

E2401800627 - MSG - POLICE ADMINISTRATIVE MESSAGE
WESTFALL RD/MT HOPE AVE ROC

Unit ID	Car ID	Agency	Dispatch Group	Status	Time	Employee	ID	Terminal	Location	Comment	Unit Devices	Employee Devices
135B		CTYP	RP5	DP	08:40:05		8004	pd12	WESTFALL RD/MT HOPE AVE ROC			
135B	135	CTYP	RP5	AM	08:56:31		811459	\$135B	WESTFALL RD/MT HOPE AVE ROC			
135B	135	CTYP	RP5	UE	08:56:31	CLARK , COREY	811459	\$135B	WESTFALL RD/MT HOPE AVE ROC			
135B	135	CTYP	RP5	DC	08:56:31	CLARK , COREY CLARK , COREY CLARK , COREY	811459	\$135B	WESTFALL RD/MT HOPE AVE ROC	Device 0003705E/MDT/Default System added for employee 811459.		0003705E/MDT/Default System (811459),0003705E/MDT/Default System (811459),0003705E/MDT/Default System (811
135B	135	CTYP	RP5	UC	08:56:38	CLARK , COREY	811459	\$135B	WESTFALL RD/MT HOPE AVE ROC	GPS SIGNAL STRENGTH HIGH		0003705E/MDT/Default System (811459)
135B	135	CTYP	RP5	AM	08:57:35	CLARK , COREY	811459	\$135B		officers are onscene		0003705E/MDT/Default System (811459)

PSS 24-0084

ALLEGATION: Improper Procedure

PERSONNEL: Officer Fantigrossi

STATEMENT OF: MS. LAN NGUYEN-SANTIAGO

DATE: February 9, 2024

TIME: 10:46 a.m.

PLACE: Professional Standards Section
846 South Clinton Avenue
Rochester, New York

PRESENT: Sergeant Joshua Kelly, PSS
Sergeant Michael Collins, PSS
Christina Kelley, ASL Interpreter
Margaret Jennings, Deaf Interpreter
Rachel Tozzi, Case Worker Advocate

REPORTED BY: Linda Farnum
Police Stenographer

1 LAN NGUYEN-SANTIAGO, having first been duly sworn, was
2 examined and testified as follows:

3 EXAMINATION BY SERGEANT KELLY:

4 Q. Ms. Nguyen-Santiago, prior to this statement I
5 gave you an advisement form. Did you read and understand
6 this form?

7 A. Yeah.

8 Q. Did you sign the form?

9 A. Yes.

10 Q. For the record, please state and spell your full
11 name?

12 A. Lan, L-A-N, Nguyen, N-G-U-Y-E-N, hyphen,
13 Santiago, S-A-N-T-I-A-G-O.

14 Q. What is your address?

15 A. [REDACTED]

16 Q. What is your age and date of birth, please?

17 A. [REDACTED]

18 Q. Ms. Nguyen-Santiago, your statement today is
19 regarding a complaint that has been filed against a member
20 of the Rochester Police Department. Can you state the date
21 and time this incident occurred?

22 A. January 18, 2024.

23 Q. And do you know approximately what time?

24 A. I had dropped my husband off, I was stopping to
25 get gas, and the accident was 6:29 in the morning.

1 Q. Can you state the name of the officer involved?

2 A. I do not. I don't remember who he is.

3 ADVOCATE TOZZI: Do you want -- I have the
4 information. Do you want me to add the information that we
5 know from this or just not?

6 SERGEANT KELLY: Where is she gaining the
7 information from? Is it from the report?

8 ADVOCATE TOZZI: I have a copy of the form she
9 had filled out, so it's the report. Do you want -- the
10 police report. Do you want us to use that or --

11 SERGEANT KELLY: We can use the last name on it.
12 Is this the name right here?

13 ADVOCATE TOZZI: Yup. There we go. Yes, that's
14 what I have.

15 SERGEANT KELLY: For the record, the report
16 is authored by Officer Ryan Fantigrossi,
17 F-A-N-T-I-G-R-O-S-S-I, badge slash ID number 2033.

18 MS. NGUYEN-SANTIAGO: oh, I did not see that. I did
19 not notice that that day. Learning something new that
20 there's -- officers have those numbers on them.

21

22 **EXAMINATION BY SERGEANT KELLY:**

23 Q. Can you describe the officer to me?

24 A. Gentleman, tall, um, thin, actually kind of about
25 the same as the deaf interpreter who's sitting here.

1 Q. Okay.

2 ADVOCATE TOZZI: Do you remember the skin color?
3 Do you remember --

4 MS. NGUYEN-SANTIAGO: Yeah, the same as everybody
5 here. Light brown skin tone.

6 SERGEANT COLLINS: Pause for a minute.

7

8 (There was a pause in the proceedings.)

9

10 **EXAMINATION BY SERGEANT KELLY:**

11 Q. Lan, can you state what the officer's car number
12 was?

13 A. No, but it's on the report, right? I didn't see
14 it, but I'm assuming that it's on the report somewhere.

15 SERGEANT KELLY: We're just trying to get
16 clarifying questions, what she can remember.

17 ADVOCATE TOZZI: You don't have to worry about
18 going into great detail, the officers will ask --

19 SERGEANT COLLINS: Yes.

20 ADVOCATE TOZZI: -- to be able to get the answers.
21 So don't worry about trying to remember everything.

22 MS. NGUYEN-SANTIAGO: Yes.

23

24 **EXAMINATION BY SERGEANT COLLINS:**

25 Q. And, Lan, was there only one officer present?

1 A. Just one. Well, there were two police cars so
2 two officers, but only the one that I spoke with. The other
3 one, I don't know who that was. I didn't meet the other
4 person that was there.

5 SERGEANT COLLINS: Okay.

6
7 **EXAMINATION BY SERGEANT KELLY:**

8 Q. Can you explain to me what happened on that day?

9 A. So, as I said, I dropped my husband off at work.
10 I needed to put gas in the car. I got onto Westfall after I
11 had put gas in the car, and Mt. Hope, that intersection.
12 There's a gas station right there, there's a Burger King
13 right there. So I got to the light. The light was green.
14 I made sure nobody was coming. I pulled out. And next
15 thing I knew, my car was jolted. I was trying to hold onto
16 it because it was slick, so I was sliding a little bit. The
17 car ended up being tilted sideways. When I got out later on
18 I found out the tire had been blown or something had
19 happened with it. So the front of the car was okay, but the
20 back, where I was hit on the side, was damaged. I tried to
21 grab my phone to be able to call the police. My phone had
22 slid across the car. I had to find it. It was all bashed
23 up. It was very very cold. So I tried to call the
24 officers, as I said, after I finally got my phone. I tried
25 calling 9-1-1. They asked where the accident happened. I

1 had to look around because I didn't know the name of the
2 streets that I was on. But I told them where I was. And
3 then I said very clearly to them, I am deaf, I need you to
4 bring an interpreter. At 6:44 the officer showed up, and he
5 kind of motions to me. He says, I'm here. And then
6 something about deaf. And then he told me to wait. That's
7 all I got from him. And then he gestured that he needed my
8 ID, he needed something else, and --

9 INTERPRETER KELLEY: Okay. Clarification for the
10 record, gentlemen. The person that Lan was talking to was
11 the woman of the other car. She had left. She came back.
12 And she is the one that said, give me -- you know, she
13 tried gesturing with me, I need a picture of your ID and
14 then we can go, we're done. That's basically what she was
15 saying at the time. She was talking the whole time. I
16 didn't understand a word she said. She just kind of
17 gestured that she needed, obviously, my driver's license.
18 She used a lot of gestures, you know, showed me a picture
19 and everything. And then she said, we'll just go, we'll
20 take off. And I said, no. No, no, no. We're staying. So
21 this was before any officer had shown up. So I then waited
22 for the police to show up. They finally came. They took
23 the picture of my ID. They got the ID. He kept coming
24 back and forth talking to me. My daughter was with me in
25 the car. So he kept coming back. By that point my

1 daughter was with me in the car because my husband had
2 called her. After I called him to say I was in an accident
3 he called my daughter to come and be with me. So my
4 daughter had seen what the car looked like. As I said, it
5 was tilted because it wasn't going anywhere. The other
6 woman who was the driver kept coming back trying to talk to
7 us. And then she kept saying to my daughter, your mom's
8 ID, I want your mom's ID. And I kept saying, no, I want to
9 wait for the police to come. I want to wait for the police
10 to come. So we waited for the police to come. We stayed
11 in our separate vehicles waiting. And then somewhere
12 around 8:20 maybe is when an officer showed up. And he
13 came over. And he looked at the cars. But the whole time
14 he's talking, I didn't understand. He tried to write
15 something down, and I didn't understand what he had written
16 down to me because, again, English is not my first
17 language. So I didn't understand what was being said.

18 ADVOCATE TOZZI: If I could interrupt for just
19 one moment.

20 SERGEANT KELLY: Let's take a brief pause.

21
22 (There was a pause in the proceedings.)
23

24 **EXAMINATION BY SERGEANT KELLY:**

25 Q. when the officer walked up to the vehicle, was

1 your daughter already there?

2 A. My daughter was in her car. I was in my car.
3 Because the gas station was right there. So that's where we
4 were. The accident happened right near the gas station. So
5 my daughter was --

6 INTERPRETER JENNINGS: Just clarifying.

7 A. My daughter was sitting in her vehicle. I was in
8 my vehicle. The police showed up. He walked over to my
9 car. My daughter was still in her car --

10 Q. Okay.

11 A. -- when he started talking.

12 Q. What happened with the interaction between the
13 officer and you?

14 A. So the police came over. He's talking. I
15 indicated to him that I'm deaf. I tried to say again that I
16 had asked for an interpreter. He wrote something down. And
17 I did not understand what he wrote. But I finally
18 understood that what he was trying to ask me was about the
19 light, if it was green or not. And that, yes, the light was
20 green, that's why I was going. And then he kept talking.
21 And he wrote -- he had written other things, but I didn't
22 understand, except that he was asking me if the light was
23 green.

24 Q. Okay.

25 A. He also asked --

1 Q. Let's slow down for just a second. We're just
2 going to take it a little bit slower. That way we can get
3 some clarifying questions in-between.

4 A. Okay.

5 Q. How did the officer know that you were deaf?

6 A. Well, he was talking and talking and talking, and
7 I kept indicating to him, I'm deaf, I'm deaf, I'm deaf. I
8 couldn't hear him.

9 Q. Okay. How did you request an interpreter?

10 A. When I called 9-1-1, I asked them to bring an
11 interpreter. So when I called at 6:29, when I called them,
12 I told them I'm deaf, I need an interpreter.

13 Q. Did you ever ask the officer on scene for an
14 interpreter?

15 A. I tried as best I could to gesture to him, I'm
16 deaf, I would like an interpreter. And so I gestured to him
17 trying to make him understand I didn't understand what he
18 was saying, and I needed somebody else there.

19 Q. Did you have a card or anything that indicates
20 that you're deaf and need an interpreter?

21 A. No.

22 Q. Did you present him with a -- did you present him
23 with a piece of paper with a map drawn on it of the
24 intersection when he first walked up?

25 A. Yeah. He was still talking talking talking, and

1 I did show him what I had drawn.

2 Q. And you put the positions of the vehicles on the
3 map?

4 A. Yes. Because, again, he's still talking. I
5 didn't understand anything he was saying. So all I could do
6 was just show him the paper that I had written on.

7 Q. Did he pause during that time and you were able
8 to communicate what was on the map?

9 A. I texted my daughter and had her get out of her
10 car and come to us so I could figure out what he was saying.
11 I didn't understand. He wanted my ID. There was something
12 else he was saying I didn't understand. So the only way
13 that we did understand each other was that my daughter came
14 over and had to provide communication for us.

15 Q. Did he ever ask your daughter, can you please
16 communicate for me and interpret for me?

17 A. I have no idea if he said it to her or not
18 because I'm deaf. So I don't know what he said to her. And
19 my daughter, once she got there, I was totally out of the
20 picture. The two of them talked back and forth. I had no
21 idea what was going on. I asked my daughter what was
22 happening, but my daughter was talking with him. Because I
23 had no idea what was going on. I mean, it should have never
24 happened because I had no idea what was going on. I
25 couldn't communicate. If there was an interpreter there as

1 I asked, I would have understood everything that was going
2 on. But there was no interpreter, so whatever was happening
3 between the two of them, their conversation, I have no idea.
4 And if I asked my daughter, my daughter did not -- did not
5 fill me in. I just kept saying, what's going on, what's
6 going on. And she said, just wait, Mom, just wait, Mom,
7 just wait. So I sat and waited. So I was basically on
8 hold.

