



Rochester Police Department General Order



EFFECTIVE DATE: April 20, 2015	SUBJECT: <b style="background-color: yellow;">SURVEILLANCE OPERATIONS	ORDER# 416
RESCINDS: G.O. 416 (06/14/04)	REFERENCE STANDARD(S): NYS:	PAGE 1 of 5
ATTACHMENT(S):		
Chief's Signature: <i>Michael L. Ciminelli</i>		

I. DEFINITIONS

Surveillance: The secretive, continuous or periodic watching of and/or listening to, persons, vehicles, places or objects to obtain information concerning the activities and identities of individuals. It can be also be defined by the method utilized, either visual or electronic, and by the function it serves, either intelligence gathering, pre-event, cover, or post-event.

II. POLICY

- A. Surveillance operations, beyond routine observations, will only be initiated following approval and authorization from a supervisor of appropriate authority for the scope of the operation (e.g., wiretaps).
- B. Non-consensual (intrusive) electronic surveillance always requires court authorization (warrants) and will only be used in accordance with Title III (Wiretapping and Electronic Surveillance) Omnibus Crime Control and Safe Streets Act of 1968 and the New York State Criminal Procedure Law Articles 700 and 705.
- C. Consensual electronic surveillance or monitoring is authorized providing ALL parties to the consent agree and sign waiver/consent forms supporting such monitoring.
- D. Control and use of all Departmental electronic surveillance equipment is governed by Administrative Orders A-30 and A-31.

III. OBJECTIVES OF A SURVEILLANCE

- A. Intelligence gathering surveillance: The surveillant attempts to learn all one can about a crime, activity, or individual.
- B. Pre-event surveillance: The process used to gather tactical information that will be used to assist personnel who may later become involved in an undercover or enforcement operation. This may include suspect identification, known patterns of movement, associations, general or specific layout of area, sources of supply, and couriers, etc.
- C. Cover surveillance: Used primarily for the protection of the undercover officer or confidential informant, and is also used to corroborate their testimony.
- D. Post-event surveillance: Used to continue intelligence gathering, to determine the actions of subjects following contact with an undercover officer or informant, where a cash payment goes after the sale, to identify other customers of the seller, and to keep the seller under observation in the event the substance purchased is not what it was presented to be.
- E. Surveillance can also be used to:
 - 1. Analyze and obtain evidence of criminal activity.
 - 2. Locate persons by observing their haunts and associates.
 - 3. Verify the reliability of informants.
 - 4. Locate hidden contraband.
 - 5. Discover probable cause for obtaining search warrants, pen register orders, and Title III warrants.
 - 6. Prevent the commission of, or to apprehend a suspect in the commission of a criminal act.
 - 7. Obtain information to be used later during interview/interrogation.
 - 8. Develop leads and information received from other sources.

9. Verify the whereabouts of an individual during specific times.
10. Obtain admissible legal evidence for subsequent court use.

IV. RESPONSIBILITIES OF PERSONNEL INVOLVED

A. Supervisors of any surveillance operation are responsible for:

1. Carefully planning the operation in advance.
2. Conducting analysis of crimes and victims (as appropriate) through Departmental resources, such as Crime Research Unit, Monroe Criminal Analysis Center (MCAC), Information Systems Unit, etc.
3. Determining whether or not any other agency is investigating or surveilling the same target; if the expected results justify the expenditure of time, money, personnel, and equipment; the best type of surveillance to use; availability of premises for fixed surveillance, etc.
4. Selecting and organizing the surveillance team.
5. Thoroughly briefing each surveillance team member of:
 - a) The object of the surveillance;
 - b) The identity of all subjects;
 - c) Any anticipated difficulties (e.g., counter-surveillance);
 - d) The means of communication to be used;
 - e) How and when to report to the supervisor; and,
 - f) Maintenance of surveillance reports, etc.
6. Provide subject/target descriptors to include:
 - a) Background/history of the target: to include arrest/FIF records, known associates, methods of operation, mannerisms and habits, places known to

frequent, vehicles used, routes traveled, weapons possessed, etc.

- b) Locations where the surveillance most likely will occur, and/or relocate to
 - c) Photographs/videos/diagrams of targets.
7. Secure and supply team members with necessary equipment and supplies, to include: communications equipment, replacement portable batteries, photographic equipment, vehicles, maps, binoculars, expense money, disguises, credentials, etc.
8. Provide for adequate manpower, relief, etc.
- B. Members assigned to the surveillance operation are responsible for:
- 1. Becoming familiar with all information relayed by the surveillance supervisor and examination of Department and external sources of information relative to the target.
 - 2. Dressing appropriately for the type and location of the surveillance operation, to blend in as much as possible with the target location.
- NOTE: All plainclothes personnel are encouraged to have on their person and readily accessible their issued Departmental identification and/or badge.
- 3. Securing equipment, supplies, vehicles needed for the surveillance.
 - 4. Reconnaissance of, and familiarity with, the target location layout and neighborhood or possible routes/means of escape by foot or vehicle, type of inhabitants, including their method of dress and language to facilitate blending in, etc.
 - 5. Securing expense funds as necessary per Administrative Order 29.
 - 6. Taking notes and completion of post-surveillance reports, to include at a minimum: identity and/or detailed descriptions of persons and vehicles observed, the activity

occurring, including but not limited to: the date, time, and place of observation, weather conditions, approximate distance between observation point and site of activity, etc.

7. Informing the supervisor of important information.
8. Safe and swift apprehensions and arrest of persons if the surveillance operation dictates such. All involved members should discuss the roles prior to the need for such action and whenever possible, uniformed personnel should be involved in such apprehensions.
9. The extent of priorities to be considered in deciding whether or not to break off the surveillance for other police activity/needs (e.g., response to crimes in progress).



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TO: Thomas S. Richards, Acting Mayor
 FROM: James M. Sheppard, Chief of Police
 DATE: June 24, 2011
 SUBJECT: Request for "e-signature" authorization for Gang Conspiracy Initiative grant award from NYS Division of Criminal Justice Services

AS

The Police Department requests that you initial the attached yellow form to authorize "e-signature" acceptance of a grant award through the New York State Division of Criminal Justice Services (NYS DCJS), for funding under the Gang Conspiracy Initiative program.

The funding, in the amount of \$150,000, will be used to purchase surveillance equipment to assist with identifying criminal networks and organizations in the City of Rochester. The grant runs from June 1, 2011 thru January 30, 2012. This is the first funding we have received from this initiative. No matching funds are required. This agreement was authorized by Council Ord. No. 2011-226, approved at the June 21, 2011 meeting.

After initialing the attached yellow sheet, please return the package to the RPD Budget Office, so that we can proceed with the online grant authorization process. Feel free to contact Mike Bialaszewski in Research and Evaluation, 428-3640, if additional information is needed. Your time and consideration in this matter is appreciated.

JS/mbb/ca

- Copies:
- Exec Deputy Chief Markert
- Deputy Chief Wood
- Commander Ciminelli
- Acting Commander Costello
- Lt. Don Lucas
- Suzanne Warren, OMB
- Carol Arieno
- Aleta Allen, Accounting

Maya - as per my email A.D.





City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **June 21, 2011** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **June 22, 2011** in accordance with the applicable provisions of law.

Ordinance No. 2011-226

**Authorizing An Agreement For Funding For The Gang
Conspiracy Initiative And Appropriating Funds**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for funding for the Gang Conspiracy Initiative.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. The sum of \$150,000, or so much thereof as may be received, is hereby appropriated from the funds to be received under the grant agreement authorized herein to fund the purchase of equipment to support the Gang Conspiracy Initiative.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Warren, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Scott, Spaul - 9

Nays - None - 0.

Attest

City Clerk

Contract: NYS DCJS 150K GANG-CONSPIR

Please note that the documents accompanying this sheet provide information on a Department of Criminal Justice Services Grant that is on the DCJS Grants Management site.

These documents do not constitute a contract. The information here will allow City Hall departments to review the contract information before the Mayor's signing.

The signing of the contract needs to be done on-line by
E-Signature.

- Mayor, please initial below to authorize the e-signature for this contract
- Please return these documents to Mike Bialaszewski at RPD Research and Evaluation

Mayor's initial: MB Date: 8/11/2011

THANK YOU!

Project #: BJ11-1171-D00 Byrne JAG

Project Status: Pending Signatures

Project

Participant: Rochester, City of

Home Search Open Locked

General	Participants	Budget	Work Plan	Questions	Acceptance	Contract Checklist
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Complete screen information and save. Add a Program Purpose Area (if applicable). Once finished, proceed to Participants tab. For contract certifications, appendices and supporting documentation, please visit the DCJS website for available downloads. When you have completed your application, click the SUBMIT link in the left margin. Remember, you will no longer be able to edit your application once it has been submitted.

