

TAB 1

Check if Taser was deployed

SUBJECT

1. LAST NAME Prude		FIRST NAME Daniel		M.I.	2. DATE 3/23/20	3. TIME 0320	4. CR # 20-061280
5. DOB [REDACTED]	6. SEX Male	7. RACE Black	8. HEIGHT [REDACTED]	9. WEIGHT [REDACTED]	10. INCIDENT LOCATION 435 Jefferson Ave		BEAT 233

11. ARREST? NO - Release approved by:
 YES - Charges: MHL 9.41

12. SUBJECT'S ACTIONS

Subject resisted by (check all that apply and explain in the narrative)

13. TACTIC EFFECTIVENESS

Check the appropriate box indicating whether the tactic was used. If the tactic was used, write the number (1, 2, 3...) indicating what order the tactics were used in column one. In column two, write E for *Effective*, ME for *Moderately Effective* and NE for *Not Effective*.

	Order	Effectiveness	Order	Effectiveness
<input checked="" type="checkbox"/> Avoiding Custody (May include: Non response, verbal refusal, using body as "dead weight," running/walking away, bracing/tensing body, pulling away, locking arms under body, holding onto a fixed object) <input checked="" type="checkbox"/> Assaultive (May include: Fighting stance, combative approach, punching, kicking, biting, tackling) <input type="checkbox"/> Imminent Threat of Deadly Physical Force/Serious Physical Injury (SPI) (May include: Using or threatening to use a firearm/edged weapon/contact weapon in close proximity or while closing the distance/dangerous instrument under circumstances in which it is readily capable of SPI or death. Air/blood choke which creates an imminent risk of SPI or death. Impacts w/o weapon which creates an imminent risk of death or other SPI)				
	<input checked="" type="checkbox"/> Verbal <input type="checkbox"/> Mandibular Angle <input checked="" type="checkbox"/> Hypoglossal Nerve <input type="checkbox"/> Jugular Notch <input type="checkbox"/> Clavical Notch <input type="checkbox"/> Brachial Stun <input type="checkbox"/> Suprascapular Stun <input type="checkbox"/> Jab <input type="checkbox"/> Front Kick <input type="checkbox"/> Straight Punch <input type="checkbox"/> Angle Kick <input type="checkbox"/> Forearm Strike <input type="checkbox"/> Knee Strike <input type="checkbox"/> Spear <input type="checkbox"/> Hooking Technique <input checked="" type="checkbox"/> Ground Stabilization (i.e. 3-Point Landing, joint manipulation)	1	NE	
	3	E		
	2	E		

14. Narrative (If officer is in plainclothes, describe own clothing. If tactic(s) used on subject were ineffective, explain reason(s) why.)

On 3/23/20 at approximately 0300 hours I responded to the area 50 Child St. for the report of a male wearing a white tank top and long johns that had run from the location. The male (Prude) was previously suicidal in the night and had been MIHA'd previously at Strong Hospital and officers were informed that Prude had used PCP. I then relocated to 767 W. Main St. for a burglary alarm and a broken storefront window when officers received another call for a male at Jefferson Ave and W Main St. that was covered in blood and wearing blue pants. I spoke with a tow truck driver who stated that the male was running in front of cars and was stating he had the corona virus. I located the male in the area of 435 Jefferson Ave running in front of vehicles and throwing objects into the road. I ordered the male to the ground and handcuffed him as trained. I noted that he appeared to be under the influence of an unknown drug. The male asked officers for their guns several times. The male continuously spit in the direction of officers and due to the potential for contracting a virus, to include the Corona Virus I placed a spit sock on him. Prude continued to spit through the spit sock in the direction of Officer Taladay. The male then said that he was going to kill everyone. The male once again began spitting at officers and said "give me that gun" several times while attempting to get up in the direction of Officer Taladay. I moved towards the male and segmented his head while he was on his stomach.

Officer: Primary Officer Assisting Officer Name: Officer Mark Vaughn ID# 2333

15. Name	ID #	BWC Assigned	BWC Video	Height	Weight	Section	Pltn	Uniform	Injured/Treated	Cover Page
PRIMARY: Officer Mark Vaughn	2333	Yes	Yes	[REDACTED]	[REDACTED]	Genesee	1st	Yes	Yes	Yes
Officer Troy Taladay	2794	Yes	Yes	[REDACTED]	[REDACTED]	Genesee	1st	Yes	No	Yes
Officer Franck Santiago	1723	Yes	Yes	[REDACTED]	[REDACTED]	SOD	1st	Yes	No	Yes

WITNESSES – Conduct a neighborhood check and indicate with code: W – Witness/Deposed; NI – Not Interviewed; NO – Interviewed/No Information; WR – Witness/Refused Deposition.

16. NAME	ADDRESS	DAY PHONE	EVENING PHONE	WITNESS CODE
Princess Sweet	439 Jefferson Ave			NO
	435 Jefferson Ave			NI
	445 Jefferson Ave			NI
	426 Jefferson Ave			NI
	424 Jefferson Ave			NI
	428 Jefferson Ave			NI

MEDICAL

*Attach and forward a copy of all depositions to PSS and PDS

17. Condition of subject: Sober Alcohol Influence Intoxicated (alcohol) Drugs

18. Subject injured prior to incident: No Yes, describe: Several lacerations to the body

19. Subject injured during incident: No Yes, describe:
 *TASER probe penetration or drive stun marks alone are not considered an injury for Box 19.

20. TASER probe penetration: No Yes TASER Drive Stun: No Yes

21. If subject was exposed to O.C., was subject treated: No Yes At hospital PSB Eyewash Station

22. Hospitalization: No – Reason:
 Yes – Transport via RPD Vehicle # Ambulance Co./Veh # 7989 Other

23. Hospital: Strong Hospital 24. Attending medical professional: Dr. Austin Tenney

25. Subject: Admitted Treated and Released No Treatment Refused 26. Time of treatment/refusal: 350

27. Witness to refusal:

28. Technician work performed: No – Reason:
 Yes by: Radell Photos Diagram Other:

Photos of: Member(s) Subject Other:

29. Reports completed: Crime Incident Investigative Action
 (DO NOT ATTACH) Prisoner Data Addendum(s) Technician's Report
 Other: 9.41 CR #: 20-061277

30. Commanding Officer at scene: Tordai Rank: Lieutenant Section: Genesee

ADMINISTRATIVE REVIEW

31. Reviewing Supervisor: SGT [Signature] Magri Date: 3/24/20 Training Requested: Yes* No

a. BWC Compliance Yes No**

32. Section Taser Reviewing Supervisor: nlc Date: _____ Training Requested: Yes* No

33. Platoon Commanding Officer: LT Tordai Date: 3/24/20 Training Requested: Yes* No

* If training is requested, the Platoon Commanding Officer is responsible to ensure that Additional Training Report, RPD 1347, is attached for each member requested to receive training.
 **If not in compliance with BWC requirements, refer to Section Commanding Officer for follow-up.

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11. ARREST? NO - Release approved by:
 YES - Charges: MHA 9.41

12. SUBJECT'S ACTIONS	13. TACTIC EFFECTIVENESS				
Subject resisted by (check all that apply and explain in the narrative)	Check the appropriate box indicating whether the tactic was used. If the tactic was used, write the number (1, 2, 3...) indicating what order the tactics were used in column one. In column two, write E for Effective, ME for Moderately Effective and NE for Not Effective.				
	Order	Effectiveness	Order	Effectiveness	
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			2	E	

14. Narrative (If officer is in plainclothes, describe own clothing. If tactic(s) used on subject were ineffective, explain reason(s) why.)

On 03/23/20 at approximately 0300 hours I responded to the area of 50 Child St for a suicidal male that was high on PCP and left the location. The male (A) was described as black wearing a white tank top, long jons and no shoes. I searched the area for (A) from my patrol car with negative results. A call for an alarm/break in came in at 767 W. Main St a few minutes later and it was determined that there was a glass break at the location. A third call came in for a male that matched the previous description, headed s/b on Jefferson Ave. At approximately 0315 hours I located a male (A) matching the description near the intersection of Jefferson Ave/Mcree Way. (A) was handcuffed and continually tried to get up. I instructed (A) to remain on the ground while waiting for AMR to arrive on scene.(Tactic 1, NE) While (A) was handcuffed he began spitting in the direction of myself as well as stating "Gimme that gun!". (A) made a direct movement to get up in my direction after making comments about wanting my gun. I then placed my right knee on the center of (A)'s back. I then grabbed the right wrist of (A) with my right hand and the right elbow of (A) with my left hand in order to stabilize his body (Tactic 2, E). Once (A) became less resistant I relieved pressure from his back and arm. I remained in a squatting position on the left side of (A) while I monitored (A)'s inhalations by observing the movement in his back. It appeared that (A) was not breathing and then I rolled (A) over to his left side to help him recover. AMR immediately began life saving measures. While AMR was performing chest compressions, (A) was rolled over to his left side for a brief moment in order to give me access to uncuff him. AMR continued to perform life saving measures and transported (A) to Strong Hospital.

Officer: Primary Officer Assisting Officer Name: Officer Troy Taladay ID# 2794

Check if Taser was deployed

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1. LAST NAME PRUDE		FIRST NAME DANIEL		M.I.	2. DATE 3/23/20	3. TIME 0320	4. CR # 20-061280
5. DOB [REDACTED]	6. SEX Male	7. RACE Black	8. HEIGHT [REDACTED]	9. WEIGHT [REDACTED]	10. INCIDENT LOCATION 435 JEFFERSON AVE		BEAT 233

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<input type="checkbox"/> OC <input type="checkbox"/> Taser <input type="checkbox"/> Bean Bag <input type="checkbox"/> Hand Gun <input type="checkbox"/> Long Gun <input type="checkbox"/> Other: <input type="checkbox"/> Other:				

14. Narrative (If officer is in plainclothes, describe own clothing. If tactic(s) used on subject were ineffective, explain reason(s) why.)

ON THE ABOVE DATE AND TIME I ASSISTED GENESEE SECTION OFFICERS WITH A 78 CALL. SUSPECT WAS A M/B, BALD WITH NO SHIRT ON AND LAST SEEN RUNNING S/B ON JEFFERSON AVE. WHEN I ARRIVED IN THE AREA OF JEFFERSON AVE/ MCREE ST S WAS ALREADY IN CUSTODY, COMPLETELY NAKED, LAYING ON THE GROUND AND YELLING. S WAS YELLING THAT HE HAD THE CORONA VIRUS AND THAT HE WANTED MY GUN. S THEN BEGAN TO SPIT TOWARDS AND IN RANGE OF OFFICERS WHILE ON THE GROUND. S THEN SHIFTED TO A SITTING POSITION. AT THIS POINT S MADE A MOTION AS IF HE WAS GOING TO ATTEMPT TO STAND UP. S WAS THEN POSITIONED BACK IN A LAYING POSITION BY OFFICERS. WHILE OFFICER VAUGHN AND TALADAY WERE PERFORMING GROUND STABALIZATION TECHNIQUES, I OBSERVED S WAS KICKING HIS LEGS BACK AND FORTH IN AN ATTEMPT TO BREAK LOOSE. I THEN TOOK HOLD OF S'S LEFT ANKLE WITH MY LEFT HAND AND TOOK HOLD OF S'S RIGHT ANKLE WITH MY RIGHT HAND. I PLACED S'S RIGHT ANKLE OVER HIS LEFT ANKLE AND THEN APPLIED PRESSURE TO S'S RIGHT CALF WITH MY LEFT SHIN. THIS WAS EFFECTIVE AND PREVENTED S FROM KICKING OR ATTEMPTING TO GET UP. ONCE IT WAS REALIZED THAT S WASN'T BREATHING I COMPLETLEY LIFTED MY BODY WEIGHT OFF OF S. THE ONLY OTHER TIME I HAD CONTACT WITH S WAS WHEN I ASSISTED IN PLACING S ON THE GURNEY, WHICH INVOLVED GRABBING S'S LEGS AND WITH THE ASSISTANCE OF OFFICERS AND AMR CREW, LIFTING AND THEN PLACING S ON THE GURNEY.

Officer: Primary Officer Assisting Officer **Name:** F SANTIAGO **ID#** 1723

IN THE MATTER OF DEFENDANTS/RESPONDENTS LISTED BELOW:

- 1. _____ DEFENDANT'S/RESPONDENT'S NAME _____ DEFENDANT'S/RESPONDENT'S ADDRESS
- 2. _____ DEFENDANT'S/RESPONDENT'S NAME _____ DEFENDANT'S/RESPONDENT'S ADDRESS
- 3. _____ DEFENDANT'S/RESPONDENT'S NAME _____ DEFENDANT'S/RESPONDENT'S ADDRESS

CHARGED WITH ALLEGED OFFENSES, TO WIT:

JOE PRUDE _____ 50 CHILD ST. _____
 DEPONENT'S NAME DATE OF BIRTH DEPONENT'S ADDRESS AND PHONE NUMBER

DEPONENT DEPOSES AND SAYS:

My NAME IS JOE PRUDE. I LIVE AT _____

TODAY

My BROTHER, DANIEL PRUDE, WAS COMING TO ROCHESTER FROM CHICAGO VIA THE TRAIN. DANIEL HAS HAD PROBLEMS WITH A PCP ADDICTION. DANIEL WAS KICKED OFF THE TRAIN IN BUFFALO FOR SMOKING AND ACTING UP.

WE BROUGHT DANIEL HOME IN THE AFTERNOON. SHORTLY AFTER 4 PM WE HAD TO CALL THE POLICE TO TAKE DANIEL TO THE HOSPITAL. HE WAS THREATENING TO HARM HIMSELF.

DANIEL WAS RELEASED FROM THE HOSPITAL AND CAME BACK TO CHILD ST. AROUND 11 PM. (UP)

NOTICE: FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO _____ STATE PENAL LAW.

 DEPONENT'S SIGNATURE DATE

 WITNESS SIGNATURE DATE 03/23/20

 DATE

IN THE MATTER OF DEFENDANTS/RESPONDENTS LISTED BELOW:

- 1. _____ DEFENDANT'S/RESPONDENT'S NAME _____ DEFENDANT'S/RESPONDENT'S ADDRESS
- 2. _____ DEFENDANT'S/RESPONDENT'S NAME _____ DEFENDANT'S/RESPONDENT'S ADDRESS
- 3. _____ DEFENDANT'S/RESPONDENT'S NAME _____ DEFENDANT'S/RESPONDENT'S ADDRESS

CHARGED WITH ALLEGED OFFENSES, TO WIT:

Joe Proulx [REDACTED] [REDACTED]
 DEPONENT'S NAME DATE OF BIRTH DEPONENT'S ADDRESS AND PHONE NUMBER

DEPONENT DEPOSES AND SAYS:

At around 3 AM DANIEL WAS ACTING VERY STRANGE AGAIN - HE RAN OUT MY BACK DOOR WEARING ONLY A TANK TOP AND SOME LONG JOHNS. I CALLED THE POLICE AGAIN SO THEY COULD FIND HIM AND TAKE HIM BACK TO THE HOSPITAL. (J.P.)

NOTICE: FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW.

[REDACTED]

 DEPONENT'S SIGNATURE DATE

Tom Matt Hill 03/23/22

 WITNESS SIGNATURE DATE

Mental Health Transport 9.41

DANIEL PRUDE

ID	Created At / By	Status	Last Faxed/Emailed
19952	3/23/20 05:44AM / Andrew Specksgoor	complete	3/23/20 05:44AM

Incident/Response Information

Type	Incident Date/Time	Reported Date/Time	CR#	Beat#	Section/Zone
9.41	3/23/20 03:11	3/23/20 03:19	20-061280	213	GENESEE

Dispatched To	Location
50 Child St, Rochester 14611	435 Jefferson Ave, Rochester 14611

Agency	Reporting Officer	ID/IBM#	Car#	Assisting Unit(s)	CIT Trained
ROC	Andrew Specksgoor (585-216-9612)	2792	213A	2333, 2794	NO

Criminal Charges? NO

Persons Involved

Person 1: Name (Sex Race DOB)	Address	Phone (Day)	Phone (Eve.)
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P DANIEL PRUDE ([REDACTED]) [REDACTED] [REDACTED]

Person 2: Name (Sex Race DOB)	Address	Phone (Day)	Phone (Eve.)
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R JOE PRUDE ([REDACTED]) [REDACTED] [REDACTED]

P: Patient, R: Reporting Person

Patient Information

Hospital	Physical Injuries	Tech Work
Strong	minor cuts/scrapes	NO

Contact police on release? NO

History of assault/violent behavior? YES Requires physical restraint? YES

Behaviors/actions indicating person is danger to self/others

Placed self in dangerous situation, Unable to care for self, Verbal threats, Attempted to hurt/kill self/others

Record of military service? NO

Language Limitation	Known Diagnosis
	UNKNOWN

Narrative

On 03/23/2020, at 0311 hours, I responded to 50 Child St for a report of a male who ran out of the house. Upon arriving on scene I made contact with Joe Prude. Joe stated his brother, Daniel Prude, just ran out of the back door of the house without explanation. Joe advised Daniel was wearing only a white tank top and black long johns, with no shoes or jacket. Joe stated Daniel just returned from the hospital from being MHA'd earlier in the day. Joe said Daniel is know to abuse PCP, said he wanted to kill himself, then threw himself head first down a flight of stairs earlier in the day. Joe said since returning from the hospital Daniel has been calm, not made any suicidal statements, and not used any substances to his knowledge. Joe said Daniel did not have a history of suicide attempts before today. As I was speaking with Joe, Dispatch advised they received a call about a male in the area of Jefferson Avenue and West Main St, running down the road in only blue pants and no shirt. Joe immediately stated the call was probably about his brother. I responded to the area of 435 Jefferson Avenue, where officers had located and detained the male. I asked the male if he was Daniel Prude, and the male advised he was Daniel Prude. I observed Daniel to be naked, with minor lacerations on his body. Daniel was handcuffed and laying in the middle of the street while waiting for AMR to arrive. During this time Daniel was rolling around yelling at officers to give him one of their guns. At this point I returned to my patrol vehicle to begin the MHA paperwork. AMR arrived on scene. While AMR was preparing to put Daniel onto the gurney, Daniel became unresponsive. CPR was performed by AMR and Daniel was transported to Strong Hospital.

