



City of Rochester

Department of Law
City Hall Room 400A, 30 Church Street
Rochester, New York 14614-1295
www.cityofrochester.gov

Patrick Beath
Corporation Counsel

April 22, 2025

VIA EMAIL

Cadhla McBride
admin@transparentlawenforcement.com

Re: FOIL 2024-4863

Dear Ms. McBride:

This letter is a response from the City of Rochester ("City") to the administrative appeal you submitted for FOIL request 2024-4863. That request, which the City received on September 9, 2024, sought the following: (1) the last five years of monthly Law Enforcement Officers Killed or Assaulted ("LEOKA") reports; (2) the current list of active law enforcement officers including full name, badge number, years of service, title, and salary; (3) a list of terminated law enforcement officers including full name, badge number, year of service, title, and salary for the last five years; (4) the last five years of disciplinary records for active and inactive law enforcement officers; and (5) the last two years of complaints regarding active and inactive law enforcement officers.

On April 10, 2025, you administratively appealed on the basis of a constructive denial. This letter is the City's response to your administrative appeal.

The City located thirty-seven records responsive to category 1. These records are LEOKA reports from September 2019 through September 2022. These records have been provided to you in JustFOIA without redaction. Please note that in October of 2022, the Rochester Police Department ("RPD") stopped generating LEOKA reports to be sent to the New York State Division of Criminal Justice Services ("DCJS"). At that time, DCJS began automatically pulling data from RPD's system and generating reports independently.

The City located one record responsive to category 2 and one record responsive to category 3. These two records have been provided to you on JustFOIA without redaction.

Regarding categories 4 and 5 of your request, all records for completed investigations where charges were substantiated against currently active police officers are available on the public Police Department Discipline Database. This database is located at: <https://www.cityofrochester.gov/departments/police/police-department-discipline-database>. The remaining records responsive to categories 4 and 5 will be produced on a rolling basis as explained below.

In light of the Court of Appeals' February 20, 2025 decision in Matter of New York Civil Liberties Union v City of Rochester, 2025 NY Slip Op 01010 [Ct App Feb. 20, 2025], (hereinafter "NYCLU Matter"), the City is in the process of making rolling productions to the NYCLU of all police disciplinary files where charges were unsubstantiated or unfounded.



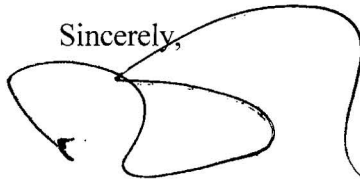
As I am sure you can appreciate, the response to the NYCLU request is an immense task. The City is proceeding with that work by producing all police disciplinary records for the period January 1, 2000 to present in reverse chronological order on a rolling basis. The City will make monthly productions beginning on April 30, 2025. The initial production will be comprised of closed police disciplinary records from 2024.

Since categories 4 and 5 of your request are encompassed by the productions in NYCLU Matter, that part of your request will be fulfilled contemporaneously with the NYCLU Matter request. This means that you will receive the first production of records on April 30, 2025, at the same time as the NYCLU.

I note that your appeal was premised upon the basis of a constructive denial on the part of the City, not a challenge to a response received in relation to this FOIL request. With that in mind, the City is amenable to treating this as a response to the FOIL request and allowing another administrative appeal to address the items noted herein. Should you agree, please send a letter retracting this administrative appeal.

Otherwise, this correspondence constitutes my final decision regarding your request. If you disagree with this decision, you may seek judicial review of it pursuant to Article 78 of the Civil Practice Law and Rules. Your time to seek judicial review begins immediately.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Beath', with a large, looping flourish extending to the right.

Patrick Beath
Corporation Counsel

cc: Kristin O'Neill, Committee on Open Government