Go to

Attachment Progress Site Review Equipment

DCJS Number BJ10632480 Federal Agency Name Bureau of Justice Assistance
 CFDA Number 16.738 Cost Center Funding Year 2010
 CFDA Description Edward Byrne Memorial Justice Assistance Grant Program

Project Title * (60 Character Limit)

Reports

Application

Project Start Date (If known or applicable) Submission Date 05/12/2011
 Project End Date (If known or applicable) Grant Funds \$150,000.00 100.00%
 Project Period Years 0 Months 8 Matching Funds \$0.00 0.00%
 Total Funds \$150,000.00

Deficiency Contract Award

County Have you included a file attachment with this submission?

Help Logout

Summary Description of Project (Please limit to one or two paragraphs)

Login ID: ropd

Funding will be used to target criminal group activity occurring in the City of Rochester. The key initiative will be in obtaining credible and actionable intelligence to identify and track criminal networks and organizations which will significantly enhance RPD's ability to investigate and prosecute gang related activities in the city; shootings, shots fired, home invasion robberies (drug) and street robberies, and burglaries.

Version 2.3.8

Program Purpose Area.

Program Purpose Code	Description	Remove
<input type="button" value="Cancel"/>	<input type="button" value="Check Spelling"/>	

* - Mandatory Field

Project #: BJ11-1171-D00 Byrne JAG

Project Status: Pending Signatures

Project

Participant: Rochester, City of

Home
Search
Open
Locked

General	Participants	Budget	Work Plan	Questions	Acceptance	Contract Checklist
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Please enter budget information. If you are requesting an advance, please enter the amount requested and the justification, then save the screen before proceeding. You may edit the Advance if necessary at a later time. Enter budget information by participant. If you will only be operating with one budget, please enter the budget for the Grantee agency. For consortia, you may enter budgets by individual implementing agency. When you have completed your budget, please go on to the Workplan tab.

Go to
Budget Summary

Attachment
Progress
Site
Review
Equipment

Participant	Grant Funds	Matching Funds	Total
Rochester, City of	\$0.00	\$0.00	\$0.00
Rochester City Police Department	\$150,000.00	\$0.00	\$150,000.00
Total	100.00%	0.00%	\$150,000.00

Reports
Application

Advance Request Amount (If not requesting an advance, please skip) \$

Advance Request Justification (200 character limit)

Deficiency
Contract
Award

Help
Logout

Budget Summary by Participant
Rochester, City of

Login ID:
ropd

Rochester City Police Department

Version
2.3.8

Version 1 - Edit (Click here to add more lines to budget categories)

#	Equipment	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds	Deficient
1	KING FISH Equipment	1	\$150,000.00	\$150,000.00	\$150,000.00	\$0.00	no
Total				\$150,000.00	\$150,000.00	\$0.00	

Version 1 Total	Total Cost	Grant Funds	Matching Funds
	\$150,000.00	\$150,000.00	\$0.00

Project #: BJ11-1171-D00 Byrne JAG Project Status: Pending Signatures
Participant: Rochester, City of

Project

Home
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General	Participants	Budget	Work Plan	Questions	Acceptance	Contract Checklist
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Please enter a Project Goal and Save. Then move on to add Objectives and Tasks.
 Project Goal

Go to
Attachment
Progress
Site
Review
Equipment

To reduce the incidence of violent and drug related crime by known offenders and groups in the City of Rochester through crime analysis and targeted investigations.

Use this summary to track your progress through the Workplan. Once you have created an Objective, please add the Tasks and Performance Measures associated with that Objective before moving on to create new Objectives. Once you have finished your Workplan, please answer program Specific Questions on the Questions tab (if applicable).

Reports
Application

Click on the Objective or Task Name to view the details
 Objective #1

Deficiency
Contract
Award

Objective Name	Deficient
To develop a strategy that will reduce crime by known offenders and groups in the City of Rochester	no

Help
Logout

Task #1 for Objective #1	Deficient
Include in the first quarterly progress report a t...	no

Login ID:
ropd

#	Performance Measure	Deficient
1	Include in the first quarterly progress report a t...	no
2	Provide the numbers reflecting the UCR Part 1 crim...	no
3	Provide the numbers reflecting the UCR Part 1 crim...	no

Version
2.3.8

Task #2 for Objective #1	Deficient
Identify those law enforcement agencies whose effo...	no

#	Performance Measure	Deficient
1	During each quarter, conduct meetings among the pa...	no

Objective #2

Objective Name	Deficient
To decrease violent and drug related crime through targeted investigations and undercover details.	no

Task #1 for Objective #2	Deficient
Personnel assigned will be deployed into areas of ...	no

#	Performance Measure	Deficient
1	Number of investigations initiated.	no
2	Number of misdemeanor arrests.	no
3	Number of felony arrests.	no
4	Number and description(s) of weapon(s) seized.	no
5	Number of controlled illegal narcotics buys.	no

6	Detailed breakdown of type and quantity of illeg...	no
7	Estimated value of drugs seized.	no
8	Assets seized (vehicles, money etc.).	no
9	Number of post arrest debriefings conducted.	no
10	Include a brief narrative description of the acti...	no

Objective #3

Objective Name		Deficient
Reflective of the award purpose, the City of Rochester Police Department will identify the equipment...		no

Task #1 for Objective #3		Deficient
Within the first quarter of the grant contract per...		no

#	Performance Measure	Deficient
1	Provide description(s) of the approved equipment t...	no

Task #2 for Objective #3		Deficient
By the end of the second quarter, the grantee will...		no

#	Performance Measure	Deficient
1	Provide the date(s) that equipment was ordered.	no

Task #3 for Objective #3		Deficient
The grantee will receive all approved equipment by...		no

#	Performance Measure	Deficient
1	Date(s) the equipment was received and location(s)...	no

Task #4 for Objective #3		Deficient
The grantee will provide a brief narrative describ...		no

#	Performance Measure	Deficient
1	In each quarterly progress report the grantee will...	no

Objective #4

Objective Name		Deficient
To continue the improvement and expansion of the abilities of Rochester Police Department through ap...		no

Task #1 for Objective #4		Deficient
The Rochester Police Officer(s) will receive trai...		no

#	Performance Measure	Deficient
1	Names of officers trained	no
2	Dates of training	no

Objective #5

Objective Name	Deficient
To fulfill the reporting requirements established by the Bureau of Justice Assistance (BJA), by prov...	no

Task #1 for Objective #5	Deficient
The grantee will complete the measures below by si...	no

#	Performance Measure	Deficient
1	Equipment/Supplies: 39. Amount of JAG funds...	no
2	Task Force Activities: 66. Number of new...	no
3	Outcomes for All Activity Areas: 84. Cha...	no



Rochester Police Department Administrative Order



EFFECTIVE DATE: June 11, 2012	SUBJECT: TECHNICAL SURVEILLANCE EQUIPMENT & OPERATIONS	ORDER# 30
RESCINDS: A.O. 30 (05/24/05) A.O. 31 (12/18/96)	REFERENCE STANDARD(S): CALEA: NYS:	PAGE 1 of 21
ATTACHMENT(S): SIS/SESU Authorization for Consensual Monitoring, Electronic Video Waiver, Tracking Equipment Utilization Form Parts A, B, C, D and E.		

I. DEFINITIONS

- A. Technical Surveillance Equipment is equipment owned or used by the Rochester Police Department (RPD) for surveillance purposes, capable of intercepting and/or recording the communications, actions, movements, or location of persons, either overtly or covertly, including, but not limited to, audio, video, photographic, telephone, and tracking equipment.

Note: this does not include video or audio systems used to record interviews in RPD interview rooms. See GO 405, Video recording or Interviews.

- B. Non-Consensual Intrusive Electronic Surveillance consists of wiretapping, mechanical overhearing, or videotaping of persons and their private conversations and actions *without* their consent in a place where they would reasonably have an expectation of privacy. Proper consent may negate the need for court authorization (see Attachments A and B).
- C. Eavesdropping is the wiretapping, mechanical overhearing of conversation, or the interception or accessing of an electronic communication (as defined by Section 250.00 of the Penal Law), but *does not* include the use of a pen register when authorized pursuant to Article 705 of the Criminal Procedure Law (CPL).
- D. Video Surveillance is the intentional visual observation by law enforcement of a person by means of a television camera or other digital or electronic device that is part of a television transmitting apparatus, whether or not such observation is recorded digitally, on film or videotape.

“Policing in the Spirit of Service”

ROCHESTER POLICE DEPARTMENT

NYSLEAP Accredited Agency

ROCH. Doc Pro 001137

Note: this does not include video or audio systems used to record interviews in RPD interview rooms. See GO 405, Video recording or Interviews.

- E. Title III refers to a court order to intercept call data and call information (audio), commonly referred to as a wiretap. The **Omnibus Crime Control and Safe Streets Act of 1968** is legislation passed by the Congress of the United States that established the Law Enforcement Assistance Administration (LEAA). Title III of this Act set rules for obtaining wiretap orders in the United States
- F. Dialed Number Recorder (DNR) and Pen Register (PEN) are devices, which record or decode electronic or other impulses that identify the numbers dialed or otherwise transmitted on a telephone line to which such device is attached. It records call data only and is not capable of audio intercept. Both terms, DNR and PEN identify the same device.
- G. Pen Room is a physically secure location with restricted access housing the computer workstation which is dedicated to the operation of PEN's and Title III's, and the storage of related documents.
- H. Tracking Equipment is technical surveillance equipment used to track the movements of and/or locate vehicles or other items utilizing Global Positioning Satellites (GPS) or other technology. Data regarding the movements is accessible via a computer or radio direction finding equipment.