CHEEKTOWAGA POLICE DEPARTMENT

Complaint Information

Complaint# 20-012436 Date Received: 03/22/2020 Source: PHONE

Dispatch Code: 1699 Description: LARCENY-OTHER Call Type: POLICE

Final Dispatch Code: 1699 Description: LARCENY-OTHER

Street: NOB HILL PARK TN Tract: Street Code: 10725

Cross Street: Municipality: CHEEKTOWAGA

Business: Call Back:

Times: Received: 11:24:39 Dispatched: 11:26:49 Arrived: 11:29:23 Completed: 12:21:11

Officers:

Received By: Dispatcher:

Report (follow up): YES Notified:

**Action Codes 1. 2.
3. 4.**

Associated Persons: SUB - PRUDE, DANIEL [REDACTED]

CMP - PING, ANDREW J. [REDACTED]

03/22/20 11:24:23 675 B/M WEARING BLACK LEATHER JACKET TAN HOOD BLUE SWEATPANTS AND BLACK DUFFLE BAG // OPENED DOOR OF TOWN TRUCK AND TOOK A CELLPHONE // WALKING THROUGH THE PARK

03/22/20 11:24:38 675 SAT DOWN IN BLEACHERS BY BASEBALL DIAMOND

03/22/20 11:26:33 675 L/S WALKING TOWARDS POSSIBLY WHITE RD OR BERT RD

03/22/20 11:29:39 675 MALE L/S ON REDLEAF

03/22/20 12:06:13 632 PROPERTY RECOVERED AND MALE TAKEN TO THE CITY MISSION

03/22/20 12:13:18 632 HARBOR HOUSE NOW

03/22/20 12:21:07 675 MALE WAS DROPPED OFF AT HARBOR HOUSE // ADVISED OF SERVICES

03/23/20 17:54:29 332 PR FILED



ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #
2020-00061277

DETAIL	Incident Type 05. Burglary	Report Date 03/23/2020	Report Time 03:10	Date From 03/23/2020	Time From 03:10	Date To 03/23/2020	Time To 03:10	
	Incident Address 767 W MAIN ST				Beat 213	Campus Code		
	Violent Crime Context					BWC Yes		

OFFENSES	Statute - PL 145.00 01 AM4 Attempt/Commit - Completed Counts - 1	
	Description - Criminal Mischief 4th: Intent To Damage Property	
	Location Other Retail Store-40	Weapon
	Larceny Type	Aggravated Assault Circumstances
	Gang Related No	Computer No
	Bias Type No Bias-Not Applicable-77	Entry Point
Statute - PL 140.20 DF3 Attempt/Commit - Completed Counts - 1		
Description - Burglary 3rd: Illegal Entry with Intent to Commit a Crime		
Location Other Retail Store-40	Weapon	
Larceny Type	Aggravated Assault Circumstances	
Gang Related No	Computer No	
Bias Type No Bias-Not Applicable-77	Entry Point Window Front	
Method of Entry Force		
# of Premises Entered		

VICTIM	Victim Type Business-B	Victim Name (Last, First, Middle) METRO PCS							
	Address 676 W MAIN ST			Date of Birth	Age	Sex	Race	Ethnicity	Residence Status Not Applicable
	City, State, Zip Rochester, NY			Victim/Offender Relationship (Offender Name, DOB, Relationship)					
	Telephone			Level of Injury Business - NA	Type of Injury Business - NA		Medical Treatment Business - NA		

PERSONS	R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed									
	Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address			Telephone No.
	NO	MOHAMMED, NAHSHEL, A								

SUSPECT / MISSING PER	Type - S	Suspect Name (Last, First, Middle) Prude, daniel						Nickname			
	Address			Date of Birth	Age	Sex	Race	Ethnicity N	MoRIS / JCR #		
	Height	Weight	Hair Color	Hair Length	Eye Color	Glasses	Complexion	Build	Facial Hair	Gang Affiliation	
	Clothing, Jewelry, Distinguishing Features						Offender Condition Apparently Normal		Scars, Marks, Tattoos		
	Mothers Maiden Name			Place of Birth			School Name / ID #				

INVESTIGATION	Modus Operandi											
	01. Witness to the offense?	<input type="checkbox"/>	05. Can a suspect be described?	<input type="checkbox"/>	09. Is there significant Modus Operandi present?	<input type="checkbox"/>						
	02. Surveillance footage of event?	<input checked="" type="checkbox"/>	06. Can a suspect be identified?	<input type="checkbox"/>	10. Is there significant physical evidence present?	<input type="checkbox"/>						
	03. Can a suspect be named?	<input type="checkbox"/>	07. Can a suspect vehicle be identified?	<input type="checkbox"/>	11. Has evidence tech work been performed?	<input type="checkbox"/>						
	04. Can a suspect be located?	<input type="checkbox"/>	08. Is stolen property traceable?	<input type="checkbox"/>	12. Preliminary investigation NOT completed?	<input type="checkbox"/>						
Case Status Field			Exceptional Clearance			Assigned Bureau CIS - MCU			Review Box CID			

Reporting Officer RICOTTA PAUL	IBM # 2534	Date 03/24/2020	Reviewed By ZENELOVIC, FLAMUR	03/26/2020
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**ROCHESTER POLICE DEPARTMENT
INCIDENT REPORT**

CR #

2020-00061277



ADDT'L OFFENSE	Statute -		Attempt/Commit -		Counts -		
	Description -						
	Location				Weapon		
	Larceny Type			Aggravated Assault Circumstances			Gang Related
Bias Type		Entry Point			Method of Entry		# of Premises Entered

VICTIM #2	Victim Type		Victim Name (Last, First, Middle)						
	Address			Date of Birth	Age	Sex	Race	Ethnicity	Residence Status
	City, State, Zip			Victim/Offender Relationship (Offender Name, DOB, Relationship)					
	Telephone		Level of Injury		Type of Injury		Medical Treatment		

PERSONS	<p align="center">R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed</p>							
	Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.

SUSPECT #2	Type -		Suspect Name (Last, First, Middle)					Nickname		
	Address				Date of Birth	Age	Sex	Race	Ethnicity	MoRIS / JCR #
	Height	Weight	Hair Color	Hair Length	Eye Color	Glasses	Complexion	Build	Facial Hair	Gang Affiliation
	Clothing, Jewelry, Distinguishing Features					Offender Condition		Scars, Marks, Tattoos		

PROPERTY	Property Code		Property Type		Property Value		Serial Number	
	Seized Evidence		BWC Video					
	Item Type and Description							Color
Video Recorded by IBM: 2534								
Quantity		Unit of Measure		Measurement Source		Drug Type		
1		Item(s)						

PROPERTY	Property Code		Property Type		Property Value		Serial Number	
	Damaged Vandalized		Other Property		\$200			
	Item Type and Description							Color
BROKEN PLATE GLASS WINDOW								
Quantity		Unit of Measure		Measurement Source		Drug Type		
1		Item(s)						

FIREARM	Firearm Property Code		Firearm Value		Make		Model		Finish
	Caliber		Capacity	Type		Action		Serial Number	
	Description								Recovery Date

VEHICLE	Vehicle Status		Year	Make		Model		Style	Color
	State	Plate Number		VIN #			Recovery Date		
	Additional Description								

Reporting Officer		IBM #	Date	Reviewed By	
RICOTTA PAUL		2534	03/24/2020	ZENELOVIC, FLAMUR 03/26/2020	



ON 3/23/20, AT ABOUT 0310 HOURS, I RESPONDED TO 767 W MAIN ST. (METRO PCS) FOR THE BURGLARY ALARM FOR TWO GLASS BRAKE ALERTS. UPON ARRIVAL, I OBSERVED THE PLATE GLASS WINDOW WAS SHATTERED ON THE WEST SIDE OF THE STORE . AS I APPROACHED THE WINDOW, I OBSERVED A CINDER BLOCK WAS LYING ON THE WINDOW FRAME AND APPEARED TO HAVE BEEN THROWN THROUGH THE WINDOW BY AN UNKNOWN SUSPECT.

(NO) NAHSHEL MOHAMMED ARRIVED AND ATTEMPTED TO REVIEW VIDEO BUT WAS UNABLE TO ACCESS THE VIDEO SINCE HE DIDN'T HAVE THE PROPER PASSWORD. (NO) ALSO STATED THAT NOTHING WAS MISSING FROM THE STORE. SPECIAL SERVICES ADVISED THAT THEY WOULD COME AT 0800 HOURS TO REPAIR THE WINDOW.

THE CITY CAMERA AT W MAIN ST/HENION ST. WAS FACING THE OPPOSITE DIRECTION WHEN THE INCIDENT OCCURRED. THERE ARE MULTIPLE CAMERAS AT 781 W MAIN ST. (HAIR BIZZ) THAT FACE THE PARKING LOT. HAIR BIZZ WAS CLOSED AND I WAS UNABLE TO VIEW THEM.

I TOOK PHOTOS OF THE BROKEN WINDOW WITH MY BWC. TECH RADELL ARRIVED AND ALSO PROCESSED THE SCENE.

I LATER LEARNED THAT VIDEO WAS OBTAINED FROM 781 W MAIN ST. (SEE IA'S FOR MORE).

---FILED TO MCU--

NARRATIVE

Reporting Officer	IBM #	Date	Reviewed By
RICOTTA PAUL	2534	03/24/2020	ZENELOVIC, FLAMUR 03/26/2020

DEPEW POLICE DEPARTMENT
Complaint Information

Complaint# 20-002489 Date Received: 03/22/2020 Source: PHONE

Dispatch Code: 5007 Description: CUSTOMER TROUBLE Call Type: POLICE
Final Dispatch Code:5007 Description: CUSTOMER TROUBLE

Street: 55 DICK RD Tract: Street Code: 4715
Cross Street: Municipality:DEPEW

Business: AMTRAK Call Back:

Times: Received:08:35:48 Dispatched:08:35:52 Arrived:08:42:53 Completed:09:36:42

Officers: STRANC, TIMOTHY GORSKI, JEFFREY

Received By: DZIADOSZ, CHESTER Dispatcher: DZIADOSZ, CHESTER

Report (follow up): NO Notified:

Action Codes 1. 2.
 3. 4.

Associated Persons: SUB - PRUDE, DANIEL

CMP - AMTRAK

03/22/20 08:35:24 317 AMTRAK
CMP (BRAD, EMPLOYEE) REPORTS MALE ON IN BOUND TRAIN
REFUSING TO LISTEN TO ORDERS CONTINUES TO SMOKE ON TRAIN
FROM CHICAGO DUE IN AT 08:45 HRS

03/22/20 09:01:46 317 PER PATROL DANIEL PRUDE LEFT TRAIN WITH NO INCIDENT SUBJECT
LAST SEEN AT BUS STOP DISPATCH MADE CONTACT WITH ROCHESTER
PD IN ATTEMPT TO CONTACT FAMILY MEMBER

03/22/20 09:36:37 317 UNABLE TO FIND # RPD HAS NO INFO

City Records Access

From: Favor Jr., Henry C. <Henry.FavorJr@CityofRochester.Gov>
Sent: Tuesday, April 14, 2020 3:41 PM
To: Morabito II, Joseph M.
Subject: FW: Investigative Summary 435 Jefferson Ave.2
Attachments: Investigative Summary 435 Jefferson Ave.2.docx

[As discussed sir...](#)

From: Umbrino, Frank
Sent: Tuesday, April 14, 2020 2:23 PM
To: Favor Jr., Henry C. <Henry.FavorJr@CityofRochester.Gov>
Subject: Investigative Summary 435 Jefferson Ave.2

Bulleted timeline is under the narrative portion. The gray Malibu is ours and we are addressing it

City Records Access

From: Favor Jr., Henry C. <Henry.FavorJr@CityofRochester.Gov>
Sent: Tuesday, March 24, 2020 7:38 AM
To: Morabito II, Joseph M.
Subject: FW: 435 Jefferson Ave Incident Summary
Attachments: Investigative Summary 435 Jefferson Ave.docx

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Umbrino, Frank" <Frank.Umbrino@CityofRochester.Gov>
Date: 3/23/20 8:55 PM (GMT-05:00)
To: "Favor Jr., Henry C." <Henry.FavorJr@CityofRochester.Gov>
Subject: FW: 435 Jefferson Ave Incident Summary

Commander -

Is this sufficient or are you looking for more specific details?

----- Original message -----

From: "Perkowski, Michael E." <Michael.Perkowski@CityofRochester.Gov>
Date: 3/23/20 20:40 (GMT-05:00)
To: "Umbrino, Frank" <Frank.Umbrino@CityofRochester.Gov>
Subject: 435 Jefferson Ave Incident Summary

Here you go Capt.

Lieutenant Michael Perkowski

Rochester Police Department

Central Investigations Section

Major Crimes Unit

Michael.Perkowski@cityofrochester.gov

585-428-8831

City Records Access

From: Zenelovic, Flamur <Flamur.Zenelovic@CityofRochester.Gov>
Sent: Thursday, April 16, 2020 4:33 PM
To: 'Sommers, Jennifer'
Subject: RE: Prude
Attachments: Cheektowaga Police Report.pdf; Crime Report-Ofc. Ricotta-Metro PCS Burglary.pdf; Depew Police Report.pdf; IAR-Inv. Carbonel.pdf; IAR-Inv. Gotham.pdf; IAR-Inv. Houlihan.pdf; IAR-Ofc. Frye.pdf; IAR-Ofc. Gonzalez.pdf; IAR-Ofc. Harris.pdf; IAR-Ofc. Laurez.pdf; IAR-Ofc. Serenis.pdf; IAR-Ofc. Specksgoor.pdf; IAR-Ofc. Talladay.pdf; IAR-Sgt. Magri.pdf; Incident Report-Ofc. Vaughn.pdf; MHA Report 03.23.20 .pdf; MHA Report 03.22.20.pdf; Orchard Park Police Report.pdf

Please find attached to this e-mail all related police reports, MHA reports from RPD as well as some reports from Buffalo area police agencies for 03/23/20. Those agencies had contact with Daniel Prude on 03/23/20.

Thank you,
Flamur

Sgt. Flamur Zenelovic
Major Crimes Unit
Rochester Police Department
185 Exchange Blvd.
Rochester, New York 14614

Office #(585) 428-6868
fz1543@cityofrochester.gov



From: Sommers, Jennifer <Jennifer.Sommers@ag.ny.gov>
Sent: Thursday, April 16, 2020 2:56 PM
To: Zenelovic, Flamur <Flamur.Zenelovic@CityofRochester.Gov>
Subject: RE: Prude

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

No worries – Are you free for a call now?

From: Zenelovic, Flamur <Flamur.Zenelovic@CityofRochester.Gov>
Sent: Thursday, April 16, 2020 2:55 PM
To: Sommers, Jennifer <Jennifer.Sommers@ag.ny.gov>
Subject: RE: Prude

Hello,

My cell phone number is [REDACTED] and my office number is 428-6868. Sorry for the delay.

Flamur

Sgt. Flamur Zenelovic
Major Crimes Unit
Rochester Police Department
185 Exchange Blvd.
Rochester, New York 14614
[REDACTED]

Office #(585) 428-6868
fz1543@cityofrochester.gov



From: Sommers, Jennifer <Jennifer.Sommers@ag.ny.gov>
Sent: Thursday, April 16, 2020 1:33 PM
To: Perry M Duckles <PDuckles@monroecounty.gov>; Doorley, Sandra (Monroe County) <sdoorley@monroecounty.gov>
Cc: Zenelovic, Flamur <Flamur.Zenelovic@CityofRochester.Gov>
Subject: RE: Prude

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

Thank you so much Perry!
Flamur – What is your cell phone number?
I have a 2:00 conference call but I can call you now if you are available or else I can call you after.
Thank you again...

From: Perry M Duckles <PDuckles@monroecounty.gov>
Sent: Thursday, April 16, 2020 1:28 PM
To: Sandra J Doorley <SDoorley@monroecounty.gov>; Sommers, Jennifer <Jennifer.Sommers@ag.ny.gov>
Cc: Zenelovic, Flamur <Flamur.Zenelovic@CityofRochester.Gov>
Subject: RE: Prude

[EXTERNAL]

Hello Jen, Flamur Zenelovic (copied herein) is the Sgt. In charge of this matter. He's aware you'll be reaching out and is happy to help get you whatever you need. I am also able to help in that regard, just let me know. Let us know, and I'm glad to hear you are well.

Perry Duckles

First Assistant District Attorney
Monroe County District Attorney's Office
47 South Fitzhugh Street
Rochester, NY 14614
585-753-4653 (office)

From: Sandra J Doorley <SDoorley@monroecounty.gov>

Sent: Thursday, April 16, 2020 1:18 PM

To: Sommers, Jennifer <Jennifer.Sommers@ag.ny.gov>; Perry M Duckles <PDuckles@monroecounty.gov>

Subject: Prude

Great talking to you, Jen!

I'm copying Perry in on this. He is going to reach out to RPD and get you the appropriate contact. Stay tuned.....

Stay safe!!

Sandra

-- Confidentiality Notice -- This email message, including all the attachments, is for the sole use of the intended recipient(s) and contains confidential information. Unauthorized use or disclosure is prohibited. If you are not the intended recipient, you may not use, disclose, copy or disseminate this information. If you are not the intended recipient, please contact the sender immediately by reply email and destroy all copies of the original message, including attachments.

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**ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
CASE UPDATE**

CR #
2020-00061280

DETAIL

SUSPECT / MISSING PER

VEHICLE RECOVERY

NARRATIVE

INVESTIGATION

Reporting Officer

Victim's Name (Last, First, Middle) or Name of Business TBA		Location of Offense 435 JEFFERSON AVE Rochester		Beat 263
Date/Time of Occurrence 03/23/2020 03:15		Offense / Charge / Incident (Most Recent Classification)		
Classification After Investigation (Include Law Section Number)				BWC No

Suspect Type S		Suspect Name (Last, First, Middle) PRUDE, DANIEL			Nickname		
Address [REDACTED]		Date of Birth [REDACTED]	Age 41	Sex M	Race B	Ethnicity N	MoRIS / JCR #
Height	Weight	Hair Color Black	Hair Length	Eye Color Brown	Glasses	Complexion	Build
Facial Hair				Gang Affiliation			
Clothing, Jewelry, Distinguishing Features				Offender Condition Impaired w Drugs		Scars, Marks, Tattoos	
Missing Person Code		Missing Person Mothers Maiden Name		Missing Person Place of Birth		School ID Number	

Year	Make	Model		Style	Color
State	Registration #	VIN #		Towed to -	Towed by -
Location Recovered		Date	Time	Owner Notified by:	
Evidence of Damage / Method of Theft					Time Radio Notified of Recovery

On March 23, 2020 I was tasked by Sgt. Zenelovic to do a neighborhood check in the 400 block of Jefferson Avenue between Dr. Samuel McRee Way and Cady Street. I was able to locate video at 422 Jefferson Avenue. The video was collected by members of the technicians unit. I could not locate any additional video between Dr. Samuel McRee Way and Cady Street. During the canvass I did speak to the following residents on Jefferson Avenue.

N/I-Abdikadir Muya of [REDACTED] no answer at the door. I did leave a business card asking for a call back.

N/O- Gwendolyn Sweet of [REDACTED] Sweet said that she heard a male yelling and Screaming out of her bedroom window. Sweet said that she did not get up to look out her window. She only knew that the police were outside when she saw the crime scene tape.

435 Jefferson Avenue Abundant Life Church closed with no video cameras.

Continuance of Field		Changed to Field		Closed by Field	
Exceptional Clearance		Bias Type		Victim Relationship to Suspect Unknown	
Property Recovered	Value of Property	# Arrested	SRR	Multiple Cleanup	Teletype Status
Additional Techwork Performed				Further Investigation Conducted By CIS - MCU	

CARBONEL	WILFREDO	IBM # 0636	Date 03/23/2020	Reviewed By ZENELOVIC, FLAMUR 03/26/2020
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428 Jefferson Avenue Pretty Black Society Hair Gallery business closed with no video.

424 Jefferson Avenue is a multiple family apartment building with no exterior video cameras.

N/O Juvenile Taniya Williams of [REDACTED] Williams said that she did not see or hear anything.

424 Jefferson Avenue #26 no answer at the door business card was left in the door.

Dimetrius Holmes [REDACTED] Holmes said that he saw the police standing out in front of his apartment. He did not see anyone else or what occurred on Jefferson Avenue.