9 Q. Did you have a chance --

10 A. I know that the law says that if you ask for
11 accommodations, you should bring someone. And, so, I know
12 that I said to 9-1-1 I needed someone there.

13 Q. Did you have a chance to review the accident
14 report I sent you in the mail?

15 A. I didn't understand it. I mean, I saw it, but,
16 as I said, I don't understand English. That's why the
17 advocate is here to be able to help with that, because I --
18 no, I did not understand it. I looked at it. But it's very
19 difficult for me to understand because it was in English.

20 Q. Did the advocate help you to understand it?

21 A. Yes.

22 Q. Was it accurate?

23 A. Yes.

24 SERGEANT KELLY: Okay.

25 Do you have any questions?

1 SERGEANT COLLINS: Yes.

2 SERGEANT KELLY: Sergeant Collins is going to ask
3 you a few questions.

4

5 **EXAMINATION BY SERGEANT COLLINS:**

6 Q. I just have one question, just for clarification
7 purposes.

8 You mentioned that you gestured to the officer
9 that you needed an interpreter. My first question is, how
10 did you gesture to him? And, also, do you recall when you
11 gestured? Was it at the beginning of the interaction, was
12 it in the middle, was it at the end?

13 A. I remember --

14 INTERPRETER KELLEY: Sorry. Third language.
15 We're trying to get there. Okay.

16 A. The minute he came up I let him know I didn't
17 understand, I'm deaf. And I made as many hand gestures as I
18 could trying to get him to understand I didn't understand
19 anything he was saying, that we needed somebody else there.
20 So I pantomimed it, did everything I could trying to get him
21 to understand, I don't understand what you're saying.

22 SERGEANT COLLINS: Thank you.

23 MS. NGUYEN-SANTIAGO: You're welcome.

24 SERGEANT KELLY: One further question.

25

1 **EXAMINATION BY SERGEANT KELLY:**

2 Q. Did Officer Fantigrossi issue a citation or
3 ticket to you?

4 A. I got a big piece of paper. I don't know if --
5 he gave me a piece of paper.

6 Q. Is this similar to the form?

7 A. Yes. Yes, that.

8 Q. Okay. This is an Accident Exchange Form. It's
9 not a citation or ticket.

10 SERGEANT KELLY: For the record, it's Accident
11 Information Exchange Form for CR#24-012063.

12 INTERPRETER KELLEY: And then, Sergeant Kelly,
13 while you were reading that, the interpreter clarified with
14 Ms. Santiago that that was the only paper that I got, and I
15 got it -- the officer gave it to my daughter, and my
16 daughter gave it to me. But, other than that, that was the
17 only paper I got that day.

18
19 **EXAMINATION BY SERGEANT KELLY:**

20 Q. Okay. Is there anything else during this time
21 that Officer Fantigrossi did?

22 A. No, because after that he gave me the paper.
23 well, he gave my daughter the paper. I got the paper. He
24 said, we're done, going home -- go home. I'm just happy
25 that nobody was really seriously injured. That's all that I

1 was worried about at that point. But that was it.

2 Q. Is there any other further complaint about his
3 conduct on scene?

4 A. To be honest, I don't know what his demeanor was
5 like because I don't understand what he was saying. So, I
6 mean, he was fairly calm, is what it looked like. But, if
7 he said anything that would have been wrong, I don't know.
8 And he didn't seem angry. He just didn't communicate with
9 me.

10 SERGEANT KELLY: Sergeant Collins, do you have
11 any further questions?

12 SERGEANT COLLINS: I don't.

13 SERGEANT KELLY: Okay.

14 At this time do you have any questions, Advocate
15 -- I'm sorry -- Rachel?

16 ADVOCATE TOZZI: No questions, but I did want to
17 add the one note that we had is that, that day was snowy.
18 It was icy. It was slick out. And that's what we believe,
19 you know, from that -- that's what we're thinking what the
20 accident was caused by.

21 I do want to clarify that when she called 9-1-1
22 -- you specifically said, I'm deaf, I need an
23 interpreter -- and when the officer showed up there was no
24 one there to communicate with her. And even though she let
25 him know she didn't understand what was being said. And he

1 even tried to write. And, again, she made it very clear
2 she didn't understand what he was writing. So after all of
3 that and the forms and everything that she got, she
4 immediately called Andrew, who is my boss at the Deaf
5 Refugee Advocacy, to let us know that there had been an
6 interaction with the police and that what the citizen --
7 what the situation had been. And so that's how we got
8 involved, just to let you know. And that's why I'm here as
9 the case worker just to make sure that the information was
10 there that she -- that we understand it was an ADA
11 violation, blah blah blah. So that's the reason I'm here.

12 SERGEANT KELLY: I have a question for Rachel.

13 ADVOCATE TOZZI: Sure.

14 SERGEANT KELLY: Do you have an officer that you
15 can communicate with to clarify any questions regarding
16 incidents involving --

17 ADVOCATE TOZZI: Does DRA have one? Is that what
18 you're asking?

19 SERGEANT KELLY: Yes, if they have any --

20 ADVOCATE TOZZI: No, we don't have anyone
21 specifically that we work with from RPD.

22 SERGEANT KELLY: Okay.

23 ADVOCATE TOZZI: But, from my understanding, we
24 do have a police station in the building that our office is
25 at, but there's rarely anyone there. So we don't have any

1 interaction with them. So anytime we have -- we have to
2 call and get someone else.

3 SERGEANT KELLY: We can communicate after the
4 interview to get some of these cleared up.

5 ADVOCATE TOZZI: That would be great. Yes, that
6 would be great.

7 SERGEANT KELLY: Does Lan have anything further
8 to add to this?

9 MS. NGUYEN-SANTIAGO: Nope, I'm good.

10 SERGEANT KELLY: Okay. So we will conclude this
11 interview at 11:24 a.m.

12

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C E R T I F I C A T I O N

I, Linda A. Farnum, hereby certify that I reported in
stenotype shorthand the interpreted statement of Ms. Lan
Nguyen-Santiago in the above-entitled matter on February 9,
2024, and that the foregoing transcript, numbered pages 2
through 16, was typed by computer-aided transcription and
constitutes a true, accurate, and complete record of those
stenographic notes.

Linda Farnum

Linda A. Farnum

Police Stenographer

Dated this 13th day of February 2024

Kelly, Joshua P.

From: Kelly, Joshua P.
Sent: Monday, January 29, 2024 10:10 AM
To: 'scheduling'
Subject: RE: Interpreting Services - time change?

Michele,

Thank you for all the assistance. I will let Lan know about the confirmation.

Sergeant Joshua Kelly
Rochester Police Department
Professional Standards Section
846 S. Clinton Ave.
Rochester, NY 14620
(585)428-1171
Joshua.Kelly@cityofrochester.gov

From: scheduling <scheduling@slc-inc.com>
Sent: Monday, January 29, 2024 10:08 AM
To: Kelly, Joshua P. <Joshua.Kelly@CityofRochester.Gov>
Subject: RE: Interpreting Services - time change?

Good morning,
I verified with the interpreter. Yes, 2/9 at 10 am will work.
Thank you,
Michele Lago
Interpreting Services Scheduling Coordinator
Sign Language Connection @ Center for Disability Rights, Inc.

From: Kelly, Joshua P. <Joshua.Kelly@CityofRochester.Gov>
Sent: Friday, January 26, 2024 2:10 PM
To: scheduling <scheduling@slc-inc.com>
Subject: RE: Interpreting Services - time change?

Michele,

Lan is not able to do anything on 2/8 after 12:30? Does Friday, 2/9 at 10:00 AM work?

Sergeant Joshua Kelly
Rochester Police Department
Professional Standards Section
846 S. Clinton Ave.
Rochester, NY 14620
(585)428-1171
Joshua.Kelly@cityofrochester.gov

From: scheduling <scheduling@slc-inc.com>
Sent: Friday, January 26, 2024 11:37 AM
To: Kelly, Joshua P. <Joshua.Kelly@CityofRochester.Gov>
Subject: Interpreting Services - time change?

Warning: This email originated from an external source. Please do not open attachments, click on links, or provide your username or password if the source is suspicious.

Good morning,

On 2/8 at 10 am the interpreter, Chris Kelley needs to be in Court now to interpret an assignment.

I'm wondering if it is possible for you to meet your client, Lan Nguyen-Santiago on 2/8 at 12:30 pm or later? Chris is free until 3:30 pm.

Please advise.

Best,

Michele Lago

Interpreting Services Scheduling Coordinator

Sign Language Connection @ Center for Disability Rights, Inc.

Kelly, Joshua P.

From: Kelly, Joshua P.
Sent: Wednesday, January 24, 2024 7:53 AM
To: 'scheduling'
Subject: RE: sign language interpreter

Michele,

The interview is in reference to a complaint she is filing with the department and there will be a stenographer present. Christina Kelley assisted last time on 1/3/24.

Sergeant Joshua Kelly
Rochester Police Department
Professional Standards Section
846 S. Clinton Ave.
Rochester, NY 14620
(585)428-1171
Joshua.Kelly@cityofrochester.gov

From: scheduling <scheduling@slc-inc.com>
Sent: Tuesday, January 23, 2024 9:11 PM
To: Kelly, Joshua P. <Joshua.Kelly@CityofRochester.Gov>
Subject: RE: sign language interpreter

Warning: This email originated from an external source. Please do not open attachments, click on links, or provide your username or password if the source is suspicious.

Hello,

Thank you for the request. I will work on it today.

What type of meeting/interview will this be with Lan Nguyen-Santiago?

Thank you,
Michele Lago
Interpreting Services Scheduling Coordinator
Sign Language Connection @ Center for Disability Rights, Inc.

From: Kelly, Joshua P. <Joshua.Kelly@CityofRochester.Gov>
Sent: Tuesday, January 23, 2024 1:06 PM
To: scheduling <scheduling@slc-inc.com>
Subject: sign language interpreter

Hello,

The Rochester Police Department is in need of your services for a sign language interpreter. I have spoken with Lan Nguyen-Santiago and she would prefer to come to our office on Monday, February 5th at 10:00 AM until approximately 11:00 AM. Can you please let me know if this date and time would be reasonable? We are located at 846 S. Clinton Ave. Rochester. I can be reached by email or the phone number listed below with any questions. Thank you for your assistance.

Sergeant Joshua Kelly
Rochester Police Department
Professional Standards Section
846 S. Clinton Ave.
Rochester, NY 14620
(585)428-1171
Joshua.Kelly@cityofrochester.gov



City of Rochester

Rochester Police Department
185 Exchange Boulevard, Suite 630
Rochester, New York 14614-2124
www.cityofrochester.gov/publicsafety/police/

David Smith
Chief of Police

March 14, 2024

Ms. Lan Nguyen-Santiago

RE: PSS 24-0084

Ms. Nguyen-Santiago:

Since your complaint was received, the Professional Standards Section has determined that additional time will be necessary to complete the work on your complaint. The investigation into your complaint is still pending completion, and is currently in the Summary Phase.

Please be assured that this unanticipated delay will be limited to as short a time as thoroughness will permit. As soon as the investigative process has been completed, you will be sent a written notice of the case finding.

We appreciate your consideration. Should you have any questions, please contact Sergeant Joshua Kelly of Professional Standards Section, at 428-7131 during normal business hours.

- Investigative Phase-currently under investigation which includes interviewing all involved parties.
- Summary Phase-Once the Investigation stage has been completed, a synopsis of the information is completed during this stage.
- Review Phase - The completed investigation is currently in Departmental review. Each level of Command reviews the case package for thoroughness, fairness and accuracy.