II. POLICY

- A. The technical surveillance equipment employed by the RPD will only be used for legitimate Department purposes, and will be governed by the requirements of New York State and/or Federal laws. Deviation from this policy may result in criminal prosecution and/or departmental charges.
- B. The operation of the technical surveillance equipment will be strictly controlled and accountable.
- C. When technical surveillance equipment is loaned to personnel assigned outside of the Special Investigations Section (SIS), it is the responsibility of the borrowing member to ensure compliance with this order and proper use and care of the equipment.

- D. A reasonable expectation of privacy will be assumed in all cases unless a reason to the contrary can be clearly identified.
- E. RPD employees will not use technical surveillance equipment made available through any source other than the Department without permission of the Chief of Police, Deputy Chief of Police, Commanding Officer of the Special Operations Division or their designees.

III. PROCEDURES REGARDING THE SURVEILLANCE PLATFORM

- A. The surveillance platform will be used only by members assigned to SIS, or working with the SIS, to gather evidence for the furtherance of SIS investigations.
- B. The surveillance platform will be used to gather evidence through the use of photo surveillance, video surveillance recording and monitoring, as well as audio transmitter recording and monitoring.
- C. Personnel assigned to the surveillance platform for the purpose of utilizing technical equipment therein will not be expected to respond to operational assignments and will not be considered as part of the operational component.
- D. **Personnel assigned to a technical capacity within the surveillance platform will not exit /expose their identity under any circumstances other than an imminent threat of injury to officers or civilians.**
- E. To minimize exposure, efforts will be made as soon as possible to detach the surveillance platform at the conclusion of any operation.
- F. The surveillance platform will be used only in covert operations as approved by the Commanding Officer of SIS or his designee.
- G. Only those members assigned to SESU may operate the surveillance platform. SESU members will be trained on the use of technical equipment assigned to SESU.
- H. Members assigned to the SESU are responsible for the maintenance of the surveillance platform, all on-board equipment, and all other equipment utilized in conjunction with the platform.

- I. The Commanding Officer of SESU, or his designee, will be responsible to maintain a list of equipment, if any, to be kept in the surveillance platform.

IV. SESU EQUIPMENT CONTROL

The purchase, storage, record keeping, issuance and maintenance of technical surveillance equipment will be conducted by the SESU under the direction of the Commanding Officer of the SIS. **See note below regarding specific regulations for PEN and Title III storage.**

- A. Purchase - Equipment will be purchased per current City and Departmental procedures, and in accordance with operational needs as determined by the Chief of Police or his designee. Technical surveillance equipment purchased by the RPD, which is regulated by the FCC, will meet FCC type compliance and acceptance.
- B. Storage - Equipment will be stored in the facilities of the SESU. Equipment that is not currently in use will be returned to the SESU.
- C. Record Keeping - All documentation relating to technical surveillance equipment (such as purchasing invoices, instruction manuals, maintenance contracts and repair orders, inventory, sign-out logs, etc.) will be maintained under the direction of the SESU.
- D. Issuance - Requests for equipment issuance will be made through the Commanding Officer of the SESU or his designee. Equipment will be issued per the procedures documented in Section VII.B. of this order.
- E. Maintenance - All maintenance or repair of technical surveillance equipment will be the responsibility of the SESU.

NOTE: The storage, operation and maintenance of the computer work station controlling the PEN's and Title III's shall be conducted **in the PEN ROOM**. The only exception to this policy will occur when said equipment is utilized in another location pursuant to a court authorized eavesdropping warrant. Pen Room entry shall be restricted to members of the SESU for the purpose of

operation and maintenance of the equipment files.

No other person will be allowed access to the Pen Room unless accompanied by a member of the SESU. A log shall be maintained documenting pen room entries by persons other than members of the SESU. The log will document the name of the person entering the Pen Room as well as the date, time of entry, time of departure, purpose of entry, and the name of the escorting SESU member.

V. PROCEDURE FOR TECHNICAL SURVEILLANCE EQUIPMENT OTHER THAN PENS OR TITLE III.

- A. To ensure compliance with all laws, members will:
1. Obtain court authorization in those instances where technical surveillance equipment is to be used in a non-consensual setting and is required by Article 700 or 705 of the CPL, or by applicable Federal law.
 2. Coordinate their attempts to gain court authorization with the Commanding Officer of the SESU and with the applicant prosecuting attorney when applicable.
 3. Assist and supply proper testimony, either oral or through a written sworn affidavit, to establish and support probable cause, exhausted investigative technique, and facilities used by the target.
 4. Verify the accuracy of the signed warrant prior to its execution.
- B. If requested and authorized by the warrant, members will make surreptitious entry upon a private place or premise to install the technical surveillance equipment pursuant to the authorized court order.
- C. Members will record the contents of any authorized communication intercepted or any observation made by any means authorized by the warrant digitally, on tape, wire or comparable device.
- D. Members will periodically communicate with the applicant attorney to apprise him of developments.
- E. Members will submit all reports requested or required by the

issuing judge within the designated time intervals showing any progress made toward achievement of the authorized objective and need for continued surveillance.

- F. Upon termination of the authorization on the warrant, members will immediately cease the eavesdropping or video surveillance and enter any private place or premise in which eavesdropping or video surveillance devices were installed, for the purpose of removing or making the devices inactive.
- G. All recordings of communications or observations made pursuant to the warrant shall be delivered to the custody of the authorized applicant attorney, or directly to the issuing judge if directed by him or the applicant district attorney.
- H. **Members will retain custody of the recordings made pursuant to the warrant if the judge so directs. If retained, they must be maintained for a minimum period of ten years.**
- I. Members will only disclose information obtained pursuant to either type of warrant to:
 - 1. Other law enforcement personnel to the extent appropriate for the proper performance of the official duties of the member making or receiving the disclosed information, or
 - 2. The courts/grand jury as authorized by CPL 700.65.3.
- J. The information obtained will be used pursuant to either type of warrant to the extent such use is appropriate to the proper performance of his official duties.

VI. PROCEDURES FOR PEN AND TITLE III INSTALLATIONS

A. COURT ORDER

Use of these devices requires a court order. These orders are issued by a court of competent jurisdiction upon application of the U.S. Attorney, N.Y. Attorney General, Monroe County District Attorney, or any of their sworn assistants.

- 1. Members involved in requesting or assisting the applicant attorney to obtain a Pen Register or Title III, will supply information on a sworn affidavit as outlined in CPL §705.15, or, if appropriate, as outlined in applicable Federal law.

2. The SESU Commanding Officer will cause the order to be executed by directing the installation of the appropriate devices as ordered by the Court, carefully adhering to the time constraints governing the period in which they may be installed. Should technical difficulties make it impossible to install the device within the court ordered time constraints, the SESU shall notify the investigating member, and it shall be the responsibility of the investigating member to obtain a new court order. There can be no deviation from this procedure without the express written approval of the Court.

B. EVIDENCE COLLECTION AND DISSEMINATION

Evidence collected from PEN and Title III devices shall only be turned over to the investigating members who obtained the Court Order or their immediate supervisor. Any deviation from this policy must be authorized by the Commanding Officer of SIS or his designee.

C. DEACTIVATION/TERMINATION OF DEVICE

SESU personnel shall deactivate or terminate a PEN or Title III on or prior to the date of expiration as delineated in the Order authorizing such device.

1. PEN installations may be extended as provided for in CPL §705. The investigating member will provide the SESU two (2) copies of the court authorized extension order prior to the date of termination of the original order. Throughout the portion of the investigation requiring the use of a PEN or Title III, and prior to the extension of an order for these devices, the investigating member will ensure that the telephone number for the target telephone device has not changed. In the event that the target telephone device's number is changed the investigating member will immediately notify the SESU to deactivate the PEN or Title III relating to the target telephone. It shall be necessary for the investigating member to make application before the Court for an amended order. SESU personnel will immediately deactivate a PEN or Title III when they have

knowledge that said installation is contrary to the Court Order in any manner.

2. PENs or Title III's may be terminated by the investigating member prior to the court ordered date upon written request to the SESU.

VII. EQUIPMENT ISSUANCE

A. Policy

The SESU may temporarily issue technical surveillance equipment to other components of the Department including the Tactical Unit, Central Investigations Division, or Patrol at the discretion of its Commanding Officer when the requesting persons have satisfied the following requirements:

1. Legal Issues - In applications requiring a court order, the requesting person will produce a court-ordered authorization for the use of technical surveillance equipment prior to equipment issuance. In general, where there is a reasonable expectation of privacy, there must either be a waiver of consent signed by one of the parties to be surveilled, or a court order to utilize technical surveillance equipment. Any questions regarding lawful use of technical surveillance equipment will be addressed to the District Attorney or the US Attorney with jurisdiction in the case's prosecution. The lawful use of technical surveillance equipment becomes the responsibility of the person to whom it is issued. This responsibility can never be waived.
2. Training/Familiarity - At the direction of the Commanding Officer of the SESU, the requesting/receiving member(s) may require specialized training or familiarization in the use of the requested technical surveillance equipment prior to its issuance.