Pastine Davis [REDACTED] refused to give her phone number. Davis said that she was asleep in her apartment. That is when woke up because she heard someone screaming outside. She looked out of her window that faces Jefferson Avenue. She saw a naked male with the Police. After she saw the male with the police she went back to bed.

450 Jefferson Avenue vacant under construction.

NARRATIVE

Reporting Officer	IBM #	Date	Reviewed By
CARBONEL	WILFREDO	0636	03/23/2020
			ZENELOVIC, FLAMUR 03/26/2020



ROCHESTER POLICE DEPARTMENT INVESTIGATIVE ACTION REPORT CASE UPDATE

CR #
2020-00061280

R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed

Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.
NI	MUYA , ABDIKADIR	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
NO	SWEET , GWENDOLYN	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
NO	WILLIAMS, TANIYA	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
NO	HOLMES, DIMETRIUS	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
NO	DAVIS , PASTINE	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed

Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.

R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed

Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.

ADDITIONAL PERSONS

Reporting Officer [REDACTED]	IBM # 0636	Date 03/23/2020	Reviewed By ZENELOVIC, FLAMUR 03/26/2020
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**ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
CASE UPDATE**

CR #
2020-00061280

DETAIL

SUSPECT / MISSING PER

VEHICLE RECOVERY

NARRATIVE

INVESTIGATION

Reporting Officer

Victim's Name (Last, First, Middle) or Name of Business TBA		Location of Offense 435 Jefferson AVE Rochester		Beat 213
Date/Time of Occurrence 03/23/2020 03:10		Offense / Charge / Incident (Most Recent Classification)		
Classification After Investigation (Include Law Section Number)				BWC No

Suspect Type S		Suspect Name (Last, First, Middle) PRUDE, DANIEL			Nickname		
Address [REDACTED]		Date of Birth [REDACTED]	Age [REDACTED]	Sex M	Race B	Ethnicity N	MoRIS / JCR #
Height	Weight	Hair Color Black	Hair Length	Eye Color Brown	Glasses	Complexion	Build
Clothing, Jewelry, Distinguishing Features				Offender Condition		Scars, Marks, Tattoos	
Missing Person Code		Missing Person Mothers Maiden Name		Missing Person Place of Birth		School ID Number	

Year	Make	Model	Style	Color
State	Registration #	VIN #	Towed to -	Towed by -
Location Recovered		Date	Time	Owner Notified by:
Evidence of Damage / Method of Theft				Time Radio Notified of Recovery

On 3/23/20, Inv. M. Hill and I were called back to duty by Sgt. Weigel in order to assist Genesee Section with the above incident that had occurred in the area of 435 Jefferson Ave.

Upon our arrival, we were briefed by Sgt. Weigel and learned that while Genesee Section Officers were attempting to take (S) Prude into custody for a mental hygiene arrest, when (S) Prude had a medical event and became unresponsive. (S) Prude was then transported to Strong Memorial Hospital in order to receive medical treatment.

Sgt. Weigel tasked Inv. Hill and me with interviewing the 911 caller (PK1) Jonathan and (S) Prude's brother, (PK2) Prude.

I first called (PK1) Jonathan at [REDACTED] (PK1) Jonathan stated that he works for Gates Towing and wasn't able to respond back to the area in order to speak. However, (PK1) Jonathan stated the following: He was in the process of hooking/towing a vehicle in the area of 179 Jefferson Ave. when he observed a bald black male wearing dark colored thermal pants and

Continuance of Field		Changed to		Closed by	
Exceptional Clearance		Bias Type		Victim Relationship to Suspect	
Property Recovered	Value of Property	# Arrested	SRR	Multiple Clearup	Teletype Status
Additional Techwork Performed				Further Investigation Conducted By CIS - MCU	

Reporting Officer GOTHAM	BRANDON	IBM # 1831	Date 03/23/2020	Reviewed By ZENELOVIC, FLAMUR 03/26/2020
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ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
CASE UPDATE

no shirt. The male appeared to have blood on his stomach and feet and wasn't wearing shoes.

(PK1) Jonathan heard the male, later identified as (S) Prude, yelling statements to the effect of, "Call 911. I've got the Coronavirus." (PK1) Jonathan then observed (S) Prude attempt to get into a Medical Transport van that was parked on Jefferson Ave. (PK1) Jonathan informed (S) Prude that he was calling 911 as requested, and at that point, (S) Prude took off heading southbound on Jefferson Ave.

(PK1) Jonathan stated that he didn't see the Police Officers take (S) Prude into custody.

Inv. Hill and I then responded to 50 Child St. in order to speak with (PK2) Prude. (PK2) Prude then provided a written deposition to Inv. M. Hill regarding the events of the day. See deposition for further.

NARRATIVE

Reporting Officer	IBM #	Date	Reviewed By
GOTHAM	BRANDON	1831	03/23/2020
			ZENELOVIC, FLAMUR 03/26/2020



ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
CASE UPDATE

R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed

Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.
PK	Jonathan, Justin	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
PK	Prude, Joe	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed

Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.

R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed

Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.

ADDITIONAL PERSONS

Reporting Officer [REDACTED]	IBM # 1831	Date 03/23/2020	Reviewed By ZENELOVIC, FLAMUR 03/26/2020
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ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
NARRATIVE ONLY

CR #
2020-00061280

DETAIL	Victim's Name (Last, First, Middle) or Name of Business	Location of Offense	Beat
	City of Rochester	435 Jefferson AVE	233
	Date/Time of Occurrence	Offense / Charge / Incident (Most Recent Classification)	
	03/23/2020 03:11	Burglary 3/ CM 3/ MHA	

Burglary Investigation/ Mental Hygiene Arrest, RPD CR#2--061280
435 Jefferson Av, 03/23/20 @ 0311 hr

Suspect: Daniel Prude, M/B, [REDACTED]

Narrative:

On 03/23/2020 at approximately 0900 hr., Inv. R. Benjamin and I met with Lt. Perkowski and Sgt. F. Zenelovic. The meeting happened in the lieutenant's office in MCU. During this meeting, Lt. Perkowski informed us that there was an incident that occurred at 435 Jefferson Av earlier in the morning involving a Mental Hygiene Arrest where the arrestee, Daniel Purdue, lost consciousness and went into cardiac arrest while being detained.

Lt. Perkowski informed us that there were three separate job cards associated with this MHA. The first incident was a missing person report at 50 Child St, with the CR #20-061276. The second incident was a criminal mischief/attempted burglary that occurred at 767 W Main St, RPD CR#20-061277, and the third incident was an MHA arrest that occurred at 435 Jefferson Av, RPD CR#20-061280. We were told to compile the majority of our paperwork under the third crime report number, 20-061280.

At 0300 hr., Joe Prude called 911 from 50 Child St (RPD CR#20-061276) to report that his brother, Daniel Prude, had left the house after just being released from Strong Hospital where he had been admitted for suicidal thoughts. Joe Prude reported that his brother was not wearing any shoes and he was only wearing long johns and a white tank-top. Joe Prude was afraid that his brother had run up to the railroad tracks. Officer Mark Vaughn was dispatched to the job and was speaking with Joe Prude when a call came into ECD at 0309 hr. for a burglary alarm at 767 W. Main St (RPD CR#20-061277).

As officers were heading for the burglary alarm at 767 W. Main St, a tow truck driver by the name of Justin Jonathan called 911 from his cell phone [REDACTED] to report that there was a male near the intersection of W Main St and Jefferson Av who had no clothes on with blood all over him. Justin Jonathan said that the male was trying to break into a car and was saying that he had the coronavirus. Justin Jonathan said that the male just ran off and was last seen running south on Jefferson Av.

Lt. Perkowski told us that Officers Mark Vaughn, Paul Ricotta, Andrew Specksgoor, Josiah Harris, Troy Talladay and Sgt. Michael Magri were all in the area and responded. They found a naked male in the street at the intersection of Jefferson Av and Cady St (435 Jefferson Av) and took the male into custody. One of the officers (later identified as Officer Mark Vaughn) pointed a Taser at the subject and ordered him to the ground for handcuffing and the subject complied. He was handcuffed without any use of force. According to the ECD job card, Officer A. Specksgoor called one in custody for an MHA at 0319 hr. The male then sat upright and began to spit at officers and attempted to get up. The officers applied a spit sock and laid the subject prone on the ground, stabilizing him until the arrival of AMR. While stabilizing him, he vomited and then went unresponsive. According to AMR, there was no pulse and CPR was required during transport to Strong Hospital.

The subject was identified as Daniel Prude, a male with the date of birth [REDACTED]. He recently moved to Rochester to stay with his brother, Joe Prude, at [REDACTED]. Information was that Daniel Prude had been transported to Strong Hospital on 03/22/2020 at approximately 1920 hr. for a mental health evaluation. According to Joe Prude, he was only at the hospital for a few hours when he returned to 50 Child St at around 11 PM.

Reporting Officer	IBM #	Date	Reviewed By
HOULIHAN	MICHAEL	0890	03/26/2020
			ZENELOVIC, FLAMUR



ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
NARRATIVE ONLY

NARRATIVE

Inv. R. Benjamin and I went to Strong Hospital at around 1030 hr. to check on the status of Daniel Prude. When we arrived in the E.D. we were informed that Prude was in the Intensive Care Unit, 4-2800. We went to that unit and spoke with the nurse manager, [REDACTED]. She told us that she could not provide specific information about Daniel Prude's health due to HIPA laws. She did offer that since Prude is being treated in the ICU his condition is considered "Critical" but he was in stable condition. Although Cilano was guarded with the information on Prude, I learned that he was on a breathing tube and was not allowed any visitors (due to CoVID-19 procedures). Cilano referred us to the Public Safety supervisor at [REDACTED] for further information.

Inv. Benjamin and I then relocated from Strong Hospital to 50 Child St to make contact with the family of Daniel Prude. We met with Joe Prude [REDACTED] and his wife, Valerie Stotts [REDACTED]. They indicated that they had tried to see Daniel Prude at Strong Hospital but were denied access due to the Coronavirus quarantine. Stotts said that she spoke with a Doctor on the phone (she could not provide the Doctor's name during our interview) and the Doctor told them that Daniel had been without oxygen for an extended period of time and he would likely be "brain dead". Stotts and Prude stated that they had contacted an attorney and they were quite angry that Daniel Prude had been released from Strong Psychiatric after such a brief period of time.

Inv. Benjamin and I then went to AMR Ambulance Corp, 811 West Av, Phone 585-777-7777, to try to speak with the ambulance personnel who attended to Daniel Prude. We met with a shift supervisor there who told us that none of the crew that had been on around 0300 hr. were still working. We provided contact information to him to relay to ambulance personnel Julie Purick and Sean O'Donnell.

At approximately 1215 hr., Valerie Stott contact Inv. Benjamin by phone to provide the name of the Doctor at Strong Hospital that they had talked to. That Doctor's name is Dr. Soniwara.

Inv. Benjamin and I then drove to 796 Glide St to meet with Justin Jonathan (the 911 caller for the possible 10-78 at W. Main St and Jefferson Av). Jonathan told us that he is a tow truck operator for Gates Towing. He was working a towing job at an alley near the intersection of W Main St and Jefferson Av when a male black, about 40 years old, approached him and asked him to call 911. Jonathan said that the male was claiming to have the Coronavirus. Jonathan said that the male had blood on his feet and his stomach. The male tried to open a locked car door on a blue minivan that was parked in the area. Then, the male got down on his knees and begged Jonathan to call 911. Jonathan told him that he was already on the phone with 911. Jonathan said that when he told the man this, the man said something to the effect of "Oh shit, I gotta' leave" and the male started to run down W. Main St to Jefferson Av and then turned southbound on Jefferson Av. Jonathan said that the police arrived in the area and he went back to work towing the vehicle he was there for. Jonathan said that after he hooked the vehicle up he looked down Jefferson Av and saw several police cars and a few police officers standing around the male, who was laying on his side on the ground. Jonathan said that it appeared that the male was handcuffed with a light colored hood over his head. Jonathan drove around the block and again looked down the street briefly at the scene. He could see a few police officers crowded around the male on the ground (who he said appeared to be on his side) and he could see that there was an ambulance on scene and a fire truck. Jonathan said that he stayed in his truck and did not spend much time watching what was going on.

AT 1430 hr., Inv. Carbonel and I returned to the area of 435 Jefferson Av to conduct a neighborhood check of the area between Cady St and Dr. Samuel McCree Way (refer to IAR submitted by Inv. Carbonel regarding details of this neighborhood check).

At 1511 hr., Julie Purick called and made arrangements to meet with Inv. Benjamin and me at the PSB at 5 PM.

At 1625 hr., I spoke with University of Rochester/Strong Hospital Security Supervisor Kay Power (phone [REDACTED]). She asked if Daniel Prude was a suspect, witness or victim. I told her that Prude had been transported to Strong Hospital as a Mental Hygiene Arrest, but there could be criminal charges filed against him when he is released. I told Power that we would like to interview Prude, when and if possible. Power told me that she would advise me when Prude is discharged or

Reporting Officer	IBM #	Date	Reviewed By	
HOULIHAN	MICHAEL	0890	03/26/2020	ZENELOVIC, FLAMUR



ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
NARRATIVE ONLY

moved to another unit.

AT 1650 hr., Inv. Benjamin and I met with AMR paramedic Julie Purick [REDACTED]. She informed us that she was working the shift starting at 1745 hr. on 03/22/2020 with EMT Brett Barnes in Rig #7989. Shortly after 3 am they were dispatched to the area of W. Main St and Jefferson Av for a psychiatric call. The details were that there was a bloody male running in the street naked. They arrived in the area at 0313 hr. and staged at Nick Tahoe's, 320 W Main St. They were called in to the scene at 0318 hr. The drove westbound on W Main St and turned southbound on Jefferson Av, arriving at 0320 hr. Brett Barnes retrieved the stretcher while Purick approached RPD. As she approached RPD one of the officers asked her if she was grabbing the gurney because the subject was fighting. Purick said that she could see the subject actively resisting and attempted to get up. She could hear the subject talking incoherently. She said the subject had a spit sock on. She told the officer she was going to get a medication to sedate the subject. She stated that her observations of the subject were that he could be experiencing "excited delirium", which she described as a condition in which the subject is experiencing agitation and aggression; increased heart rate and respiration; overheating (which she stated would explain the subject being naked on a night when temperatures were around 32 degrees with mixed snow and precipitation); sweating, flushed appearance; excessive strength, a high tolerance for pain and incoherent speech. She indicated that excited delirium is commonly associated with drug use like cocaine and PCP. As Purick was going to get the medication to calm the subject the patient went silent. She heard Brett Barnes say that she was needed, and she heard Brett Barnes tell the officers to roll the subject over and remove the handcuffs. There was a moment while the officers were trying to find a handcuff key, and Barnes and Purick started CPR. When the officers found a handcuff key, they rolled the patient over and took the cuffs off and then continued to perform CPR. The subject was transported to the gurney and put into the back of the ambulance, where Epinephrine and Sodium Bicarbonate were administered. The patient was then intubated and at 0341 hr. the patient's heart began to beat on its own. They transported Daniel Prude to Strong Hospital and arrived at 0347 hrs.

On Tuesday, March 24, 2020, at approximately 1100 hr., I went to the Family Dollar located at 715 W. Main St. I spoke with the store manager, Tonya Greenlea (cell phone [REDACTED]). She indicated that the store does have exterior cameras in good working order and that RPD Technicians could have access to the system if they called or met with her before 3 PM. I relayed this information to Sgt. Zenelovic who made arrangements for a technician to respond.

I checked the corner store located at 613 W Main St and spoke with the clerk, Mahamed Algoaim. He told me the exterior cameras at the location were in good working order and he had the passcode for the camera system, although he claimed not to know how to download video files from the system. He provided a phone number of [REDACTED] for the store and told me that he would be there all afternoon if a technician wanted to stop by. I also found video footage available at the corner store located at 259 Jefferson Av (The Clifton Food Market). I spoke with Hani Muthana who told me that his video system is always available to the police. I told him that a technician would be stopping in to retrieve about ten minutes worth of video. Arrangements were made for the technician to stop by both location after downloading the video from the Family Dollar.

Other locations that were check with negative results were as follows:

- Mason's Deli, 396 Jefferson Av, Phone [REDACTED] Female at location told me that the cameras are not recording.
- The Seventh-Day Adventist Church, 309 Jefferson Av. There was no answer at the location.
- Nichol's Brother's Collision, 705 W. Main St, Phone [REDACTED] I spoke with an employee there named John who told me the exterior cameras affixed to the shop do not record.

On 03/24/2020 I was in contact with Strong Hospital Security (Kay Power). She indicated that there has been no change in the status of Daniel Prude. He is still listed in guarded condition in the ICU, intubated and unable to be interviewed. She

NARRATIVE

Reporting Officer	IBM #	Date	Reviewed By	
HOULIHAN	MICHAEL	0890	03/26/2020	ZENELOVIC, FLAMUR



**ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
NARRATIVE ONLY**

CR #
2020-00061280

informed me that if his status changes she will advise.

On March 26, 2020 at approximately 0930 hr. I contacted Strong Memorial Hospital to inquire about the medical records that had been subpoenaed by ADA Duckles. She indicated that the hospital's Copy Services division had been instructed to send the records to ADA Duckles by March 26, 2020. The hospital's order number for this request is #6262362500.

As of the afternoon of 03/26/2020 I had not further involvement in the investigation.

NARRATIVE

Reporting Officer	IBM #	Date	Reviewed By
HOULIHAN	0890	03/26/2020	ZENELOVIC, FLAMUR



**ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
NARRATIVE ONLY**

CR #
2020-00061280

DETAIL

Victim's Name (Last, First, Middle) or Name of Business	Location of Offense 435 Jefferson AVE	Beat 233
Date/Time of Occurrence 03/23/2020 03:11	Offense / Charge / Incident (Most Recent Classification)	

NARRATIVE

On 03/23/20, I assisted with the above incident. At 0810 hrs., I located the victim's white tank top on the sidewalk, in front of 767 W.Main Street. Technician Mueller responded and collected it.