Respectfully,

Sergeant Joshua Kelly
Rochester Police Department
Professional Standards Section
846 S. Clinton Avenue
Rochester, NY 14620
585-428-1171

9589 0710 5270 0656 4639 28





Rochester Police Department General Order



EFFECTIVE DATE: April 20, 2015	SUBJECT: AMERICANS WITH DISABILITIES ACT (ADA)	ORDER# 517
RESCINDS: G.O. 517 (08/22/13)	REFERENCE STANDARD (S): NYS:	PAGE 1 of 10
ATTACHMENT (S):		
Chief's Signature: <i>Michael L. Ciminelli</i>		

I. DEFINITIONS

- A. Disability - A physical or mental impairment that substantially limits one or more of the major life activities of an individual; a record of such an impairment; or being regarded as having such impairment.
- B. Guide Dog, Hearing Dog, Service Dog - A dog which is properly harnessed and has been or is being trained by a qualified person to aid and guide a person with a disability. (New York State Civil Rights Law § 47-b (4) definition).
- C. Public Facilities - Public Facilities include, but shall not be limited to, all modes of public and private transportation, all forms of public and private housing accommodations whether permanent or temporary, buildings to which the public is invited or permitted, all educational facilities and institutions, all places where food is offered for sale, all theatres, including live playhouses and motion picture establishments and all other places of public accommodations, convenience, resort, entertainment, or business to which the general public or any classification of persons therefrom is normally or customarily invited or permitted.
- D. Service Animals - Dogs that are individually trained to do work or perform tasks for people with disabilities. (Americans with Disabilities Act definition)

NOTE: The miniature horse is not included in the definition of service animal, however, the Department of Justice has added a specific provision under Title 28 § 35.136(i) of the Code of Federal Regulations. Under this provision, a public entity must make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a

disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability. The regulations set out four assessment factors to assist entities in determining whether miniature horses can be accommodated in their facility.

1. Whether the miniature horse is housebroken.
2. Whether the miniature horse is under the owner's control.
3. Whether the facility can accommodate the type, size and weight of the miniature horse.
4. Whether the presence of the miniature horse will not compromise legitimate safety requirements necessary for safe operation of the facility.

II. POLICY

- A. It is the policy of the Rochester Police Department (RPD) to ensure that a consistently high level of police service is provided to all members of the community, including persons with disabilities. This level of service will involve first responder recognition of the nature and characteristics of various disabilities, and appropriate physical and emotional support to people with disabilities who seek to access police services or who come into contact with the police. Such services include, but are not limited to:
 1. Recognition of symptoms and appropriate medical and emotional support for people experiencing seizures;
 2. Sensitivity to persons with impairments;
 3. Rapid access to interpreters for people with hearing and/or speech disabilities who have a need to communicate with police personnel;
 4. 24-hour access to professional support systems for people with mental disabilities;
 5. Access to police information, programs and publications for people who have impaired vision or hearing;

6. Recognition of the difference between characteristics common to certain disabilities (such as epilepsy, diabetes and deafness) and those associated with antisocial or criminal behavior or reaction to alcohol and drug abuse; and
 7. Other services to ensure access for persons with visual, mental, emotional and medical disabilities, including "invisible" disabilities, such as diabetes, epilepsy, multiple sclerosis, loss of hearing and others.
- B. It is the policy of the RPD to ensure effective communications with deaf or hard of hearing persons who are in need of police services that are short of duration and simple in content. Such communications may be furnished through the use of Department personnel who are capable of effectively communicating in sign language or other methods available (e.g. TTY or written materials) where effective. In situations where the legality of the conversation may be part of the basis for an enforcement or court action, or may be questioned in court, appropriate steps, including but not limited to, securing the services of a certified interpreter, must be taken to ensure that the communication is accurate.
- C. It is the policy of the RPD to ensure that persons with disabilities and their service animals are afforded access to all public facilities as required by the Americans with Disabilities Act (ADA), New York State Civil Rights Law Article 4-B Section 47 and the Code of Federal Regulations Title 28 § 35.136(i).
- D. It is not the intent of this policy to provide detailed information on all disabilities. However, it is incumbent upon the employees of this Department to be aware of the various disabilities within the community and to familiarize themselves with the manner in which to respond to the needs of persons with disabilities.

III. PROCEDURES

A. Visual Disabilities

Proper identification of an RPD employee is imperative to a blind or visually impaired person. When an employee responds to a call for service from a visually impaired individual and that disability is known or recognized:

1. The Emergency Communications Department (ECD) may be instructed by the employee to call the complainant to advise them that the employee is on the scene and may identify the responding employee by name;
2. Employees need not raise their voices to communicate with the individual; and/or
3. Employees need not grab the individual's arm to lead them in a particular direction. The individual may need to take the employee's arm for guidance.

B. Intellectual Disability

1. Employees should recognize that people who have an intellectual disability have varied degrees of limited intellectual functioning. In all situations, employees should:
 - a) Ask short questions;
 - b) Be patient when waiting for a response;
 - c) Repeat questions and answers if necessary;
 - d) Have individuals repeat questions in their own words; and
 - e) Provide reassurance.
2. When dealing with someone who is lost or has run away, the employee may gain improved response by accompanying the person through a building or neighborhood to seek visual clues.
3. In responding to the needs of persons with a severe or profound intellectual disability, the employee should seek the aid of the individual's friends or family, or refer to other community agencies whose services are specifically directed at the needs of disabled individuals.

C. Mobility Impairments

1. Most visibly identifiable are those persons with mobility impairments. These disabilities include persons who have difficulty walking, use wheelchairs or other mobility aids, and persons who are immobile.

2. In critical situations, employees should be aware of the most safe and expedient manner of assisting persons with mobility impairments without causing additional and unnecessary strain or injury.

D. Invisible Disabilities

1. Many disabilities, unless identified to the employee by the individual, are difficult to recognize. Consideration must be given to an individual who indicates to an employee that they are experiencing distress related to an invisible disability. An individual prevented or detained from obtaining immediate treatment may experience a seizure or other reaction, at which time they may have reached a critical physical state.
2. Involuntary behavior associated with some invisible disabilities may resemble behavior characteristically exhibited by intoxicated, or less frequently, combative individuals. An inaccurate assessment may lead to unnecessary confrontation, injury and denial of needed medication and/or medical treatment.
3. An employee's first obligation is to protect the individual from additional harm.

E. Speech and Hearing Disabilities

1. The City of Rochester has a very large population of individuals who are deaf or hard of hearing. Occasionally, an officer will interview or interrogate an individual who is deaf or hard of hearing.
 - a) Successful police contact with citizens is characterized by effective communication between the parties whether it is a suspect, victim, witness or complainant with whom the officer is talking. As such, police officers encountering an individual who is deaf or hard of hearing should use appropriate auxiliary aids and services whenever necessary to ensure effective communication with the individual.
 - b) Police contact with citizens occurs most frequently during routine traffic stops. In situations involving drivers who are deaf and use sign language for communication, when possible, the officer should use

appropriate sign language to initiate the exchange with the driver and should explain in writing the necessity for a stop and citation if the driver is to be charged with a traffic violation. The officer may **not** ask a family member or friend of the driver to interpret.

NOTE: The driver may present a Deaf Driver Communication Visor Card which may be utilized to facilitate effective communication during a traffic stop.

- c) In situations where the legality of conversations between the police and an individual who is deaf or hard of hearing may be questioned in court proceedings (e.g. when a Miranda warning is given), the police must take appropriate steps including, but not limited to, securing the services of a certified interpreter whenever necessary to ensure that the conversations are effective.
2. It is the policy of the RPD that it will furnish appropriate auxiliary aids and services whenever necessary to ensure effective communication with individuals who are deaf or hard of hearing.
- a) Auxiliary aids and services include certified interpreters, written materials, note pads and other effective methods of making aurally delivered materials available to individuals who are deaf or hard of hearing.
 - b) When an auxiliary aid or service is required to ensure effective communication, the RPD must provide an opportunity for individuals who are deaf or hard of hearing to request the auxiliary aids and services of their choice and must give primary consideration to the choice expressed by the individuals. "*Primary consideration*" means that the RPD must honor the choice, unless it can show that another equally effective means of communication is available, or that the use of the means chosen would result in a fundamental alteration in the nature of its service, program, or activity, or in undue financial and administrative burdens.

- c) The procedures below address only those situations where a police officer, after consulting with the individual who is deaf or hard of hearing, determines that the services of a certified interpreter are necessary to ensure effective communication.

3. Arrest Upon Probable Cause Without An Interview

In circumstances where an individual who is hearing would have been arrested on probable cause without an interview, then a suspect who is deaf or hard of hearing in the same situation usually does not need to be provided with a certified interpreter.

However, a certified interpreter may be required if an officer is unable to convey to the arrestee the nature of the criminal charges by communicating on a note pad or by using another means of communication. The arrestee should be transported to a temporary detention room at the Public Safety Building where either the arresting officer or the transporting officer can convey the information through the interpreter when they arrive.

4. Interview Needed to Establish Probable Cause to Arrest

If a police officer needs to interview a suspect who is deaf or hard of hearing to determine if there is probable cause to make an arrest, a certified interpreter **must** be provided.

5. Interrogating An Arrestee

- a) An officer seeking to interrogate an arrestee who is deaf or hard of hearing must obtain the services of a certified interpreter prior to any interrogation.
- b) Members must secure the services of a certified interpreter in order to accurately provide Miranda warnings to a deaf or hard of hearing arrestee prior to any interrogation.

NOTE: Just as with a hearing suspect, a suspect who is deaf or hard of hearing may be questioned without being provided Miranda warnings in compelling circumstances when the need for answers to questions in a situation posing a threat to the public

outweighs the need for the *Miranda* Rule. Known as the “Public Safety Exception,” this rule allows the police, when confronted by a volatile situation, to take immediate action to protect the public without jeopardizing the admissibility of incriminating statements. In such situations, the member’s primary purpose must be to take necessary action to deal with a public danger – NOT to acquire incriminating evidence, and must be strictly limited to questions necessary to deal with that danger, e.g. locate a gun discarded by a suspect during a foot chase in a populated area. Once the member receives information needed to deal with the public safety issue, all further questioning must immediately cease until *Miranda* warnings are given by a certified interpreter, and a proper waiver has been received.

6. Issuance of Appearance Ticket

In circumstances in which an individual who is not deaf or hard of hearing would be issued an appearance ticket without being questioned by the investigating officer, then a suspect who is deaf or hard of hearing in the same situation need not be provided with a certified interpreter. If an officer has stopped a suspect for committing a non-criminal infraction and the officer is unable to convey to the violator the nature of the non-criminal infraction by communicating on a note pad or by using another means of communication, then the officer should use their discretion as to whether to call a certified interpreter to the scene or whether to issue a warning rather than a citation.

7. Interviewing a Victim or Critical Witness

If an officer is able to communicate effectively by writing questions on a note pad and having the victim or witness who is deaf or hard of hearing write their responses, then the officer may proceed with the interview using a note pad. However, if an investigating officer is unable to communicate effectively with a victim or critical witness by using a note pad or some other means of communication other than a certified interpreter, then the investigating officer must provide the victim or critical witness with a certified interpreter. If the investigating officer cannot wait

until a certified interpreter arrives because the officer has to respond to another priority call, the following procedures apply:

- a) If the investigation does not involve a serious offense, then: *[a]* the officer can have a certified interpreter dispatched to the victim's or critical witness' location and request the dispatcher re-contact the officer when the interpreter arrives. If a certified interpreter is unable to respond or if the officer cannot return to the scene, the officer must document the investigation as completely as possible and file the appropriate report; or *[b]* the officer can ask the victim or critical witness to come voluntarily to the Section office when a certified interpreter is available. At that time, the investigating officer can return to the Section to complete the investigation. If a certified interpreter is unable to respond, the officer must document their investigation as completely as possible and file the appropriate report.
- b) If the investigation does involve a serious offense and if the victim or witness who is deaf or hard of hearing is critical to establishing probable cause for an arrest or for completing the investigation, then the investigating officer, before leaving the scene, must contact their supervisor and advise the supervisor of the case. The supervisor will determine if an investigator will be called in to wait for a certified interpreter. This investigating officer must then document their investigation as completely as possible and file the report.

8. Obtaining Certified Interpreters

Officers will arrange for a certified interpreter through their supervisor. The supervisor will contact the ECD supervisor, who will notify a certified interpreter via the Department's contracted sign language vendor. When contacting ECD for an interpreter, the supervisor should provide the incident type, the name of the individual to whom the services will be provided and the location of the interview and contact information for the investigating officer. The Department's liaison to the deaf and hard of hearing community can be

contacted for questions as to the need for a certified interpreter.

9. Reports/Evidence

All identifying information on the interpreter must be included in the report, including the interpreter's name, the time the interpreter was called, their time of arrival and departure. All written questions and responses between and among police officers and persons with hearing impairments must be treated as evidence and handled accordingly.