B. Guidelines/Requirements for Technical Surveillance Equipment

NOTE: Custom-made or disguised equipment will NOT be used with confidential sources nor will they be made aware of the existence of such equipment without prior approval of the Commanding Officer of the SESU.

1. This surveillance equipment may require a court order:
 - Photographic/Video Equipment
 - Night Vision Equipment
 - Microphones and Audio Tape Recorders
 - Transmitters (Kel-Kits)
 - Tracking Transmitters (Bumper Beepers, trackers utilizing GPS technology)
 - a) Court orders are required for applications when a consenting party is not present and there is a reasonable expectation of privacy. There is no reasonable expectation of privacy in a "public place". A public place means a place to which the public or a substantial group of persons has access. Refer to Section 240.00 (1) of the Penal Law for examples. If it is not clearly a "public place" as described, officers will obtain a court order.
 - b) With one-party consent, all authorized activity/conversations may be recorded/monitored if any party gives consent and a waiver indicating same is signed. The person who signs the waiver must be present for all such recorded activity/conversations. A waiver is mandatory.
 - c) An undercover officer must sign a waiver and be present for all such recorded or monitored activity/conversations.
 2. A court order is required and members of SESU will apply to the courts as outlined in Article 705 of the CPL in all instances prior to a unit being issued for the following types of surveillance equipment:
 - Dialed Number Recorders (DNR)/ Pen Registers
 - Title III Cellular Intercept Equipment
 - FAX/Modem Intercept Equipment
- C. When technical surveillance equipment is utilized by other components of the Department, unless otherwise directed by the

Commanding Officer of SIS, the role of SESU is to provide technical advice, guidance and assistance, as well as perform technical functions such as installations, maintenance, repair and the removal of the equipment. The investigating member(s) are responsible to receive, monitor or review the data, make arrangements for the installations and removal of the equipment, and to provide personnel for the security of the SESU members during technical operations where applicable.

D. Procedures

1. The investigating component wishing to use technical surveillance equipment will contact the SESU to discuss investigative needs and goals, as well as technical, logistical and legal issues. In the case of tracking equipment/bumper beepers the requesting member will also:
 - a. Complete the SIS Tracking Equipment Utilization Form, Part A and submit it to the SESU.
 - b. Designate a Command Officer of the rank of Lieutenant or higher who will oversee the investigation.
 - c. Designate a Lead Sergeant, Investigator, or Officer to have primary responsibility to conduct the operation and who will be responsible for the security and use of the equipment.
 - d. Obtain the appropriate court order and provide SESU with a copy of the signed order or a completed "Authorization for Consensual Monitoring" form which authorizes the tracking operation.
2. When a request is received by SESU for the utilization of technical surveillance equipment, the commanding officer will review the request, confirm the availability of suitable equipment to accomplish the investigative objectives and work with the requesting component to resolve any issues. In the case of tracking equipment, once all issues are resolved, the commanding officer of SESU will complete Part B of the Tracking Equipment Utilization Form and forward it to an SIS Command Officer (Captain or Lieutenant) or higher authority for final approval. If

approved, SESU will complete Part C of the form upon installation.

3. Once legal and departmental approvals are received, the investigating member will work with SESU to plan for installation of the technical surveillance equipment as well as any future maintenance. SESU will provide all equipment and instruction on its use. While SESU will continue to provide technical support throughout the investigation, it is the investigating member's responsibility to review, receive or monitor all data and any related investigative or enforcement work.

- E. Unless extended issue is authorized by the Chief of Police, the Commanding Officer of the SIS or their designee, the technical surveillance equipment will be issued for a specific length of time and will be returned to the SESU on or before the return date specified.

VIII. SPECIFIC REGULATIONS FOR TRACKING EQUIPMENT

A. Authorization under Exigent Circumstances

1. Exigent circumstances may arise in which the authorization procedures set forth in VII.D.1.a-d cannot be completed. For the purposes of this order, exigent circumstances are those involving an imminent threat to the life or safety of any person or a significant unanticipated enforcement or investigative opportunity that must be acted on quickly.
2. The Commanding Officer of SIS, or a higher ranking departmental authority may verbally approve a request to use tracking equipment, provided legal requirements are met.
3. The requesting member and the SESU shall complete the Tracking Equipment Utilization Form the next business day (Monday through Friday).

B. Terminating or Extending the Tracking Operation Procedures

1. No later than one week prior to the expiration date of the court order, the investigating component must contact SESU to plan for an extension of the order or the end of the

operation and retrieval of the equipment.

2. If the order is to be extended, it is the responsibility of the investigating component to receive court authorization for the extension and to provide SESU with a copy of such order prior to the expiration of the current order. If SESU does not receive the extension order prior to the expiration, SESU will shut down capability to receive or monitor data on SESU equipment and any equipment being utilized by the investigating component at the order's expiration. Upon receipt of a valid court-ordered extension, SESU will complete Part D of the Tracking Equipment Utilization Form.
3. If the tracking operation is to be ended with the expiration of the order, the investigating component will work with SESU to plan for the cessation of capabilities to receive and monitor data and for the retrieval of all equipment. It is the responsibility of the investigating component to provide personnel to accomplish the retrieval.

NOTE: if difficulty is anticipated in locating or obtaining the vehicle or object for equipment removal prior to the order's expiration, the investigating component will obtain an extension order authorizing use of the tracking equipment to locate the object or vehicle and/or seize the vehicle for the purpose of removing the tracking equipment.

4. The investigating component will return to SESU, or give access to SESU, any equipment being used to receive or monitor data by noon on the last business day (Monday-Friday) prior to the expiration of the order.
5. If SESU is *not* given access to the equipment or for any reason is not able to stop receipt of the data prior to the expiration of the order authorizing the equipment, SESU will immediately notify the Commanding Officer of SIS. Arrangements will be made to immediately obtain the equipment or otherwise take steps to ensure compliance with legal requirements.
6. If the vehicle or object cannot be located or obtained to retrieve the tracking equipment, or for any reason the tracking equipment is not removed prior to the expiration of

the order authorizing such equipment:

- a. SESU will take steps to prevent the receipt or monitoring of any data while the order is not in effect.
 - b. The investigating component will obtain a court order, or extension of the expired order to authorize use of the tracking equipment to locate and seize the vehicle for the purpose of removing the tracking device.
7. If the tracking operation is based on consent rather than a court order, the investigating component will cease receiving data and immediately notify SESU if the consenting party withdraws consent. Arrangements will then be made to retrieve any equipment.
8. **In the event that the RPD receives any tracking data outside the scope of the court order or consent, the following procedure will be adhered to:**
- a. **RPD personnel will not use any data obtained outside the scope of the court order or consent for any enforcement or investigative purpose, nor will such data be provided to any other law enforcement or investigative agency.**
 - b. **The SIS Commanding Officer will notify their Commanding Officer.**
 - c. **All such data will be secured on SESU equipment.**
 - d. **The investigating component and SESU will coordinate with the District Attorney's Office to obtain a court order to seal and/or destroy the data.**
 - e. **The SIS Commanding Officer will submit an IDC to their Commanding Officer explaining the circumstances and steps taken to remedy the situation.**
9. At the completion of a tracking operation, SESU personnel will complete part E of the Tracking Device Utilization Form.

C. Deviation From This Order

SUBJECT: TECHNICAL SURVEILLANCE EQUIPMENT & OPERATIONS	ORDER# 30	PAGE# - 14 -
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The Commanding Officer of the SIS may authorize deviation from this order provided he or she ensures that all legal requirements are satisfied and any RPD policies and procedures are followed. In such cases, within twenty-four hours of approving the deviation from this order, the SIS Commanding Officer must submit an IDC to their Commanding Officer notifying him/her of the deviation and explaining the justification for this. This IDC will be submitted the next business day (Monday through Friday).

**ROCHESTER POLICE DEPARTMENT
 SPECIAL INVESTIGATION SECTION'S
 SURVEILLANCE & ELECTRONIC SUPPORT UNIT**

AUTHORIZATION FOR CONSENSUAL MONITORING

I, _____, do hereby give consent and authorization to _____ or other members of the Rochester Police Department, to overhear and / or record conversations and discussions to which I am a party, between the hours of:

_____ and _____

Month Day Year Time Month Day Year Time

I further consent to the placement and / or monitoring, and / or installation of audio and / or video recording or transmitting equipment:

1. Upon my body or person to include carried items (purse, luggage, package, etc.) and / or
2. Within my residence or attached to any residential wire or electronic communication equipment to include but not limited to: telephones, pagers, computers and facsimiles, etc., and / or
3. Within my place of business or attached to any business wire or electronic communication equipment to include but not limited to: telephones, pagers, computers and facsimiles, etc., and / or
4. Within my vehicle(s) of any description, either personally owned or leased by me, and / or
5. On public telephones when used by me, and / or
6. On any other telephone that I have authorization to use even though I am not the subscriber.

