officer performance?
- What does your department expect of officers who know of misconduct by another officer?
- Does your department have a clear and transparent process for investigating reports of misconduct?
- Does your department respond to officer misconduct with appropriate disciplinary measures?
- What procedures are in place to ensure that substantiated complaints of misconduct and settlements or adverse verdicts in lawsuits are used to reduce the risk of future misconduct?
- What controls are in place to ensure impartiality when reviewing potential misconduct or complaints? When appropriate, are cases referred to either the District Attorney or another prosecutor?
- Does your department expect leaders and officers to uphold the RPD’s values and culture when off-duty?

8. Do you engage citizen oversight and other external accountability? [Question Assigned to: Commission on Racial & Structural Equity, Police Accountability Board, and United Christian Leadership Ministry]

- Is there an easy, accessible and well-publicized process for members of the public to report complaints about police misconduct?
- Are investigation outcomes reported to the complainant? Are they reported to the public? Should the RPD or the citizen complaint review entity, if any, accept anonymous complaints?
- Does your local legislature engage in formal oversight of the police department? Should any changes be made in the legislature’s oversight powers or responsibilities?
- Is your police department accredited by any external entity?
- Does your police department do an annual community survey to track level of trust?

If you are considering an entity outside the police department to review citizen complaints, here are some relevant questions:

- What level of review should it conduct? Should it review the findings of an Internal Affairs Bureau or conduct its own investigation?
- What power should it have to interview officers or other witnesses, to compel officers or other witnesses to be interviewed, and to review documents, recordings, interviews conducted by Internal Affairs or other evidence?
- Should it be empowered to impose disciplinary action, recommend disciplinary action, or simply to substantiate complaints?
- Should it be authorized to formally refer cases to the Attorney General or District Attorney?
- What mechanisms are in place to ensure subject and witness officers fully cooperate with civilian oversight investigations?

9. How are you using data to guide policies, procedures and activity while enhancing public transparency? [Question Assigned to: Rochester Police Department, Commission on Racial & Structural Equity, Police Accountability Board, and United Christian Leadership Ministry]

- What police incident and complaint data should be collected? What data should be available to the public?

- What policing activity data should be collected by your department? This could include data regarding shootings by officers, firearm discharges, civilian injuries, use of force incidents, and officer stops, searches, and/or arrests.
- Should this data include demographic data, which can be used to detect racial disparities and biases?
- Beyond disclosures required under state and federal law, what other policing data should be disclosed? Made public? Should this data be aggregate data or individualized data? Should individualized data be anonymized or redacted? How frequently should data be disclosed?
- Should the RPD make available to the public aggregate data on its review of use of force incidents, such as number of incidents reviewed, number found to be inconsistent with department policy or number referred for prosecution?
- Should the RPD make available to the public aggregate data about the number and disposition of citizen complaints, including the nature of any discipline imposed?
- How should your law enforcement agency leverage data to drive policing strategies?
- How can your police department demonstrate a commitment to transparency in its interactions with the public?
- How can your police department make its policies and procedures more transparent?

10. How can your police department ensure adequate transparency in its use of automated systems and “high-risk” technologies? [Question Assigned to: Rochester Police Department, Commission on Racial & Structural Equity, and Police Accountability Board]

- What process does your department have in place for the adoption of new technologies? Does the process include the solicitation of stakeholder and researcher input? Is there a process for community input? Does the process include the creation and publication of clear policies that articulate how the technology works, how it can be audited, and how, where, when, and why it is used?
- Does your department perform a cost-benefit analysis when adopting new technologies? Does your department consider the risks of using a novel technology (unstudied effectiveness, potential biases and intrusion on civil liberties), as well as the ability of the technology to solve an existing problem?
- What is your department’s process for procuring or using a new technology? Does your department study the effectiveness of the technology and analyze potential biases?
- Does your department have policies or procedures for training officers on how properly to use new technologies?
- Does your department have policies in place to ensure that vendor contracts do not interfere with transparency?
- Does your department have a process through which residents can register feedback on a certain technology or request information on any personal data it has collected about them without their knowledge?
- Does your department have a policy for maintaining sensitive data or information?
- Is your department required to disclose the technologies its uses to the public? If so, does this disclosure requirement extend to technologies that were given to the police department (i.e., not procured)?

11. Should your police department leverage video cameras to ensure law enforcement accountability and increase transparency? [Question Assigned to: Rochester Police Department, Commission on Racial & Structural Equity, Police Accountability Board, and United Christian Leadership Ministry]

- When should officers be required to turn on their BWCs? When interacting with members of the public? When conducting a law enforcement investigation?
- When should officers be required to notify members of the public that BWCs are on? In private settings? In public settings?
- What should the penalties be for non-compliance?
- How long should the RPD maintain footage?
- Under what conditions should footage be accessible to officers, the public, or investigators?

12. Are you recruiting a diverse workforce? Is training sufficient? [Question Assigned to: Rochester Police Department, Commission on Racial & Structural Equity, Police Accountability Board, and United Christian Leadership Ministry]

- What are the demographics of your agency?
- What are the demographics of your community?
- Are those demographics aligned?
- What steps, if any, has your agency taken to increase diversity in the workforce?
- Can my officers and my community relate in terms of socioeconomic background? Life experiences? Any other metrics?
- What are ways in which you can re-evaluate hiring practices and testing to remove barriers in hiring underrepresented communities?
- How can you encourage youth in your community to pursue careers in law enforcement?
- What actions can your agency take to foster the continued development and retention of diverse officers?
- How can you develop officer training programs that reflect your community values and build trust between police officers and the communities they serve?
- What training policies can you adopt to ensure that police officers continuously receive high-quality, relevant in-service training sessions?
- How can your police department use its training programs to avoid incidents involving unnecessary use of lethal or nonlethal force?
- How can your police department use its training programs to avoid potential bias incidents and build stronger connections with communities of color and vulnerable populations?
- How can your training program help officers effectively and safely respond to individuals experiencing mental health crises or struggling with substance abuse?
- What practices and procedures can you put in place to measure the quality and efficacy of your police department's training programs?

13. What steps can you take to promote wellness and well-being within your police department? [Question Assigned to: Rochester Police Department]

- Are there ways to address officer wellness and well-being through smarter scheduling?
- How can you effectively and proactively address the mental health challenges experienced by many police officers throughout their careers?
- How can you address the well-being of an officer after a traumatic event?

Source: New York State Police Reform and Reinvention Collaborative: Resources & Guide for Public Officials and Citizens (August 2020)

APPENDIX II: COMMUNITY TESTIMONIALS

When cities look to change their police departments, the unfiltered views of people most connected to the public safety system can often be overlooked or ignored. The Police Accountability Board chose to solicit those perspectives by asking a host of community partners to identify individuals with deep experience with policing who are often left out of government decisionmaking processes.

Thanks to the help of groups like the House of Mercy, the Police Accountability Board Alliance, and Vocal NY, the Police Accountability Board collected over 30 *community testimonials* – answers to some of the most fundamental questions posed to the Working Group’s members. These community testimonials came from Rochesterians and people who work in Rochester’s public safety system, including Black and Brown people, people from the LGBTQ community, people with disabilities, people who have faced homelessness and poverty, people who have been hurt by police officers, people who have served as police officers, medical professionals, social workers, people from a range of religious traditions, young people, community elders, parents, workers, community organizers, business owners, and retirees. Together, these testimonials represent a pool of knowledge that is deeply relevant to discussions about policing.

These community testimonials are revealing. They suggest that Rochesterians with a divergent set of viewpoints tend to share a desire for fundamental changes to our public safety system. This suggests the existence of a gap between the public safety system we have and the system Rochesterians want. Understanding how best to bridge that gap will take broad, deep, and sustained community engagement efforts that go far beyond these testimonials.

Testimonials are presented unedited except for minor corrections of typographical or formatting errors. People who submitted testimony were notified that their answers would be made public. Many individuals chose not to submit testimony for fear of retribution. To protect those who nevertheless chose to testify, the Board has anonymized all responses by only giving the first and last initials of testifying individuals. Anyone who wishes to have their full names printed in their testimonials may do so by contacting the Board.