Reporting Officer FRYE	THOMAS	IBM # 1827	Date 03/23/2020	Reviewed By
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**ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
CASE UPDATE**

CR #
2020-00061280

DETAIL	Victim's Name (Last, First, Middle) or Name of Business PRUDE, DANIEL		Location of Offense 435 Jefferon AVE Rochester		Beat 233
	Date/Time of Occurrence 03/23/2020 03:11		Offense / Charge / Incident (Most Recent Classification)		
	Classification After Investigation (Include Law Section Number)				BWC No

SUSPECT / MISSING PER	Suspect Type		Suspect Name (Last, First, Middle)				Nickname			
	Address				Date of Birth	Age	Sex	Race	Ethnicity	MoRIS / JCR #
	Height	Weight	Hair Color	Hair Length	Eye Color	Glasses	Complexion	Build	Facial Hair	Gang Affiliation
	Clothing, Jewelry, Distinguishing Features					Offender Conditon		Scars, Marks, Tattoos		
	Missing Person Code		Missing Person Mothers Maiden Name			Missing Person Place of Birth			School ID Number	

VEHICLE RECOVERY	Year	Make	Model		Style	Color	
	State	Registration #	VIN #		Towed to -	Towed by -	
	Location Recovered			Date	Time	Owner Notified by:	
	Evidence of Damage / Method of Theft					Time Radio Notified of Recovery	

NARRATIVE	<p>ON 3/23/20 DURING 2ND PLATOON ROLL CALL RO WAS ASSIGNED TO ASSIST WITH THE FOLLOW UP OF THIS ONGOING INVESTIGATION. RO WAS TASKED WITH CHECKING THE CAMERAS IN THE AREA OF W. MAIN ST/HENION ST.</p> <p>RO CALLED THE CAMERA ROOM AS THERE IS A CITY BLUE LIGHT CAMERA AT THE CORNER OF W. MAIN ST AND HENION ST. RO SPOKE WITH PSA HETZLER WHO CHECKED THE CAMERA AND STATED THAT BETWEEN 0300HRS AND 0301HRS THE MALE WAS SEEN ON CAMERA. HE WAS IN THE VALERO GAS STATION LOT (799 W MAIN ST) ACTING TUMULTUOUS THEN LEFT THE FRAME. HE WAS WEARING THE DARK COLORED LONG JOHNS AND WHITE TANK TOP. HETZLER BOOKMARKED THE VIDEO AND DOWNLOADED IT TO A HARD COPY THAT WAS TURNED INTO THE PROPERTY CLERKS OFFICE.</p> <p>THAT PARKING LOT IS NEXT TO THE 767 (METROPCS) AND 781 (HAIR BIZZ) W. MAIN ST SHARED PARKING LOT.</p>

INVESTIGATION	Continuance of Not Applicable (non-crime)		Changed to		Closed by	
	Exceptional Clearance		Bias Type		Victim Relationship to Suspect	
	Property Recovered	Value of Property	# Arrested	SRR	Multiple Clearup	Teletype Status
	Additional Techwork Performed				Further Investigation Conducted By	

Reporting Officer GONZALEZ ANTONIO	IBM # 1394	Date 03/23/2020	Reviewed By ZENELOVIC, FLAMUR 03/23/2020
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ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
CASE UPDATE

AT 0309HRS THE ALARM CALL FOR SERVICE CAME IN FOR 767 W MAIN ST(METRO PCS) AS THE GLASS BREAK DETECTOR WAS TRIGGERED. 1ST PLATOON OFFICERS ARRIVED ONSCENE AND CONFIRMED THAT THE GLASS WINDOW WAS BROKEN AND REQUESTED A BOARD UP. *NOTE 2ND PLATOON OFC. T. FRYE LOCATED A BLOODY WHITE TANK TOP ON THE W. MAIN ST SIDEWALK IN FRONT OF METRO PCS

AT 0730HRS RO RESPONDED TO 767 W MAIN ST AND SPOKE WITH (PK1) WHO IS THE STORE OWNER OF METROPCS AND HE STATED THAT THE CAMERAS IN THE PARKING LOT ARE RUN BY THE FOLKS WHO OWN THE HAIR BIZZ. HE DID NOT HAVE THEIR CONTACT INFORMATION BUT HE STATED THAT THEY OPEN UP AT 1000HRS. RO CHECKED THE HAIR BIZZ SEVERAL TIMES AFTER 1000HRS BUT THE BUSINESS REMAINED CLOSED. THERE WAS NO CONTACT INFORMATION POSTED ON THEIR DOOR OR WINDOWS. RO HAD ADMIN CHANNEL 5 SEARCH FOR THEIR CONTACT INFO WITH NEGATIVE RESULTS. RO CHECKED LERMS FOR 'HAIR BIZZ' BUT THE ONLY ENTRY WAS A DIFFERENT LOCATION FROM 2010.

CONTINUANCE OF A NON CRIMINAL INCIDENT.

NARRATIVE

Reporting Officer	IBM #	Date	Reviewed By
GONZALEZ ANTONIO	1394	03/23/2020	ZENELOVIC, FLAMUR 03/23/2020



ROCHESTER POLICE DEPARTMENT INVESTIGATIVE ACTION REPORT CASE UPDATE

CR #
2020-00061280

R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed

Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.
PK	NAHSHEL, MOHAMMED	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED] Rochester, NY 14611	[REDACTED]

R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed

Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.

R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed

Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.

ADDITIONAL PERSONS

Reporting Officer [REDACTED]	ANTONIO	IBM # 1394	Date 03/23/2020	Reviewed By ZENELOVIC, FLAMUR 03/23/2020
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ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
NARRATIVE ONLY

DETAIL

Victim's Name (Last, First, Middle) or Name of Business	Location of Offense 435 JEFFERSON AVE	Beat 233
Date/Time of Occurrence 03/23/2020 03:11	Offense / Charge / Incident (Most Recent Classification) N/A	

NARRATIVE

On 03/23/20 at or about 0300 hrs I responded to the area of Jefferson Ave/W Main St for the report of a male running around naked stating that he had the COVID-19 virus.

While in the area, officers did locate the male who was later identified as (S) Daniel Prude. Once I arrived, (S) Prude was handcuffed and laying naked in the middle of the street, in front of the above location. While officers were waiting for the arrival of AMR, (S) Prude began to state that he wanted to take an officers gun and attempted to get off the ground and come toward officers. (S) Prude was controlled by officers.

I then left the location and responded to another priority job involving a male with a knife.

I returned to the above location around 0330 hrs. Once I arrived, (S) Prude was already on the ambulance (#7989). The following AMR staff were at the scene:

- Paramedic, Julie Purick
- Paramedic, Sean O'Donnell
- EMT, Brett Barnes
- Supervisor, Melissa Greek-Rouse
- Supervisor, McKenzie Moranz

I then followed AMR to SMH where he received treatment from Dr. Tenney and SMH staff in the emergency department.

While at the hospital I took the following photos of (S) Prude:

- left foot showing a laceration
- right foot showing a laceration
- right forearm and bicep area showing an abrasion
- left shin area showing a contusion
- left hand with laceration

(S) Prude was transported to room 4.1818 (#4). I remained with Prude until Sgt. Magri informed me to secure. At the time of this report, (S) Prude remained in critical condition.

No further information.



ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
NARRATIVE ONLY

CR #
2020-00061280

DETAIL

Victim's Name (Last, First, Middle) or Name of Business metro pc	Location of Offense 767 W MAIN ST	Beat 213
Date/Time of Occurrence 03/23/2020 03:10	Offense / Charge / Incident (Most Recent Classification) criminal mischief	

NARRATIVE

RO RESPONDED TO 424 JEFFERSON AVENUE TO ATTEMPT TO LOCATE VIDEO. ON SCENE RO SPOKE TO THE OWNER THAT OPENS THE STORE IN THE MORNING. HE SAID HE DOES NOT KNOW HOW TO WORK THE CAMERAS HOWEVER HIS SON COMES IN TO WORK AT THREE AND CAN HELP WITH THE CAMERAS AT THAT TIME.



**ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
NARRATIVE ONLY**

CR #
2020-00061280

DETAIL

Victim's Name (Last, First, Middle) or Name of Business ---	Location of Offense 435 Jefferson AVE	Beat 233
Date/Time of Occurrence 03/23/2020 03:11	Offense / Charge / Incident (Most Recent Classification) MHL 9.41	

NARRATIVE

On Monday 03/23/2020 I was tasked with checking the area of Jefferson Ave from Dr Samuel McCree Way north to W Main St for clothing worn by mental hygiene arrestee Daniel Prude 09/20/1978. The clothing consisting long underwear and a white tank top that was reportedly removed by Prude prior to police contact and the subsequent MHA. I did locate a pair of black long underwear in the roadway on Jefferson Ave at Adams St at approximately 0750hrs. I requested a tech to respond. Tech Ofc Mueller promptly responded to photograph and collect the same.



**ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
NARRATIVE ONLY**

CR #
2020-00061280

DETAIL

Victim's Name (Last, First, Middle) or Name of Business PRUDE, DANIEL	Location of Offense 435 Jefferson AVE	Beat 233
Date/Time of Occurrence 03/23/2020 03:11	Offense / Charge / Incident (Most Recent Classification)	

NARRATIVE

On 03/23/2020, at 0311 hours, I responded to 50 Child St for a report of a male who ran out of the house. Upon arriving on scene I made contact with Joe Prude. Joe stated his brother, Daniel Prude, just ran out of the back door of the house without explanation. Joe advised Daniel was wearing only a white tank top and black long johns, with no shoes or jacket.

Joe stated Daniel had returned to the residence at approximately 2100 hours from being MHA'd earlier in the day. Joe said Daniel is known to abuse PCP. Joe said Daniel said he wanted to kill himself and threw himself down a flight of stairs earlier in the day. Joe stated since returning to the residence Daniel had acted calm, not made suicidal statements, and had not used any substances to his knowledge. Joe said Daniel did not have a history of suicide attempts before today.

As I was speaking with Joe, Dispatch advised they received a call about a male in the area of Jefferson Ave and West Main St, running down the road in only blue pants and no shirt. Joe immediately stated the call was probably his brother Daniel.

I responded to the area of 435 Jefferson Ave, where officers had located and detained the male. I observed the male to be naked, handcuffed, and laying on the middle of Jefferson Avenue. I asked the male if he was Daniel Prude and the male advised he was Daniel Prude. I observed Daniel to have minor lacerations on his body. Daniel was yelling and rolling around on the ground while waiting for AMR to arrive on scene. Daniel asked officers several times to give him one of their guns. Daniel was officially MHA'd at 0319 hours.

At this point I returned to my patrol vehicle to begin MHA paperwork. As I was completing the MHA paperwork AMR arrived on scene. I positioned my patrol vehicle behind the AMR ambulance to prepare to follow them to Strong Hospital. At this time I looked up and observed AMR performing CPR on Daniel.

Daniel was transported to Strong Hospital by AMR. I set up tape around the scene. I responded to 50 Child St to maintain custody of the residence.

I cleared the scene when directed by Lt Tordai.

Nothing further to report at this time.



**ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
NARRATIVE ONLY**

CR #
2020-00061280

DETAIL

Victim's Name (Last, First, Middle) or Name of Business Prude, Daniel	Location of Offense 435 Jefferon AVE	Beat 233
Date/Time of Occurrence 03/23/2020 03:11	Offense / Charge / Incident (Most Recent Classification)	

NARRATIVE

On 3/23/20 at approximately 0300 hours I responded to the area of 50 Child St. (CR 20-061272) for the report of a male wearing a white tank top and long johns that had run from the location in an unknown direction. Prude was previously MHA'd at Strong Hospital earlier in the day for being suicidal. It was broadcasted by officers who spoke with Prudes brother that he was on PCP.

Officers were then dispatched to 767 W. Main St. for a burglary alarm (CR 20-061277). Once on scene officers observed a broken storefront window.

A third call came in for a black male wearing blue pants and no shirt in the area of Jefferson Ave/W Main St. I responded to the area and continued South down Jefferson Ave looking for the male. Prude was located by Ofc. Vaughn in the area of 435 Jefferson Ave. While Prude was handcuffed on the ground I instructed him to stay on the ground while waiting for AMR to respond. Prude made comments about wanting my gun, attempting to spit on me and then attempted to stand up. I used force to keep Prude on the ground while waiting for AMR, see SRR.

While waiting for AMR to get the gurney off the rig, I observed Prude become unresponsive. AMR then began to treat him. AMR stopped chest compressions for a moment and rolled Prude over on his left side so I could remove the handcuffs and he could continue receiving treatment.



**ROCHESTER POLICE DEPARTMENT
INVESTIGATIVE ACTION REPORT
NARRATIVE ONLY**

CR #
2020-00061280

DETAIL	Victim's Name (Last, First, Middle) or Name of Business	Location of Offense	Beat
		435 Jefferson AVE	233
	Date/Time of Occurrence	Offense / Charge / Incident (Most Recent Classification)	
	03/23/2020 03:11	N/A	

NARRATIVE

On 3/23/20 at approximately 0300, I responded to the area of Jefferson Ave/ W Main st for the call of a male running down the street bloody and no shirt. It was believed that it was in relation to a suspicious persons at 50 Child St and possibly the burglary at 767 W Main St (CR# 20-061276). While checking the area I heard officers call out that they had the male at Jefferson and McCree. While pulling up to that location they called out that he was in custody. I parked my patrol vehicle and approached on foot. I observed the male on the ground with officers standing around him. At this time the male was completely naked and handcuffed behind his back. I requested AMR to respond to the location for the MHA. While waiting for the ambulance to arrive the male stayed on the ground but was continuously yelling. He was also sticking his hand between his butt checks and stating he had "shit" on his hands and he was going to eat it. He continued yelling various things towards officers and asked for their guns. At one point the male attempted to get up and officers moved in to ground stabilize him. The male was still yelling and AMR eventually arrived. AMR exited and officers believed the male may have stopped breathing. They rolled him onto his side and confirmed their observations. AMR then began lifesaving measures on the male. AMR then transported the male to Strong Memorial Hospital and I had no further contact with the male. I was later told that the male was Daniel Prude who was in fact the male from the original call at 50 Child St.

Reporting Officer	IBM #	Date	Reviewed By
MAGRI	1673	03/24/2020	ZENELOVIC, FLAMUR



ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #
2020-00061280

DETAIL	Incident Type IR- Non-Criminal Incident	Report Date 03/23/2020	Report Time 03:11	Date From 03/23/2020	Time From 03:11	Date To 03/23/2020	Time To 03:11	
	Incident Address 435 Jefferson AVE				Beat 233	Campus Code		
	Violent Crime Context					BWC Yes		

OFFENSES	Statute - Attempt/Commit - Counts -	
	Description -	
	Location	Weapon
	Larceny Type	Aggravated Assault Circumstances
	Gang Related	Computer
	Bias Type	Entry Point
Method of Entry		# of Premises Entered
Statute - Attempt/Commit - Counts -		
Description -		
Location	Weapon	
Larceny Type	Aggravated Assault Circumstances	
Gang Related	Computer	
Bias Type	Entry Point	
Method of Entry		# of Premises Entered

VICTIM	Victim Type	Victim Name (Last, First, Middle)					
	Address	Date of Birth	Age	Sex	Race	Ethnicity	Residence Status
	City, State, Zip	Victim/Offender Relationship (Offender Name, DOB, Relationship)					
	Telephone	Level of Injury	Type of Injury		Medical Treatment		

PERSONS	R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed							
	Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.
	RP	Jonathan, Justin						
	PK	Prude, Joe	10/01/1975	M	B	N	50 Child St Rochester, NY	(585)448-6262

SUSPECT / MISSING PER	Type - S	Suspect Name (Last, First, Middle) Arrestee Prude, Daniel						Nickname
	Address	Date of Birth	Age	Sex	Race	Ethnicity	MoRIS / JCR #	
	Height	Weight	Hair Color	Hair Length	Eye Color	Glasses	Complexion	Build
	5' 10	230	Bald				Medium	Heavy
	Clothing, Jewelry, Distinguishing Features Naked				Offender Condition Apparently Normal		Scars, Marks, Tattoos	
	Mothers Maiden Name		Place of Birth			School Name / ID #		

INVESTIGATION	Modus Operandi											
	01. Witness to the offense?		05. Can a suspect be described?		09. Is there significant Modus Operandi present?							
	02. Surveillance footage of event?		06. Can a suspect be identified?		10. Is there significant physical evidence present?							
	03. Can a suspect be named?		07. Can a suspect vehicle be identified?		11. Has evidence tech work been performed?							
	04. Can a suspect be located?		08. Is stolen property traceable?		12. Preliminary investigation NOT completed?							
Case Status Not Applicable (non-crime)			Exceptional Clearance			Assigned Bureau Patrol - Genesee			Review Box CID			
Reporting Officer VAUGHN MARK				IBM # 2333	Date 03/24/2020	Reviewed By ZENELOVIC, FLAMUR 03/26/2020						



ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #
2020-00061280

ADDT'L OFFENSE	Statute -		Attempt/Commit -		Counts -		
	Description -					Location	
	Location					Weapon	
	Larceny Type			Aggravated Assault Circumstances			Gang Related
Bias Type		Entry Point			Method of Entry		# of Premises Entered

VICTIM #2	Victim Type		Victim Name (Last, First, Middle)						
	Address			Date of Birth	Age	Sex	Race	Ethnicity	Residence Status
	City, State, Zip			Victim/Offender Relationship (Offender Name, DOB, Relationship)					
	Telephone		Level of Injury		Type of Injury		Medical Treatment		

PERSONS	R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed									
	Type	Name (Last, First, Middle)			DOB	Sex	Race	Eth	Address	Telephone No.

SUSPECT #2	Type -		Suspect Name (Last, First, Middle)					Nickname		
	Address				Date of Birth	Age	Sex	Race	Ethnicity	MoRIS / JCR #
	Height	Weight	Hair Color	Hair Length	Eye Color	Glasses	Complexion	Build	Facial Hair	Gang Affiliation
	Clothing, Jewelry, Distinguishing Features					Offender Condition		Scars, Marks, Tattoos		

PROPERTY	Property Code		Property Type		Property Value		Serial Number	
	Seized Evidence		BWC Video					
	Item Type and Description							

PROPERTY	Quantity	Unit of Measure		Measurement Source		Drug Type	
	1	Item(s)					

FIREARM	Firearm Property Code		Firearm Value		Make		Model		Finish
	Caliber		Capacity		Type		Action		Serial Number
	Description								

VEHICLE	Vehicle Status		Year	Make		Model		Style	Color
	State	Plate Number		VIN #			Recovery Date		
	Additional Description								

Reporting Officer			IBM #	Date	Reviewed By	
VAUGHN			2333	03/24/2020	ZENELOVIC, FLAMUR 03/26/2020	



On 3/23/20 at approximately 0300 hours I responded to the area of 50 Child St. (CR 20-061272) for the report of a male wearing a white tank top and long johns that had run from the location in an unknown direction. Officers were informed by Prude's brother Joe Prude that he was on PCP. Prude was previously MHA'd at Strong Hospital earlier in the day for being suicidal.

Officers were then dispatched to 767 W. Main St. for a burglary alarm (CR 20-061277). Once on scene officers observed a broken storefront window.

Officers were then dispatched to the area of Jefferson Ave and W. Main St. for a black male in blue pants covered in blood. I immediately relocated to Jefferson Ave where I spoke with Justin Jonathan, a tow truck driver, who stated that he saw a black male running in front of cars, screaming to call the police, and saying that he had the Corona Virus. Jonathan stated that the male ran southbound on Jefferson Ave and was a few blocks down.

I located Prude in the area of 435 Jefferson Ave when I observed him running in traffic and then grabbing items, throwing them into the street. I ordered Prude to the ground and took him into custody without incident.

Officers stood by while waiting for AMR to arrive for an MHA. Prude told officers several times to give him their guns and eventually told Officer Taladay to give him his gun, while getting up in his direction. Officers used force to restrain Prude until the ambulance arrived on scene, see SRR.

While waiting for AMR to pull the Gurney from the ambulance Prude became unresponsive and AMR immediately began treating him. AMR then transported Prude to Strong Hospital. Officer Harris followed the ambulance to Strong, see IAR.

Technician Radell responded to the scene, see tech sheet.

Officers were later able to locate the clothing that Prude discarded and obtained video footage of Prude breaking the window at 767 W. Main St.

