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City of Rochester, NY. Records Request FOIL-2025-3060 Completed

Cadhla McBride <admin@transparentlawenforcement.com>

Tue, Jul 8, 2025 at 6:47 PM

To: "Beath, Patrick" <patrick.beath@cityofrochester.gov>, RochesterNY@request.justfoia.com, foilappeal@cityofrochester.gov

Dear FOIL Appeals Officer,

Pursuant to Public Officers Law §89(4)(a), I hereby appeal the constructive denial and incomplete production of records in response to FOIL Request No. 2025-3060, concerning PSS Case No. 2024-0084 and the associated traffic stop involving Officer Ryan Fantigrossi.

Grounds for Appeal:

1. Incomplete Body-Worn Camera (BWC) Footage

The BWC footage provided ends prior to the conclusion of the officer's interaction with the complainant. Specifically, it omits the return of the driver's documents—a standard and expected part of any traffic stop. The failure to include this portion of the interaction, or to explain whether it was redacted, withheld, or never recorded, renders the production incomplete. The FOIL statute requires either the provision of responsive records or an explanation citing the specific legal grounds for any denial (Public Officers Law §89[2]).

2. Failure to Provide Written Records or Officer Statements

The request explicitly sought "any and all recordings, transcripts, or notes of interviews, written statements, or interrogations" of Officer Ryan Fantigrossi. The agency produced no such records, nor did it confirm that none exist. If Officer Fantigrossi was not interviewed or did not provide a written statement, this must be clearly stated. Otherwise, the failure to produce responsive documents violates the agency's duty to conduct a diligent search and to certify the completeness of the response.

3. Ambiguity Regarding Redactions and Record Scope

The redaction log does not clarify whether footage beyond the currently provided file exists, whether additional portions were redacted, or whether the final exchange with the complainant was never recorded. This ambiguity prevents meaningful public access and undermines the transparency required under FOIL.

Relief Requested:

I respectfully request that the agency:

- Conduct a full search for any additional footage showing the remainder of the officer's interaction with the driver, including the return of documents or conclusion of the stop;
- Disclose any written statements, notes, or internal records concerning Officer Fantigrossi's involvement in PSS Case No. 2024-0084;
- Provide a written certification that no such records exist, if applicable;
- Clarify whether any responsive footage was withheld or redacted, and if so, cite the specific FOIL exemption relied upon.

Thank you for your attention to this appeal. Please do not hesitate to contact me at admin@transparentlawenforcement.com with any questions or clarification needs.

Sincerely,
Cadhla McBride
Transparent Law Enforcement

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BWC Redaction Key.xlsx

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