Community Testimonial of

T. N.

November 23, 2020

1. This is who I am and what I do:

I am an artist, an archivist, a teacher, a curator and a Buddhist.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

Police would not be allowed to carry weapons. Instead, police would be part of a team of trained de-escalators including mental health specialists, paramedics, domestic violence counsellors, and child abuse specialists and animal abuse specialists. The role of police would be to act as documentarians in the aftermath of incidents such as car accidents, thefts and other property-related crimes. They would take reports from witnesses, take pictures, and make sure all of the evidence was collected and logged accurately so that detectives could investigate thoroughly. I would feel very safe if Police were trained as librarians to keep good records, maintain efficient databases and make all of their work transparent and traceable. No more weapons, no more secrecy.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Fire and prosecute the Police who murdered Daniel Prude, and all Police who harm or murder or harm citizens. Take away their weapons, military vehicles, surveillance drones, mace, pepper spray, clubs and handcuffs. Require all police to learn to de-escalate without the use of force.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Every call related to domestic violence, mental health, child and animal abuse, and drugs should have a group of responders specifically trained in mental health and drug counseling, child psychology, animal advocacy and active de-escalation tactics, as well as paramedics. I think the CAHOOTS program in Eugene OR provides a good example of this type of team.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

The Rochester City Schools need some reform, but ultimately that money should be invested in public education as a priority. Specifically, we need public schools that directly support the needs of Black and Brown communities in Rochester, create effective skill-training programs, and pay teachers fairly and consistently. Rochester could also use these funds to support safe care for the elderly and families with special-needs children. No family - especially not Black or Latino families - should have to pay for day care or elder care. I think there is a way to provide public school training in nursing, mental health care and child care and invest in a Public Health program that provides these services to families that need them, paid for by the City with these funds.

Community Testimonial of

O. R.

November 24, 2020

1. This is who I am and what I do:

I am a Leader and Activist with VOCAL-NY.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

Police would not harass me. Police would take the time to listen and understand me and not quick to judge or threaten me with incarceration.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Police should not be so quick to call in other officers when they are needed. Don't walk away from me while I am explaining my situation. Be more considerate and patient. Be resourceful.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Community Leaders should respond. Mental Health should respond. Pastors of the church should respond.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Housing, mental health, nonviolent individuals should get mental health services. Medical services and care where people can be treated and counseled.

Community Testimonial of

S. B.

November 24, 2020

1. This is who I am and what I do:

I am a consumer in Monroe County and I advocate to prevent HIV and Hep C. I offer solutions to help with harm reduction. I am a Leader with VOCAL-NY. Help people in poverty.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

They would patrol and ride around to check on businesses. Respond to domestic violence but not the way they do it now. They wouldn't have so many weapons. We get scared when we know there are so many weapons.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Have community meetings with police and the community so we can say what needs to be changed. At least listen to us. Stop overtime.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

It depends on the call. If mental health then mental health people. If its domestic violence go with domestic violence people.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere?

Pave roads. Put more money in schools and school lunches. Better things for bikes. Redo zombie houses. House people.

Community Testimonial of

P. B.

November 24, 2020

1. This is who I am and what I do:

Peer Educator and Advocate for prevention of HIV/AIDS.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

I would see police officers as the last result. Community members first, police officers will not interact unless community needs them. Or if the law has been broken.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

They need different training and cultural compassion. And people that come from the area.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

The Community Response team that would include: Police Officer, Mental Health Worker and Community Liaison

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Fund Community Response Team, Day Cares, After-School Programs, Recreation for the youths, Summer Employment and Programs and also the homeless.

Community Testimonial of

N. P.

November 24, 2020

1. This is who I am and what I do:

I am a VOCAL-NY Community Leader, fight for what the community needs.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

Protecting the city from the violence in the streets.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Change the aggressiveness the Police Officers have against the people in the community. And they need to know how to handle people with mental health issues.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Community Leader or Crisis Leader.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Should be used for the Homelessness, Mental Health and all the things the community needs.

Community Testimonial of

R. P.

November 24, 2020

1. This is who I am and what I do:

VOCAL-NY Leader, fight for policies for the community

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

Help the community when they need help.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

STOP KILLING THE COMMUNITY.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Community Leaders and those who know what is going on.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

For affordable housing and jobs for the community.

Community Testimonial of

T. M.

November 24, 2020

1. This is who I am and what I do:

Positive member of the community, who helps uplift her community.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

Police Officers role with small children, they are good.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

The Leadership needs to change and the corruption of the police.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Community liaisons (mental health) should be the first responders, and police second if they are needed.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Homelessness, Women Shelters w/children for HIV, Shelters designed for mental health people.

Community Testimonial of

J. S.

November 24, 2020

1. This is who I am and what I do:

I'm a UBPCA board member. *Note – UBPCA is the United Professional Barbers and Cosmetologists Association.*

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

i've always had a great encounter with rpd personality i have no complaints.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

in my opinion the RPD does a very good job and i wouldn't change anything.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

it should definitely be police officers.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

No i think they should spend whatever is necessary to keep the community safe.

Community Testimonial of

N. M.

November 24, 2020

1. This is who I am and what I do:

I am a retired Xerox executive and former high-technology business owner. I am presently very involved in climate change activism as the representative from the Rochester Zen Center on the Rochester Area Interfaith Climate Action steering committee.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

A safe Rochester is a place where one can go into any neighborhood without fear. A safe Rochester is a place where racial, ethnic and cultural differences are celebrated and shared. It is a place where every resident is valued equally regardless of racial or economic status. The primary role of the police should be supporting the neighborhoods they work in, not simply fighting crime. The police should be viewed as someone who can be counted on to help people in trouble not a force to be feared.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Police officers should become part of the neighborhoods they serve in. They should be assigned to neighborhoods long enough to get to know the residents so that they can respond to problems with understanding and compassion. This implies a change in mindset from law enforcement to community protection.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Mental health professionals and social workers, accompanied by medics, should respond to mental illness and substance abuse calls where there is low threat of physical violence or criminal activity. Social workers should respond to other non-criminal calls like homeless or public nuisance.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

A portion of the police budget should be spent on civilian mental health professionals, social workers and medics as a first response teams for non-violent, non-criminal, calls. Some of the budget should be spent on community infrastructure. Safe havens, manned by police and social workers, can be established in high crime neighborhoods, to provide a place where people at risk can go for help. Community based outreach, youth and family support, and violence interruption programs are also better uses of police funds than military equipment or SWAT teams.

Community Testimonial of

L. H.

November 27, 2020

1. This is who I am and what I do:

I am a Rochester city resident, a person of white settler descent, a 38-year-old queer trans person whose gender is outside the binary. I am a writer, a sibling to several beloved younger sisters, a dancer, and an avid cook who places great importance in the building of community. I am a practitioner at the Rochester Zen Center as well as a frequent virtual visitor at Temple Emanuel. For work, I have the fortune and privilege to have a remote job working for a small startup based out-of-state, and I have so far been able to avoid COVID. I depend upon prescription medications for my mental and physical function. I am not originally from here, but I care deeply about this city and its future.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

None. There have not always been police. Police are dangerous and consistently harm our community, especially the most marginalized among us. We do not need them and I sincerely believe in our ability to build a safer future without them. It will not be effortless, but it will be worthwhile.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Completely reimagining public safety without policing would make everyone in Rochester safer. Leading up to that, the police "union," the Locust Club, must be dismantled. It wields enormous power and places great pressure on the City to bend to its will, regardless of ethics or morality of officers and policy. Just as it would be in international politics with a shadow government controlling a nation's military, it is fundamentally unsafe to have an outside organization that is not publicly accountable controlling and protecting much of the armed and legal response in our city. Learning about what happened to Silvon Simmons in 2016 and about the long historical track record of violence from police officers toward Rochester citizens has

helped me realize that there is no reform possible when a thuggish and corrupt institution like the Locust Club holds the city and its officials in the palm of its hand.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

People who are not police officers should always be the first to respond to a 911 call. Depending on the nature of the call, first responders should be publicly-funded EMTs, trained crisis de-escalators, culturally-competent mental health providers able to intervene in tense and violent situations, social workers, firefighters, even community leaders and food relief workers.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Yes. As much as possible from this enormous sum should be spent instead on creating a unified, public Monroe County school district so we stop leaving our city's children behind, re-greening of the city (tree-planting, greenspace creation, park creation, community garden design and planting) for climate and environmental justice, a sizable and QTPOC-inclusive department of community mental health intervention, creative solutions to combatting food apartheid in our city, quality public transportation, arts programs, housing and medical care for the unhoused, public libraries, literacy programs for children and adults, and free, universal preschool for all of our city's children.

Community Testimonial of

M. B.

November 29, 2020

1. This is who I am and what I do:

I advocate for public policies that prevent abuse and childhood trauma. I also have spent years working with some of those most affected by childhood trauma; human trafficking victims, and am currently a board member of the Rochester Regional Coalition Against Human Trafficking.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

The police understand the dynamics at play in drug addiction, domestic violence, sexual assault and human trafficking. They understand that some of the people who need the most help are the least likely to ask for it, they understand that there can be a lot more than meets the eye going on with some of the people they see again and again.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

The police need to understand the power dynamics at play in domestic violence, human trafficking, and sexual assault. They should also have an understanding of trauma, and use trauma-informed practices both when interacting with the public and among themselves. And like it or not, the police need to be familiar with and good at connecting people with local resources for mental health care, housing, etc.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Possibly in some circumstances involving drug possession or MHA's.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

If the city of Rochester, Monroe County were each to use 1% of their budget and combine with some local charities and philanthropists they could start a pilot where every new parent in the highest-crime zip codes has access to an evidence-based maternal home visiting program. This would start improving the quality of life in that zip code immediately and eventually would slash crime and poverty in that zip code.