F. Service Animals

1. Members will recognize that persons with disabilities and their service animals must have unrestricted access to all public facilities as required by the Americans with Disabilities Act (ADA), New York State Civil Rights Law Article 4-B Section 47, and the Federal Code of Regulations Title 28 § 35.136(i).
2. Members may be called upon to mediate or enforce violations of these laws per current training and directives (Refer to Training Bulletin C-08-13).
3. Members who are authorized to issue an appearance ticket for a violation of § 47-b (2) of the New York State Civil Rights Law will include the following documents in the case package.
 - a) Appearance Ticket, RPD 1302, returnable to Rochester City Court.
 - b) Accusatory Instrument, RPD 1271, citing § 47-b (2) New York State Civil Rights Law.
 - c) Supporting Deposition, RPD 1270, of any witnesses or victim.
 - d) Incident Report.

E2401800627 - MSG - POLICE ADMINISTRATIVE MESSAGE
WESTFALL RD/MT HOPE AVE ROC

EVENT INFORMATION - E2401800627 01/18/24

Event Type : MSG; Event ID : E2401800627; Priority : 4; Status : A; Source : ANI/ALI; DGroup : RP5;
Disposition Code : 40,90; Terminal : tc11; Calltaker ID: 8370

AGENCY INFORMATION

Agency : CTYP; Priority : 4; DGroup : RP5; ESZ : 810046; Area : CTYP285; Added : 01/18/24 08:39:51;
Dispatched : 01/18/24 08:40:05; Closed : 01/18/24 08:57:36; Close ID : 811459; Close Terminal : \$135B;
Event ID : E2401800627; Primary Unit : 135B;

REMARKS

01/18/24 08:39:51 (tc11) : VZW -077.622313 +043.114761
01/18/24 08:39:51 (tc11) : REQ TO SPEAK W/ SGT ABOUT IN REG TO WAIT TIME - REL TO E2401800416
01/18/24 08:39:51 (cad-pri -int2a) : [BRYX] EVENT NUMBER : E2401800627
01/18/24 08:56:31 (\$135B) : Device 0003705E/MDT/Default System added for employee 811459.
01/18/24 08:56:31 (\$135B) : Tracking device 0003705E/MDT/Default System set.
01/18/24 08:56:31 (\$135B) : Tracking device 0003705E/MDT/Default System set for employee 811459.
01/18/24 08:57:36 (\$135B) : officers are onscene

CROSS REFERENCED EVENTS

E2401800416E2401800417						
Event	Agency	DGroup	Event Type	Event Subtype	Date Cross Referenced	Location
E2401800416	UTIL	ROTC	MVAA	default	01/18/24 08:40:00	WESTFALL RD/MT HOPE AVE ROC
E2401800417	CTYP	RP5	MVAA	default	01/18/24 08:40:00	WESTFALL RD/MT HOPE AVE ROC

CALLER INFORMATION

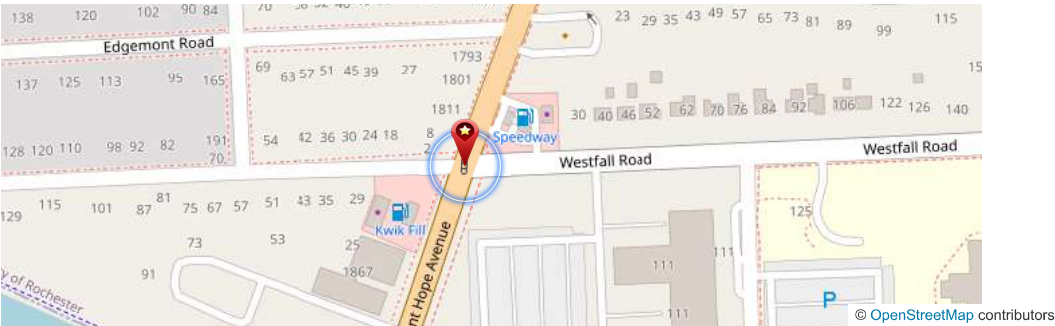
87(2)(b)- Invasion of Personal Privacy

LOCATION INFORMATION

WESTFALL RD/MT HOPE AVE ROC

X-STREET 1: WESTFALL RD
X-STREET 2: MT HOPE AVE

[Location Choices](#)



SUPPLEMENTAL INFORMATION

Person 0
Vehicle 0
Property 0
Contact Name 0
Incident Times 0
Boat 0
Gun 0

**E2401800417 - MVAA - MVA CHECK & ADVISE
WESTFALL RD/MT HOPE AVE ROC**

Unit ID	Car ID	Agency	Dispatch Group	Status	Time	Employee	ID	Terminal	Location	Comment	Unit Devices	Employee Device
RTOC12		UTIL	RTOC	DP	06:29:30		8107	fd03	WESTFALL RD/MT HOPE AVE ROC			
285B	9935	CTYP	RP5	DA	07:35:52	FANTIGROSSI , RYAN	8281	pd10	WESTFALL RD/MT HOPE AVE ROC	Event E2401800417 Dispatch Assigned		000370BB/MDT/Default (812033)*
285B	9935	CTYP	RP5	DP	08:30:57	FANTIGROSSI , RYAN	8004	pd12	WESTFALL RD/MT HOPE AVE ROC			000370BB/MDT/Default (812033)*
285B	9935	CTYP	RP5	ER	08:30:57	FANTIGROSSI , RYAN	8004	pd12	WESTFALL RD/MT HOPE AVE ROC			000370BB/MDT/Default (812033)*
275B	P-35	CTYP	RP5	DP	08:31:00	VASILE , GREGORY	8004	pd12	WESTFALL RD/MT HOPE AVE ROC			00037029/MDT/Default (812014)*
275B	P-35	CTYP	RP5	ER	08:35:56	VASILE , GREGORY	812014	\$275B	WESTFALL RD/MT HOPE AVE ROC			00037029/MDT/Default (812014)*
275B	P-35	CTYP	RP5	AR	08:52:51	VASILE , GREGORY	812014	\$275B	WESTFALL RD/MT HOPE AVE ROC			00037029/MDT/Default (812014)*
285B	9935	CTYP	RP5	AR	08:53:07	FANTIGROSSI , RYAN	812033	\$285B	WESTFALL RD/MT HOPE AVE ROC			000370BB/MDT/Default (812033)*
275B	P-35	CTYP	RP5	UC	08:56:32	VASILE , GREGORY	812014	\$275B		Unit [275B] Inf Issue Qry 0:1RegistrationInquiry1RVEH		00037029/MDT/Default (812014)*
275B	P-35	CTYP	RP5	UC	08:57:46	VASILE , GREGORY	812014	\$275B		Unit [275B] Inf Issue Qry 0:1DriversLicenseInquiry1DALL		00037029/MDT/Default (812014)*
275B	P-35	CTYP	RP5	~	08:57:51	VASILE , GREGORY		fd05	WESTFALL RD/MT HOPE AVE ROC	System Unit Alarm		00037029/MDT/Default (812014)*
285B	9935	CTYP	RP5	~	08:58:07	FANTIGROSSI , RYAN		tc07	WESTFALL RD/MT HOPE AVE ROC	System Unit Alarm		000370BB/MDT/Default (812033)*
275B	P-35	CTYP	RP5	CU	08:58:27	VASILE , GREGORY	8004	pd12	WESTFALL RD/MT HOPE AVE ROC	Alarm Timer Extended: 0		00037029/MDT/Default (812014)*
285B	9935	CTYP	RP5	CU	08:58:28	FANTIGROSSI , RYAN	8004	pd12	WESTFALL RD/MT HOPE AVE ROC	Alarm Timer Extended: 0		000370BB/MDT/Default (812033)*
285B	9935	CTYP	RP5	UC	09:01:39	FANTIGROSSI , RYAN	812033	\$285B		Unit [285B] Inf Issue Qry 0:1RegistrationInquiry1RVEH		000370BB/MDT/Default (812033)*
285B	9935	CTYP	RP5	UC	09:02:50	FANTIGROSSI , RYAN	812033	\$285B		Unit [285B] Inf Issue Qry 0:1DriversLicenseInquiry1DALL		000370BB/MDT/Default (812033)*
285B	9935	CTYP	RP5	UC	09:02:54	FANTIGROSSI , RYAN	812033	\$285B		Unit [285B] Inf Issue Qry 0:1DriversLicenseInquiry1DALL		000370BB/MDT/Default (812033)*
285B	9935	CTYP	RP5	UC	09:06:18	FANTIGROSSI , RYAN	812033	\$285B		Unit [285B] Inf Issue Qry 0:1RegistrationInquiry1RVEH		000370BB/MDT/Default (812033)*
285B	9935	CTYP	RP5	UC	09:09:18	FANTIGROSSI , RYAN	812033	\$285B		Unit [285B] Inf Issue Qry 0:1DriversLicenseInquiry1DALL		000370BB/MDT/Default (812033)*
285B	9935	CTYP	RP5	UC	09:09:19	FANTIGROSSI , RYAN	812033	\$285B		Unit [285B] Inf Issue Qry 0:1DriversLicenseInquiry1DALL		000370BB/MDT/Default (812033)*
RTOC12		UTIL	RTOC	TN	09:15:36		8211	fd04				
285B	9935	CTYP	RP5	UC	09:57:05	FANTIGROSSI , RYAN	8004	pd10		Preempt Unit 285B		000370BB/MDT/Default (812033)*
285B	9935	CTYP	RP5	AM	09:57:05	FANTIGROSSI , RYAN	8004	pd10		Preempt Unit 285B		000370BB/MDT/Default (812033)*
275B	P-35	CTYP	RP5	UC	09:57:07	VASILE , GREGORY	8004	pd10		Preempt Unit 275B		00037029/MDT/Default (812014)*
275B	P-35	CTYP	RP5	AM	09:57:07	VASILE , GREGORY	8004	pd10		Preempt Unit 275B		00037029/MDT/Default (812014)*
275B	P-35	CTYP	RP5	DA	09:57:08	VASILE , GREGORY	8004	pd10	WESTFALL RD/MT HOPE AVE ROC	Event E2401800417 Dispatch Assigned		00037029/MDT/Default (812014)*
275B	P-35	CTYP	RP5	DP	09:57:22	VASILE , GREGORY	812014	\$275B	WESTFALL RD/MT HOPE AVE ROC			00037029/MDT/Default (812014)*
275B	P-35	CTYP	RP5	ER	09:57:26	VASILE , GREGORY	812014	\$275B	WESTFALL RD/MT HOPE AVE ROC			00037029/MDT/Default (812014)*
275B	P-35	CTYP	RP5	AR	09:57:35	VASILE , GREGORY	812014	\$275B	WESTFALL RD/MT HOPE AVE ROC			00037029/MDT/Default (812014)*
275B	P-35	CTYP	RP5	AM	09:57:41	VASILE , GREGORY	812014	\$275B				00037029/MDT/Default (812014)*

ACCIDENT INFORMATION EXCHANGE FORM

NY State Law requires that any accident resulting in a fatality, injury or damage to property of any person (including damage to your vehicle) or entity over \$1000 be reported by YOU to the Department of Motor Vehicles (DMV) within 10 days after an accident. Failure to report an accident or failure to give correct information is a misdemeanor and may result in the suspension/revocation of your driver's license (or operating privilege in NYS) and all vehicle certifications or registrations.

Report your Accident to DMV on DMV form MV-104 (Report of Motor Vehicle Accident). Police Accident Reports (DMV form MV-104A) DO NOT satisfy YOUR civilian reporting requirement.

Accident Report #	Local Codes	Date	Time	# of Veh.	Town, City, Road Name
FQWS99HMC6N6	24-012063	1/18/2024	6:29 AM	2	ROCHESTER, CITY OF - 2801 MOUNT HOPE AVENUE
Police Agency	Officer's Name/Badge ID#				
ROCHESTER POLICE DEPT. - 02701	FANTIGROSSI		RYAN	J	2033

VEHICLE # 001

Operator's Name	Date of Birth	Address
87(2)(b)- Invasion of Personal Privacy		
City/State/Zip	Motorist I.D.#	Vehicle Year and Make
ROCHESTER NY 14615-0000	87(2)(b)-	2008 MERZ
License Plate # and State		
Vehicle Type	Insurance Code and Company	Vehicle Owner
SUBN	413 - PROGRESSIVE CSTLY INS CO	87(2)(b)- Invasion of Personal Privacy
Vehicle Towed By	Vehicle Towed To	
454	454	

Miscellaneous Notes

VEHICLE # 002

Operator's Name	Date of Birth	Address
NGUYEN-SANTIAGO LAN T M	87(2)(b)- Invasion of Personal Privacy	
City/State/Zip	Motorist I.D.#	Vehicle Year and Make
ROCHESTER NY 14621	87(2)(b)-	2012 CHRY
License Plate # and State		
Vehicle Type	Insurance Code and Company	Vehicle Owner
SUBN	639 - GEICO GEN INS CO	87(2)(b)- Invasion of Personal Privacy
Vehicle Towed By	Vehicle Towed To	
454	454	

Miscellaneous Notes

Please wait 14 days before contacting DMV to request a copy of your accident report.