Non-Criminal Incident

NARRATIVE

Reporting Officer	MARK	IBM #	2333	Date	03/24/2020	Reviewed By	ZENELOVIC, FLAMUR 03/26/2020
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Major Crimes Unit

Genesee Section Burg/MHA Follow Up



435 Jefferson Ave

Date and Time:	03/23/2020
CR#:	20-061280
Victim:	City of Rochester
Suspect(s):	Daniel Prude
Motive:	MHA/Burglary
Status:	Open
Sergeant:	Zenelovic
Investigators:	Benjamin/Houlihan
Summary By:	Zenelovic

On 03/23/20 Genesee Section Investigators responded to 50 Child Street for a suspicious. Officers spoke to Joe Prude who reported that his brother Daniel Prude was acting out and possibly using drugs. According to Joe Prude, Daniel was taken to the hospital under MHA during the evening hours on 03/22/20 but released and arrived at 50 Child Street around 2300 hrs. At approximately 0300 Daniel left the location on foot with no shoes, wearing a tank top shirt and pants. The overnight temperature was approximately 30 degrees. While officers were at 50 Child Street ECD broadcasted a call for a burglary alarm at 767 West Main Street. While investigating that call, ECD broadcasted the report of a man at Jefferson Ave @ West Main Street covered in blood and saying he has the corona virus. Gates tow truck driver Justin Johnathan was the 911 caller for that job.

Officer Vaughn and Tallady located Daniel Prude near 435 Jefferson Ave. The male was naked when located in the middle of the street. He complied when officers ordered him to get on the ground. Officers handcuffed Prude without incident. Officers monitored Prude while they waited for AMR. Prude made several comments (heard on body camera) asking officers to take the handcuffs off and give him their gun. After several minutes the suspect put himself in a seated position and appeared to try and stand up. Officers Vaughn, Tallady and Frank Santiago use force to keep Prude on the ground. Each officer was wearing BWC and their actions were documented on video. As AMR EMS arrives officer's notice that Prude had apparently stopped breathing. Paramedics Purick and Barnes administered first aid and transported Prude to Strong Memorial Hospital. Prude was admitted to the intensive care unit and remains there as of this report. His status was checked by Investigators Benjamin and Houlihan on 3/23/2020 at about 1000hrs and confirmed to be the same.

Investigator Matt Hill deposed Joe Prude at some point and that deposition was sent to MCU. Preliminary draft reports include SRR's from Vaughn, Tallady and Santiago were sent to MCU.



Major Crimes Unit Investigative Summary



CR#: 2020-061280

Date/Time: 03-23-2020 @ 1511hrs

Location: 435 Jefferson Ave

MCU Investigators spoke to Joe Prude after checking the status of Daniel Prude. Joe confirmed that on 03/22/20 Daniel traveled to Rochester by train from Chicago. At some point Daniel became disruptive on the train and was escorted off the train at the stop in Buffalo. Joe drove to Buffalo and picked Daniel up. Joe believes that Daniel has a significant drug problem and uses PCP.

Investigators located and interviewed Justin Johnathan from Gates Tow, who stated in sum and substance that he saw the suspect walking around on W. Main Street and the suspect was wearing a white shirt, dark pants and no shoes. Johnathan observed the male had blood on his shirt and body. The male said that he had corona virus. Johnathan was concerned so he called 911. He did not observe officers stop or take Prude into custody and left the area.

Investigators reconvassed the 400 block of Jefferson Ave. No additional witnesses were identified. Blue light video from West Main & Henion Street and Danforth and Child Street were reviewed and downloaded. Surveillance video was located and recovered from 422 Jefferson Ave, 781 West Main St, and 799 W. Main Street. The suspect is captured on video from 781 West Main Street covering his face with his shirt and using a cinder block to break the window of the business located at 767 W. Main St. The suspect then unlawfully enters the building.

Investigators made contact with AMR Medic Julie Purick. She was on a day off but agreed to come to the PSB. She was working with Brett Barnes who was also off today and not due back to work until 03/25/20. Purick arrived and saw that Prude was naked, rambling and uncooperative with police and she surmised that he may be suffering from excited delirium. She told officers that she was going to administer some type of medication to calm the suspect. A short time later she was alerted to the fact that Prude was not breathing. Her partner began chest compressions and they loaded him into the ambulance. Purick noted that Prude was in cardiac arrest and over the course of the next approximately 18 minutes they worked to regain a pulse. Prude was intubated and while on the ambulance was given 2 doses of epinephrine and 1 dose of sodium bicarbonate. He was transported to Strong Memorial Hospital. Purick advised that she completed a standard AMR report and would provide us a copy.

We have reviewed the available BWC footage and applicable reports. Several reports have been rejected for revisions. Investigators will continue to monitor the status of Prude. They have arranged to receive updates from security at Strong Memorial Hospital. Security has a very strict protocol in place regarding who can enter the hospital in an effort to protect visitors, including law enforcement from corona virus.



Major Crimes Unit Investigative Summary



CR#: 20-061280

Date/Time: 03-23-20 @ 0310 hrs.

Location: 435 Jefferson Ave.

435 Jefferson Ave.

Date and Time:	03/23/20
CR#:	20-061280
Victim:	City of Rochester
Suspect(s):	Daniel Prude
Motive:	MHA/Burglary
Status:	Open
Sergeant:	Zenelovic
Investigators:	Benjamin/Houlihan
Summary By:	Zenelovic

On 03/23/20 Genesee Section Investigators responded to 50 Child Street for a suspicious condition/missing person. Officers spoke to Joe Prude who reported that his brother Daniel Prude was acting out and possibly using drugs. According to Joe Prude, Daniel was taken to the hospital under MHA on 03/22/20 approximately 1909 hrs. Joe Prude reported that Daniel was later released and was dropped off at 50 Child Street around 2300 hrs. At approximately 0300 Daniel left the location on foot with no shoes, wearing a tank top shirt and pants. The overnight temperature was approximately 30 degrees. While officers were at 50 Child Street, ECD broadcasted a call for a burglary alarm at 767 West Main St. While investigating that call, ECD broadcasted the report of a man at Jefferson Ave @ West Main St. covered in blood saying he has the corona virus. Gates tow truck driver Justin Johnathan was the 911 caller for that job.

Officer Vaughn and Tallady located Daniel Prude near 435 Jefferson Ave. The male was naked when located in the middle of the street. He complied when officers ordered him to get on the ground. Officers handcuffed Prude without incident. Officers monitored Prude while they waited for AMR. Prude made several comments (heard on body camera) asking officers to take the handcuffs off and give him their gun. Prude was spitting and as a result of an active Corona virus pandemic impact our area officer applied a spit sock to his head. After several minutes, the suspect put himself in a seated position and appeared to try and stand up. Officers Vaughn, Tallady and Frank Santiago had to use minimal force to keep Prude on the ground. He was stabilized while officers waited for AMR. Each officer was wearing BWC and their actions were documented on video. A short time later officer's notice that Prude had apparently stopped breathing. Paramedics Purick and Barnes administered first aid and transported Prude to Strong Memorial Hospital. Prude was admitted to the intensive care unit.

Investigator Matt Hill deposed Joe Prude shortly after the incident and he was later re-interviewed by MCU. Joe confirmed that on 03/22/20 Daniel traveled to Rochester by train from Chicago. At some point Daniel became disruptive on the train and was escorted off by police at the stop in Buffalo. Daniel Prude had contact with three police officers from the Depew, Cheektowaga and Orchard Park Police departments including being escorted from the train. Joe drove to Buffalo and picked him up. Joe believes that Daniel has a significant drug problem and uses PCP.



Major Crimes Unit Investigative Summary

CR#: 20-061280

Date/Time: 03-23-20 @ 0310 hrs.

Location: 435 Jefferson Ave.



Investigators located and interviewed Justin Johnathan from Gates Tow. Jonathan stated in sum and substance that he saw the suspect walking around on W. Main St. wearing a white shirt, dark pants and no shoes. Johnathan observed the male had blood on his shirt and body. The male was yelling he had corona virus and was talking in a nonsensical manner. Johnathan was concerned so he called 911. He did not observe officers stop or take Prude into custody and left the area.

Investigators reconvassed the 400 block of Jefferson Ave. No additional witnesses were identified. Blue light video from West Main & Henion Street and Danforth and Child Street were reviewed and downloaded. Surveillance video was located and recovered from 422 Jefferson Ave, 781 West Main St, and 799 W. Main St. The suspect is captured on video from 781 West Main St. covering his face with his shirt and using a cinder block to break the window of the business located at 767 W. Main St. The suspect then unlawfully enters the building.

MCU Investigators made contact with AMR Medic Julie Purick. She was working with Brett Barnes the day of this incident. When Purick arrived on Jefferson Ave she saw that Prude was naked, rambling and uncooperative with police. Due to his actions she surmised he may be suffering from excited delirium. She told officers that she was going to administer some type of medication to the suspect to try and calm him. A short time later she was alerted to the fact Prude was not breathing. Her partner began chest compressions and they loaded him into the ambulance. Purick noted that Prude was in cardiac arrest. Over the course of the next approximately 18 minutes they worked to regain a pulse. Prude was intubated and while on the ambulance was given 2 doses of epinephrine and 1 dose of sodium bicarbonate. A pulse was established and Prude was transported to URMC. Purick advised that she completed a standard AMR report and would provide us a copy. AMR Medic Barnes went on vacation following the incident and investigators will interview him upon his return. As of 4/14/20 this has not yet occurred.

On 3/30/20 Prude died at the hospital. An autopsy was performed by Dr. Granger. Her official ruling states Prudes cause of death was classified as, the immediate cause being “complications of asphyxia in the setting of physical restraint”, due to Excited Delirium and Acute phencyclidine intoxication” (PCP). The manner of death was ruled a “homicide”. (**Note:** this is a medical ruling/definition of a homicide) The medical examiner’s office took custody of the hospital blood drawn from Prude on 03/23/20 directly from Strong Memorial Hospital. The blood was tested and found to contain enough PCP to attribute to the cause of death. As of 4/14/20 we have not received the complete autopsy report or the toxicology report.

On 04/03/20 MCU became aware of a Facebook live video on the internet depicting a naked male running naked down Jefferson Ave. The male is believed to be Daniel Prude based on the location of the where the video was recorded being the same block where officers encountered him. It was determined that Mario Perez made the recording and posted it toe Facebook. On 04/11/20 Perez was interviewed by investigators. Perez authenticated the video and said he was driving down Jefferson Ave and saw the naked male running down Jefferson Ave. acting crazy and irrational. Prude can be seen running after Perez as he drove south on Jefferson Ave telling him to give him his car. MCU investigators will be interviewing the involved officers on this incident over a two day period 4/13-4/14.



Major Crimes Unit Investigative Summary

CR#: 20-061280

Date/Time: 03-23-20 @ 0310 hrs.

Location: 435 Jefferson Ave.



Time Line of events for Daniel Prude:

03/22/20

08:35-Depew NY Police Department responds to the AMTRAK train station at 55 Dick Rd regarding a passenger on the train from Chicago who is refusing to listen to orders and smoking on the train.

09:01-Depew Police make contact with Daniel Prude. He is dispersed from the train without incident. They attempted to contact family in Rochester with no success.

11:24-Cheektowaga NY Police Department investigates a 911 call regarding the theft of a cell phone from a vehicle.

12:06:13-Officers make contact with Daniel Prude and recover the phone

12:21:07-Officers transport Daniel Prude and drop him off at City Mission Harbor House

12:43-Orchard Park NY Police Department received an attempt to locate call from Joe and Valerie Prude attempting to locate him. They are advised he was dropped off at Harbor House. Prude is picked up in Buffalo area by his brother and brought to Rochester

18:53-RPD Officers respond to 50 Child Street regarding Daniel Prude smoked PCP and was tripping. Reported he thought people were out to get him and he wanted to die. He was taken into custody for MHA and taken to Strong Hospital

23:00-According to Joe Prude, Daniel was discharged from the hospital and arrives at 50 Child Street.

03/23/20

03:00-Joe Prude Calls 911 to report his brother Daniel Prude was recently released from the hospital and is suicidal. Daniel was using unknown drugs at the house and left on foot only wearing long johns and a tank top shirt.

03:09-911 Call reporting an alarm at 767 W. Main Street, Metro PCS.

03:11-Officers arrive at 767 W. Main Street. Responding officers find broken glass and a brick inside of the location. (Video evidence later confirms Daniel Prude committed the burglary).

03:11-Gates Tow truck driver reports a male running down the street covered in blood saying he has corona virus. Male is described as wearing no shirt and blue pants.

03:16-Officers locate Daniel Prude completely naked in the street at 435 Jefferson Ave. Prude is ordered to the ground and handcuffed without incident.

03:18-Daniel Prude is threatening that he wants officers to give him there gun. He is spitting toward officers

03:19-Officer apply a spit sock over Daniel Prudes head. He continues to spit.

03:20:25-Daniel Prude attempts to stand from seated position. He is asking for the officer's gun. Prude is stabilized face down on the pavement before he can stand.

03:21:00-AMR ambulance arrives on scene.



Major Crimes Unit Investigative Summary

CR#: 20-061280

Date/Time: 03-23-20 @ 0310 hrs.

Location: 435 Jefferson Ave.



03:22:34-Officers notice Prude has thrown up and is possibly not breathing.

03:23:48-AMR medic starts medical treatment.

03:24:20-AMR medic begins CPR.

03:24:34-AMR medic notifies their dispatch they have a medical 500.

03:27:07-Daniel Prude is placed in the Ambulance. Prude is then transported to Strong Memorial Hospital.

03:44:00-According to AMR records, paramedics reestablished Prude's vital signs including blood pressure and pulse.

03/30/20

2219-RPD advised that Daniel Prude died at approximately 2100 hrs.



[Redacted]

[Redacted]

[Redacted]

Incident/Response Information

[Redacted]

Persons Involved

[Redacted]

P: Patient R: Reporting Person

Patient Information

[Redacted]

Narrative

[Redacted]

Reporting Deputy/Officer Signature

Supervisor Signature

Town of Orchard Park Police Department Complaint Information

Complaint# 20-009120 Date Received: 03/22/2020 Source:

Dispatch Code: 4517 **Description:** ATTEMPT TO LOCATE **Call Type:**

Final Dispatch Code: 4517 **Description:** ATTEMPT TO LOCATE

Street: 4295 S BUFFALO ST **Tract:** **Street Code:**

Cross Street: **Municipality:** VOP

Business: **Call Back:**

Times: **Received:** 12:44:16 **Dispatched:** 12:45:01 **Arrived:** 12:45:01 **Completed:** 12:45:01

Officers:

Received By: **Dispatcher:**

Report (follow up): **Notified:**

Action Codes 1. 2.
 3. 4.

Associated Persons: SUB - PRUDE, DANIEL

<p>03/22/20 12:43:56 131</p> <p>03/22/20 12:43:58 131</p> <p>03/22/20 12:44:15 131</p> <p>03/22/20 12:44:56 131</p> <p>03/22/20 12:45:01 131</p>	<p>Entry Initiated</p> <p>DEP PSD-DZIADOSZ (12:43:28): ATL Daniel Prude black male with a red suitcase & a black suit case same was asked to leave a Amtrak train in Depew earlier this morning family from Rochester area is looking for him Joe & Valerie Prude [REDACTED] same state that Daniel suffers from ADHD & doesnt have much or any money on him no cellphone last seen at a bus stop near train station if located contact family or Depew pd</p> <p>Sent to Dispatch - ATTEMPT TO LOCATE - 4295 S BUFFALO ST VOP (VILLAGE ZONE) Pri: 3</p> <p>CHE POL-JCHAR (12:44:24): took him to harbor house</p> <p>Archived</p>
---	--

TAB 2

City Records Access

From: Morabito II, Joseph M. <Joseph.Morabito@CityofRochester.Gov>
Sent: Monday, March 23, 2020 11:51 AM
To: Singletary, La'Ron D.; Simmons, Mark L.; Rivera, Fabian; Favor Jr., Henry C.; Correia, Elena A.; Mura, Mark S.
Cc: Swetman, Steven D.
Subject: FW: Jefferson Ave incident

FYI

From: Umbrino, Frank
Sent: Monday, March 23, 2020 7:27 AM
To: Morabito II, Joseph M. <Joseph.Morabito@CityofRochester.Gov>; Favor Jr., Henry C. <Henry.FavorJr@CityofRochester.Gov>; Jones, Michael P. <Michael.Jones@CityofRochester.Gov>
Subject: Jefferson Ave incident

Vic - Daniel Prude 9-20-78 / CR#20-061280

Victim was shipped to Rochester via bus yesterday from Chicago by his family because he was using PCP. He got kicked off the bus in Buffalo and the family picked him up there around noon yesterday. At 1628 hrs yesterday he was mha's because he was acting crazy wiggling out. That time is according to the family. Hospital says it was around 1900 so we don't know who is right.....He was dropped off by Medicab around 2100 hrs after being released from the MHA and dropped off on Child St. At about 0300 hrs. victims brother called 911 because he took off from the house. While Off. Specksgoor was at Child St, a call came in form glass break alarm at 767 W. Main St the phone store. There was a cinderblock thrown thru the window. As officers were on scene for that, Vaughn was flagged down by a tow truck driver there was a guy running naked down Jefferson Ave. Sure enough they found the victim completely naked in the street. He was ordered to the ground and complied without resistance or force and was handcuffed. While sitting up he began spitting and a spit sock was applied from the rear, again with no force used. After a brief period of time he began to try and get up. Vaughn applied the Segment technique to the victims head, Talliday had his knee on the victims lower back and Santiago held his feet. Note the knee on the back did not look like much and most of the time he was actually squatting holding the victims arms in an arm bar. Victim continued to yell stuff that made no sense. He vomits and eventually stops moving. The officers recognize this, don't feel a pulse and roll him over. AMR was on scene already. AMR began CPR and called it a 500. Victim was ultimately revived. He is currently in critical condition, but death is not imminent at this time. They do not know how much brain damage from the lack of oxygen.

PSI deposed the brother on child St. The video at the phone store is only interior. Techs will be going back in the am to grab other video in the plaza.

Santiago and Vaughns BWC is in the Chiefs drive. Perkowski will put the others in their later this afternoon. Santiagos gives a good view of everything. Vaughn, Talliday and Santiago were the only ones hands on. Others present were Magri, Specksgoor, Ricotta and Harris.

The only ones at the scene from MCU were Perkowski and I. We went because the vic was thought to be dead and were called as we were about to leave St. Paul St. homicide. Section has the lead and is collecting the paperwork.