Community Testimonial of

E. C.

November 29, 2020

1. This is who I am and what I do:

Professor (part-time), URMC; Co-Director, Center for the Study and Prevention of Suicide; Acting Chair, Dept of Psychiatry, URMC, 1993-96, and Chair, 1996-2017. Expert Consultant to CDC's Suicide Prevention Team.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

Police serve to investigate and solve violent crimes. On rare occasions, when called upon by mental health professionals, they assist when dealing with persons who are violent to themselves. Also, together with mental health personnel, they are available to intervene with potentially violent domestic confrontations.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Policing now is reactive, confrontational, and used as a default-mode response in the absence of sufficient alternative resources for addressing mental health and substance related emergencies. Enhancing PUBLIC SAFETY does not equal more policing. Rather it involves the development of collaborative community-driven prevention and early intervention initiatives, use of rehabilitative approaches to non-violent infractions, decriminalization of addiction-related behaviors that are not harmful to others, and wide spread implementation of harm reduction procedures. Police officers should be local residents, have a higher standard of educational expectation, and receive expanded training and developmental support for dealing with the diverse problems that they encounter. As well, there needs to be a locally based educational pipeline to encourage future public safety careers.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

With the exception of calls that relate to violence and apparent criminal activity, first responders should be EMS providers with enhanced preparation to deal with persons

suffering mental health or drug toxicity problems, together with mental health providers who have been carefully trained in dealing with agitated persons. (Many MH training programs do NOT provide such education.) This combination will be most effective dealing with overdose situations, for example. Domestic disputes are a complex and potentially dangerous situation that require careful screening before deciding not to include police. In the most violent situations involving persons with mental health problems, a combination of a mental health professional and a CIT trained officer is most appropriate. FIT does involve calling upon a trained MH provider; however, it may not involve a sufficiently trained officer for some instances.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Yes. (1) We need a cadre of Community Behavioral Health Advocates. This could be composed of persons with some level of education beyond h.s.—to be defined...perhaps Assoc. degree or Bachelor's or deeply experienced 'street savvy' folks...again, to be defined. Peers included but not exclusively so or required. Based in communities, connected officially to mental health and substance providers—i.e., linked as members of multidisciplinary care teams—but accountable well beyond those providers in a transparent fashion. NOT paid directly by those health providers and not on fee-for-service, such that their work is not ""clinical"" or ""billable."" Use of a transparent RFP process to develop and administer the program with institutional ACCOUNTABILITY and regular external review.

Roles: advocates, health navigators, assisting case managers in primary care, facilitating access to mental health and addiction treatment systems, informal supports for families, connectors to diverse community organizations, promulgators of prevention and early intervention initiatives...i.e., local persons living in the communities; part SW, part informal mental health provider (modest psychoRx training--e.g., problem solving therapy), sage voice, etc. Ultimately this is about mental health promotion, prevention and early intervention re drug use, and facilitating access to the best care available. They can work with community NGOs, faith based institutions, as well as having 'facilitated connections' to health systems and providers. They also may help navigate access to DHS. Such Advocates could, in theory, also work collaboratively with a 'rehabilitative' probation workforce to facilitate access for services for persons who now would be sent to jail.

They must be paid at a sustainable 'living salary' level. Benefits include family health insurance, paid leave, modest 401K or 403B, etc.

(2) Educational pipelines for youth in the City and County who want to pursue careers in public safety, mental health and addiction services, as well as medicine and psychology. Beyond h.s., any need-based support for college/university and graduate training would be tied to payback time in local service--years depending on level of support.

(3) Development of a single, integrated City-County emergency response system for mental health and substance related emergencies that is built around teams of EMS and MH responders."

Community Testimonial of

E. K.

December 2, 2020

1. This is who I am and what I do:

I am an adopted woman from South Korea and was raised in the Bronx, NY. I am a full time freelance artist. I worked for the past several years for New York Fashion Week, and Vogue Magazine. I moved to Rochester, NY one year ago to be with my partner.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

Growing up in NYC, I have never fully felt safe within any system that intentionally impacts vulnerable communities for the worst i.e.: NYPD. When I moved to Rochester, I realized how poverty was and that this city had a lot of inner community work that needed to be done. With a budget of 150 million dollars that RPD receives, I do not believe they play any role in safety when it comes to the city of Rochester. I have not felt safe being in the proximity of any RPD officers, and I feel unsafe and uneasy while stepping foot into the Public Safety Building. I am an Asian American woman who has had to interact with RPD for an assault case, and I do not feel as if they managed the case nor my safety responsibly.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Less policing around the city, without a doubt. Especially in the neighborhoods that are enforced with police "protection." I believe the presence of this particular department is automatically intimidating and that is not the point of any service departments. The RPD induces fear; not a safety net. What keeps us safe are our neighbors, our community and organizations that feed and clothes us.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Medically trained professionals and social workers. My mother, older sister, and older brother are doctors in New York City. I believe in the medically trained, but

institutions often defer to Police Departments, especially during the COVID-19 Pandemic. I believe there are efficient and effective ways to have first responders that do not intimidate or threaten people - especially our vulnerable communities here. I know factually that if there were money being pumped into organizations of professionally trained social workers, mental health professionals, etc. there would be an automatic shift in the city of Rochester. I have also been mentally health arrested before and I know personally that the last thing I want to see in a state of shock and fear is a person with a gun.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Public Schools. Public transportation, without a doubt. Community centers, especially ones that are outside e.g.: like the skate park where people can come together doing what they love. I see that this city is failing at putting all parts of the community together. This city is divided because people are not treated fairly and there is no equality. This city would have less crime if there were more opportunities for people express themselves. It is that simple. I know this because of where I am from in the Bronx. In that case, start pumping money into art programs, music programs, theatre, activities where people from the 19th ward can come together with people on Park Ave. Shift funding or this whole city will fall apart.

Community Testimonial of

M. C.

December 2, 2020

1. This is who I am and what I do:

I am a nature lover and creativity enthusiast. I am a local therapist of over 21 years, and own a local, well respected and established wellness practice of almost 20 years. I have dedicated my time to helping others in both my personal and professional life.

I was a victim of police abuse 2 times. During an approximately 2 year period I was victim of extreme spousal abuse which left me extremely depressed and suicidal at times. An officer was called in 2012 to my office while I was in the middle of a session with a client- when I came in the door the officer asked my name and when I answered he said I was under arrest. I was confused and when i asked him why I was there, he said ""you know why"" which I didn't (my ex was also targeting me at work and I assumed it was another one of those abusive manipulations), I told the officer I had let my client who was on the table know what was going on, and turned to walk toward the room. The officer violently grabbed me and through me down and hand cuffed me. I screamed for my clients help (all while still having no idea why I was being put under arrest). There was much more but for the purposes of keeping short to tell other police abuse I'll end here.

The next time was July 2013 officer Klinkman. - my friend Juan had spent 4 hours of hours time this day walking and talking me out of an extreme suicidal depression. As we were walking down main st heading back towards his home, 3 police cruisers all pulled up fast to where we were on the sidewalk underneath the overpass at Broad. We commented to each other that "woah, I wonder who they're after. It must be serious". When they all got out of their cars and approached us and asked our names and said "they were looking for 2 people that matched our description". They then proceeded to pat my friend down but NOT me and target- him only. I was frustrated with the clear racial profiling taking place before my eyes. I asked why if they were looking for 2 people did they only pat him down? No answers. He had an outstanding ticket so they took him to jail. It took me about an hour and a half to then get back to my car, get money to bail him out, Ahmed found out where i needed to go to get him out (I'd never done that before). I went to public safety building.

Klinkman was alone at desk. I asked her if this was the right place and. If it was ok to park out front that day (it was the weekend and I wanted to make sure I wasn't going to get ticketed). She just gave an unfriendly abrupt yes and I don't know answer. I said- ok. And continued I need to bail out my friend. She told me the amount and I handed her an amount \$5 over bail fee. She pushed all the money back toward me and said- "i can't take that"" unclear what she meant. I asked ""what do you mean?" she said ""it has to be exact change"". So I thought for a couple of seconds and handed it back to her and said ""just keep the \$5 then). She then said she couldn't and pushed it back to me. I mumbled under my breathe something to the effect of "got to be f%@&ing kidding me" So I asked what was I supposed to do and she said go get change. I went to 3 different places (all but third not giving me change) outside of PSB, having to leave my parking spot and come back. When I came back about 30 to 45 minutes later (the time it took to do all that) I gave her \$, she finished paperwork, handed it to me and asked me to sign, I signed it and handed it back to her and was waiting for her direction on what comes next when she said "you know I can have you arrested for swearing" . Mind you, I was suicidal and depressed that day (my friend had helped me through that) so I was confused with what she was talking about. I asked what- she said for swearing when you were here earlier. At which point I engaged her in how I had done anything illegal. She said- if you keep asking questions, you're going to find out. I asked her how anything I had said was illegal- she came around glass maced me".