If you want to purchase a copy of the police accident report, form MV-104A, complete DMV's "REQUEST FOR COPY OF ACCIDENT REPORT" form MV-198C and send it to DMV.

The form and instructions are available at www.dmv.ny.gov or at your local DMV office.

THE FORM MV-104A MAY ALSO BE PURCHASED BY CONTACTING THE INVESTIGATING POLICE AGENCY.

To obtain a blank civilian Accident Report (Form MV-104),

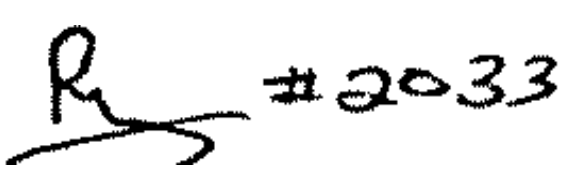
visit the DMV office nearest you

or

access forms online at www.dmv.ny.gov

POLICE ACCIDENT REPORT

S
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Y

Case Number FQWS99HMC6N6	Amended Report <input type="checkbox"/>	Original Case Number	All information contained in this report is for Law Enforcement Purposes and Police Officer Use only.				
Date of Accident 01/18/2024	Time of Accident 06:29 Hrs.		Day of Week Thursday	No. Of Vehicles 2	No. Injured 0	Number Killed 0	
Investigated at Scene YES	Officer Involved NO	Involved Agency	Accident Reconstructed NO	Reconstructed - Shield	Left Scene NO	Police Photo NO	No. Witnesses 0
C/T/V Name Where Accident Occurred ROCHESTER, CITY OF - 2801			County MONROE				
On Road, Street, or Highway MOUNT HOPE AVENUE							
X Coordinate(Longitude/Easting)		Y Coordinate(Latitude/Northing)			Reference Marker		
At Intersection YES	At Intersection with: WESTFALL ROAD						
Distance Type		Distance		Direction			
Milepost, Nearest Intersection, Route Number or Street Name							
Literal Description							
ACCIDENT ENVIRONMENT							
Description of accident 06 - RIGHT TURN - AGAINST OTHER CAR					Cost of Repair to any one vehicle more than \$1,000? YES		
Location of First Event 1 - ON ROADWAY			Type of Accident - Collision With (First Event) 01 - OTHER MOTOR VEHICLE				
Light Conditions 2 - DAWN		Road Surface Condition 4 - SNOW/ICE			Weather Conditions (up to two) 1 - CLEAR		
Pedestrian Involved NO	Was Pedestrian/Bicyclist/Other at the intersection? NOT APPLICABLE			Pedestrian/Bicyclist/Other Action 77 - NOT APPLICABLE			
ROADWAY CHARACTERISTICS							
Roadway 1 - STRAIGHT AND LEVEL			Traffic Control 02 - TRAFFIC SIGNAL				
FATAL AND TRUCK/BUS							
Is this a Fatal Accident? NO	CMV Vehicles/Persons 5 - NONE OF THE ABOVE						
Number of Qualifying Vehicles Involved:							
No. Towed	No. of Fatal Injuries	No. Vehicles Emergency Assist.	No. Persons Transported	No. Trucks	No. Trucks Hazmat Placard	No. Buses	
Roadway Surface			No. of Lanes	Speed Limit	Work Related		
Roadway Flow							
INCIDENT INFORMATION							
Local Codes (Incident Number) 24-012063							
					Officer's Last Name FANTIGROSSI		
					Officer's First Name RYAN		
					MI J		
NCIC/ORI ROCHESTER POLICE DEPT. - 02701			Div/Troop	Pct/Zone	Sector/Station SECT5	Badge/Shield 2033	
Reviewing Officer's Signature							
Reviewing Officer's Name CLARK, COREY					Date Reviewed 01/18/2024	Time Reviewed 12:40	

Describe this Vehicle/Driver 3 - OCCUPIED BY DRIVER	Was this a Vehicle, Bicycle or Pedestrian? 1 - VEHICLE
---	--

DRIVER INFORMATION

Driver's Name - Last		First		Middle		
87(2)(b)- Invasion of Personal Privacy						
Address		City		State	Zip	
87(2)(b)- Invasion of Personal Privacy						
Date of Birth 87(2)(b)-	Sex F - FEMALE	Unlicensed? NO	Driver's License ID Number 87(2)(b)- Invasion of Personal Privacy	License State D Class	Driver Ejected 1 - NOT EJECTED	Driver Injured? NO
Police Officer?			Emergency Operation			
Driver Safety Equipment Used 4 - LAP BELT/HARNESS		Location of Most Severe Physical Complaint 77 - NOT APPLICABLE		Type of Physical Complaint 77 - NOT APPLICABLE		Deceased
Driver Physical Emotional Status 7 - NOT APPLICABLE		Injured Taken by (Source of Transport)		Injured Taken To (Medical Facility)		
Out of State Hospital Name			Other Hospital County Name	State	EMS Response Plate #	
Driver Date of Death	Extricated	Type of Extrication Equipment Used			Air Bag Deployed?	Air Bags Not In Vehicle?

OWNER INFORMATION

Address Same as Driver?		Name - Last (exactly as printed on registration)		First	Middle
87(2)(b)- Invasion of Personal Privacy					
Date of Birth	Address		City	State	Zip
87(2)(b)- Invasion of Personal Privacy	87(2)(b)- Invasion of Personal Privacy		ROCHESTER	NY	14615

VEHICLE INFORMATION

License Plate #	State NY	Vehicle Year 2008	Make MERZ	Type SUBN	VIN #	Insurance Company and Code	
Pre-Accident Vehicle Action 02 - MAKING RIGHT TURN			Type of Accident - Collision With (Second Event) 77 - NOT APPLICABLE		Direction 1 - NORTH	Point of Impact 01 - FRONT LEFT	
Most Damaged Area 01 - FRONT LEFT			Damaged Area (Enter up to 3 more damaged areas) 02 - FRONT CENTER				Total Occupant 01
Apparent Contributing Factor (Primary) Driver 07 - FAILURE TO YIELD RIGHT-OF-WAY			Apparent Contributing Factor (Secondary) Driver 77 - NOT APPLICABLE			Vehicle Towed By 454	
Vehicle Towed To 454			Vehicle Model			Estimated Speed	Speed Unknown

DRIVER VIOLATIONS

Ticket Number	Violation Section and Subsection	Ticket Number	Violation Section and Subsection
Ticket Number	Violation Section and Subsection	Ticket Number	Violation Section and Subsection
Ticket Number	Violation Section and Subsection	Ticket Number	Violation Section and Subsection

COMMERCIAL MOTOR VEHICLE INFORMATION

Comm. Trailer Lic. Plate #	Attached to Trailer #1:	State	Year	Attached to Trailer #2:	State	Year	Cargo Body Type
Vehicle Configuration		Driver Apparent Condition -Truck/Bus		Veh. Type	Access Control		
Number of Axles	Gross Vehicle Weight	Total Weight All Trailer(s)		Carrier Source	Over 95 Inches Wide NO	Over 35 Feet Long NO	
OverWeight Permit NO	OverDimension Permit NO	Weight Rating		Carrier Name			
Address		City		State	Zip	U.S. DOT Number	ICC MC Number
Issuing Authority	Does Vehicle have Haz. Mat. Placard? NO	Placard #	Haz. Mat. Released NO		Haz. Mat. Type		
First Event			Second Event				
Third Event			Fourth Event				
Carrier Explanation							

Describe this Vehicle/Driver 3 - OCCUPIED BY DRIVER	Was this a Vehicle, Bicyclist or Pedestrian? 1 - VEHICLE
---	--

DRIVER INFORMATION

Driver's Name - Last NGUYEN-SANTIAGO		First LAN		Middle T M			
Address		City		State	Zip		
87(2)(b)- Invasion of Personal Privacy							
Date of Birth 87(2)(b)-	Sex F - FEMALE	Unlicensed? NO	Driver's License ID Number	License State NY	License Class D Class	Driver Ejected 1 - NOT EJECTED	Driver Injured? NO
Police Officer?			Emergency Operation				
Driver Safety Equipment Used 4 - LAP BELT/HARNESS		Location of Most Severe Physical Complaint 77 - NOT APPLICABLE		Type of Physical Complaint 77 - NOT APPLICABLE		Deceased	
Driver Physical Emotional Status 7 - NOT APPLICABLE		Injured Taken by (Source of Transport)		Injured Taken To (Medical Facility)			
Out of State Hospital Name			Other Hospital County Name		State	EMS Response Plate #	
Driver Date of Death	Extricated	Type of Extrication Equipment Used			Air Bag Deployed?	Air Bags Not In Vehicle?	

OWNER INFORMATION

Address Same as Driver? YES		Name - Last (exactly as printed on registration) NGUYENSANTIAGO		First LAN		Middle	
Date of Birth	Address		City		State	Zip	
87(2)(b)- Invasion of Personal Privacy							

VEHICLE INFORMATION

License Plate # NY	State NY	Vehicle Year 2012	Make CHRY	Type SUBN	VIN # 87(2)(b)-	Insurance Company and Code	
Pre-Accident Vehicle Action 01 - GOING STRAIGHT AHEAD		Type of Accident - Collision With (Second Event) 77 - NOT APPLICABLE		Direction 1 - NORTH		Point of Impact 04 - FRONT QUARTERPANEL	
Most Damaged Area 04 - FRONT QUARTERPANEL RIGHT		Damaged Area (Enter up to 3 more damaged areas) 03 - FRONT RIGHT					Total Occupant 01
Apparent Contributing Factor (Primary) Driver 13 - PASSING OR LANE USAGE IMPROPER			Apparent Contributing Factor (Secondary) Driver 77 - NOT APPLICABLE			Vehicle Towed By 454	
Vehicle Towed To 454		Vehicle Model			Estimated Speed	Speed Unknown	

DRIVER VIOLATIONS

Ticket Number	Violation Section and Subsection	Ticket Number	Violation Section and Subsection
Ticket Number	Violation Section and Subsection	Ticket Number	Violation Section and Subsection
Ticket Number	Violation Section and Subsection	Ticket Number	Violation Section and Subsection

COMMERCIAL MOTOR VEHICLE INFORMATION

Comm. Trailer Lic. Plate #	Attached to Trailer #1:	State	Year	Attached to Trailer #2:	State	Year	Cargo Body Type
Vehicle Configuration		Driver Apparent Condition -Truck/Bus		Veh. Type	Access Control		
Number of Axles	Gross Vehicle Weight	Total Weight All Trailer(s)		Carrier Source	Over 95 Inches Wide NO	Over 35 Feet Long NO	
OverWeight Permit NO	OverDimension Permit NO	Weight Rating		Carrier Name			
Address		City		State	Zip	U.S. DOT Number	ICC MC Number
Issuing Authority	Does Vehicle have Haz. Mat. Placard? NO	Placard #	Haz. Mat. Released NO		Haz. Mat. Type		
First Event			Second Event				
Third Event			Fourth Event				
Carrier Explanation							

ACCIDENT DESCRIPTION/OFFICER'S NOTES

V1 WAS MAKING A RIGHT TURN ONTO MT HOPE AVENUE FROM WESTFALL ROAD TO HEAD NORTH ON MT HOPE AVENUE WHILE V2 WAS TRAVELING N/B ON MT HOPE AVENUE. THIS IS WHEN V1 DID STRIKE THE FRONT PASSENGER SIDE OF V2 CAUSING DAMAGE TO BOTH VEHICLES RESULTING IN BOTH VEHICLES NEEDING TO BE TOWED. DRIVER OF V1 STATES THAT V2 WAS OCCUPYING THE OUTER LEFT LANE AND WASN'T PAYING ATTENTION AS V1 MAKING THE RIGHT TURN ONTO MT HOPE AVENUE. DRIVER OF V1 STATES THAT V2 WAS TRAVELING AT A HIGH RATE OF SPEED AND VEERED OVER

ACCIDENT DESCRIPTION/OFFICER'S NOTES INTO THE LANE THAT V1 WAS TURNING INTO. DRIVER OF V2 STATES THAT SHE WAS OCCUPYING THE FAR RIGHT LANE AND THAT V1 SIMPLY TURNED INTO HER VEHICLE. R/O DID CHECK WITH CITY CAMERAS TO SEE IF THE DEPT OF TRANSPORTATION CAMERAS CAPTURED ANYTHING AND THIS CHECK RETURNED NEGATIVE. NO INJURIES REPORTED.