I understand that I have the right to refuse such consent and authorization and affirm under penalty of perjury that I give my consent and authorization voluntarily.

NOTICE: False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the New York State Penal Law.

Date	Time	Consenting Party Signature
Witnessing Member's Signature	Witnessing Member's Signature	

**ROCHESTER POLICE DEPARTMENT
SPECIAL INVESTIGATION SECTION'S
SURVEILLANCE & ELECTRONIC SUPPORT UNIT**

ELECTRONIC VIDEO WAIVER

PROJECT _____

I, _____, do hereby give consent
and authorization to _____, or other members of the

Rochester Police Department, to install video equipment including but not
limited to, electronic device(s), camera(s), videotape recorder(s), and necessary
wiring to complete said installation in my home, located at _____

_____ phone number _____

and to maintain and monitor such equipment for a period of thirty (30) days
from the date of this authorization.

Signed: _____

Date: _____

Time: _____

Witness: _____

Witness: _____

**Rochester Police Department
 Special Investigations Section
 Tracking Equipment Utilization Form**

PART A Request (To be completed by investigating/requesting member)

1. Date _____
2. Requesting Member/ Unit or Division _____
3. Responsible Command Officer _____
4. Lead Officer/ Investigator _____
5. Item to be tracked
 - Vehicle Year _____ Make _____ Model _____ Plate _____
 - Other item- describe _____
 - Best date/time for installation _____
 - Best location for installation _____
 - Type of location (e.g., residence, school, driveway, street, etc) _____
 - _____
 - Potential hazards/ difficulties (e.g., dogs, lighting, fences, video surveillance, weapons, etc) _____
 - _____
6. Legal Basis
 - Court Order
 - Consent by _____
7. Crimes being investigated _____
8. CR# _____
9. Investigative Target (include name, MoRis#, criminal history regarding violence or weapons.

10. Purpose of tracking _____
11. Expected length of tracking operation _____

PART C Implementation (To be completed by SESU)

1. Date Court Order or Consent Form received by SESU _____
 Copy attached
2. Court Order/ Consent Form reviewed by _____
3. Date Court Order/ Consent Form expires _____
4. Date for plan to extend/ end tracking (at least one week prior to expiration)

5. Date of installation _____
6. Location vehicle/ object obtained _____
7. Location installation performed _____
8. Tracking device used _____
9. SESU personnel performing installation _____

10. SESU equipment provided to investigating member (include ID/serial #)

11. List name and phone number of person receiving SESU equipment.

_____	_____
Name	Phone number
12. Installation notes/comments.

PART D Extensions (To be completed by SESU)

Extension 1

Date extension order received by SESU _____ Copy Attached
Date extension order expires _____
SESU personnel that reviewed extension order _____
Date for plan to extend/end tracking operation (at least one week prior to expiration date) _____

Extension 2

Date extension order received by SESU _____ Copy Attached
Date extension order expires _____
SESU personnel that reviewed extension order _____
Date for plan to extend/end tracking operation (at least one week prior to expiration date) _____

Extension 3

Date extension order received by SESU _____ Copy Attached
Date extension order expires _____
SESU personnel that reviewed extension order _____
Date for plan to extend/end tracking operation (at least one week prior to expiration date) _____

Extension 4

Date extension order received by SESU _____ Copy Attached
Date extension order expires _____
SESU personnel that reviewed extension order _____
Date for plan to extend/end tracking operation (at least one week prior to expiration date) _____

Extension 5

Date extension order received by SESU _____ Copy Attached
Date extension order expires _____
SESU personnel that reviewed extension order _____
Date for plan to extend/end tracking operation (at least one week prior to expiration date) _____

Attach additional sheets if necessary.

PART E Completion (To be completed by SESU)

1. Date court order/extension expires _____ **OR**
Date SESU notified of consent withdrawal _____
2. Date/time receipt capability stopped _____
3. SESU personnel ending receipt capability _____
4. SESU personnel retrieving tracking device _____
5. All SESU equipment returned? YES NO
6. All software installed on non-SIS computers removed? YES NO
7. SESU equipment not returned or software not removed and explanation if applicable.

8. Composite CD/DVD made? YES NO
If yes, name of person CD/DVD turned over to _____

9. Completion notes/comments:

10. SESU personnel completing Part E _____



Rochester Police Department Administrative Order



EFFECTIVE DATE: October 29, 2004	SUBJECT: PEN REGISTER, TRAP AND TRACE DEVICE, USE & SECURITY	ORDER# 31
RESCINDS: A.O.31 (12/18/96)	REFERENCE STANDARD(S): CALEA: NYS:	PAGE 1 of 4
ATTACHMENT(S):		

I. DEFINITIONS

A. Dialed Number Recorder (DNR) and Pen Register (PEN)

These terms identify the same device. These are devices, which record or decode electronic or other impulses that identify the numbers dialed or otherwise transmitted on a telephone line to which such device is attached. It records outgoing numbers only and is not capable of audio intercept.

B. Trap and Trace Device (TTD)

These devices capture incoming electronic or other impulses which identify the originating number of an instrument or device from which a wire or electronic communication was transmitted. It records incoming telephone numbers.

C. Pen Room

A physically secure location with restricted access housing the computer workstation, which is dedicated to the operation of PENs, TTDs, and related documents of the Rochester Police Department (RPD).

II. POLICY

- A. The PENs and TTDs employed by the RPD will only be used for legitimate Departmental purposes and shall be governed by the requirements of State and Federal law. It is the responsibility of the Commanding Officer of the Surveillance & Electronics Support Unit (SESU) to insure that all procedures and laws are strictly adhered to.



- B. Deviation from this policy or any attempts to compromise the integrity of the outlined electronic surveillance equipment may result in criminal prosecution and departmental charges.

III. EQUIPMENT CONTROL

- A. The purchase, storage, record keeping, maintenance and operation of the PENs and TTDs shall be conducted by the SESU under the direction of the Commanding Officer of the Special Investigation Section (SIS).
- B. The storage, operation and maintenance of the computer work station controlling the PENs and TTDs shall be conducted in the PEN ROOM. The only exception to this policy will occur when said equipment is utilized in another location pursuant to a court authorized eavesdropping warrant.
- C. Pen Room entry shall be restricted to members of the SESU for the purpose of operation and maintenance of the equipment files. No other person will be allowed access to the Pen Room unless accompanied by a member of the SESU. A log shall be maintained documenting pen room entries by persons other than members of the SESU. The log will document the name of the person entering the Pen Room as well as the date, time of entry, time of departure, purpose of entry, and the name of the escorting SESU member.

IV. PROCEDURES FOR PEN AND TTD INSTALLATIONS

- A. Use of either of these devices requires a court order. These orders are issued by a court of competent jurisdiction upon application of the U.S. Attorney, N.Y. Attorney General, Monroe County District Attorney, or any of their sworn assistants.
 - 1. Members involved in requesting or assisting the applicant attorney to obtain either a Pen Register or Trap and Trace Device Order, will supply information on a sworn affidavit as outlined in CPL §705.15.
 - 2. When a member of the RPD receives a court order authorizing installation of one of the devices, that member shall provide their supervisor with two (2) copies of that order absent the affidavit. This will be done as soon as

possible after receiving the order, but prior to the installation of the device. The member will also complete a Pen Register Request Form and attach this to the copies of the order.

3. The member's supervisor will review and endorse the Pen Register Request. Upon their approval, the Pen Register Request with the attached copies of the Order will be immediately forwarded to the SESU Commanding Officer.
4. The SESU Commanding Officer will cause the order to be executed by directing the installation of the appropriate devices as ordered by the Court, carefully adhering to the time constraints governing the period in which they may be installed. Should technical difficulties make it impossible to install the device within the court ordered time constraints, the SESU shall notify the investigating member, and it shall be the responsibility of the investigating member to obtain a new court order. There can be no deviation from this procedure without the express written approval of the Court.

B. EVIDENCE COLLECTION AND DISSEMINATION

1. Evidence collected from PEN and TTD devices shall only be turned over to the investigating member who obtained the Order or their immediate supervisor. Any deviation from this policy must be authorized by the Commanding Officer of the SIS or his designee.
2. If an investigation produces the need to monitor a PEN for an incoming or outgoing transmission at a specific time, investigating members will make every effort to project this need and advise the SESU Supervisor prior to the event. This will enable the SESU Supervisor to make such arrangements without an adverse impact upon the resources of the Department.

C. DEACTIVATION/TERMINATION OF DEVICE

SESU personnel shall deactivate or terminate a PEN or TTD on or prior to the date of expiration as delineated in the Order authorizing such device.