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

Police are there to establish safety and an environment of calm to keep the peace. They do not use force. They are only used in situations of high crime; violence in community.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

We need the appropriate professionals called in to help community. For instance, if domestic situation- counselors in addition to police presence -to support only. A MUCH stronger vetting process for an individual to become an officer of the law. For instance, not using their position of power to abuse community and create a situation or escalate it.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Mental health professionals as mentioned above.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Absolutely! On community programs - education, counseling, community outreach-housing, health, feeding poor, etc

Community Testimonial of

R. C.

December 2, 2020

1. This is who I am and what I do:

I am a twenty-something educated African American woman that lived and worked in Syracuse, New York, and Rochester, New York. I worked as an adjunct professor in African American Studies and Academic Advisor at Syracuse University and University of Rochester respectively. I love gardening and is slowly getting committed to land and food social justice efforts.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

I would feel safe in a Rochester with community engagement at the forefront of "policing." In the end, I would love to see a dismantling of police power related to traffic stops, drug enforcement, mental health interventions, and homeless/vulnerable population interventions.

In the end, I see the police investigating high crimes such as sexual assault and violent crime resulting in assaults or murder, but every day issues in the community being regulated by the community. Additionally, allocating funds to alleviate these issues addressed earlier in my paragraph. These community interventions do not have to run by black people, specifically, but people that share my politic of a less police Rochester.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Decreasing polices ability to harass and harm black people in the community without consequence. Additionally, regulation of the police be handled by an independent board that values community organization and uplift, rather than the minimal political power of the police.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Incidents related to mental health, sexual assault, and aftermath of domestic violence incidents. These people should be an independent social worker, or someone apart of the community directly.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

These \$150 million police fund need to allocated to combat homelessness by providing long-term housing to transition people out of homelessness, food shelters to feed underfed populations, housing benefits, school distinct to true intervention, creating long term job creation and infrastructure improvements.

Community Testimonial of

T. H.

December 2, 2020

1. This is who I am and what I do:

I am a 56 y/o black female disabled since 2009 after being physically brutalized by a rogue cop in Gates NY. Dragged through the Monroe County criminal injustice system to overturn a bogus resisting arrest charge, and still fighting for justice. I suffered a Traumatic Brain Injury which was purposely hidden for 10 years by the medical community . . . i.e., Strong/Highland/Jordan Health. I have plenty of documents to prove this claim.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

All LEO's must be banned from using Anabolic Steroids. This drugs helps to fuel their Roid rage tendencies. We must get rid of Qualified Immunity. No one should be Above the Law. Extensive background checks. Racial sensitivity training.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Same as above.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

TRAINED Mental health professionals.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Absolutely spent elsewhere. Not sure where . . . what are the options? Social programs?

Community Testimonial of

L. H.

December 2, 2020

1. This is who I am and what I do:

Retired Baptist Minister, having served 4 churches in the city and the Colgate Rochester Crozer Divinity School.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

Competent, professional, respectful officers who do not have a union that functions as an adversary to citizens and government.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Police should be as accountable for their actions as the citizens that they police.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

I would suggest that for a mental health call, a mental health professional should accompany the police officer.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Mental health professionals and trained negotiators/trained de-escalate professionals / social workers should be part of the budget.

Community Testimonial of

A.V.

December 2, 2020

1. This is who I am and what I do:

I am retired from the RPD, I live in the city and am a private investigator. I work primarily for defense counsel.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

The police would prevent crime rather than just react to crime. The police would take a balanced approach to issues, not a one size fits all approach. The police would take criticism to heart and not react defensively.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

If the police were part of the community and saw themselves that way instead of the warrior mentality we would all be safer, them included. If they actually lived here they would know that there are many people who are not engaged in criminal activities. But they don't live here so the picture they get of the citizens of this city is skewed. I have lived in the city for my entire career and still live here. The people in my neighborhood who are drug addicts and petty criminals knew that I was the police when I was and know that I was. They adjusted their behavior in my immediate area. People actually thanked me for living here and my next door neighbor sold their house advertised that it was right next door to a cop. It was actually a selling point. Still officers I worked with would routinely ask, "Why do you live there?"

Arrests and court proceeding should be routinely reviewed by supervisors. Officers who have cases dismissed because they are deficient on their face should be required to undergo additional training. If the training does not work then discipline. For example, how many people have been arrested for video recording the police post Emily Good? How many people are arrested for disorderly conduct in their own homes when the police follow them inside?

Officers who commit perjury should be fired. Perjury should be on the discipline list of “one and done”.

Police officers should have routine mental health evaluations to include but not be limited to chemical dependency. Without good mental health people cannot be good officers. We all understand the toll trauma can take on victims. It takes a toll on officers as well and we do not do a good enough job of taking care of officers.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

We already have lots of people who respond to 911 calls who are not the police, fire & EMT’s. I can see two different groups responding to 911 calls: mental health professionals/social workers and community outreach workers (something along the lines of Pathways to Peace). Moving FACIT from the RPD to another department looks to me like a cosmetic adjustment. I worked for FACIT early in its history. There are good reasons to keep it in the police department as it gives the officers a place to refer matters that do not require the police but require intervention. The people who work in the RPD’s victim’s assistance unit are civilian and they could be utilized more if the city would fund them direction rather than make them rely on grants. (Because of the way they are funded they spend an inordinate amount of time helping victims get reimbursements from NYS.) They should be assigned to victims of violent crimes immediately and be of emotional support to them. Currently they only work during regular business hours and are not available to do this. (There is so much more I could say...).

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Look at where this money is being spent not just what else do I want to spend this money on. Here’s my list: 24/7 mobile mental health unit, Victim’s Assistance and/or FACIT available 24/7 to response to both non-police issues and to liaison with victims and their families, take the police out of the neighborhood service centers (yes I was one of the first NET lieutenants). They were supposed to be there to solve problems now it seems that all they do is attend meetings where pro-police community members heap praise on them.

Eliminate the community affairs unit of the RPD. All officers, no matter where they are assigned, need to be responsible for fostering good relationships with the community. It is not about “Bears and Books”, reading to first graders or flashing lights at the hospital. It is about treating people with the dignity every person deserves.

I want the police to be the police, to do what they are uniquely capable of doing. I don't want them doing what other people can do equally as well.

Police should not be engaged in copaganda.

Community Testimonial of

T. G.

December 2, 2020

1. This is who I am and what I do:

I am now an employee of the county, formally Director of a State Drug Program, and a Human Service agency in the heart of the city.

I served on many community program, presently on a board, Concern Citizen Community Board and we were the first to push for a Citizen Police Accountability Board in Monroe County.

Rev. Graves, Minister Florance, Apoatle Francis, Katherine Jordan, and many more...

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

A group of people who foot patrol their area, know their residents, no racial bias in the community or preconceived a racial/ religious people in a negative way.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

That they respect us and we in turn will respect them. Make them accountable for their actions.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Community people with some knowledge of a citizen's rights. So also Workers, first minority.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Yes.

Community Testimonial of

M. F.

December 2, 2020

1. This is who I am and what I do:

I am a semi retire attorney who represented civil rights groups and individuals with police brutality complainants.

I represented Rev. Raymond Graves and the United Church Ministries, Minister Franklin Florence and Minister Lewis Stewart. I also represented the Center for Disability Rights. My main work was as a labor lawyer representing the RTA, Teamsters, Bricklayer, ATU (RTs bus driver), Rochester Firefighters Union and many others.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

Response to violent crime, property crime, traffic enforcement and emergency response.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Legalize marijuana and decriminalize other drugs. Require city residency for police. Limit police access to paramilitary equipment.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Many domestic violence and most mental health calls should not initially have police response. Other trained professional, nurses, EMTs, counselors, etc. We can train new professional with de-escalation skills and non-lethal confinement skills.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Food, housing, jobs. Any number of programs to put money directly into the hands of the poor and not a penny more for programs or committees to study poverty.

Community Testimonial of

R. R.

December 2, 2020

1. This is who I am and what I do:

I am a local political activist and staff member of the NYWFP Elections team though I am speaking for myself. I worked with Ted and other activists to help coordinate for the passage of the Police Accountability Board when I worked for RocACTs.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

I imagine officers playing a very minimal role in society. A small percentage of officers work focus on violent and dangerous human behavior. I would like it to be reserved for only that where a mental health professional does not feel safe dealing with that individual.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

The need for police should be addressed by looking at what causes community harm. Large levels of unemployment and untreated mental health issues are a much more dangerous component of our society that can be dealt with using mental health professionals and stronger social safety nets.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

All calls that regard homeless individuals, transient peoples, domestic violence, sex worker situations where a response is needed, or people suffering mental health or drug abuse episode should not involve police officers. We should have a network of services available for individuals suffering these states where they are at their most vulnerable.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Yes. These should be spent on direct social services in a holistic fashion to address a person's needs at their source.

Community Testimonial of

A.B.