LINE OF DUTY APPROVAL		
	Review Status	
	Rejection Reason	
	Reviewing Officer's Name	
	Date Reviewed	Time Reviewed
	Reviewing Officer's Signature	
	TROOP REVIEW	
	Review Status	
	Rejection Reason	
	Reviewing Officer's Name	
	Date Reviewed	Time Reviewed
	Reviewing Officer's Signature	

Kelly, Joshua P.

From: Kelly, Joshua P.
Sent: Thursday, January 25, 2024 12:12 PM
To: 'scheduling'
Subject: RE: Interpreting Services Request

Michele,

I spoke with Lan and Thursday, 2/8 would be the best day. Can we still do 10:00AM on 2/8? Once I get confirmation, I will let Lan know. Thank you again for all the help.

Sergeant Joshua Kelly
Rochester Police Department
Professional Standards Section
846 S. Clinton Ave.
Rochester, NY 14620
(585)428-1171
Joshua.Kelly@cityofrochester.gov

From: scheduling <scheduling@slc-inc.com>
Sent: Thursday, January 25, 2024 11:57 AM
To: Kelly, Joshua P. <Joshua.Kelly@CityofRochester.Gov>
Subject: Interpreting Services Request

Warning: This email originated from an external source. Please do not open attachments, click on links, or provide your username or password if the source is suspicious.

Good afternoon,

I have been working on your request for an interpreter for Lan Nguyen-Santiago.

The interpreter, Chris Kelley isn't free on 2/5 or 2/6. Would it be possible to see if you can schedule a meeting on 2/7, 2/8 or 2/9?

Please advise.

Best,

Michele Lago

Interpreting Services Scheduling Coordinator

Sign Language Connection @ Center for Disability Rights, Inc.

Kelly, Joshua P.

From: Kelly, Joshua P.
Sent: Monday, January 29, 2024 12:11 PM
To: 'scheduling'
Subject: RE: Confirmation : Meeting/interview

Michele,

Thank you for the clarification. This is definitely helpful information to know before the interview. Thank you for all the help you have provided for this matter.

Sergeant Joshua Kelly
Rochester Police Department
Professional Standards Section
846 S. Clinton Ave.
Rochester, NY 14620
(585)428-1171
Joshua.Kelly@cityofrochester.gov

From: scheduling <scheduling@slc-inc.com>
Sent: Monday, January 29, 2024 12:06 PM
To: Kelly, Joshua P. <Joshua.Kelly@CityofRochester.Gov>
Subject: RE: Confirmation : Meeting/interview

Hello Sgt. Kelly,

Our system indicates that Lan Nguyen-Santiago utilizes Deaf interpreters. Some Deaf individuals struggle to understand Hearing Certified ASL interpreters. Having a native ASL Deaf interpreter for assignments has shown to be vital for Deaf individuals that may have a significant language barrier (ex. English and ASL may not be their primary language). Just as hearing individuals use tone and intonation/reflection in our voice, Deaf individuals have nuances such as a slight head nod/adjustment or a slight eyebrow raise that a trained hearing ASL interpreter may not pick up on since it is not our native language. Not all Deaf individuals utilize Deaf ASL interpreters, it really depends on the person and/or the situation/type of appointment.

This individual has used them in the past so when I spoke with Chris Kelley to see if she thought one was needed, she also said yes for this type of appointment it would be necessary.

This is why two interpreters will be in attendance.

I hope this helps answer any questions, however, feel free to give me a call if you would like to discuss this further.

Best,
Michele

From: Kelly, Joshua P. <Joshua.Kelly@CityofRochester.Gov>
Sent: Monday, January 29, 2024 11:57 AM
To: scheduling <scheduling@slc-inc.com>

Cc: Collins, Michael <Michael.Collins@CityofRochester.Gov>; Barton, Jason <Jason.Barton@CityofRochester.Gov>

Subject: RE: Confirmation : Meeting/interview

Michele,

First, thank you for the confirmation email. I am slightly confused as why there are (2) interpreters scheduled for this interview. We are interviewing (1) person and are only in need of (1) interpreter. We only needed (1) interpreter for our last interview and this interview will be setup exactly the same. Any clarification would be very helpful. Thank you

Sergeant Joshua Kelly
Rochester Police Department
Professional Standards Section
846 S. Clinton Ave.
Rochester, NY 14620
(585)428-1171
Joshua.Kelly@cityofrochester.gov

From: scheduling <scheduling@slc-inc.com>
Sent: Monday, January 29, 2024 11:21 AM
To: Kelly, Joshua P. <Joshua.Kelly@CityofRochester.Gov>
Cc: scheduling <scheduling@slc-inc.com>
Subject: Confirmation : Meeting/interview

Warning: This email originated from an external source. Please do not open attachments, click on links, or provide your username or password if the source is suspicious.

Job Number: 63907
Billing Description: Meeting/interview
Location: RPD - Professional Standards Section, 846 S. Clinton Ave.14620

Thank you for requesting interpreting services from Sign Language Connection, Inc. We work hard to match the right interpreter with your request.

Your Interpreter(s) will be:

2/9/2024 10:00 AM - 11:00 AM Kelley, Christina - Meeting/interview: Hearing ASL interpreter
2/9/2024 10:00 AM - 11:00 AM Jennings, Margaret - Meeting/interview: Deaf ASL interpreter

Total billable hours: 2

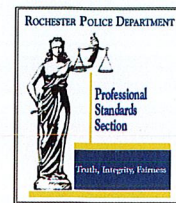
To avoid unnecessary charges, cancellation must be received 2 (two) business days prior to the above date. Extending a job at the time of the service depends on the interpreter's availability. Total billable hours may be adjusted if additional service is needed. Client no shows will be billed in full.

We welcome any questions you have concerning interpreting issues, ADA regulations and cost saving ways to accommodate Deaf and Hard of Hearing clients and employees. Call (585) 454-4220.
(Office hours: Monday - Friday 8:30 - 4:30 pm.)

Please encourage the participants in this event to call us with any questions, concerns, or comments.

CONFIDENTIALITY NOTICE:

The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.



CITY OF ROCHESTER
INTER-DEPARTMENTAL CORRESPONDENCE

TO: Chief David M. Smith, Chief of Police

FROM: Lieutenant Jason Barton, Commanding Officer, Professional Standards Section

DATE: March 19, 2024

SUBJECT: Case Closure PSS – 2024-0084

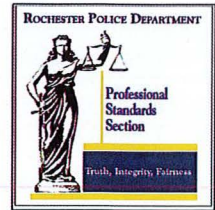
After careful review of the relevant facts, documents, and statements with respect to PSS #2024-0084, I respectfully recommend that it be closed as an incident review. On February 9th, 2024, Lan Nguyen-Santiago made a formal complaint to the Professional Standards Section regarding a vehicle crash she was involved in on January 18, 2024.

Ms. Nguyen-Santiago's complaint revolves around the Police Department not providing her with an American Sign Language interpreter. After review of applicable general orders and training documents, and consultation with the Corporation Council, Department Members are not required to provide an interpreter to conduct a vehicle crash investigation. As a result, Ms. Nguyen-Santiago's complaint does not allege any violations of any departmental policies or procedures.

Intra-agency



ROCHESTER POLICE DEPARTMENT
PROFESSIONAL STANDARDS SECTION



COMPLAINANT ADVISEMENT FORM

P.S.S. # 2024-0084

The Rochester Police Department encourages citizens to assist in the investigation of legitimate complaints against members of this department. The statement you are about to give is necessary for a complete and impartial investigation. The Rochester Police Department takes all precautions to protect the confidentiality of citizens and statements. However, your name or the information you give may have to be revealed as part of the investigation or in conjunction with subsequent administrative proceedings or court actions.

ACKNOWLEDGEMENT

I understand that my statement is given freely and without threat or promise. Also, a copy will be made available to me upon my request and signed waiver.

Finally, I understand that an intentional false statement is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law of the State of New York.

Lan Nguyen-Santiago
Please Print Name

Lan Santiago
Signature

Address: 38 Saranac St City: Rochester State: NY Zip: 14621

Employment: City: State: Zip:

Telephone (H) (C) (585)504-1388 (W) Other:

☐ I Do Consent to be Videotaped

☒ I Do Not Consent to be Videotaped

Complainant: Lan Nguyen-Santiago Allegation: Violation of the Americans with Disabilities Act (ADA)

Personnel Involved: Officer Fantigrossi

PERSONS PRESENT

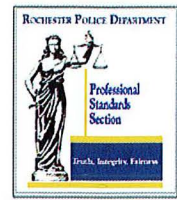
Interviewer: Sergeant Kelly / Sergeant Collins Stenographer: LINDA FARNUM

Others: RACHEL TOZZI - CASE WORKER ADVOCATE, MARGARET JENNINGS - DEAF INTERPRETER
CHARIS KELLEY - INTERPRETER ASL

Location: 846 S. Clinton Ave. Rochester NY

Date: 02/09/24

Time: Start 10:46 Finish 11:24



**CITY OF ROCHESTER
INTER-DEPARTMENTAL CORRESPONDENCE**

TO: Lieutenant Jason Barton, Commanding Officer, PSS
FROM: Sergeant Joshua Kelly, Professional Standards Section
DATE: March 15, 2024
SUBJECT: Incident Review: PSS 2024-0084

On February 9, 2024, Lan Nguyen-Santiago came to the PSS office and signed a Citizen Complaint stating that an officer with the Rochester Police Department failed to provide her with an interpreter, as she is a member of the deaf community. The incident occurred on January 18, 2024 at 6:29 AM at 1810 Mt. Hope Ave., Rochester NY. The related Crime Report number is 2024-012063.

The focus of this investigation is Officer Ryan Fantigrossi.

Brief Synopsis:

On January 18, 2024 at approximately 6:29 AM, Ms. Nguyen-Santiago was operating her 2012 Chrysler SUV northbound on Mt. Hope Ave. and was involved in a motor vehicle accident at the corner of Mt. Hope Ave. and Westfall Rd. The motor vehicle accident is documented under Police Accident Report MV-104A CR# 2024-012063 / FQWS99HMC6N6. Officer Fantigrossi completed the report. On January 18, 2024, Sergeant Clark reviewed and approved the accident report. There were no citations issued to either party of the accident during this investigation.

The Emergency Communications Department (ECD) Job Card documents that the accident was originally called in to 911 at 06:29:06 hours by an uninvolved vehicle. At 06:40:13 hours, Ms. Nguyen-Santiago called 911 to report the accident and a note on the Job Card states ***"This was a video relay call"***. The Job Card also indicates that Officer Ryan Fantigrossi and Officer Gregory Vasile were dispatched to the scene of the accident.

Officer Fantigrossi responds to the scene of the accident and activates his Body Worn Camera (BWC) before he exits his marked patrol car. He approaches Ms. Nguyen-Santiago's vehicle that is still sitting in a northbound lane of traffic on Mt. Hope Ave. Ms. Nguyen-Santiago presents a piece of paper with what appears to be a hand drawn map of the intersection with vehicle positions and notes including "Speedway" and "Run off". She uses this piece of paper and generates the primary form of communication with Officer Fantigrossi. Officer Fantigrossi and Ms. Nguyen-Santiago then use the backside of the paper to write notes and communicate further. Ms. Nguyen-Santiago seems to understand Officer Fantigrossi as she can be observed nodding her head to indicate "Yes" during certain parts of the communication. Ms. Nguyen-Santiago's daughter walks up during the interaction. Officer Fantigrossi explains to Ms. Nguyen-Santiago's daughter some of the upcoming steps regarding the investigation. Ms. Nguyen-Santiago's daughter starts using sign language to communicate with her mother. Officer Fantigrossi positions himself so that he is facing Ms. Nguyen-Santiago as he speaks and her daughter is between them continuing to use what appears to be sign language. The video ends with Officer Fantigrossi walking back to his patrol car.

On February 9, 2024, Ms. Nguyen-Santiago came to the PSS Office and gave her stenographic statement. An ALS interpreter and a Deaf interpreter were present as she indicated that English is not

her primary language. Ms. Nguyen-Santiago states during her initial communication with Officer Fantigrossi *"I indicated to him that I'm deaf. I tried to say again that I had asked for an interpreter. He wrote something down. And I did not understand what he wrote."* When asked, Ms. Nguyen-Santiago states that she requested an interpreter with Officer Fantigrossi by using hand gestures. She further states that she requested an interpreter while on the phone with the 911 operators.