1. PEN installations may be extended as provided for in CPL §705. The investigating member will provide the SESU two (2) copies of the court authorized extension order prior to the date of termination of the original order. Throughout the portion of the investigation requiring the use of a PEN or TTD, and prior to the extension of an order for these devices, the investigating member will ensure that the telephone number for the target telephone device has not changed. In the event that the target telephone device's number is changed the investigating member will immediately notify the SESU to deactivate the PEN or TTD relating to the target telephone. It shall be necessary for the investigating member to make application before the Court for a new order. SESU personnel will immediately deactivate a PEN or TTD when they have knowledge that said installation is contrary to the Order in any manner.
2. PENs or TTDs may be terminated by the investigating member prior to the court ordered date upon written request to the SESU.

Grant Application

Byrne JAG

Project No.

Grantee Name

BJ11-1171-D00

Rochester, City of

02/29/2016

Project Title: Criminal Group Activity Initiative	
Contacts	
Hon. Thomas S. Richards Mayor 30 Church Street 307A City Hall Rochester, NY 14614 Phone:585-428-7045, Ext: Fax: Email:ozzellod@cityofrochester.gov	Project Start: 06/01/2011 Project End: 06/30/2012 Project Period: Years 1 Months 1 Submission Date: 05/12/2011 12:00 AM
Mr. Michael Bialaszewski Grant Specialist 185 Exchange Blvd Rochester, NY 14614 Phone:585-428-3640, Ext: Fax:585-428-6406 Email:mb1409@cityofrochester.gov	EIN: 166002551 Municipality No: 260248000000 Dun & Bradstreet No: 128656787 Charities Registration No: <input type="checkbox"/> Not For Profit <input type="checkbox"/> Sectarian Entity
Capt. Kevin Costello Captain 185 Exchange Blvd Rochester, NY 14614 Phone:(585) 428-1398, Ext: Fax: Email:KC0661@cityofrochester.gov	County: Monroe Region: Finger Lakes
Mr. Michael Bialaszewski Grant Specialist 185 Exchange Blvd Rochester, NY 14614 Phone:585-428-3640, Ext: Fax:585-428-6406 Email:mb1409@cityofrochester.gov	BUDGET SUMMARY Grant Funds: \$150,000.00 100.00% Matching Funds: \$0.00 0.00% Total Funds: \$150,000.00

Grant Application

Byrne JAG

Project No.**Grantee Name**

BJ11-1171-D00

Rochester, City of

02/29/2016

Summary Description of Project

Funding will be used to target criminal group activity occurring in the City of Rochester. The key initiative will be in obtaining credible and actionable intelligence to identify and track criminal networks and organizations which will significantly enhance RPD's ability to investigate and prosecute gang related activities in the city; shootings, shots fired, home invasion robberies (drug) and street robberies, and burglaries.

Federal Program Purpose Area

Program Purpose Code	Description
01	Law enforcement programs

Participants

Participant Name	Type	Comments
Rochester, City of	Grantee	

Contacts for Rochester, City of

Contact Name	Type	Phone
Hon. Thomas S. Richards	Signatory	585-428-7045

Participant Name	Type	Comments
Rochester City Police Department	Implementing Agency	

Contacts for Rochester City Police Department

Contact Name	Type	Phone
Mr. Michael Bialaszewski	Primary	585-428-3640
Capt. Kevin Costello	Primary	(585) 428-1398
Mr. Michael Bialaszewski	Fiscal	585-428-3640

Grant Application

Byrne JAG

Project No.**Grantee Name**

BJ11-1171-D00

Rochester, City of

02/29/2016

Work Plan**Goal:**

To reduce the incidence of violent and drug related crime by known offenders and groups in the City of Rochester through crime analysis and targeted investigations.

Objective #1

To develop a strategy that will reduce crime by known offenders and groups in the City of Rochester

Task #1 for Objective #1

Include in the first quarterly progress report a threat assessment including the gang / groups to be targeted and the overall strategy to be implemented in order to address the identified threat.

Performance Measure

1	Include in the first quarterly progress report a threat assessment and the overall strategy to be implemented in order to address the identified threat.
2	Provide the numbers reflecting the UCR Part 1 crime levels for the targeted gang/groups before the implementation of the strategy.
3	Provide the numbers reflecting the UCR Part 1 crime levels for the targeted gang/groups after the implementation of the strategy.

Task #2 for Objective #1

Identify those law enforcement agencies whose efforts would be integrated into the strategy and request their assistance in developing the strategy.

Performance Measure

1	During each quarter, conduct meetings among the partner agencies. Provide the dates of said meetings and which agencies attended in each quarterly progress report submitted to DCJS.
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Objective #2

To decrease violent and drug related crime through targeted investigations and undercover details.

Task #1 for Objective #2

Personnel assigned will be deployed into areas of documented incidence of elevated crime by known offenders and groups.

Performance Measure

1	Number of investigations initiated.
2	Number of misdemeanor arrests.
3	Number of felony arrests.
4	Number and description(s) of weapon(s) seized.
5	Number of controlled illegal narcotics buys.
6	Detailed breakdown of type and quantity of illegal drugs seized.
7	Estimated value of drugs seized.
8	Assets seized (vehicles, money etc.).
9	Number of post arrest debriefings conducted.
10	Include a brief narrative description of the activities and/or operations conducted by the grantee during the quarter.

Objective #3

Reflective of the award purpose, the City of Rochester Police Department will identify the equipment to be acquired, and research costs associated with acquisition of the equipment.

Task #1 for Objective #3

Within the first quarter of the grant contract period, the grantee will research the equipment to be acquired and identify a vendor based upon appropriate procurement policies and procedures.

Performance Measure

1	Provide description(s) of the approved equipment to be ordered.
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Task #2 for Objective #3

By the end of the second quarter, the grantee will work with the appropriate vendor(s) to order the equipment.

Performance Measure

1	Provide the date(s) that equipment was ordered.
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Task #3 for Objective #3

The grantee will receive all approved equipment by the contract end date.

Performance Measure

1	Date(s) the equipment was received and location(s) of equipment.
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Task #4 for Objective #3

The grantee will provide a brief narrative describing the usage and maintenance of equipment acquired through the grant.

Performance Measure

1	In each quarterly progress report the grantee will provide a brief narrative describing the usage and maintenance of equipment acquired through the grant and submit a completed DCJS Equipment Inventory Report (EIR) form to DCJS via the Grant Management System (GMS).
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Objective #4

To continue the improvement and expansion of the abilities of Rochester Police Department through appropriate training.

Task #1 for Objective #4

The Rochester Police Officer(s) will receive training on the use of advance technology acquired.

Performance Measure

1	Names of officers trained
2	Dates of training

Objective #5

To fulfill the reporting requirements established by the Bureau of Justice Assistance (BJA), by providing information described in the measures below, through the Federal Byrne JAG Performance Measurement Tool (PMT) for each quarter of the contract year.

Task #1 for Objective #5

The grantee will complete the measures below by signing onto the Federal PMT utilizing the ID, password and instructions provided by DCJS and follow appropriate procedures to report data in that system.

Performance Measure

- Equipment/Supplies:
- 39. Amount of JAG funds used to purchase equipment and/or supplies Output
 - A. Amount of JAG funds used to purchase equipment and/or supplies during the reporting period. (Any funds reported only represent an estimate of dollars allocated or used for activities covered by this grant award.)
 - 40. Indicate the quantity for each type of equipment and/or supplies purchased with JAG funds. (REPORT QUANTITY NOT DOLLARS). Output
 - A. Weapons
 - B. Equipment for police cruisers
 - C. Uniforms
 - D. Computer aided dispatch (CAD)
 - E. Records management system (RMS)
 - F. Software
 - G. Computers
 - H. Mobile access equipment (ex. Aircards for Verizon, Sprint, AT&T, etc.)
 - I. Security systems (station or evidence room)
 - J. Biometric equipment (Lives scans, fingerprint readers, etc.)
 - K. In-car camera systems
 - L. Video observation (station, community, pole cams)
 - M. Undercover surveillance equipment (microphones, video)
 - N. License plate readers
 - O. Kiosk units for community access or registration
 - P. Vehicles
 - Q. Radios
 - R. Other (please specify type and quantity)
 - 41. Number of equipment and/or supply requests funded with JAG funds. SHOULD ONLY ANSWER IF YOUR AGENCY RECEIVED REQUESTS CONSIDERED FOR FUNDING WITH JAG FUNDS. Output
 - A. Number of equipment and/or supply requests funded with JAG funds during the reporting period.
 - B. Number of equipment and/or supply requests received for consideration for funding with JAG funds.
 - 42. Percent of staff that directly benefit from equipment or supplies purchased by JAG funds, who report a desired change in their job performance Outcome
 - A. Number of staff who report a desired change in job performance as a result of the direct benefit of equipment and/or supplies purchased with JAG funds during the reporting period.
 - B. Number of staff to receive equipment or supplies purchased with JAG funds during the reporting period.
 - D. Explain the impact on job performance for the reporting period.
- Task Force Activities:
- 66. Number of new investigations initiated Output
 - A. Total number of new investigations initiated.
 - 67. Number of judicial search warrants served Output
 - A. Federal
 - B. State
 - 68. Total number of individuals (including gang members) arrested based on task force activity during the reporting period. Output
 - A. Number arrested for a felony.
 - B. Number arrested for a misdemeanor.
 - 69. Total number of GANG MEMBERS ONLY arrested based on task force activity during the reporting period. Output
 - A. Number of GANG MEMBERS arrested for a felony.
 - B. Number of GANG MEMBERS arrested for a misdemeanor.