December 2, 2020

1. This is who I am and what I do:

My name is [A.B.] and I am a roofer.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

I feel safer with criminals around me then police.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Have people who live in the community police their own community.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Fire department emt.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Yes, in Inner city schools Programs for more jobs for kids and adults with criminal records.

Community Testimonial of

F. A.

December 2, 2020

1. This is who I am and what I do:

I am an African American woman with two children one male and female.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

One with empathy and social courtesy.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Truly the beating and killing of innocent black men/ women in our communities.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

The appropriate services should show up for people who are having a mental situation.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Education.

Community Testimonial of

M

December 2, 2020

1. This is who I am and what I do:

I am a 42 year old 19 year city of Rochester resident, dental assistant, art enthusiast, Asian American human.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

Secondary to human services.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

If there were specialized police for specific scenarios (traffic, burglary/mischief, assisting service workers as backup) that were trained for non-violent assistance roles, there would be little need for gun use on the job.

The only way i would feel safe with police near me is to have a completely new and retrained force of employees who must live in the neighborhoods they patrol, regularly interact with the public UNARMED, and forge personal connection with the community they work for. There could be a specialized small unit for violent crimes in action, but most of the units would not have a need for guns. Being secondary to trained social workers/mediators/elders etc, balances the power dynamic, emphasize community work, and de-escalates potentially violent situations.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

- mental health calls should be answered by...mental health specialists
- domestic disputes: therapists/mediators in teams
- medical emergencies including drug overdoses: medical professionals.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Funds should absolutely be spent elsewhere!!!

- creating large mental health teams
- drug safety team
- community safety teams that could include drug, mental health, mediator, security members

Teams could have headquarters in each quadrant and then eventually individual neighborhoods to allow fast response. These public service workers **MUST** be paid adequately and given benefits comparable or higher than current police to offset the stress and training necessary for the job.

Community Testimonial of

T. G.

December 2, 2020

1. This is who I am and what I do:

I am a child of God, a citizen, student, a business-owner; I've acquired up to a master's degree in criminal justice and currently pending going to law school and getting a JD/PhD. I am a local Homesteader who grows my own produce and turn them into edible goodness and essential oils.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

They are our neighbors who addresses community issues with the community, weighing in the feedback from non-governmental actors.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

The procedural justice conducted by police. The police doesn't recognize white-collared crime as criminal, so when called, they do the bare minimum, if that.

Also, the lack of investigation based on the characteristics of the crime. For example, RPD responded to multiple calls about an incident 8/28/2020. Because a gun was mentioned, the police did not properly investigate. Ignored all parties except the alleged person menacing with a weapon and the only testimonials (3 and 2 of the witnesses are a part of the incident). Although, after arriving onto the scene, seen there was no imminent danger and no weapon present, they acted as if they did because of the trigger word "gun."

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

At all times, not all calls made to the police are straight to the point murder. There are homeless individuals who get called on for being a nuisance which isn't police worthy, other examples that doesn't render the police with their current state are but not limited to prostitution, domestic violence, drugs, mental health issues, sexual

assault victims (the police are needed but should alter their current approach because their presence can make matters worse.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Yes, funding maternity/paternity programs that are universal and efficient, extra-curricular activities (for all, including adults), social programs like trade training (blue-collared jobs like plumbing, engineering, transportation, etc.), back into communities negatively affected by the police (Joshua & Maplewood neighborhoods, etc.), educational programs (implement agricultural, technological (software programming, drone building, Raspi, etc.) classes in all schools.

Community Testimonial of

J. R.

December 1, 2020

1. This is who I am and what I do:

Im a kid out been in the street for 17 yrs

I help out in the House of Mercy

They the one at take me in.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

House of Mercy

Police is there to help us out.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

The police make me feel safe because when I need Them they are there.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

When we call 911 for police to say we need help it is because we are scared.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

They are doing a good job

Community Testimonial of

E. T.

December 1, 2020

1. This is who I am and what I do:

I work with the house of mercy

I do self improvement group. Run meetings, help out with food, clothing.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

I think being outside more

talking to people.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

listening to them.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

I think police should be first.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

[No answer.]

Community Testimonial of

K. F.

December 1, 2020

1. This is who I am and what I do:

Social worker / staff member at House of Mercy.

Life in Brighton. Father, husband

Committed to real, positive change for folks facing poverty, discrimination, disenfranchisement.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

- Role models and mentors

- Responsive

- Understanding of factors that may lead to "criminal" or inappropriate behavior such as mental illness, poverty, substance abuse issues

- Community understanding that "policing" is difficult, challenging and at times dangerous

- Police seen as peacemakers and a very positive influence for a community. Similar to teachers, religious leaders, community elders.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

- Recruiting, educating, training police officers / staff that focuses on the issues they will experience most often

- Role of the union deserves discussion. Local police union seems to have too much power and influence which may actually be harming a profession that deserves better.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

- Ability to diffuse and mediate most important
- I think there needs to be an analysis done - if not done already - that looks at 911 calls - what are percentages of type of calls such as domestic violence, public nuisance, possible weapons / violence. Data would inform how best to handle calls.
- Look at how other cities / municipalities handle calls and are doing innovative interventions. Can we send social workers / mediators first w/ police as back-up if needed?

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Don't think issue is funding amount; can frankly see spending more if needed. Issue is reframing / redefining what policing is and who we recruit to be police. Can justify spending more \$ to raise salaries, benefits and \$ for more comprehensive training and education. Perhaps similar to teaching in recruit and education requirements + master's degree and certification.

"Defunding" has become a misnomer. Rather than defund need to redefine, refocus

In summary don't defund policing or spend that \$ elsewhere. Rather fully transform who and what police are and what they do.

Community Testimonial of

K. S.

December 4, 2020

1. This is who I am and what I do:

I'm a mother and grandmother. I'm a member of the City Wide Tenant Union.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

They would be a part of the community. They would know the citizens of that community and make us feel safe.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

They should be more reachable, more trusting. People should be able to go to the police and tell them what's going on without worrying about the police going back and tell the person or person's that you told.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

When someone's hurt (paramedics).

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

No.

Community Testimonial of

E. G.

December 5, 2020

1. This is who I am and what I do:

I'm a mental health counselor and I work specifically with people who are currently or recently homeless. I'm also a regular user of the city parks, a wildlife enthusiast, and I'm occasionally a legal observer at community events.

2. When I imagine a Rochester that makes me feel safe, this is the role that police officers play in that city:

I imagine police officers (without guns) could respond to situations that call for urgent help, such as an accident when traffic needs to be diverted, or a home break-in.

3. This is what, if anything, I think should change about policing to make people in Rochester safer:

Disarm police. Be sure that police officers live in the city, so they know more about and are more invested in the community.

4. This is when I think people who are not police officers should respond first to a 911 call – and who I think those responders should be:

Calls responding to mental health concerns could go straight to a mental health team when there is no report of safety concerns for responders.

5. Knowing that Rochester spends roughly \$150 million on policing each year, do I believe that, to make our community safer, any of these funds should be spent elsewhere? If so, where do I think they should be spent?

Housing, mental health, and social services. I work with people who are needlessly stressed to the point that they become extremely distressed, tearful, and hopeless. I have called to dispatch police for welfare checks when I have concerns about their safety. I can say with great confidence that our community would be safer and more stable if we were able to offer a clear and simple path to get everyone's basic needs met.