Ms. Nguyen-Santiago was provided with an approved copy of the motor vehicle accident report completed Officer Fantigrossi by mail before her appointment. During the interview, Ms. Nguyen-Santiago acknowledged that she did review the report with her deaf advocate. She further acknowledged that the report does document the facts of the accident correctly.

The Emergency Communications Department (ECD) provided a copy of all calls to 911, radio traffic, and job cards relevant to this accident. There were (4) phone calls that contained Ms. Nguyen-Santiago or parties calling on her behalf. These calls included (2) calls from Ms. Nguyen-Santiago using a relay service, (1) phone call from her daughter, and (1) from the relay service operator that was disconnected from Ms. Nguyen-Santiago. None of the phone calls contained any request for a deaf interpreter for this incident.

Intra-agency

APPROVED
[Signature]
3/29/21



City of Rochester

Rochester Police Department
185 Exchange Boulevard, Suite 630
Rochester, New York 14614-2124
www.cityofrochester.gov/publicsafety/police/

David M. Smith
Chief of Police

April 2, 2024

Ms. Lan Nguyen-Santiago

Re. PSS #2024-0084

Ms. Nguyen-Santiago:

The Professional Standards Section has concluded the investigation concerning the complaint you filed against a member of the Rochester Police Department. Your complaint was regarding an incident that occurred at 1810 Mt. Hope Ave.

In your complaint, you alleged that a member of the Rochester Police Department failed to provide you with an interpreter during an accident investigation. After reviewing the evidence related to your complaint, this investigation has been classified as an Incident Review. This means that our office has been unable to find any wrongdoing with respect to the Officer's actions, and the investigation is closed.

If you would like further information about your investigation, please contact Sergeant Joshua Kelly of the Professional Standards Section at 428-7131, during normal business hours.

Sincerely,


David Smith
CHIEF OF POLICE

DMS/jpk

9589 0710 5270 0656 4639 80



ATTACHMENT DESCRIPTION

--

POLICE ACCIDENT REPORT

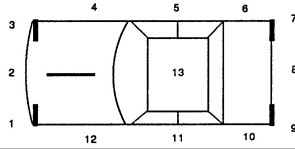
MV-104A (6/04)

Local Codes

24-012063

FQWS99HMC6N6

AMENDED REPORT

1	Accident Date Month 1 Day 18 Year 2024	Day of Week Thursday	Military Time 06:29	No. of Vehicles 2	No. Injured 0	No. Killed 0	Not Investigated at Scene <input type="checkbox"/>	Left Scene <input type="checkbox"/>	Police Photos <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	19 7		
2	VEHICLE 1				<input checked="" type="checkbox"/> VEHICLE 2 <input type="checkbox"/> BICYCLIST <input type="checkbox"/> PEDESTRIAN <input type="checkbox"/> OTHER PEDESTRIAN						20 -	
3					State of Lic. NY						21 13	
4					Driver Name - exactly as printed on license NGUYEN-SANTIAGO, LAN T M						22 -	
5											23 1	
6	Ticket/Arrest Number(s)				Ticket/Arrest Number(s)						24 1	
7	Violation Section(s)				Violation Section(s)						25 2	
8	Check if involved vehicle is: <input type="checkbox"/> more than 95 inches wide; <input type="checkbox"/> more than 34 feet long; <input type="checkbox"/> operated with an overweight permit; <input type="checkbox"/> operated with an overdimension permit.				Check if involved vehicle is: <input type="checkbox"/> more than 95 inches wide; <input type="checkbox"/> more than 34 feet long; <input type="checkbox"/> operated with an overweight permit; <input type="checkbox"/> operated with an overdimension permit.				Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.		26 1	
9	VEHICLE 1 DAMAGE CODES Box 1 - Point of Impact 1 1 2 Box 2 - Most Damage 3 4 5 Enter up to three more damage codes 2 3 4 5 Vehicle By: 454 Towed To: 454				VEHICLE 2 DAMAGE CODES Box 1 - Point of Impact 1 1 2 Box 2 - Most Damage 4 4 4 Enter up to three more damage codes 3 3 4 5 Vehicle By: 454 Towed To: 454				ACCIDENT DIAGRAM 9. Cost of repairs to any one vehicle will be more than \$1000. <input type="checkbox"/> Unknown/Unable to determine <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		27 1	
10	VEHICLE DAMAGE CODING: 1-13 SEE DIAGRAM ON RIGHT. 14. UNDERCARRIAGE 17. DEMOLISHED 15. TRAILER 18. NO DAMAGE 16. OVERTURNED 19. OTHER								Place Where Accident Occurred: County MONROE <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Town of ROCHESTER Road on which accident occurred MOUNT HOPE AVENUE (Route Number or Street Name) at 1) intersecting street WESTFALL ROAD (Route Number or Street Name) or 2) <input type="checkbox"/> N <input type="checkbox"/> S of <input type="checkbox"/> E <input type="checkbox"/> W (Milepost, Nearest intersecting Route Number or Street Name)		28 1	
11	Reference Marker				Coordinates (if available) Latitude/Northing Longitude/Easting				Accident Description/Officer's notes V1 WAS MAKING A RIGHT TURN ONTO MT HOPE AVENUE FROM WESTFALL ROAD TO HEAD NORTH ON MT HOPE AVENUE WHILE V2 WAS TRAVELING N/B ON MT HOPE AVENUE. THIS IS WHEN V1 DID STRIKE THE FRONT PASSENGER SIDE OF V2 CAUSING DAMAGE TO BOTH VEHICLES RESULTING IN BOTH VEHICLES NEEDING TO BE TOWED. DRIVER OF V1 STATES THAT V2 WAS OCCUPYING THE OUTER LEFT LANE AND WASN'T PAYING ATTENTION AS V1 MAKING THE RIGHT TURN ONTO MT HOPE AVENUE. DRIVER OF V1 STATES THAT		29 -	
12	8 9 10 11 12 13 14 15 16 17 BY										30 -	
13	A 1 1 4 1 32 F - - - MCKENZIE, DESIRAE D											
14	B 2 1 4 1 48 F - - - NGUYEN-SANTIAGO, LA											
15	C											
16	D											
17	E											
18	F											
19	Officer's Rank and Signature OFFICER RYAN J FANTIGROSSI				Badge/ID No. 2033		NCIC No. 02701		Precint/Post Troop/Zone SECT5		Reviewing Officer CLARK, COREY	Date/Time Reviewed 1/18/2024 12:40

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes

24-012063

FQWS99HMC6N6

☐ AMENDED REPORT

1	Accident Date Month 1 Day 18 Year 2024		Day of Week Thursday	Military Time 06:29	No. of Vehicles 2	No. Injured 0	No. Killed 0	Not Investigated at Scene <input type="checkbox"/>	Left Scene <input type="checkbox"/>	Police Photos <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	19																								
2	VEHICLE					<input type="checkbox"/> VEHICLE <input type="checkbox"/> BICYCLIST <input type="checkbox"/> PEDESTRIAN <input type="checkbox"/> OTHER PEDESTRIAN						20																							
2	VEHICLE - Driver License ID Number					State of Lic.					VEHICLE - Driver License ID Number		State of Lic.		21																				
3	Driver Name - exactly as printed on license					Driver Name - exactly as printed on license					Address (Include Number and Street)		Apt. No.		22																				
3	City or Town					State					Zip Code		City or Town		State		Zip Code		23																
4	Date of Birth Month Day Year					Sex	Unlicensed <input type="checkbox"/>	No. of Occupants	Public Property Damaged <input type="checkbox"/>	Date of Birth Month Day Year					Sex	Unlicensed <input type="checkbox"/>	No. of Occupants	Public Property Damaged <input type="checkbox"/>	24																
4	Name - exactly as printed on registration					Sex	Date of Birth Month Day Year	Name - exactly as printed on registration					Sex	Date of Birth Month Day Year	Address (Include Number and Street)					Apt. No.	Haz. Mat. Code	Released <input type="checkbox"/>	25												
5	City or Town					State					Zip Code		City or Town					State					Zip Code		26										
5	Plate Number					State of Reg.					Vehicle Year & Make					Vehicle Type					Ins. Code					27									
6	Ticket/Arrest Number(s)					Ticket/Arrest Number(s)					Violation Section(s)					Violation Section(s)					28														
7	Check if involved vehicle is: <input type="checkbox"/> more than 95 inches wide; <input type="checkbox"/> more than 34 feet long; <input type="checkbox"/> operated with an overweight permit; <input type="checkbox"/> operated with an overdimension permit.					Check if involved vehicle is: <input type="checkbox"/> more than 95 inches wide; <input type="checkbox"/> more than 34 feet long; <input type="checkbox"/> operated with an overweight permit; <input type="checkbox"/> operated with an overdimension permit.					Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.					29																			
7	VEHICLE DAMAGE CODES Box 1 - Point of Impact Box 2 - Most Damage Enter up to three more damage codes Vehicle By: Towed To:					VEHICLE DAMAGE CODES Box 1 - Point of Impact Box 2 - Most Damage Enter up to three more damage codes Vehicle By: Towed To:					ACCORDING TO THE DIAGRAM					30																			
7	VEHICLE DAMAGE CODING: 1-13 SEE DIAGRAM ON RIGHT. 14. UNDERCARRIAGE 15. TRAILER 16. OVERTURNED 17. DEMOLISHED 18. NO DAMAGE 19. OTHER					12 11 10 9 8 7 6 5 4 3 2 1					9. Cost of repairs to any one vehicle will be more than \$1000. <input type="checkbox"/> Unknown/Unable to determine <input type="checkbox"/> Yes <input type="checkbox"/> No					31																			
7	Reference Marker					Coordinates (if available) Latitude/Northing					Place Where Accident Occurred: County MONROE <input type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Town of Road on which accident occurred at 1) intersecting street or 2) feet miles <input type="checkbox"/> N <input type="checkbox"/> S of <input type="checkbox"/> E <input type="checkbox"/> W (Milepost, Nearest intersecting Route Number or Street Name)					32																			
7	Accident Description/Officer's notes V2 WAS TRAVELING AT A HIGH RATE OF SPEED AND VEERED OVER INTO THE LANE THAT V1 WAS TURNING INTO. DRIVER OF V2 STATES THAT SHE WAS OCCUPYING THE FAR RIGHT LANE AND THAT V1 SIMPLY TURNED INTO HER VEHICLE. R/O DID CHECK WITH CITY CAMERAS TO SEE IF THE DEPT OF TRANSPORTATION CAMERAS CAPTURED ANYTHING AND THIS CHECK RETURNED NEGATIVE. NO INJURIES REPORTED.					33					34					35																			
7	8 9 10 11 12 13 14 15 16 17 BY					36					37					38																			
7	OFFICER'S RANK AND SIGNATURE OFFICER RYAN J FANTIGROSSI					BADGE/ID NO. 2033					NCIC NO. 02701					PRECINCT/POST TROOP/ZONE					STATION/BEAT SECTOR					REVIEWING OFFICER CLARK, COREY					DATE/TIME REVIEWED 1/18/2024 12:40				

2024/01/10 08:53:25

VKJ0005902033



**E2401800417 - MVAA - MVA CHECK & ADVISE
WESTFALL RD/MT HOPE AVE ROC**

EVENT INFORMATION - E2401800417

01/18/24

Event Type : MVAA; **Event ID :** E2401800417; **Priority :** 1; **Status :** A; **Source :** ANI/ALI; **DGroup :** RP5; **Case Numbers :** CTYP24012063; **Disposition Code :** 34; **Terminal :** tc14; **Calltaker ID:** 8380

AGENCY INFORMATION

Agency : CTYP; **Priority :** 1; **DGroup :** RP5; **ESZ :** 810046; **Area :** CTYP285; **Added :** 01/18/24 06:29:06;
Dispatched : 01/18/24 07:35:52; **Arrived :** 01/18/24 08:52:51; **Closed :** 01/18/24 09:57:41; **Close ID :** 812014;
Close Terminal : \$275B; **Event ID :** E2401800417; **Primary Unit :** 275B;

Agency : UTIL; **Priority :** 3; **DGroup :** RTOC; **ESZ :** 55; **Area :** UTIL001; **Added :** 01/18/24 06:29:06;
Dispatched : 01/18/24 06:29:30; **Closed :** 01/18/24 09:15:36; **Close ID :** 8211; **Close Terminal :** fd04; **Event ID :** E2401800416; **Primary Unit :** RTOC12;