70. Total drug amounts seized in kilograms (KG) during the reporting period. Remember that 1000g = 1 kg. Answer should be provided in kg. Output
- A. Heroin
 - B. Cocaine (powder)
 - C. Crack cocaine
 - D. Marijuana commercial grade
 - E. Marijuana hydroponic
 - F. Methamphetamine
 - G. Methamphetamine ice
 - H. Ecstasy (MDMA)
 - I. Other
71. Drug amounts, in kilograms (kg), seized in clandestine drug labs during the reporting period. Remember that 1000g = 1 kg. Answer should be reported in kg. Output
- A. Heroin
 - B. Cocaine (powder)
 - C. Crack cocaine
 - D. Marijuana commercial grade
 - E. Marijuana hydroponic
 - F. Methamphetamine
 - G. Methamphetamine ice
 - H. Ecstasy (MDMA)
 - I. Other
72. Other Seizures Output
- A. Number of indoor cannabis-growing operations seized.
 - B. Number of outdoor cannabis-growing operations seized.
 - C. Number of cultivated marijuana plants seized.
73. Number of firearms seized during the reporting period Output
- A. Number of firearms seized
 - B. Number of firearms seized that were reported to NIBIN
 - C. Number of hits in NIBIN
74. Number of Federal forfeiture cases filed during the reporting period Output
- A. Number of forfeiture cases filed
75. Value of assets forfeited under Federal cases during the reporting period. (Any funds reported only represent an estimate of dollars allocated or used for activities covered by this grant award.) Output
- A. Real property forfeited
 - B. Cash forfeited
 - C. Other (vehicles, weapons, jewelry) forfeited
76. Number of State forfeiture cases filed during the reporting period Output
- A. Number of forfeiture cases filed
77. Value of assets forfeited under State cases during the reporting period. (Any funds reported only represent an estimate of dollars allocated or used for activities covered by this grant award.) Output
- A. Real property forfeited
 - B. Cash forfeited
 - C. Other (vehicles, weapons, jewelry) forfeited
78. Number of defendants accepted for Federal prosecution during the reporting period Output
- A. Number accepted for Federal felony charges.
 - B. Number accepted for Federal misdemeanor charges.
79. Number of defendants accepted for State prosecution during the reporting period Output
- A. Number accepted for State felony charges.
 - B. Number accepted for State misdemeanor charges.
80. Number of gangs disrupted during the reporting period Output
- A. Number of disrupted drug trafficking or other street gang organizations
 - B. Number of disrupted trafficking or other entrepreneurial gangs
81. Number of gangs dismantled during the reporting period Output
- A. Number of dismantled drug trafficking or other street gang organizations
 - B. Number of dismantled trafficking or other entrepreneurial gangs
82. Number of drug trafficking organizations and money laundering organizations disrupted Output
- A. Number of drug trafficking organizations disrupted during the reporting period
 - B. Number of money laundering organizations disrupted during the reporting period
83. Number of drug trafficking organizations and money laundering organizations dismantled Output

- A. Number of drug trafficking organizations dismantled during the reporting period
- B. Number of money laundering organizations dismantled during the reporting period

Outcomes for All Activity Areas:

84. Change in number of individuals arrested in a targeted group by crime type Outcome
- A. The number of individuals (by related crime) arrested during the quarter before the start of the award.
 - B. Total number of individuals arrested (by related crime) during the reporting period.
 - C. Please select one:
 - a. We expected number of individuals arrested to increase as a result of our efforts.
 - b. We expected number of individuals arrested to decrease as a result of our efforts.
 - c. We expected number of individuals arrested to remain stable (no change) as a result of our efforts.
 - d. We had no expectations about changes in number of individuals arrested of crime as a result of our efforts.
 - e. Not applicable for this reporting period.
85. Change in reported crime rates in a community by crime type Outcome
- A. Number of reported crimes (targeted by JAG funds) during the quarter before the start of the award.
 - 3 B. Total number of reported crimes (targeted by JAG funds) during the period.
 - C. Please select one:
 - a. We expected the crime rate to increase as a result of our efforts.
 - b. We expected the crime rate to decrease as a result of our efforts.
 - c. We expected the crime rate to remain stable (no change) as a result of our efforts.
 - d. We had no expectations about the crime rate as a result of our efforts.
 - e. Not applicable for this reporting period.
86. Type of crime Outcome
- A. Homicides
 - B. Forcible Rapes
 - C. Robberies
 - D. Aggravated Assaults
 - E. Other, please define.

Grant Application

Byrne JAG

Project No.**Grantee Name**

BJ11-1171-D00

Rochester, City of

02/29/2016

Specific Questions**Question #1**

1. Briefly summarize your proposed project. Define the problem to be addressed through this project using up-to-date statistical data where applicable. When completing this section, please address the following questions: WHAT IS THE PROJECT? Describe the project. Is it a program to enhance the effectiveness of prosecution in your county, or to improve your narcotics enforcement efforts? What is the focus of your project? WHY IS THE PROJECT NEEDED? Describe what services will be provided and how the project will meet the needs of the target population. WHERE WILL THE PROJECT OPERATE? Describe the physical or geographical location(s) of the project. WHEN WILL THE PROJECT OPERATE? What is the projected "start date" and "end date" of this project? Also, include the schedule for the project. Different phases of your project may be running during different times of the year, for example you may need to hire personnel during the first quarter and then develop training materials during the second quarter. State the hours and/or days of project operation. Provide the tentative time frames for accomplishing project tasks.

Answer**Question #2**

Is this project a continuation of a previous DCJS-funded project? If so, have all vouchers and progress reports been filed? Will an extension be needed on the prior grant?

Answer

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BJ11-1171-D00

Rochester, City of

02/29/2016

Budget Summary by Participant

Rochester, City of

Rochester City Police Department

Version 1

#	Equipment	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	KING FISH Equipment	1	\$150,000.00	\$150,000.00	\$150,000.00	\$0.00
Justification: KingFish® is a multiprotocol, cellular identification and tracking device. The system includes AmberJack® Phased Array Direction Finding Antenna. It would enable RPD and its law enforcement partners to remotely identify cell phone numbers being used by gang members, and, after obtaining proper court orders, track the cell phone. The system includes graphical representation of mobile phone or base station location through line of bearing display. This would significantly enhance RPD's ability to investigate and prosecute gang conspiracies, as illustrated below. Built in to the price is the training of its use which includes going to the site for the training						
Total				\$150,000.00	\$150,000.00	\$0.00

Version 1 Total	Total Cost	Grant Funds	Matching Funds
	\$150,000.00	\$150,000.00	\$0.00

Advance Request

Advance: \$0.00

Justification:

Grant Application

Byrne JAG

Project No.**Grantee Name**

BJ11-1171-D00

Rochester, City of

02/29/2016

Assurance**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROGRAM DEVELOPMENT AND FUNDING**

Certified Assurances for Federally-supported Projects, Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug Free Workplace Requirements; Standard Assurances

The applicant hereby assures and certifies compliance with all Federal and State statutes, regulations, policies, guidelines, and requirements, including OMB Circulars No. A-21, A-87, A-102, A-110, A-122, A-133, , E.O. 12372 (intergovernmental review of federal programs) and Uniform Administrative Requirements for Grants and Cooperative Agreements - 28 CFR, Part 66 or 70 (administrative requirements for grants or programs), Common Rule, that govern the application, acceptance, and use of Federal funds for this federally-assisted project. The applicant also assures and certifies that:

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, 'Disclosure of Lobbying Activities', in accordance with its instructions;
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67

A. The applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620 A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an on-going drug-free awareness program to inform employees about
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to:
Department of Justice
Office of Justice Programs
ATTN: Control Desk
810 Seventh Street, N.W.,
Washington, D.C. 20531
Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

4. It possesses legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application); that a resolution, motion, or similar action, has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein and in directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

5. It will comply with the requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally-assisted programs.

6. It will comply with the provisions of Federal law known as the Hatch Act which limit certain political activities of employees of a State or local unit of government whose principal employment is in connection with an activity financed in whole or in part by Federal grants (5 USC, Section 1501, et seq, as amended).

7. It will comply with the minimum wage and minimum hours provisions of the Federal Fair Labor Standards Act, if applicable.

8. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the

appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

9. It will give the U.S. Department of Justice, New York State Division of Criminal Justice Service (DCJS) or the New York State Comptroller's Office, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

10. It will comply with all requirements imposed by the U.S. Department of Justice and New York State concerning special requirements of law, program requirements, and other administrative requirements.

11. It will ensure that the facilities under its ownership, lease, or supervision which shall be utilized in the accomplishment of the project are not listed in the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify DCJS of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

12. It will comply with the flood insurance requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976, Section 102 (a) requires, on or after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase, "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or other form of direct or indirect Federal assistance.