CITATIONS

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- ² https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Police_Reform_Workbook81720.pdf
- ³ Steve Crosby, A year's study by Crimi committee gave Rochester 97 ways to improve police service, Democrat & Chronicle, Feb. 12, 1984 at 14A.
- ⁴ The full Citizens Committee on Police Affairs report can be found here: <http://rochester.indymedia.org/node/147893>
- ⁵ <https://www.rochestercitynewspaper.com/rochester/fifty-years-of-rochester-police-reform-yielded-few-returns/Content?oid=12192039>
- ⁶ <https://www.cityofrochester.gov/article.aspx?id=21474845512>
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- ⁸ <https://www.rochestercitynewspaper.com/rochester/city-council-approves-consulting-contract-with-cahoots-operator/Content?oid=12621808>
- ⁹ These quotes and facts come from Matt DeLaus's November 16, 2020 Albany Law School Government Law Center Explainer titled "Alternatives to Police as First Responders: Crisis Response Programs."
- ¹⁰ This information was obtained via email with the City's Office of Management and Budget.
- ¹¹ The staffing figures come from the City's 2020 – 2021 budget and <https://www.rochestercitynewspaper.com/rochester/bill-would-put-rochester-in-cahoots-with-oregons-white-bird-clinic/Content?oid=12573043>.
- ¹² The full Citizens Committee on Police Affairs report can be found here: <http://rochester.indymedia.org/node/147893>
- ¹³ <https://www.nytimes.com/2020/08/17/upshot/pandemic-recession-cities-fiscal-shortfall.html>
- ¹⁴ Each year, the Federal Bureau of Investigation releases data on police employment as part of its Uniform Crime Reporting Program. The most recent batch of data, reflecting employment information from the 2019 calendar year, was released in late 2020. That data can be found in the Bureau's 2019 Crime in the United States report, available at <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/home>.
- ¹⁵ According to the most recent data released through the Uniform Crime Reporting Program, Rochester's officers per 10,000 residents ratio is 35.9. Brighton has a ratio of 10.5, Gates a ratio of 10.9, Greece a ratio of 10.3, Ogden a ratio of 6, and Webster a ratio of 7.5. These are the only towns in Monroe County that have municipal police departments.
- ¹⁶ According to the most recent data released through the Uniform Crime Reporting Program, the average officer per 10,000 residents ratio for the 1,000 largest cities that have police departments is 16.9, less than half of Rochester's ratio of 35.9.
- ¹⁷ The city with the highest ratio is Washington, D.C., with a ratio of 54. Atlanta's ratio is 31.5, Boston's is 30.7, Dallas's is 22.6, Los Angeles's is 24.9, Miami's is 27.0, and San Francisco's is 25.7.
- ¹⁸ According to the most recent data released through the Uniform Crime Reporting Program, there are 75 cities with populations between 150,000 and 250,000 with police departments. Birmingham's officers per 10,000 residents ratio is 40.6.
- ¹⁹ According to the most recent data released through the Uniform Crime Reporting Program, there are 75 cities with populations between 150,000 and 250,000 with police departments, average officer per 10,000 residents ratio for cities with over 25,000 residents that have police departments is 17.1, less than half of Rochester's 35.9 ratio. Rochester's outlier status does not change significantly when you compare it to the 20 cities most similar in size, which have an average officer per 10,000 residents ratio of 17.9 – again, roughly half of Rochester's 35.9 ratio.
- ²⁰ In 2019, Rochester had a property crime rate of 3470.882 crimes per 100,000 citizens. Compared to the average officer-to-resident ratio of 18.3 for the 20 cities with populations above 100,000 that experienced the most similar violent crime rates that reported both employment and crime data to the FBI in 2019, Rochester's ratio of 35.9 was 96% bigger.
- ²¹ In 2019, Rochester had a violent crime rate of 748.412 crimes per 100,000 citizens. Compared to the average officer-to-resident ratio of 21.5 for the 20 cities with populations above 100,000 that experienced the most similar violent crime rates that reported both employment and crime data to the FBI in 2019, Rochester's ratio of 35.9 was 67% bigger.
- ²² According to the most recent data released through the Uniform Crime Reporting Program, Rochester's officers per 10,000 residents ratio is 35.9, while Niagara Falls's is 30.5, Albany's is 30.1, Binghamton's is 29.5, Buffalo's is 28.5, Syracuse's is 28.3, Utica's is 27.1, Troy's is 26.0, and Schenectady's is 24.6.
- ²³ <https://data-rpdny.opendata.arcgis.com/pages/similar-cities>
- ²⁴ A number of the cities most similar to Rochester did not appear to report officer employment data to the FBI in 2019. What follows is a list of cities that ranked most highly on the similarity index in descending order; cities that

reported officer employment data have an officer-to-10k resident ratio next to them. The list ends when it reaches 20 cities that reported employment data. Buffalo's ratio is 28.5, Milwaukee's is 31.3, Syracuse's is 28.3, Cleveland's is 40.9, Pontiac did not report, Cincinnati's is 33.8, Lansing's is 16.8, St. Louis's is 40, Dayton's is 25.8, and Springfield, Mass.'s is 31.7, Wilmington's is 21.4, Toledo's is 23.3, Richmond's is 31.8, Baton Rouge's is 27.9, Saginaw's is 11.1, South Bend's is 23.0, Grand Rapids's is 14.8, Schenectady's is 24.6, Akron, Ohio did not report, Canton, Ohio's is 23.8, Lancaster, Penn. did not report, Albany's is 30.1, and Kalamazoo's is 31.2. The average ratio in these cities is 27; Rochester's ratio is 33% larger than this.

²⁵ The 1950 "peak population" figure comes from this article: <https://www.democratandchronicle.com/story/news/2015/05/21/rochester-population-falls-top/27710675/>. The sworn officer figure comes from the City's 1951 budget, which was published in the Democrat & Chronicle on October 20, 1950 and printed on page 45.

²⁶ According to the most recent data released through the Uniform Crime Reporting Program, Rochester's officers per 10,000 residents ratio is 35.9, with 738 sworn officers and 205,769 residents.

²⁷ <https://www.rollingstone.com/politics/politics-features/police-unions-politics-george-floyd-breonna-taylor-1024473/>

²⁸ A brief history of the Public Safety Department can be gathered from Mark Hare & Lou Buttino's 1984 book *The Remaking of a City: Rochester, New York 1964 – 1984* as well the archives of the *Democrat & Chronicle*. Relevant articles include those on page 14 of the Nov. 25, 1899 edition of the paper (explaining how the City Charter created in 1899 merged the Police Department, the Fire Department, and the Board of Health into a Public Safety Department); *Separate Police Unit Proposed*, Democrat & Chronicle, Oct. 24, 1968 at 8D (noting city Republicans said "increased crime . . . necessitates creation of a separate department for police"); *Mastrella Appointment Today*, Democrat & Chronicle Jan. 31, 1970 at B1 (noting that, in 1969, city Republicans won offices by running on a campaign promise "to abolish the Public Safety Department" and make the Police Bureau a "separate" department); and Gail Meadows, *City Weighs Departmental Shifts*, Democrat & Chronicle, Oct. 31, 1971 at 13B (noting the successful abolishment of the Public Safety Department in 1970).

²⁹ <https://www.democratandchronicle.com/story/news/2020/09/24/rochester-police-fired-thousands-pepper-balls-daniel-prude-protesters/3503589001/>

³⁰ General Order 335, published November 1, 2020.

³¹ N.Y. Exec. Law § 837-t.

³² https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Police_Reform_Workbook81720.pdf at 27.

³³ <https://cnycentral.com/news/local/police-use-of-force-database-remains-incomplete-and-purpose-unknown>

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³⁶ <https://rochesterbeacon.com/2020/09/25/suit-targets-rpd-response-to-school-bus-incident/>

³⁷ <https://www.whec.com/whecimages/repository/cs/files/Prude%20-%20Federal%20Complaint%20filed.pdf>

³⁸ <https://www.nytimes.com/2020/09/15/nyregion/daniel-prude-video-police-rochester.html>

³⁹ <https://www.nytimes.com/2019/05/09/nyregion/eric-garner-death-chokeholds.html>

⁴⁰ <https://www.nysenate.gov/legislation/bills/2019/s6670>; codified at N.Y. Penal Law § 121.13-a.

⁴¹ <https://nypost.com/2020/06/25/never-use-a-chokehold-nypd-warns-cops-about-new-laws-after-first-officer-charged/>

⁴² <https://www1.nyc.gov/site/nypd/about/about-nypd/discipline-policy-matrix.page>

⁴³ <https://www.ncjrs.gov/pdffiles1/nij/grants/224081.pdf>

⁴⁴ <https://www.wxnews.org/post/protesters-report-menstrual-changes-after-tear-gas-exposure>

⁴⁵ <https://www.democratandchronicle.com/story/news/2020/09/12/protests-rochester-ny-daniel-prude-11-straight-days-free-the-people-roc/5782445002/>

⁴⁶ <https://www.asha.org/News/2020/Long-Range-Acoustic-Devices-for-Crowd-Control-Can-Cause-Serious-Hearing-Loss-and-Harm/>

⁴⁷ Tracy Schuhmacher, Saturday protest injuries unclear, Democrat & Chronicle, Sept. 12, 2020 at 4A.

⁴⁸ Standard Operating Procedure: Pepperball Launching System, Issued 7/13/2020.

⁴⁹ <https://www.denverpost.com/2020/07/25/police-less-lethal-weapons-injuries/>

⁵⁰ <https://www.usatoday.com/story/news/factcheck/2020/06/06/fact-check-its-true-tear-gas-chemical-weapon-banned-war/3156448001/>

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⁵² Tracy Schuhmacher, Saturday protest injuries unclear, Democrat & Chronicle, Sept. 12, 2020 at 4A.