Cpt. Frank Umbrino
Central Investigations Sections
City of Rochester Police Department
Office: (585) 428-7616

[REDACTED]
Email: Frank.Umbrino@cityofrochester.gov

City Records Access

From: Umbrino, Frank <Frank.Umbrino@CityofRochester.Gov>
Sent: Monday, March 23, 2020 7:27 AM
To: Morabito II, Joseph M.; Favor Jr., Henry C.; Jones, Michael P.
Subject: Jefferson Ave incident

Vic - Daniel Prude 9-20-78 / CR#20-061280

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Cpt. Frank Umbrino
Central Investigations Sections
City of Rochester Police Department
Office: (585) 428-7616

Email: Frank.Umbrino@cityofrochester.gov

City Records Access

From: Morabito II, Joseph M. <Joseph.Morabito@CityofRochester.Gov>
Sent: Monday, March 23, 2020 12:00 PM
To: Singletary, La'Ron D.; Simmons, Mark L.; Mura, Mark S.; Favor Jr., Henry C.; Correia, Elena A.
Cc: Swetman, Steven D.
Subject: FW: Serious Incident

Additional information

From: Tordai, Laszlo
Sent: Monday, March 23, 2020 7:16 AM
To: Morabito II, Joseph M. <Joseph.Morabito@CityofRochester.Gov>; Rivera, Fabian <Fabian.Rivera@CityofRochester.Gov>
Subject: Serious Incident

CR 20-061280
435 Jefferson Av (233) 0314 hrs
MHA 9.41
S-Prude, Daniel [REDACTED]
RP-Prude, Joe [REDACTED]
PK-Justin, Jonathan [REDACTED]

Officers Involved: Mark Vaughn, Troy Taladay, Francisco Santiago, Sgt. Michael Magri

On 3/23/20, at about 0301 hrs, Genesee Section officers responded to 50 Child St for a missing person report. RP, the suspect's brother, told officers that his brother ran out the door with wearing long johns and a tank top. He also told officers that earlier during the evening S, who just arrived from Chicago, took some PCP. As a result, he became suicidal and made statements that he wanted to die and he wished someone would just kill him. He was MHA'd on 3/22 about 1900 hrs. He was released a few hours later and returned to 50 Child St. As RP was talking with officers, a call for a glass break alarm was dispatched for 767 W. Main, with S being most likely the culprit. At this time, a tow truck driver employed by Gates Towing saw S running southbound on Jefferson Av from W. Main St, wearing only blue pants.

S was also seen attempting to enter a parked van and acting irrational. Officers Vaughn, Taladay, and K-9 officer Santiago responded to the area and encountered S in the area of 435 Jefferson Av. S who was naked, was bleeding from his arms and legs, most likely from breaking the glass at 767 W. Main St. S complied with the officers' orders and was handcuffed. After being handcuffed and while lying on the ground, S became resistive by means of moving around uncontrollably and stating that he wanted to die and asked the officers to shoot him. Officers performed ground stabilization techniques and segmenting. S threw up and then became unresponsive. AMR was on scene and observed some of the SRR. S was revived about 15-20 min later while still on scene and was transported to SMH where he is listed in critical condition and possibly has brain damage. His long term prognosis is not good.

Sgt. Weigel from PSI and Capt. Umbrino and Lt. Perkowski, who just left a homicide scene, responded. The involved officers were paired up with supervisors and brought to the 4th floor. Their BWCs were downloaded. RP was deposed and PSI spoke via phone to PK regarding his observations. A technician was sent to the hospital, the scene and 767 W. Main St. After the suspect's condition was stabilized, the involved officers were released without interviews and the scene was "released." Officers are completing all paperwork. As of this writing, the responding AMR staff have been identified, but not deposed. Currently working on locating them and deposing them as well as the tow truck driver.

TAB 3

City Records Access

From: Kavanaugh, Hoang M. <Hoang.Kavanaugh@CityofRochester.Gov>
Sent: Monday, March 23, 2020 2:40 PM
To: Swetman, Steven D.
Subject: Mr. Prude
Attachments: IDC -Preliminary Review - Mr. Prude.doc

attached

Sergeant Hoang "Chris" Kavanaugh
Rochester Police Department
Professional Standards Section
846 S. Clinton Avenue
Rochester, N.Y. 14620
(585) 428-8817
Hoang.Kavanaugh@cityofrochester.gov



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City Records Access

From: Swetman, Steven D. <Steven.Swetman@CityofRochester.Gov>
Sent: Monday, March 23, 2020 4:05 PM
To: Singletary, La'Ron D.
Subject: Mr. Prude preliminary review IDC
Attachments: Attachments.html; Job Card_20-061280.pdf; IDC -Preliminary Review - Mr. Prude from Swetman to Chief.doc

Chief, please see the attached IDC and JOB card along with the other reports that you received earlier today if you need to reference them for anything. Please advise if you want to this to be an internal at this time or if we are waiting for an update on his status.

I have placed all BWC files in the RPD-A Staff folder labeled Mr. Prude 435 Jefferson Ave BWC FILES

Thanks

Lieutenant Steven Swetman
Rochester Police Department
Professional Standards Section
(585)-428-8266

From: Perkowski, Michael E. <Michael.Perkowski@CityofRochester.Gov>
Sent: Monday, March 23, 2020 1:30 PM
To: Swetman, Steven D. <Steven.Swetman@CityofRochester.Gov>
Subject: FW: Reports from Jefferson

Steve,

Here is everything that I received from the Section. I do not have any other video other than BWC. We got a bit of a late start on this, so we are still out looking for video.

Hope all is well,
Mike

From: Perkowski, Michael E.
Sent: Monday, March 23, 2020 10:30 AM
To: Zenelovic, Flamur <Flamur.Zenelovic@CityofRochester.Gov>
Subject: Reports from Jefferson

City of Rochester ShareFile Attachments

Expires April 22, 2020

20-061280 Critical Incident Form.pdf	2.5 MB
20-061280 Depositions.pdf	1.1 MB
20-061280 SRR.pdf	289.7 KB
CM 4th Incident Report .pdf	151.3 KB
IAR Narrative Only 3 .pdf	30.4 KB
IAR Narrative Only .pdf	29.2 KB
IAR Narrative Only 2 .pdf	29.6 KB
MHA.pdf	29.3 KB
Non Criminal Incident Report.pdf	151.5 KB

[Download Attachments](#)

Files are sent and received securely. Files sent with ShareFile will be available for up to 31 days from the time they are sent.

Lieutenant Michael Perkowski

Rochester Police Department

Central Investigations Section

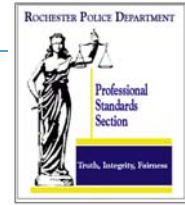
Major Crimes Unit

Michael.Perkowski@cityofrochester.gov

585-428-8831



Preliminary Review
435 Jefferson Avenue



CITY OF ROCHESTER INTER-DEPARTMENTAL CORRESPONDENCE

TO: Chief La’Ron D. Singletary, Chief of Police
FROM: Lt. Steven Swetman, Commanding Officer, PSS
DATE: March 23, 2020
SUBJECT: Preliminary Review of 435 Jefferson Ave – Daniel Prude

On March 23, 2020, the Professional Standards Section (PSS) conducted an initial review of an incident, Cr #20-061280, that began on March 23, 2020, at approximately 03:16:07 hours, at 435 Jefferson Avenue. The incident involved a male identified as Mr. Daniel Prude, and the circumstances surrounding his contact with members of the Rochester Police Department (RPD).

The Emergency Communications Department (ECD) printout for the incident indicates the following:

- At 0311 hours – ECD receives a call from Mr. Justin Jonathan, a tow truck driver, indicating that at Jefferson Ave and W. Main St. there is a naked male (Prude) with blood all over him (Prude) telling the complainant (Jonathan) that he (Prude) has corona virus. Additionally information indicates that the male (Prude) is described as being in his 40’s and is now headed southbound on Jefferson Ave.
- At 0314 hours – Several patrol units are dispatched and responding to the area. Additionally, the ECD printout indicates that EMS has staged.
- At 0317 hours – Officer Mark Vaughn requests an ambulance to Jefferson Ave and Cady St.
- At 0319 hours – Officer Andrew Specksgoor indicates that they have one in custody for MHA.
- At 0325 hours – ECD is notified of a Medical 500 situation.
- At 0327 hours – The ECD printout indicates the initiation of a larger response to the area by Lieutenant Laszlo Tordai, Lieutenant Gregory Bello and several patrol units.
- The ECD printout further indicates that the remainder of information supports action consistent with further scene management and investigation.

The police reports obtained relative to this incident indicate that Mr. Prude had arrived to Rochester from Chicago. The reports indicate that Mr. Prude is a PCP user and was kicked off the bus from Chicago to Rochester requiring his family to travel to Buffalo to pick him up. The reports further indicate that during the late afternoon to early evening hours of March 22, 2020, Mr. Prude was MHA’d, but returned to his family residence on Child St. at approximately 2100 hours. It appears that at 0300 hours on March 23, 2020, Mr. Prude ran from the Child St. address, made his way to a phone store at 767 W. Main St. and possibly threw a cinder block through the store window before being spotted by a tow truck operator.

The police reports and video further indicate that upon encountering Mr. Prude, no force was utilized to place him in custody or to place a spit sock over his head. The police reports

support that force, in the form of stabilization and segmenting, was utilized only after Mr. Prude attempted to get up from his seated position on the street. Additionally, the police reports support that at some point during the stabilization, Mr. Prude stopped breathing and had to be treated by the ambulance crew.

As part of the preliminary review, Body Worn Camera (BWC) footage of Officer Mark Vaughn, Officer Troy Taladay, Officer Andrew Specksgoor, Officer Francisco Santiago, Officer Josiah Harris and Sergeant Michael Magri was reviewed. Upon review of the BWC footage, the following observations were made:

- Officer Vaughn was the first to encounter Mr. Prude, who was naked and bleeding while in the middle of the street.
- Officer Vaughn did not utilize any force to handcuff Mr. Prude, who was initially compliant to verbal orders.
- Mr. Prude acted in a fashion consistent with an individual in some form of mental distress and/or under the influence of some mind altering drug. Mr. Prude was yelling and speaking irrationally as he sat and laid on the street and talking about wanting the officers guns and going to kill people.
- A spit sock is placed on Mr. Prude, without force, after he began spitting as he sat on the street.
- Despite orders by officers to stay down, Mr. Prude did attempt to get up. At that time Officers Vaughn, Taladay and Santiago utilized level two techniques (non-impact force) to keep Mr. Prude from standing.
- The force utilized appears to be minor in nature without the use of any strikes.
 - Officer Vaughn appears to utilize a segmenting technique to the head area initially and eventually appears to ease pressure to the area. A hypoglossal pressure point was also documented on the use of force report.
 - Officer Taladay appears to utilize ground stabilization in the beginning but eventually transitions to a knee on top and maintains arm control of Mr. Prude.
 - Officer Santiago appears to stabilize Mr. Prude's legs.
- Approximately two and a half minutes into the stabilization of Mr. Prude, Officer Vaughn notices that Mr. Prude is vomiting then eventually appears to stop breathing.
- Officers quickly realized Mr. Prude may not be breathing and began to assess him and turned him on his side as they checked for any vitals and sought medical attention.
- The ambulance crew is notified which is already on scene.
- The ambulance crew immediately begins treating Mr. Prude, who is transported to the hospital for further treatment.

At the time of the incident, according to timeanddate.com, the weather was approximately 33 degrees Fahrenheit with a light snow.

Major crimes did facilitate in collecting reports from the section officers. Upon review of the SRR's from those involved all force used appears to be documented and consistent with the video.

ECD audio has been requested for this job but has not been reviewed at this time.

Major Crimes is still actively working the case.

The critical incident worksheet, depositions, SRR's, CM4th report, IAR's , MHA form and non-criminal incident report have been reviewed at our office and appear to be consistent with what the video shows.

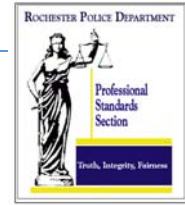
It is documented on the MHA form that Mr. Prude has attempted suicide in the past, abuses PCP, stated he wanted to kill himself and threw himself head first down stairs earlier in the day (3-22-20) and was MHA'd for this.

During review of the video the ambulance worker states that he may have had excited delirium if he had been using PCP.

Upon review of the current information available relative to this incident, there is no evidence to suggest any excessive force, or misconduct on the part of the involved officers. The male was in the prone position for at least two minutes and did continue to speak and make noises and ask for a gun. Officer Vaughn did document that he was monitoring the male during this time. The evidence, on its face, supports that the involved officers acted appropriately to keep Mr. Prude from standing up and continuing to spit at officers.



Preliminary Review
435 Jefferson Avenue



**CITY OF ROCHESTER
INTER-DEPARTMENTAL CORRESPONDENCE**

TO: Lt. Steven Swetman, Commanding Officer, PSS
FROM: Sergeant Hoang Kavanaugh, Professional Standards Section
DATE: March 23, 2020
SUBJECT: Preliminary Review of 435 Jefferson Ave – Daniel Prude

On March 23, 2020, the Professional Standards Section (PSS) conducted an initial review of an incident, Cr #20-061280, that occurred on March 23, 2020, at 0314 hours, at 435 Jefferson Avenue. The incident involved a male identified as Mr. Daniel Prude, and the circumstances surrounding his contact with members of the Rochester Police Department (RPD).

The Emergency Communications Department (ECD) printout for the incident indicates the following:

- At 0311 hours – ECD receives a call from Mr. Justin Jonathan, a tow truck driver, indicating that at Jefferson Ave and W. Main St. there is a naked male (Prude) with blood all over him (Prude) telling the complainant (Jonathan) that he (Prude) has corona virus. Additionally information indicates that the male (Prude) is described as being in his 40's and is now headed southbound on Jefferson Ave.
- At 0314 hours – Several patrol units are dispatched and responding to the area. Additionally, the ECD printout indicates that EMS has staged.
- At 0317 hours – Officer Mark Vaughn requests an ambulance to Jefferson Ave and Cady St.
- At 0319 hours – Officer Andrew Specksgoor indicates that they have one in custody for MHA.
- At 0325 hours – ECD is notified of a Medical 500 situation.
- At 0327 hours – The ECD printout indicates the initiation of a larger response to the area by Lieutenant Laszlo Tordai, Lieutenant Gregory Bello and several patrol units.
- The ECD printout further indicates that the remainder of information supports action consistent with further scene management and investigation.

The police reports obtained relative to this incident indicate that Mr. Prude had arrived to Rochester from Chicago. The reports indicate that Mr. Prude is a PCP user and was kicked off the bus from Chicago to Rochester requiring his family to travel to Buffalo to pick him up. The reports further indicate that during the late afternoon to early evening hours of March 22, 2020, Mr. Prude was MHA'd, but returned to his family residence on Child St. at approximately 2100 hours. It appears that at 0300 hours on March 23, 2020, Mr. Prude ran from the Child St. address, made his way to a phone store at 767 W. Main St. and threw a cinder block through store window before being spotted by a tow truck operator.

The police reports further indicate that upon encountering Mr. Prude no force was utilized to place him in custody or place a spit sock over his head. The police reports support that force,

in the form of stabilization and segmenting, was utilized only after Mr. Prude attempted to get up from his seated position on the street. Additionally, the police reports support that at some point during the stabilization, Mr. Prude stopped breathing and had to be treated by the ambulance crew.

As part of the preliminary review, I reviewed the Body Worn Camera (BWC) footage of Officer Mark Vaughn, Officer Troy Taladay, Officer Andrew Specksgoor, Officer Francisco Santiago, Officer Josiah Harris and Sergeant Michael Magri. Upon review of the BWC footage I made the following observations:

- Officer Vaughn was the first to encounter Mr. Prude, who was naked and bleeding while in the middle of the street.
- Officer Vaughn did not utilize any force to handcuff Mr. Prude, who was initially compliant to verbal orders.
- Mr. Prude acted in fashion consistent with an individual in some form of mental distress and/or under the influence of some mind altering drug. Mr. Prude was yelling and speaking irrationally as he sat and laid on the street.
- A spit sock is placed on Mr. Prude, without force, after he began spitting as he sat on the street.
- Despite orders by officers to stay down, Mr. Prude did attempt to get up. At that time Officers Vaughn, Taladay and Santiago utilized force to keep Mr. Prude from standing.
- The force utilized appears to be minor in nature without the use of strikes.
 - Officer Vaughn appears to utilize a segmenting technique to the head area initially and eventually appears to ease pressure to the area.
 - Officer Taladay appears to utilize ground stabilizing in the beginning but eventually transitions to an arm bar.
 - Officer Santiago appears to stabilize Mr. Prude's legs.
- Approximately three minutes into the stabilization of Mr. Prude, Officer Vaughn notices that Mr. Prude is vomiting then appears to stop breathing. Officer Vaughn immediately notifies the ambulance crew, which is already on scene.
- The ambulance crew immediately begins treating Mr. Prude, who is transported to the hospital for further treatment.

Upon review of the information available relative to this incident, there is no evidence to suggest any misconduct and/or misjudgment on the part of the involved officers. The evidence, on its face, supports that the involved officers acted appropriately and that said actions alone did not cause the secession of breathing on the part of Mr. Prude.

200830313

Case Numbers: \$CTYP20061280 \$OTHP20000866

Received	03/23/20	03:08:40	BY TC11	8282
Entered	03/23/20	03:11:31	BY TC11	8282
Dispatched	03/23/20	03:14:14	BY PD13	8294
Enroute	03/23/20	03:14:14		
Onscene	03/23/20	03:15:50		
Closed	03/23/20	09:40:28		

Initial Type: MED Final Type: 1078A (MENTAL - (2 UNITS))
 Initial Priority: 1P Final Priority: 1P
 Disposition: 27 78 Source: 6 Primary Unit: 223A
 Police BLK: RP213E Fire BLK: RFD539 EMS BLK: 048002
 Group: RP3 Beat: 213 Wrecker Zone: 1200 Map Page: 1200 Node:
 Loc: JEFFERSON AV/W MAIN ST ,ROC <100,unk> (V)
 Loc Info: Phone1: CELL
 Name: JUSTIN JONATHAN Addr: SAXTON ST ,ROC Phone2: 5855451040

Wireless Latitude: +043.151291 Longitude: -077.629097 Confidence: 090

/0311 (*****) COPY ,EMD IN PROGRESS
 /0311 \$MISC PROQA DETAILS TO FOLLOW
 /0311 \$PROQA Caller Statement: m at loc w/ blood all over him - telling compl that he has corona virus - not wearing clothes- activ
 /0311 \$PROQA 40-year-old, Male, Conscious, Breathing.
 /0311 \$MISC NAM: JUSTIN JONATHAN,
 , TXT: CLR IS W/ GATES TOWING - SAID M IS HEADED SOUTH DOWN JEFFERSON
 /0311 \$PROQA He is not violent. He does not have a weapon. The patient is gone: south on jefferson It's not known if this is an attempted suicide.
 /0309? (8282) SUPP TXT: BALD HEADED B/M NO SHIRT - DOES HAVE BLU PANTS ON - IS STILL ON JEFFERSON IN THE MIDDLE OF THE RD - CAR STOPPED TO TALK TO HIM - CLR SAID HE DOES NOT NEED TO BE SEEN
 /0309? REBID LAT: +043.151291 LONG: -077.629097 CONF: 090
 /0313 (8294) MISC ,NOT BC H/A
 /0313 MISC ,BC
 /0314 (8160) SUPP TXT: EMS IS STAGED
 /0314 (8294) DISPER 253A #812333 VAUGHN, MARK
 /0314 \$ASNCAS 253A \$CTYP20061280
 /0314 ASSTER 203A #812534 RICOTTA, PAUL
 /0315 MISC 253A ,PER TOW TRUCK DRIVER M WAS RUNNING
 /0315 ASSTER 213A #812792 SPECKSGOOR, ANDREW
 /0315 (8068) \$PREMPT 203A
 /0315 (8294) ASSTOS 233A #812279 HARRIS, JOSIAH
 /0315 MISC 233A ,SB ON REYNOLDS
 /0316 NEWLOC 233A [JEFF/ MCREE]
 ,W/ M
 /0317 ASSTOS 123A [JEFF/ MCREE]
 #811673 MAGRI, MICHAEL (SGT)
 /0318 SUPP TXT: PER 253A REQ RIG AT JEFFERSON/CADY
 /0319 ASSTOS 223A [JEFF/ MCREE]
 #812794 TALADAY, TROY
 /0319 (812792) *MISC 213A ,1 UNDER MHA
 /0320 (8294) \$CROSS #CTYP200830298
 /0320 DUP #CTYP200830298