13 It will assist DCJS in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 U.S.C. 470), Executive Order 11593 and the Archeological and Historical Preservation Act of 1966 (16 U.S.C. 496a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, notifying DCJS of the existence of any such properties, and by (b) complying with all requirements established by the Federal Government to avoid or mitigate adverse effects upon such properties.

14. It will comply with the applicable provisions of the Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Juvenile Justice and Delinquency Prevention Act, or the Victim of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs' Financial Guide; and all other applicable Federal laws, orders, circulars, or regulations.

15. It will comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part 18, Administrative Review Procedure, Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environment Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures, and Federal laws or regulations applicable to Federal assistance programs.

16. It will comply, and all its contractors will comply, with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations); Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C, D, E, and G; and Department of Justice regulations on disability discrimination. CFR Part 35 and Part 39.

17. It assures that in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against applicant, the applicant will forward a copy of the finding to DCJS for transmittal to the U.S. Department of Justice, Office of Civil Rights.

18. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982

(16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.

19. It will be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered pursuant to this agreement. The applicant will indemnify and hold harmless New York State and its officers and employees from claims, suits, actions, damages, and costs of every nature arising out of the provision of federally-funded services.

The applicant is potentially an independent contractor and may neither hold itself out nor claim to be an officer, employee or subdivision of New York State nor make any claim, demand or application to or for any right based upon any different status.

20. It assures that Federal formula grant funds, or the required cash matching funds, will not be used to supplant State or local funds but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement and criminal justice activities.

21. It assures that matching funds required to pay the non-Federal portion of the cost of each program and project, for which federal funds are made available, shall be in addition to funds that would otherwise be made available for law enforcement and criminal justice activities by recipients of grant funds.

22. It assures that it shall maintain such data and information and submit such reports in such form at such times and containing such data and information as DCJS may reasonably require to administer the program.

23. It agrees that, in compliance with Section 623 of Public Law 102-141, no amount of this award shall be used to finance the acquisition of goods or services (including construction services) that have an aggregate value of \$500,000 or more, unless the recipient:

(a) specifies in any announcement of the awarding of the contract for the procurement of the goods and services involved (including construction services) the amount of Federal funds that will be used to finance the acquisition; and

(b) expresses the amount announced pursuant to paragraph (a) as a percentage of the total cost of the planned acquisition.

24. New York State agency applicants assure compliance with Title V of the Anti-Drug Abuse Act of 1988 and regulations promulgated by the Federal Government to maintain a drug-free workplace.

25. When applicants having 50 or more employees which receive an amount of \$500,000 or more, or \$500,000 in the aggregate, in any fiscal year, are required to formulate and provide an Equal Employment Opportunity Program (EEOP), in accordance with 28 CFR, subpart e. The applicant agrees to maintain a current one on file and to certify to DCJS that it has a current EEOP on file which meets the applicable requirements. The applicant agrees not to obligate or expend any funds under this grant award until it submits to DCJS for transmittal to the respective federal grantor agency for review and approval by the U.S. Department of Justice, Office for Civil Rights, a copy of the prospective subgrantee's Equal Employment Opportunity Plan (EEOP), or the Statistical Update from the previous year, whichever is appropriate. When an Update only is appropriate, the following information should also be submitted:

(a) The number of complaints of discrimination filed against the subgrant agency within the past year, the final disposition or current status of each complaint, and the nature and issues involved in each active complaint; and

(b) A statement addressing whether or not the subgrant agency is currently operating under an equal employment conciliation agreement and, if so, a copy of that agreement and the most recent monitoring report.

26. It agrees that any publication (written, visual, or sound, but excluding press releases, newsletters, and issue analyses) issued by the applicant describing programs or projects funded in whole or in part with Federal funds, shall contain the following statement:

'This project was supported by Grant # , awarded by the Office of Justice Programs, U.S. Department of Justice to the State of New York, Division of Criminal Justice Services (DCJS). Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of

the U.S. Department of Justice or DCJS.'

The applicant also agrees that one copy of any such publication will be submitted to DCJS to be placed on file and distributed as appropriate to other potential grantees or interested parties. DCJS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the applicant.

27. It will include in its application a signed Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion.

28. If the grant applied for is awarded, it will be provided by the State of New York from funds appropriated under one of the various titles of the Violent Crime Control and Law enforcement Act of 1994 (PL 103-322). The applicant assures that all information contained in the application is correct and that it will abide by all statutes, rules, and regulations of the United States and of New York State affecting the conduct of grantees, as well as to conform to the terms and conditions stated in the contractual agreement.

Certified by - Thomas Richards on 08/10/2011

Year	Judicial Authorization	Judge/Date
2013	No	n/a
2013	No	n/a
2013	Yes	Bellini 1/30/13
2013	Yes	Argento 1/23/13
2013	Yes	Randall 6/26/13
2013	No	n/a
2013	Yes	Dinolfo 9/3/13
2013	No	n/a
2013	Yes	Randall 10/2/13
2014	Yes	Argento 2/4/14
2014	Yes	Argento 2/27/14
2014	Yes	Argento 5/5/14
2015	Yes	Argento 2/9/15



STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
80 S. Swan Street
Albany, New York 12210
<http://criminaljustice.state.ny.us>

February 5, 2013

Captain Kevin Costello
Rochester City Police Department
185 Exchange Blvd
Rochester, NY 14614

Re: DCJS#BJ10632480 – Criminal Group Activity Initiative

Dear Captain Costello:

Your request for continued use of the equipment purchased under this grant has been reviewed and accepted. Approval of this request is made providing the equipment continues to be used in accordance with the contracted activities and guidelines. If at any time during the life expectancy of the equipment your organization should dispose of any of these items, any proceeds realized must be reinvested in equipment items to continue your organization's activities. If the proceeds are not reinvested to continue activities, that percentage of the proceeds equal to the proportion of the original purchase price paid by funds from the contract must be paid to the State of New York.

If you have any questions or need additional information regarding this matter, please

contact our office at (518) 457-8462. Thank you for your continued cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Dickens', with a stylized, cursive script.

Ron Dickens

Director

Office of Program Development and Funding



MEMORANDUM

To: All Grantees

From: Anne Marie Strano, Director, Office of Program Development and Funding (OPDF)

Date: July 30, 2009

Subject: eSignature Processing of Contracts

I am pleased to announce a significant enhancement in the DCJS Grants Management System (GMS), eSignature. This new feature of GMS will permit grant contracts to be eSigned. In order to eSign a DCJS contract, the signing official* for a municipal government or organization doing business with DCJS *must* complete and submit a GMS Registration Form for Signatories. This will permit the signing official to access the signature portions of GMS. A downloadable user manual and tutorial on eSignature and the GMS are available at: <http://criminaljustice.state.ny.us/ofpa/gms.htm>

Below is a brief outline of the eSignature process:

- 1) A registered user for an organization logs into GMS and completes an application.
- 2) Prior to submission of the application, user accesses the Certified Assurances and indicates acceptance of the assurances, if applicable (federally-funded programs only), then submits the application for approval.
- 3) GMS notifies both OPDF and the signing official via e-mail that an application has been submitted.
- 4) Once the application is approved and is in final contract form, the signing official and primary contact are notified via e-mail that a contract is ready to be eSigned.
- 5) The signatory logs into GMS and accesses the Acceptance Tab.
- 6) The signatory clicks on buttons accepting all contract appendices.
- 7) The signatory clicks on a button to eSign the contract.
- 8) GMS notifies OPDF via e-mail that the contract has been eSigned.
- 9) OPDF Director eSigns the contract.
- 10) A permanent, un-editable Adobe contract document is created with proofs of eSigning.
- 11) OPDF staff generates a paper document for execution through the Attorney General's Office and the Office of the State Comptroller (when applicable).
- 12) The final, executed contract is mailed to the grantee organization.

Please call the Office of Program Development and Funding at (518) 457-9896 if you have any questions about this new process. Thank you for your cooperation.

*A signing official is that person authorized by his/her municipal government or organization to enter into a legally binding contractual agreement on behalf of the government/organization. GMS will require the signatory to attest to his/her authority prior to eSigning a contract. If you do not have signing authority, **do not register as a signatory**; invalidly eSigned contracts will **be rejected by the Office of the Attorney General and delay the processing of your contract.**

Year	LEGAL BASIS	Judge/Date	Type of Authorization
2013	Consent	n/a	n/a
2013	Consent	n/a	n/a
2013	Court Order	Bellini 1/30/13	18 USC § 2703
2013	Court Order	Argento 1/23/13	18 USC § 2703
2013	Court Order	Randall 6/26/13	NY CPL Article 690
2013	Consent	n/a	n/a
2013	Court Order	Dinolfo 9/3/13	NY CPL Article 690
2013	Exigency	n/a	n/a
2013	Court Order	Randall 10/2/13	NY CPL Article 690
2014	Court Order	Argento 2/4/14	NY CPL Article 690
2014	Court Order	Argento 2/27/14	NY CPL Article 690
2014	Court Order	Argento 5/5/14	18 USC § 2703
2015	Court Order	Argento 2/9/15	NY CPL Article 690