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- ⁵³ <https://www.wxnews.org/post/protesters-report-menstrual-changes-after-tear-gas-exposure>
- ⁵⁴ https://www.phillytrib.com/news/local_news/city-lawmakers-ban-police-use-of-tear-gas-rubber-bullets-on-some-protesters-send-bill/article_d559b0e2-f7fe-54cc-a5d6-58ebffa3b7e.html;
<https://www.king5.com/article/news/local/seattle-police-tear-gas-chemical-weapons-ban-protests-protesters-september/281-592e44a6-0ece-42e2-aa6d-a89835cc222d>.
- ⁵⁵ <https://www.usnews.com/news/health-news/articles/2020-06-15/experts-warn-of-sound-cannon-hearing-loss-at-protest-marches>; <https://jolt.richmond.edu/2019/11/30/lrad-the-sound-of-possible-excessive-force/>
- ⁵⁶ George L. Kelling & James Q. Wilson, “Broken Windows: The Police and Neighborhood Safety,” *The Atlantic*, March 1982.
- ⁵⁷ William J. Bratton, *Broken Windows and Quality-of-Life Policing in New York City* (2015), available at https://www1.nyc.gov/assets/nypd/downloads/pdf/broken_windows_is_not_broken.pdf.
- ⁵⁸ <https://www.nyclu.org/en/legislation/legislative-memo-police-statistics-and-transparency-act>
- ⁵⁹ Claudia Vargas & Gary Craig, Zero Tolerance: Safety vs. Rights, *Democrat & Chronicle*, Aug. 10, 2008 at A1.
- ⁶⁰ Stephanie Veale, Zero Tolerance shows results on city streets, *Democrat & Chronicle*, Mar. 13, 2008 at B1.
- ⁶¹ Claudia Vargas & Gary Craig, Zero Tolerance: Safety vs. Rights, *Democrat & Chronicle*, Aug. 10, 2008 at A1.
- ⁶² Brian Sharp, Sheppard announces bid for mayor of Rochester, *Democrat & Chronicle*, Jan. 15, 2017 at 3A; Jon Hand, Sheppard Sustains Focus on Outreach, *Democrat & Chronicle*, Jan. 4, 2013 at A1.
- ⁶³ Rochester Police Department, *Annual Crime Reduction Strategy 2013 – 2014* (July 2013).
- ⁶⁴ In 2007, the RPD reported 2,089 instances of disorderly conduct. In 2019, the RPD reported 124 instances of disorderly conduct. Compare the 2007 Annual Report of the RPD with the 2019 Annual Report of the RPD.
- ⁶⁵ This data was released by the City in response to a Freedom of Information Law request made by the Monroe County Public Defender’s Office and was shared with the Police Accountability Board in December 2020.
- ⁶⁶ This preliminary analysis was shared with the Police Accountability Board in December 2020.
- ⁶⁷ <https://cebcp.org/evidence-based-policing/what-works-in-policing/research-evidence-review/broken-windows-policing/>
- ⁶⁸ The quotes in this paragraph are from K. Babe Howell, *The Costs of "Broken Windows" Policing: Twenty Years and Counting*, 37 *Cardozo L. Rev.* 1059 (2016). Emphasis in original.
- ⁶⁹ Stephanie Veale, Zero Tolerance shows results on city streets, *Democrat & Chronicle*, Mar. 13, 2008 at B1.
- ⁷⁰ Brian Dolan, *To Knock or Not to Knock? No-Knock Warrants and Confrontational Policing*, 93 *St. John's L. Rev.* 201, 205 (2019)
- ⁷¹ <https://www.vox.com/2014/10/29/7083371/swat-no-knock-raids-police-killed-civilians-dangerous-work-drugs>
- ⁷² <https://casetext.com/case/sanders-v-city-of-ny-4>; see also General Order 415 (discussing “no-knock” warrants).
- ⁷³ <https://www.vox.com/2014/10/29/7083371/swat-no-knock-raids-police-killed-civilians-dangerous-work-drugs>
- ⁷⁴ <https://www.nbcwashington.com/news/local/virginia-becomes-third-state-to-ban-no-knock-warrants/2456266/>
- ⁷⁵ <https://blockclubchicago.org/2020/09/25/cities-banned-no-knock-search-warrants-after-breonna-taylors-killing-but-not-chicago/>
- ⁷⁶ <https://www.denverpost.com/2020/10/19/aurora-police-no-knock-warrant-breonna-taylor/>
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- ⁸² Gary Craig, Residents seek better relations with police, *Democrat & Chronicle*, Jul. 25, 1999 at 20A.
- ⁸³ Alan Morrell, Rochester police raise racial profiling issue, *Democrat & Chronicle*, Apr. 5, 2000 at 5B.
- ⁸⁴ General Order 502, published March 23, 2017.
- ⁸⁵ New York State Labor Law Section 215-a; see also <http://jlsplaw.columbia.edu/wp-content/uploads/sites/8/2017/03/48-Bronstein.pdf>.
- ⁸⁶ <https://13wham.com/news/local/police-investigation-on-jay-street-in-rochester>;
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⁸⁸ <https://www.vox.com/policy-and-politics/2017/5/8/15533536/police-shooting-moving-cars-jordan-edwards>
⁸⁹ <https://www.newsbreak.com/new-york/rochester/news/1599955665921/man-arrested-following-high-speed-police-chase-through-rochester>
⁹⁰ <https://13wham.com/news/local/grand-jury-clears-swat-team-sniper-who-killed-navy-vet-in-march>;
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January 2021

FINAL ANSWERS

**TO QUESTIONS FROM
THE WORKING GROUP ON
POLICE REFORM & REINVENTION**



**CITY OF ROCHESTER
POLICE ACCOUNTABILITY BOARD**

INTRODUCTION

In December 2020, the Police Accountability Board released its *Draft Answers to the Working Group on Police Reform & Reinvention*. These answers included a preliminary set of findings and recommendations regarding policing in Rochester. After releasing the *Draft Answers* to the public, the PAB asked for feedback that would help us draft an improved, final set of recommendations to submit to the Working Group. This document, when read alongside our *Draft Answers*, represents our *Final Answers to the Working Group on Police Reform & Reinvention*.

To collect the feedback we requested in December, the PAB conducted over a dozen presentations to the public, private organizations, lawmakers, and other individuals. Hundreds of people attended and viewed these presentations. Thanks to the efforts of our partners and supporters in the community – especially those in the Police Accountability Board Alliance – the PAB received a significant amount of feedback. Rochesterians called us, left us voicemails, sent us emails, and submitted markups of our report with line-by-line edits. We received feedback from social workers, medical professionals, RCSD parents, former police officers, religious leaders, and community activists. The feedback we received was remarkable given the limited time the PAB had to collect it. The written feedback alone added up to over 30 pages of commentary.

Some feedback we received dealt with our factual findings. This feedback was deeply useful in illuminating the realities of police work and RPD's history in Rochester. While this feedback did not lead us to rewrite our core factual findings, it does cause us to emphasize this: we cannot know the full extent of RPD's work without robust data and community engagement. Rather than issuing revised factual findings, we are noting that our initial factual findings are an imperfect foundation that will soon be built upon in our future investigations. The community knowledge we've received through this process will guide those investigations and be incorporated into the reports we issue in the near future.

Most of the feedback we received addressed our recommendations. Much of this feedback supported our recommendations as-is. Some of this feedback suggested changes that we want to investigate more before fully supporting. Other feedback proved that our core recommendations had overlooked important aspects of public safety and our community's desires.

With this feedback in mind, the PAB has chosen to issue a revised set of core recommendations. These revisions reflect three major changes. First, while still calling for the Office of Crisis Intervention Services' budget to be set using potential call volume, we are also calling for full transparency in the Office's work, \$10 million to fund alternative first responder systems this year, and for the City to use social workers & other non-police personnel as first responders to evictions. Second, we are clarifying that our recommendations should be implemented by reallocating, not expanding, existing RPD funding. Third, we are calling for the City to provide the financial and organizational support community organizations and agencies like the PAB need to create inclusive, transparent, and long-term change to Rochester's public safety blueprint.

The PAB is issuing these recommendations as a document that modifies our *Draft Answers*. This document explains each revision in light of the feedback we received. Together, this document and our *Draft Answers* represent our *Final Answers*, a full set of findings and recommendations the PAB is submitting to the Working Group. The PAB will be making many more factual findings and recommendations for change in the months and years to come. This is just the beginning.

FINAL RECOMMENDATION #1

Drastically Increase Staffing For First Responder Systems That Appropriately Replace Police With Social Workers and Mental Health Providers – And Begin By:

- **Making the Goals, Work, and Evaluation of the Office of Crisis Intervention Services (OCIS) Fully Transparent**
- **Immediately Increasing Funding for Alternative First Responder Systems to \$10 Million**
- **Using Social Workers & Other Non-Police Personnel As First Responders to Evictions**

Initial Recommendation: Drastically Expand Staffing For And Use Of First Responder Systems That Substitute Police Officers With Social Workers And Mental Health Providers.

Of all our recommendations, this one received the most feedback. That feedback fell into three categories.

The first type of feedback responded to the word “substitute” in our initial recommendation. This feedback, which often came from former police officers, social workers, and people who have been involved in crises calls, offered up many visions for how law enforcement should or should not be involved in alternative first responder models. Some expressed concern about the safety of unarmed social workers responding alone to situations that could rapidly escalate into violence. Others expressed concern that the presence of armed officers in any situation would escalate situations into violence. Still others worried that, without antiracist training, staff selection systems, transparency, and community oversight, non-police first responders may reproduce the problems of the current first response system.