/0320		DUP		NAM: JOE CRUZ ADR: 28 SAXTON ST ,ROC PHO: CELL
/0322		\$PREMPT	233A	
/0325	(8229)	SUPP		TXT: AMB HAS MED500
/0325		CROSS		#CTYF200830345
/0325	(8068)	ASSTER	K911A	[JEFF/ MCREE] #811723 SANTIAGO, FRANCISCO
/0325		ONSCNE	K911A	
/0327	(8073)	MISC	123A	,REQ 2 MORE CARS
/0328		ASSTER	211A	[JEFF/ MCREE] #812725 ALGARIN, JAVIER #812726 RIVERA, GABRIEL
/0328		ASSTER	229A	[JEFF/ MCREE] #812634 JACKSON, AUDREY
/0328		ASSTER	410A	[JEFF/ MCREE] #811479 TORDAI, LASZLO (LT)
/0332	(811479)	*ONSCNE	410A	
/0332	(812634)	*ONSCNE	229A	
/0338	(812725)	*ONSCNE	211A	
/0338	(8073)	ASSTER	233A	[JEFF/ MCREE] #812279 HARRIS, JOSIAH
/0338		\$ASSTER	203A	[JEFF/ MCREE] #812534 RICOTTA, PAUL
/0338	(8218)	ASSTOS	117A	[JEFF/ MCREE] #811950 BELLO, GREGORY (CIT/LT)
/0339	(812279)	*ONSCNE	233A	
/0340	(812534)	*ONSCNE	203A	
/0340	(8073)	CHGLOC	253A	[STRONG]
/0341		CHGLOC	233A	[STRONG]
/0342		ASSTER	121A	[JEFF/ MCREE] #811540 TAMBURELLO, NICOLE (SGT CIT)
/0342		ASSTER	131A	[JEFF/ MCREE] #812328 RATHFELDER, ERIC (SGT)
/0344	(8218)	CHGLOC	117A	[STRONG]
/0346	(812279)	*ONSCNE	233A	
/0346	(812333)	*NEWLOC	253A	[428 JEFFERSON AVE]
/0347	(8068)	\$PREMPT	203A	
/0347	(8073)	CHGLOC	213A	[50 CHILD]
/0348	(811950)	*ONSCNE	117A	
/0349	(811540)	*ONSCNE	121A	
/0349	(812328)	*ONSCNE	131A	
/0354	(811910)	*ASSTER	145A	[JEFF/ MCREE] #811910 ROMIG, RYAN (CIT)
/0355	(812792)	*CHGLOC	213A	[50 CHILD ST]
/0356	(8294)	ASSTOS	307D	[JEFF/ MCREE] #811607 WEIGEL, ERIC (SGT)
/0358	(812792)	*ONSCNE	213A	
/0408	(812328)	*CHGLOC	131A	[1000 SOUTH AVE]
/0408	(7598)	ASST	287A	[JEFF/ MCREE] #812623 BREEN, JAMES
/0416	(812328)	*ONSCNE	131A	
/0426	(8294)	ASSTOS	337D	[JEFF/ MCREE] #811831 GOTHAM, BRANDON (INVS)
/0426		\$ASSTOS	334D	[JEFF/ MCREE] #810924 HILL, MATTHEW (INV)
/0430	(811910)	*NEWLOC	145A	[PSB 4TH FLOOR]
/0431	(811540)	*NEWLOC	121A	[PSB]
/0434	(8294)	NEWLOC	223A	[PSB 4TH FLOOR]

/0452		*ONSCNE	211A	
/0457	(8066)	MISC	410A	, 2 CARS TO THE COMMAND POST
/0457		ASSTER	231A	[JEFF/ MCREE]
				#812710 BRONGO, MARK (CIT)
/0457		ASSTER	221A	[JEFF/ MCREE]
				#812665 BIELAT, HUNTER
/0502	(8294)	MISC	410A	, NTFY RTS THAT JEFF BTWN MCREE AND CADY. IS SHUT
				DOWN
/0503	(8066)	ASST	SUPV	[JEFF/ MCREE]
/0503		\$ASNCAS	SUPV	\$OTHP20000866
/0503		PREMPT	SUPV	
/0504	(812710)	*ONSCNE	231A	
/0505	(8294)	MISC	410A	, RTS NTFYD
/0505	(812665)	*ONSCNE	221A	
/0511	(812328)	*CHGLOC	131A	[4TH FLOOR]
/0537	(812634)	*NEWLOC	229A	[JEFFERSON/CADY]
/0542	(811910)	*CLEAR	145A	
/0542	(8294)	ASSTER	243A	[JEFF/ MCREE]
				#812416 MIELKE, SCOTT
/0543	(812792)	*CHGLOC	213A	[UNIT]
/0544	(7598)	OK	121A	
/0544		OK	131A	
/0544		OK	211A	
/0544		OK	221A	
/0544		OK	231A	
/0544		OK	123A	
/0544		OK	213A	
/0544		OK	223A	
/0544		OK	233A	
/0544		OK	243A	
/0544		OK	253A	
/0544		OK	117A	
/0544		OK	287A	
/0544		OK	K911A	
/0544		OK	229A	
/0544		OK	307D	
/0544		OK	334D	
/0544		OK	337D	
/0544		OK	410A	
/0546	(812792)	*ONSCNE	213A	
/0550	(812416)	*ONSCNE	243A	
/0550	(811540)	*CLEAR	121A	
/0550	(812416)	*NEWLOC	243A	[JEFFERSON/CADY]
/0552	(812792)	*CHGLOC	213A	[767 W MAIN]
/0554	(812634)	*CLEAR	229A	
/0556	(812328)	*CLEAR	131A	
/0556	(812792)	*ONSCNE	213A	
/0557	(7598)	MISC	123A	, OPEN UP JEFFERSON
/0600	(812333)	*NEWLOC	253A	[UNIT]
/0600		*ENROUT	253A	
/0600	(811673)	*CLEAR	123A	
/0601	(811723)	*ENROUT	K911A	
/0604	(812333)	*ONSCNE	253A	
/0604	(812792)	*CLEAR	213A	DSP: 5 78
/0605	(7598)	\$PREMPT	211A	
/0606	(811950)	*CLEAR	117A	
/0614	(811723)	*CHGLOC	K911A	[RPDE]
/0615	(7598)	\$PREMPT	231A	
/0616		OK	243A	

/0618		CLEAR	307D	
/0618		CLEAR	334D	
/0618		CLEAR	337D	
/0631		CROSS		#CTYP200830428
/0637	(812623)	*CLEAR	287A	
/0638	(812665)	*CLEAR	221A	
/0649	(8066)	CLEAR	253A	DSP: 27 78
/0650		CLEAR	223A	DSP: 27 --> 27 78 , PER 253A
/0650		CLEAR	233A	
/0650		CLEAR	243A	
/0650		CLEAR	K911A	
/0650		CLEAR	410A	
/0650		CLOSE	223A	
/0702		REOPEN		,NO MORE INFORMATION
/0702		DISPER	233A	[RP3] #812279 HARRIS, JOSIAH
/0710	(812279)	*ONSCNE	233A	
/0730	(7598)	ASST	P43B	[JEFFERSON AV/DR SAMUEL MCCREE] #811827 FRYE, THOMAS (CIT)
/0733	(8280)	CONTC	233A	Contact Timer Canceled
/0752	(811827)	*ONSCNE	P43B	
/0753	(7564)	ASSTOS	P63B	[RP3] #811605 SERINIS, TED
/0754		NEWLOC	P63B	[JEFFERSON AV/W MAIN ST ,ROC]
/0754		ONSCNE	P63B	
/0754		\$CROSS		#CTYP200830624
/0810		MISC	P43B	,767 W MAIN
/0822	(811827)	*MISC	P43B	,TANK TOP FOUND ON SIDEWALK
/0846	(8287)	CLEAR	233A	
/0859	(8015)	\$PREMPT	P43B	
/0940	(811605)	*CLEAR	P63B	DSP: 4
/0940		CLOSE	223A	

TAB 4



ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #
2020-00061280

DETAIL	Incident Type	Report Date	Report Time	Date From	Time From	Date To	Time To
	IR- Non-Criminal Incident	03/23/2020	03:11	03/23/2020	03:11	03/23/2020	03:11
	Incident Address	Beat		Campus Code			
	435 Jefferon AVE	233					
	Violent Crime Context				BWC Yes		

OFFENSES	Statute -	Attempt/Commit -	Counts -
	Description -		
	Location		Weapon
	Larceny Type	Aggravated Assault Circumstances	Gang Related Computer
Bias Type	Entry Point	Method of Entry	# of Premises Entered
	Statute -	Attempt/Commit -	Counts -
	Description -		
	Location		Weapon
	Larceny Type	Aggravated Assault Circumstances	Gang Related Computer
	Bias Type	Entry Point	Method of Entry # of Premises Entered

VICTIM	Victim Type	Victim Name (Last, First, Middle)	<i>Make him a suspect</i>					
	Individual-I	Prude, Daniel	Date of Birth	Age	Sex	Race	Ethnicity	Residence Status
	Address	[Redacted]		41	M	B	N	Resident
	City, State, Zip	Rochester, NY						
	Telephone	Level of Injury	Type of Injury	Medical Treatment				
	Not Injured	None	Not Treated					

PERSONS	R - Reporting Person W - Witness PK - Person w/Knowledge NI - Not Interviewed							
	Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.
	RP	Jonathan, Justin		M	W	N	[Redacted]	[Redacted]
PK	Prude, Joe	[Redacted]	M	B	N	[Redacted]	[Redacted]	

SUSPECT / MISSING PER	Type -	Suspect Name (Last, First, Middle)					Nickname			
	Address			Date of Birth	Age	Sex	Race	Ethnicity	MoRIS / JCR #	
	Height	Weight	Hair Color	Hair Length	Eye Color	Glasses	Complexion	Build	Facial Hair	Gang Affiliation
	Clothing, Jewelry, Distinguishing Features					Offender Conditon	Scars, Marks, Tattoos			
	Mothers Maiden Name			Place of Birth			School Name / ID #			

INVESTIGATION	Modus Operandi											
	01. Witness to the offense?		05. Can a suspect be described?		09. Is there significant Modus Operandi present?							
	02. Surveillance footage of event?		06. Can a suspect be identified?		10. Is there significant physical evidence present?							
	03. Can a suspect be named?		07. Can a suspect vehicle be identified?		11. Has evidence tech work been performed?							
	04. Can a suspect be located?		08. Is stolen property traceable?		12. Preliminary investigation NOT completed?							
Case Status			Exceptional Clearance			Assigned Bureau			Review Box			
Not Applicable (non-crime)						Patrol - Genesee			Genesee 1st			

Reporting Officer	IBM #	Date	Reviewed By
VAUGHN	2333	03/23/2020	



ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #
2020-00061280

ADD'L OFFENSE

Statute -		Attempt/Commit -		Counts -	
Description -					
Location			Weapon		
Larceny Type		Aggravated Assault Circumstances		Gang Related	Computer
Bias Type	Entry Point	Method of Entry		# of Premises Entered	

VICTIM #2

Victim Type		Victim Name (Last, First, Middle)					
Address		Date of Birth	Age	Sex	Race	Ethnicity	Residence Status
City, State, Zip		Victim/Offender Relationship (Offender Name, DOB, Relationship)					
Telephone	Level of Injury	Type of Injury		Medical Treatment			

PERSONS

		R = Reporting Person		W = Witness		PK = Person w/Knowledge		NI = Not Interviewed	
Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address		Telephone No.	

SUSPECT #2

Type -		Suspect Name (Last, First, Middle)				Nickname			
Address		Date of Birth	Age	Sex	Race	Ethnicity	MoRIS / JCR #		
Height	Weight	Hair Color	Hair Length	Eye Color	Glasses	Complexion	Build	Facial Hair	Gang Affiliation
Clothing, Jewelry, Distinguishing Features					Offender Condition		Scars, Marks, Tattoos		

PROPERTY

Property Code	Property Type	Property Value	Serial Number
Seized Evidence	BWC Video		
Item Type and Description			Color
Video Recorded by IBM: xxxx			
Quantity	Unit of Measure	Measurement Source	Drug Type
1	Item(s)		

PROPERTY

Property Code	Property Type	Property Value	Serial Number
Item Type and Description			Color
Quantity	Unit of Measure	Measurement Source	Drug Type

FIREARM

Firearm Property Code	Firearm Value	Make	Model	Finish
Caliber	Capacity	Type	Action	Serial Number
Description				Recovery Date

VEHICLE

Vehicle Status	Year	Make	Model	Style	Color
State	Plate Number	VIN #	Recovery Date		
Additional Description					

Reporting Officer	IBM #	Date	Reviewed By
VAUGHN	MARK	2333	03/23/2020



ROCHESTER POLICE DEPARTMENT
INCIDENT REPORT

On 3/23/20 at approximately 0300 hours I responded to the area of 50 Child St. (CR 20-061272) for the report of a male wearing a white tank top and long johns that had run from the location in an unknown direction. Prude was previously MHA'd at Strong Hospital earlier in the day for being suicidal. Officers were informed by Prude's brother Joe Prude that he was on PCP.

move this sentence to last sentence of para.

Officers were then dispatched to 767 W. Main St. for a burglary alarm (CR 20-061277). Once on scene officers observed a broken storefront window.

Officers were then dispatched to the area of Jefferson Ave and W. Main St. for a black male in blue pants covered in blood. I immediately relocated to Jefferson Ave where I spoke with Justin Jonathan, a tow truck driver, who stated that he saw a black male running in front of cars, screaming to call the police, and saying that he had the Corona Virus. Jonathan stated that the male ran southbound on Jefferson Ave and was a few blocks down.

I located Prude in the area of 435 Jefferson Ave when I observed him running in traffic and then grabbing items, throwing them into the street. I ordered Prude to the ground and took him into custody without incident.

Officers stood by while waiting for AMR to arrive for an MHA. Prude told officers several times to give him their guns and eventually told Officer Taladay to give him his gun, while getting up in his direction. Officers used force to restrain Prude until the ambulance arrived on scene, see SRR.

NARRATIVE

While waiting for AMR to pull the Gurney from the ambulance Prude became unresponsive and AMR immediately began treating him. AMR then transported Prude to Strong Hospital. Officer Harris followed the ambulance to Strong, see IAR.

Technician Radell responded to the scene, see tech sheet.

Non-Criminal Incident

Reporting Officer	IBM #	Date	Reviewed By
VAUGHN	2333	03/23/2020	MARK



ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #
2020-00061280

Page 1 of 3

DETAIL	Incident Type	Report Date	Report Time	Date From	Time From	Date To	Time To
	15. Criminal Mischief	03/23/2020	03:10	03/23/2020	03:10	03/23/2020	03:10
	Incident Address	Beat		Campus Code			
	767 W MAIN ST	213					
	Violent Crime Context				BWC		
					Yes		

OFFENSES	Statute - PL 145.00 01 AM4		Attempt/Commit - Completed		Counts - 1		
	Description - Criminal Mischief 4th: Intent To Damage Property						
	Location				Weapon		
	Other Retail Store-40						
	Larceny Type		Aggravated Assault Circumstances			Gang Related	Computer
						No	No
Bias Type		Entry Point		Method of Entry		# of Premises Entered	
No Bias-Not Applicable-77							
Statute -		Attempt/Commit -		Counts -			
Location				Weapon			
Larceny Type		Aggravated Assault Circumstances			Gang Related	Computer	
Bias Type		Entry Point		Method of Entry		# of Premises Entered	

VICTIM	Victim Type	Victim Name (Last, First, Middle)								
	Business-B	METRO PCS								
	Address				Date of Birth	Age	Sex	Race	Ethnicity	Residence Status
	676 W MAIN ST									Not Applicable
	City, State, Zip				Victim/Offender Relationship (Offender Name, DOB, Relationship)					
Rochester, NY										
Telephone			Level of Injury		Type of Injury		Medical Treatment			
			Business - NA		Business - NA		Business - NA			

PERSONS	R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed									
	Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address			Telephone No.
	NO	MOHAMMED, NAHSHEL, A		M	A	N				

SUSPECT / MISSING PER	Type - S		Suspect Name (Last, First, Middle)						Nickname			
	Suspect		Unknown, 2020-00061280									
	Address						Date of Birth	Age	Sex	Race	Ethnicity	MoRIS / JCR #
	Rochester, NY								U	U	U	
	Height	Weight	Hair Color	Hair Length	Eye Color	Glasses	Complexion	Build	Facial Hair	Gang Affiliation		
Clothing, Jewelry, Distinguishing Features							Offender Condition		Scars, Marks, Tattoos			
							Apparently Normal					
Mothers Maiden Name				Place of Birth				School Name / ID #				

INVESTIGATION	Modus Operandi											
	01. Witness to the offense?				05. Can a suspect be described?				09. Is there significant Modus Operandi present?			
	02. Surveillance footage of event?				06. Can a suspect be identified?				10. Is there significant physical evidence present?			
03. Can a suspect be named?				07. Can a suspect vehicle be identified?				11. Has evidence tech work been performed?				
04. Can a suspect be located?				08. Is stolen property traceable?				12. Preliminary investigation NOT completed?				
Case Status			Exceptional Clearance			Assigned Bureau			Review Box			
Field						Patrol - Genesee			Genesee 1st			

Reporting Officer	IBM #	Date	Reviewed By
RICOTTA PAUL	2534	03/23/2020	



ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #
2020-00061280

ADDT'L OFFENSE

Statute -	Attempt/Commit -	Counts -
Description -		
Location		Weapon
Larceny Type	Aggravated Assault Circumstances	Gang Related Computer
Bias Type	Entry Point	Method of Entry # of Premises Entered

VICTIM #2

Victim Type	Victim Name (Last, First, Middle)					
Address	Date of Birth	Age	Sex	Race	Ethnicity	Residence Status
City, State, Zip	Victim/Offender Relationship (Offender Name, DOB, Relationship)					
Telephone	Level of Injury	Type of Injury	Medical Treatment			

PERSONS

Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No.