REMARKS

01/18/24 06:29:06 (tc14) : ATTMO -077.622185 +043.114997
01/18/24 06:29:06 (tc14) : PASSERBY / DV IN THE MIDDLE OF THE RD / DRK COLORED VAN
01/18/24 06:29:06 (cad-pri-int2a) : [BRYX] EVENT NUMBER : E2401800417
01/18/24 06:29:30 (pd12) : BC
01/18/24 06:39:50 (tc11) : Duplicate Event:Location = 1810 MT HOPE AVE ROC: @SPEEDWAY GAS STATION, Cross Street 1 = EDGEMONT RD, Cross Street 2 = WESTMORELAND DR, Type = MVAA - MVA CHECK & ADVISE, Caller Name = MCKENZIE, D ESIRAE, Caller Ph Number = (585) 405-3505, Caller Address = 797 E HENRIETTA RD N SECTOR ROCHESTER, Call Source = ANI/ALI, Alarm Level = 0
01/18/24 06:39:50 (tc11) : VZW -077.617013 +043.104215
01/18/24 06:39:50 (tc11) : 2 VEH MVA - CLR IN SLVR BENZ SUV VS BLU/BLK MINI VAN - NO INJ
01/18/24 06:39:50 (tc11) : End of Duplicate Event data
01/18/24 06:40:13 (tc03) : Duplicate Event:Location = WESTFALL RD/WESTMORELAND DR ROC, Cross Street 1 = WESTFALL RD, Cross Street 2 = WESTFALL RD, Type = MVAA - MVA CHECK & ADVISE, Caller Name = SANTIAGO, LAN, Caller Ph Number = (585) 270-7979, Call Source = PHONE, Alarm Level = 0
01/18/24 06:40:13 (tc03) : THIS WAS A VIDEO RELAY CALL - 2 VEHs - BLKNG - 2012 BLU VAN VS SILVER SEDAN
01/18/24 06:40:13 (tc03) : End of Duplicate Event data
01/18/24 07:06:21 (tc11) : Duplicate Event:Location = WESTFALL RD/MT HOPE AVE ROC, Cross Street 1 = WESTFALL RD, Cross Street 2 = MT HOPE AVE, Caller Name = MCKENZIE, DESIRAE, Caller Ph Number = (585) 405-3505, Caller Address = 400 K ENDRICK RD NE SECTOR ROC, Call Source = ANI/ALI, Alarm Level = 0
01/18/24 07:06:21 (tc11) : VZW -077.631668 +043.117710
01/18/24 07:06:21 (tc11) : ANOTHER CALL - S/W FOR AN OFFCR
01/18/24 07:06:21 (tc11) : End of Duplicate Event data
01/18/24 07:30:00 (tc08) : Duplicate Event:Location = MT HOPE AVE/WESTFALL RD ROC, Cross Street 1 = MT HOPE AVE, Cross Street 2 = WESTFALL RD, Caller Name = MAR, RICHARD, Caller Ph Number = (585) 269-8365, Caller Address = 400 KENDRICK RD NE SECTOR ROC, Call Source = ANI/ALI, Alarm Level = 0
01/18/24 07:30:00 (tc08) : VZW -077.622657 +043.115201
01/18/24 07:30:00 (tc08) : PASSERBY - 2VEHS - UNK DESCP - BLKNG - UNK INJ -
01/18/24 07:30:00 (tc08) : End of Duplicate Event data
01/18/24 07:35:52 (pd10) : Event E2401800417 Dispatch Assigned
01/18/24 07:46:30 (tc19) : Duplicate Event:Location = 1810 MT HOPE AVE ROC: @SPEEDWAY GAS STATION, Cross Street 1 = EDGEMONT RD, Cross Street 2 = WESTMORELAND DR, Caller Name = RODRIGUEZ,ROBERT-MGR, Caller Ph Number = (585) 244-3318, Caller Address = 1810 MOUNT HOPE AVE ROC, Call Source = ANI/ALI, Alarm Level = 0
01/18/24 07:46:30 (tc19) : MCI
01/18/24 07:46:30 (tc19) : 2 VEHs - UNK INJ - TOWN AND COUNTRY VS MERCEDES
01/18/24 07:46:30 (tc19) : ONE VEH PULLED INTO THE PARKING LOT THE OTHER ONE CANT MOVE AND IS BLOCKING
01/18/24 07:46:30 (tc19) : End of Duplicate Event data
01/18/24 08:02:36 (tc07) : Duplicate Event:Location = MT HOPE AVE/WESTFALL RD ROC, Cross Street 1 = MT HOPE AVE, Cross Street 2 = WESTFALL RD, Caller Name = MCKENZIE, DESIRAE, Caller Ph Number = (585) 405-3505, Caller Address = 797 E HENRIETTA RD N SECTOR ROCHESTER, Call Source = ANI/ALI, Alarm Level = 0
01/18/24 08:02:36 (tc07) : VZW -077.622206 +043.114783
01/18/24 08:02:36 (tc07) : ANOTHER CALL SW
01/18/24 08:02:36 (tc07) : End of Duplicate Event data
01/18/24 08:12:39 (tc03) : Duplicate Event:Location = WESTFALL RD/MT HOPE AVE ROC, Cross Street 1 = WESTFALL RD, Cross Street 2 = MT HOPE AVE, Type = MVAA - MVA CHECK & ADVISE, Caller Name = FEMALE, Caller Ph Number = (315) 956-5113, Caller Address = 400 KENDRICK RD NE SECTOR ROC, Call Source = ANI/ALI, Alarm Level = 0
01/18/24 08:12:39 (tc03) : VZW -077.622337 +043.114513
01/18/24 08:12:39 (tc03) : ANOTHER CALL - BLU VAN - BLKNG
01/18/24 08:12:39 (tc03) : End of Duplicate Event data
01/18/24 08:30:18 (tc01) : ANOTHER CALL - S/W
01/18/24 08:30:22 (tc01) : SUPV NOTIFIED

01/18/24 08:31:28 (tc03) : Duplicate Event:Location = WESTFALL RD/MT HOPE AVE ROC, Cross Street 1 = WESTFALL RD, Cross Street 2 = MT HOPE AVE, Type = MVAA - MVA CHECK & ADVISE, Caller Name = FEMALE , Caller Ph Number = (585) 409-1174, Caller Address = 400 KENDRICK RD NE SECTOR ROC, Call Source = ANI/ALI, Alarm Level = 0

01/18/24 08:31:28 (tc03) : VZW -077.619824 +043.119804

01/18/24 08:31:28 (tc03) : ANOTHER CALL - DRK COLORED MINIVAN - BLKNG

01/18/24 08:31:28 (tc03) : End of Duplicate Event data

01/18/24 08:36:39 (tc07) : Duplicate Event:Location = WESTFALL RD/WESTMORELAND DR ROC, Cross Street 1 = WESTFALL RD, Cross Street 2 = WESTMORELAND DR, Caller Name = SORENSON RELAY, Call Source = PHONE, Alarm Level = 0

01/18/24 08:36:39 (tc07) : CLR STTD THEY WERE ON THE PH WITH A CONTACT USING THE RELAY SERVICE- FEM STTD SHE WAS IN A MV A- FEM CALLED FROM 585- 270-7979- FME DIDNT GIVE A NAME

01/18/24 08:36:39 (tc07) : End of Duplicate Event data

01/18/24 08:37:19 (tc07) : DUPPING PER SUPV SS

01/18/24 08:39:00 (tc11) : Duplicate Event:Location = WESTFALL RD/MT HOPE AVE ROC, Cross Street 1 = WESTFALL RD, Cross Street 2 = MT HOPE AVE, Caller Name = MCKENZIE, DESIRAE, Caller Ph Number = (585) 405-3505, Caller Address = 400 K ENDRICK RD NE SECTOR ROC, Call Source = ANI/ALI, Alarm Level = 0

01/18/24 08:39:00 (tc11) : VZW -077.622314 +043.114761

01/18/24 08:39:00 (tc11) : ANOTHER CALL - S/W FOR AN OFFCR

01/18/24 08:39:00 (tc11) : End of Duplicate Event data

01/18/24 08:39:58 (tc19) : Duplicate Event:Location = MT HOPE AVE/WESTFALL RD ROC, Cross Street 1 = MT HOPE AVE, Cross Street 2 = WESTFALL RD, Caller Name = OANH, Caller Ph Number = (585) 230-1141, Caller Address = 111 WESTFALL RD N ROC, Call Source = ANI/ALI, Alarm Level = 0

01/18/24 08:39:58 (tc19) : TMOB -077.622249 +043.114579

01/18/24 08:39:58 (tc19) : ANOTHER CALL

01/18/24 08:39:58 (tc19) : End of Duplicate Event data

01/18/24 08:53:24 (tc14) : Duplicate Event:Location = WESTFALL RD/MT HOPE AVE ROC, Cross Street 1 = WESTFALL RD, Cross Street 2 = MT HOPE AVE, Type = MVAB - MVA NO INJURIES NOT BLOCKING, Caller Name = LAN-SANTIAGO, Caller Ph Number = (585) 270-7979, Caller Address = 120 N PLYMOUTH AVE BLDG CO ROC, Call Source = ANI/ALI, Alarm Level = 0

01/18/24 08:53:24 (tc14) : FTONY

01/18/24 08:53:25 (tc14) : H & R RPT - CALLER IN A 2012 CHRYSLER SUV BLK - NOT BLOCKING- SORRENSON RELAY SERVICE USED BY C OML

01/18/24 08:53:25 (tc14) : End of Duplicate Event data

01/18/24 08:58:27 (pd12) : Alarm Timer Extended: 0

01/18/24 08:58:28 (pd12) : Alarm Timer Extended: 0

01/18/24 09:06:24 (\$285B) : ** TOW REQUEST #45738 initiated at 1/18/2024 9:06:24 AM from \$285B for E2401800417

01/18/24 09:09:50 (pd10) : ** Tow Request Rotational Service requested for 454- JOHN & SONS REG/FLAT -- code is ACCEPT

01/18/24 09:09:50 (pd10) : ** Tow Request Rotational Service requested for 454- JOHN & SONS -- code is ACCEPT

01/18/24 09:57:05 (pd10) : Preempt Unit 285B

01/18/24 09:57:07 (pd10) : Preempt Unit 275B

01/18/24 09:57:08 (pd10) : Event E2401800417 Dispatch Assigned

01/18/24 12:39:09 (pd02) : ** TOW REQUEST #45738 has been closed :

01/18/24 12:39:09 (pd02) : >>>> by: 8343 at 01/18/24 12:39:09 on terminal: pd02

CROSS REFERENCED EVENTS

E2401800627						
Event	Agency	DGroup	Event Type	Event Subtype	Date Cross Referenced	Location
E2401800627	CTYP	RP5	MSG	default	01/18/24 08:40:00	WESTFALL RD/MT HOPE AVE ROC

CALLER INFORMATION

Name:

Phone:

Address:

LOCATION INFORMATION

WESTFALL RD/MT HOPE AVE ROC

X-STREET 1: WESTFALL RD
X-STREET 2: MT HOPE AVE

Location Choices



SUPPLEMENTAL INFORMATION

Person 0	
Vehicle 3	
<div>Model: 2012</div> <div>Year</div> <div>Model: town</div> <div>License [REDACTED]</div> <div>VIN :</div> <div>License 2012</div> <div>Year</div> <div>Unit : 285B</div> <div>ID</div>	<div>Make : CHRY</div> <div>State : NY</div> <div>Vehicle blue</div> <div>Color</div> <div>Remarksrt front tire flat</div> <div>License PVT</div> <div>Type</div>
<div>Model:</div> <div>Year</div> <div>Model:</div> <div>License [REDACTED]</div> <div>VIN :</div> <div>License</div> <div>Year</div> <div>Unit :</div> <div>ID</div>	<div>Make :</div> <div>State :</div> <div>Vehicle</div> <div>Color</div> <div>Remarks</div> <div>License</div> <div>Type</div>
<div>Model: 2008</div> <div>Year</div> <div>Model:</div> <div>License [REDACTED]</div> <div>VIN :</div> <div>License</div> <div>Year</div> <div>Unit :</div> <div>ID</div>	<div>Make : MERC</div> <div>State : NY</div> <div>Vehicle GRY</div> <div>Color</div> <div>Remarks</div> <div>License</div> <div>Type</div>
Property 0	
Contact Name 0	
Incident Times 0	
Boat 0	
Gun 0	