This type of feedback made two points clear. First, it showed we needed to revise our recommendation to make clear that “appropriately replacing” police – rather than immediately and totally “substituting” them – is the near-term goal of any new first responder system. There may be circumstances where law enforcement support is necessary to ensure the safety of both residents in crisis and non-police first responders.

This kind of feedback also made clear that it will take extensive data and in-depth evaluation to determine precisely what alternative first responder system Rochester

needs. The City’s new Office of Crisis Intervention Services may be the right system. We can only know if this is the case if the City makes the Office’s goals and work fully transparent. Transparency requires, among other things, explaining and justifying – in expansive detail, rather than brief summary – how the Office’s alternative first responder systems will: (1) defuse crisis situations and/or provide residents directly with social services; (2) allow first responders to actually control the response to a given crisis; and (3) determine whether police officers or non-police personnel will be in charge of a scene. The City will be evaluating the Office’s new “Person in Crisis Team” during a six-month pilot period. This evaluation must itself be transparent, ensuring Rochesterians have access to the data the City is using to judge the Person in Crisis Team’s success.

The second type of feedback responded to our call to “drastically increase” the staffing for alternative first responder systems. Our recommendations call for the City to link the budget of the Office of Crisis Interventions Services to the percentage of calls staff in the Office could potentially take (such as substance-abuse and mental health calls). While the feedback we received generally supported this recommendation, some Rochesterians suggested that our recommendation was too vague; without a specific funding request, it would be difficult to know if the City was actually implementing our recommendation. Moreover, a study to analyze call data may take years to come to firm conclusions about the percentage of calls the Office should be taking. In response to this feedback, the PAB is recommending that – in addition to linking the Office of Crisis Intervention Services budget to the percentage of relevant crisis calls – the City should immediately boost the funding it directs to all alternative first responder systems (inside or outside of the Office) from \$1 million to \$10 million. We don’t know precisely how much funding these systems need. But we know that, given the needs of our community for social services and appropriate crisis response, \$10 million is a bare minimum for success.

The third type of feedback on our alternative first responder recommendation called for PAB to support a new system that reduced officer involvement in evictions. This feedback came from those involved in law enforcement *and* tenant advocacy organizations. Some, if not many, officers view eviction-response calls as messy, unfortunate circumstances that they do not want to be involved in. At the same time, tenants and tenant advocates often feel that officers can complicate and escalate, rather than resolve, eviction-related situations – especially when officers are forced to conduct fact-finding about whether an eviction is illegal. While laws may need to be enforced in eviction-related circumstances (especially against landlords illegally

evicting tenants) it is not clear that police officers should be the people first called on to enforce those laws.

The RPD's Eviction Response Team is a noble effort that aims to have police prevent illegal evictions and connect tenants with the resources they need. Given feedback from officers and tenants, however, it is clear a new system is appropriate. Social workers and community advocates have the training and trust needed to manage evictions by providing resources to legally evicted tenants, determining whether an eviction is illegal, and informing tenants and landlords of the law. They, rather than police officers, should be the first on the scene responding to an emergency call regarding an eviction. Of course, these alternative first responders should be empowered to call police if a situation becomes unmanageable. Nevertheless, a system that minimizes officer contact with eviction situations should be a win-win for community members and officers. The PAB recommends that, over the coming weeks, the City – in partnership with tenant advocacy organizations and legal aid staffers with knowledge of the eviction system – create and deploy an alternative first responder system that specifically addresses evictions.

FINAL RECOMMENDATION #2

Provide the Financial & Institutional Support Necessary to Organizations Working to Change Our Policing/Public Safety Blueprint

Perhaps the most common piece of feedback the PAB received had to do with this Working Group's process. Residents expressed a desire for a process that had a longer timeframe, involved more community groups to the table, was conducted through open meetings, and was given the resources necessary to do its job. Residents also wondered if any reform plan coming out of the Working Group could succeed without firm deadlines regarding (and clear responsibilities for) implementation – along with consequences for delay or failure. Finally, residents questioned whether the Working Group's reform plan would actually address what they believed were the core issues driving problems with policing – issues that, according to many residents, included the power of police unions.

These criticisms are justified. Indeed, they have been echoed by many participants in the Working Group process itself – including the PAB.

One way to address some of these criticisms is for the Working Group's reform plan to establish a process for longer-term change. That process should be transparent and fully funded. It should bring all parts of our community to the table to examine and change our fundamental blueprint of policing and public safety.

Rochester already has the organizations to support such a process. City Council, the Police Accountability Board Alliance, Free the People ROC, the Faith Leader's Roundtable, the Interfaith Alliance of Rochester, Roc/ACTS, the Latino Leadership Roundtable, and United Christian Leadership Ministry are just a few of the organizations doing remarkable work on policing and public safety. The City must create a process that brings the work of these and other groups together with the proper organizational and financial support.

A fully funded PAB must also play a key role in this process. Even with the lawsuit against it, the PAB retains the tools to help our community control and change our system of policing. The PAB has legal duties to investigate all aspects of the RPD's work, make our city's current policing blueprint transparent, survey Rochesterians to learn their public safety priorities, and push for changes that translate those priorities into reality.

To ensure it has the resources to fulfill these duties, the City should adopt the proposed PAB budget described in the City Charter. The Charter's description says:

“The annual proposed budget of the Police Accountability Board shall provide for sufficient funding to carry out the powers and duties set forth in the Police Accountability Board article, including the funding of staff and all necessary operating expenses for the purpose of resolving all complaints within 90 days.” The PAB should craft such a proposed budget using appropriate data and analysis. In accordance with the City Charter, “The Board shall submit the proposed budget, along with appropriate financial documentation, to the Mayor and Council during the City’s annual budgetary process.”

This recommendation aims to allow the PAB to study (and, if appropriate, advocate for) many important changes proposed in the feedback received during the Working Group process. These proposed changes include:

- reducing or eliminating officer involvement in routine traffic enforcement;
- eliminating officer use of pepperspray, pepperballs, and beanbag rounds;
- identifying and limiting RPD involvement in local jails;
- adopting a “defund/refund” model and other alternatives;
- making the role of police union contracts and power transparent;
- creating additional incentives and protections for RPD whistleblowers;
- implementing residency requirements for future *and* current officers;
- removing all police presence at schools;
- reallocating police funding to promote restorative justice programs; and
- eliminating qualified immunity through new Law Department policies.

FINAL RECOMMENDATION #3

Reallocate Existing RPD Funding To Create Training, Prevention, And Response Systems That Address Officer Mental Health

Initial Recommendation: Boost Funding For Training, Prevention, And Response Systems Within RPD That Address Work-Related Stress And Trauma In Ways That Shield Officers, Their Families, And The People They Serve.

This revision changed the recommendation's focus from officer "stress and trauma" to officer "mental health." This change clarifies that the requested systems should address all aspects of officer mental well-being. The revised recommendation also changed the phrase "boost funding" to "reallocate existing RPD funding." Some Rochesterians rightly noted that the phrase "boost funding" could suggest that the PAB was advocating for an increase to the RPD's budget to address officer mental health. The PAB agrees that the RPD has enough funding to make *all* of the changes PAB is recommending, including those about mental health. The PAB does not support a boost in the RPD's budget.

FINAL RECOMMENDATION #4

Create Trainings and Disciplinary Policies That End RPD's Use Of:

- **Breathing Restrictions Including Chokeholds**
- **Chemical Weapons Including Tear Gas**
- **Protest Response Devices Including Sound Cannons**
- **High-Risk Practices Including The Use Of No-Knock Warrants**
- **The Use of Flashbangs During Protests**

Initial Recommendation: Create Trainings and Disciplinary Policies That End RPD's Use Of Breathing Restrictions Including Chokeholds, Chemical Weapons Including Tear Gas, Protest Response Devices Including Sound Cannons, And High-Risk Practices Including The Use Of No-Knock Warrants.

This core recommendation was revised to agree with community feedback calling for RPD to end use of flashbangs during protests. The PAB is also clarifying that it is not calling for the banning of *all* “protest response devices,” but rather a concrete list that includes things like sound cannons and flashbangs. Nor is the PAB calling for the banning of *all* “less-than-lethal” weaponry, but rather a concrete list that includes things like tear gas.

FINAL RECOMMENDATION #5

Support A Community-Led Process To Educate Rochesterians About How The City's Limited Public Safety Dollars Can Be Spent, Learn The Spending Priorities Of City Residents, And Develop A Budget That Reflects Those Priorities In Staffing And Funding Levels

This core recommendation was not revised.

FINAL RECOMMENDATION #6

Make Policing Transparent By Collecting And Releasing Comprehensive Data On The RPD's Enforcement Patterns, Internal Culture, And Policing Practices While Making Public All Aspects Of Officer Training

This core recommendation was not revised. However, the PAB is expanding the list of data that the City should include in an accessible open data portal. This data includes comprehensive information on officer disciplinary history, including pending, exonerated, unfounded or unsubstantiated allegations or charges (so long as those allegations or charges are listed as such).