SUSPECT #2

Type -	Suspect Name (Last, First, Middle)						Nickname		
Address	Date of Birth	Age	Sex	Race	Ethnicity	MoRIS / JCR #			
Height	Weight	Hair Color	Hair Length	Eye Color	Glasses	Complexion	Build	Facial Hair	Gang Affiliation
Clothing, Jewelry, Distinguishing Features						Offender Condition	Scars, Marks, Tattoos		

PROPERTY

Property Code	Property Type	Property Value	Serial Number
Seized Evidence	BWC Video		
Item Type and Description			Color
Video Recorded by IBM: 2534			
Quantity	Unit of Measure	Measurement Source	Drug Type
1	Item(s)		

PROPERTY

Property Code	Property Type	Property Value	Serial Number
Damaged Vandalized	Other Property	\$200	
Item Type and Description			Color
BROKEN PLATE GLASS WINDOW			
Quantity	Unit of Measure	Measurement Source	Drug Type
1	Item(s)		

FIREARM

Firearm Property Code	Firearm Value	Make	Model	Finish
Caliber	Capacity	Type	Action	Serial Number
Description				Recovery Date

VEHICLE

Vehicle Status	Year	Make	Model	Style	Color
State	Plate Number	VIN #	Recovery Date		
Additional Description					

Reporting Officer	IBM #	Date	Reviewed By
RICOTTA PAUL	2534	03/23/2020	



ON 3/23/20, AT ABOUT 0310 HOURS, I RESPONDED TO 767 W MAIN ST. (METRO PCS) FOR THE BURGLARY ALARM FOR TWO GLASS BRAKE ALERTS. UPON ARRIVAL, I OBSERVED THE PLATE GLASS WINDOW WAS SHATTERED ON THE WEST SIDE OF THE STORE . AS I APPROACHED THE WINDOW, I OBSERVED A CINDER BLOCK WAS LYING ON THE WINDOW FRAME AND APPEARED TO HAVE BEEN THROWN THROUGH THE WINDOW BY AN UNKNOWN SUSPECT.

(NO) NAHSHEL MOHAMMED ARRIVED AND ATTEMPTED TO REVIEW VIDEO BUT WAS UNABLE TO ACCESS THE VIDEO SINCE HE DIDN'T HAVE THE PROPER PASSWORD. (NO) WAS ABLE TO SHOW ME ON HIS CELL PHONE THAT THE SUSPECT DID NOT GET INTO THE STORE. THE VIDEO DID NOT SHOW THE INCIDENT OR THE SUSPECT. SPECIAL SERVICES ADVISED THAT THEY WOULD COME AT 0800 HOURS TO REPAIR THE WINDOW.

THE CITY CAMERA AT W MAIN ST/HENION ST. WAS FACING THE OPPOSITE DIRECTION WHEN THE INCIDENT OCCURRED. THERE ARE MULTIPLE CAMERAS AT 781 W MAIN ST. (HAIR BIZZ) THAT FACE THE PARKING LOT. HAIR BIZZ WAS CLOSED AND I WAS UNABLE TO VIEW THEM.

I TOOK PHOTOS OF THE BROKEN WINDOW WITH MY BWC. TECH RADELL ARRIVED AND ALSO PROCESSED THE SCENE.

---FIELD TO VIEW CAMERAS AT 781 W MAIN ST.---

NARRATIVE

*LIST Daniel Prude as (S)
Add Burglary - video recovered
during the day shows (S) Break
window & enter location.*

Reporting Officer	IBM #	Date	Reviewed By
RICOTTA PAUL	2534	03/23/2020	

Check if Taser was deployed

SUBJECT

1. LAST NAME Prude		FIRST NAME Daniel		M.I.	2. DATE 3/23/20	3. TIME 0320	4. CR # 20-061280
5. DOB [REDACTED]	6. SEX Male	7. RACE Black	8. HEIGHT [REDACTED]	9. WEIGHT [REDACTED]	10. INCIDENT LOCATION 435 Jefferson Ave		BEAT

11. ARREST? NO - Release approved by:
 YES - Charges: MHL 9.41

12. SUBJECT'S ACTIONS

Subject resisted by (check all that apply and explain in the narrative)

13. TACTIC EFFECTIVENESS

Check the appropriate box indicating whether the tactic was used. If the tactic was used, write the number (1, 2, 3...) indicating what order the tactics were used in column one. In column two, write E for Effective, ME for Moderately Effective and NE for Not Effective.

	Order	Effectiveness		Order	Effectiveness			
<input checked="" type="checkbox"/> Avoiding Custody (May include: Non response, verbal refusal, using body as "dead weight," running/walking away, bracing/tensing body, pulling away, locking arms under body, holding onto a fixed object) <input checked="" type="checkbox"/> Assaultive (May include: Fighting stance, combative approach, punching, kicking, biting, tackling) <input type="checkbox"/> Imminent Threat of Deadly Physical Force/Serious Physical Injury (SPI) (May include: Using or threatening to use a firearm/edged weapon/contact weapon in close proximity or while closing the distance/dangerous instrument under circumstances in which it is readily capable of SPI or death. Air/blood choke which creates an imminent risk of death. Impacts w/o weapon which creates an imminent risk of death or other SPI)			<input checked="" type="checkbox"/> Verbal <input type="checkbox"/> Mandibular Angle <input checked="" type="checkbox"/> Hypoglossal Nerve <input type="checkbox"/> Jugular Notch <input type="checkbox"/> Clavical Notch <input type="checkbox"/> Brachial Stun <input type="checkbox"/> Suprascapular Stun <input type="checkbox"/> Jab <input type="checkbox"/> Front Kick <input type="checkbox"/> Straight Punch <input type="checkbox"/> Angle Kick <input type="checkbox"/> Forearm Strike <input type="checkbox"/> Knee Strike <input type="checkbox"/> Spear <input type="checkbox"/> Hooking Technique <input type="checkbox"/> Ground Stabilization (i.e. 3-Point Landing, joint manipulation)	1	NE	<input type="checkbox"/> Bi-Lateral Compression <input type="checkbox"/> Arm Lock w/Baton <input type="checkbox"/> Front Jab w/Baton <input type="checkbox"/> Rear Jab w/ Baton <input type="checkbox"/> Forward Strike <input type="checkbox"/> Middle Strike <input type="checkbox"/> Reverse Strike <input type="checkbox"/> Strong Side Horizontal Strike <input type="checkbox"/> Support Side Horizontal Strike		
		3	E	<input type="checkbox"/> OC <input type="checkbox"/> Taser <input type="checkbox"/> Bean Bag <input type="checkbox"/> Hand Gun <input type="checkbox"/> Long Gun <input checked="" type="checkbox"/> Other: See Narrative <input type="checkbox"/> Other:	2	E		

2 wounds

14. Narrative (If officer is in plainclothes, describe own clothing. If tactic(s) used on subject were ineffective, explain reason(s) why.)

On 3/23/20 at approximately 0300 hours I responded to the area 50 Child St. for the report of a male wearing a white tank top and longjohns that had run from the location. The male (Prude) was previously suicidal in the night and had been MHA'd previously at Strong Hospital and officers were informed the Prude had used PCP. I then relocated to 767 W. Main St. for a burglary alarm and a broken storefront window where officers received another call for a male at Jefferson Ave and W Main St. that was covered in blood and wearing blue pants. I spoke with a tow truck driver who stated that the male was running in front of cars and was stating he had the corona virus. I located the male in the area of 435 Jefferson Ave running in front of vehicles and throwing objects into the road. I ordered the male to the ground and cuffed him as trained. ~~While the male was handcuffed he appeared to be under the influence of an unknown drug.~~ The male asked officers for their guns several times. The male continuously spit in the direction of officers and I placed a spit sock on him. The male then said that he was going to kill everyone. The male once again began spitting at officers and said "give me that gun" several times while attempting to get up in the direction of Officer Taladay. I moved towards the male and segmented his head while he was on his stomach. The male began spitting again and I performed a hypoglossal nerve technique on his left side. I then noticed a clear liquid coming from Prude's mouth area and began observing his back in order to see his respirations. It appeared that Prude was not breathing properly and I had officers roll him to a recovery position on his left side. I then felt for his pulse, which I did not feel. AMR, who was already on scene immediately began life saving measures and transported Prude to Strong Hospital.

spell? → Jaw?

Who unhandcuffed?

I noted the

Officer: Primary Officer Assisting Officer Name: Officer Mark Vaughn ID# 2333

Due to the potential of contracting a virus, including Corona Virus

15. Name	ID #	BWC Assigned	BWC Video	Height	Weight	Section	Pltn	Uniform	Injured/Treated	Cover Page
PRIMARY: Officer Mark Vaughn	2333	Yes	Yes			Genesee	1st	Yes	Yes	Yes
Officer Troy Taladay	2794	Yes	Yes			Genesee	1st	Yes	No	Yes
Officer Franck Santiago	1723	Yes	Yes			SOD	1st	Yes	No	Yes

WITNESSES – Conduct a neighborhood check and indicate with code: W – Witness/Deposed; NI – Not Interviewed; NO – Interviewed/No Information; WR – Witness/Refused Deposition.

16. NAME	ADDRESS	DAY PHONE	EVENING PHONE	WITNESS CODE
Princess Sweet	439 Jefferson Ave			NO
	435 Jefferson Ave			NI
	445 Jefferson Ave			NI
	426 Jefferson Ave			NI
	424 Jefferson Ave			NI
	428 Jefferson Ave			NI

MEDICAL

*Attach and forward a copy of all depositions to PSS and PDS

17. Condition of subject: Sober Alcohol Influence Intoxicated (alcohol) Drugs

18. Subject injured prior to incident: No Yes, describe: Several lacerations to the body

19. Subject injured during incident: No Yes, describe:
*TASER probe penetration or drive stun marks alone are not considered an injury for Box 19.

20. TASER probe penetration: No Yes TASER Drive Stun: No Yes

21. If subject was exposed to O.C., was subject treated: No Yes At hospital PSB Eyewash Station

22. Hospitalization: No – Reason:
 Yes – Transport via RPD Vehicle # Ambulance Co./Veh # 7989 Other

23. Hospital: Strong Hospital 24. Attending medical professional: Dr. Austin Tenney

25. Subject: Admitted Treated and Released No Treatment Refused 26. Time of treatment/refusal: 350

27. Witness to refusal:

28. Technician work performed: No – Reason:
 Yes by: Radell Photos Diagram Other:

Photos of: Member(s) Subject Other:

29. Reports completed: Crime Incident Investigative Action
(DO NOT ATTACH) Prisoner Data Addendum(s) Technician's Report
 Other: 9.41 CR #s:

30. Commanding Officer at scene: Tordai Rank: Lieutenant Section: Genesee

ADMINISTRATIVE REVIEW

31. Reviewing Supervisor: _____ Date: _____ Training Requested: Yes* No
a. BWC Compliance Yes No **

32. Section Taser Reviewing Supervisor: _____ Date: _____ Training Requested: Yes* No

33. Platoon Commanding Officer: _____ Date: _____ Training Requested: Yes* No

* If training is requested, the Platoon Commanding Officer is responsible to ensure that Additional Training Report, RPD 1347, is attached for each member requested to receive training.
**If not in compliance with BWC requirements, refer to Section Commanding Officer for follow-up.

City Records Access

From: Zenelovic, Flamur <Flamur.Zenelovic@CityofRochester.Gov>
Sent: Monday, March 23, 2020 6:59 PM
To: Tordai, Laszlo; Magri, Michael
Subject: 435 Jefferson Ave Follow up
Attachments: DOC032320-03232020184808.pdf; DOC032320-03232020184753.pdf;
DOC032320-03232020184748.pdf

Sirs,

We took over the case from 435 Jefferson Ave this morning. The suspect from the MHA/Att Burglary of Metro PCS remains in ICU at Strong Hospital. Would you mind conveying some follow up requests for your officers tonight at roll call.

- 1.) Please ask that officers with handwritten notes related to 50 Child Street, 767 W. Main Street or 435 Jefferson Ave please forward a copy to me by e-mail or inner-department mail.
- 2.) Ensure that officers Tallady, Speksgoor or any other officers with direct knowledge of the incident complete an IAR.
- 3.) Submit all reports to CID review box in Mobile.
- 4.) Srr from Vaughn needs some revision. Could you send me all of the original SRR's? Have Vaughn correct his report and change the suspect from a Victim to a suspect in his report. Also, Vaughn has a woman listed on his report, presumably from the SRR neighborhood check. She should be added to his Report. Have Vaughn correct his report and change the suspect from a Victim to a suspect in his report
- 5.) Suspect is seen on video (recovered from 781 W. Main) breaking into the Metro PCS store and actually entering the location. Please have Ricotta add a burg charge and use CR # 20-061277. I know it was decided last night to use one CR #. The MHA report stands alone and the Burg/CM3rd report is going to have to have the other CR #. Ricotta can list Daniel Prude as the suspect. Techs returned during the day and found a blood trail inside of the location as well.
- 6.) Suspects clothing was recovered by 2nd platoon Patrol officers.

FYI:

At this time we are not planning on doing any additional interviews of officers. The suspect is from Chicago and has no local arrests but a very lengthy arrest record in Chicago. I will keep you posted if anything changes. Thank you for organizing things on scene.

Take Care!

Flamur

Sgt. Flamur Zenelovic
Major Crimes Unit
Rochester Police Department
185 Exchange Blvd.
Rochester, New York 14614
[REDACTED]
Office #(585) 428-6868
fz1543@cityofrochester.gov



TAB 5

City Records Access

From: Kimberly W Butler <KButler@monroecounty.gov>
Sent: Tuesday, March 24, 2020 4:11 AM
To: Boily, Stephen R.
Subject: DP

I got this info from Strong on Daniel Prude...

"I reviewed the chart. Pt arrived in ED at 19:30. Was evaluated and observed in ED due to suspected intoxication, with no other acute findings and an improving course until 21:31, when he was called up to CPEP. Transferred to CPEP at 21:51. He was triaged and interviewed by clinical evaluator and attending, collateral information obtained from brother. Pt had an entirely normal mental status exam, showed no evidence of psychosis, mania or intoxication at that time, had no SI/HI, and requested discharge. Discharged at 22:51. I did not find any evidence of a deficient, incomplete or negligent evaluation. Unfortunately, it appears that patient went back out and used again, probably PCP, leading to excited delirium and subsequent cardiac arrest."

Kimberly Butler, LCSW, M.S.

**Please ignore any typos as this is being sent from my mobile device

TAB 7

City Records Access

From: Julie A Luedke <JLuedke@monroecounty.gov>
Sent: Tuesday, March 31, 2020 9:27 AM
To: Perkowski, Michael E.
Subject: RE: Please call me

We will call you in 3 min

Thanks,

- Julie

Julie Luedke
Confidential Assistant to the Medical Examiner
Office of the Medical Examiner
740 East Henrietta Road
Rochester, NY 14623

Office (585) 753-5916
Fax (585) 324-1772

From: Perkowski, Michael E. <Michael.Perkowski@CityofRochester.Gov>
Sent: Tuesday, March 31, 2020 9:14 AM
To: Julie A Luedke <JLuedke@monroecounty.gov>
Subject: RE: Please call me

CAUTION: This email originated from outside Monroe County systems. Exercise caution when opening attachments or clicking links, especially from unknown senders.

~~~~~

Yes please. Before Autopsy, have some background info to give you. I would like Do you want me to come meet with her? I have the time. Up to you, not sure how you guys are dealing with the Social Distancing.

---

**From:** Julie A Luedke <[JLuedke@monroecounty.gov](mailto:JLuedke@monroecounty.gov)>  
**Sent:** Tuesday, March 31, 2020 9:11 AM  
**To:** Perkowski, Michael E. <[Michael.Perkowski@CityofRochester.Gov](mailto:Michael.Perkowski@CityofRochester.Gov)>  
**Subject:** RE: Please call me

Perfect – do you want me to call you before she goes into autopsy ? after she reviews the info ?

Thanks,

- Julie

Julie Luedke  
Confidential Assistant to the Medical Examiner  
Office of the Medical Examiner  
740 East Henrietta Road  
Rochester, NY 14623

Office (585) 753-5916  
Fax (585) 324-1772

**From:** Perkowski, Michael E. <[Michael.Perkowski@CityofRochester.Gov](mailto:Michael.Perkowski@CityofRochester.Gov)>  
**Sent:** Tuesday, March 31, 2020 9:09 AM  
**To:** Julie A Luedke <[JLuedke@monroecounty.gov](mailto:JLuedke@monroecounty.gov)>  
**Subject:** RE: Please call me

CAUTION: This email originated from outside Monroe County systems. Exercise caution when opening attachments or clicking links, especially from unknown senders.

~~~~~

They are on their way to you from Sgt Flamur Zenelovic. You should have them shortly.

From: Julie A Luedke <JLuedke@monroecounty.gov>
Sent: Tuesday, March 31, 2020 8:59 AM
To: Perkowski, Michael E. <Michael.Perkowski@CityofRochester.Gov>
Subject: RE: Please call me

Hi

The body just got here – the autopsy will likely be today. Dr. Granger wants to review your incident report and the medical records before proceeding. Can you get someone to scan the information to me please.

Thanks,

- Julie

Julie Luedke
Confidential Assistant to the Medical Examiner
Office of the Medical Examiner
740 East Henrietta Road
Rochester, NY 14623

Office (585) 753-5916
Fax (585) 324-1772

From: Perkowski, Michael E. <Michael.Perkowski@CityofRochester.Gov>
Sent: Tuesday, March 31, 2020 8:54 AM
To: Julie A Luedke <JLuedke@monroecounty.gov>
Subject: Please call me

CAUTION: This email originated from outside Monroe County systems. Exercise caution when opening attachments or clicking links, especially from unknown senders.

~~~~~

Daniel Prude [REDACTED] Died yesterday at Strong Memorial. I imagine your office will be doing the autopsy. Can you and I have a conversation before you start that. It is somewhat sensitive, as he was in police custody when he was sent to the hospital. I was on scene and have all of the details for you.

Try my office first, please at 428-883, then my cell at [REDACTED]

Thank you,  
Mike

**Lieutenant Michael Perkowski**  
Rochester Police Department  
Central Investigations Section  
Major Crimes Unit  
[Michael.Perkowski@cityofrochester.gov](mailto:Michael.Perkowski@cityofrochester.gov)  
585-428-8831

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# TAB 8



## City Records Access

---

**From:** Saladeen, Mian <Mian.Saladeen@CityofRochester.Gov>  
**Sent:** Thursday, April 2, 2020 4:59 PM  
**To:** Simmons, Mark L.  
**Cc:** 'Geoff Wiater'; Michael Mazzeo; Colletti, Aaron A.; BWC Support  
**Subject:** RE: Request for BWC Footage  
**Attachments:** Attachments.html

Sgt. Wiater,  
Here's the link to the files requested:

City of Rochester ShareFile Attachments Expires May 2, 2020

|               |         |
|---------------|---------|
| 2020-00061280 | 10.7 GB |
|---------------|---------|

[Download Attachments](#)

Files are sent and received securely. Files sent with ShareFile will be available for up to 31 days from the time they are sent.

Thanks,  
Mian Saladeen

Technical Project Coordinator  
Rochester Police Dept. - BWC Program  
W: +1-585-428-8874  
[Mian.Saladeen@CityofRochester.gov](mailto:Mian.Saladeen@CityofRochester.gov)

---

**From:** Simmons, Mark L. <Mark.Simmons@CityofRochester.Gov>  
**Sent:** Thursday, April 2, 2020 15:23  
**To:** Saladeen, Mian <Mian.Saladeen@CityofRochester.Gov>  
**Cc:** 'Geoff Wiater' <wiater@locustclub.org>; Michael Mazzeo <mazzeo@locustclub.org>; Colletti, Aaron A. <Aaron.Colletti@cityofrochester.gov>  
**Subject:** Request for BWC Footage  
**Importance:** High

Mian,

Please provide Geoff Wiater with all BWC footage relating to the following incident:

Date and Time: 3/22-03/23/2020  
CR#: 20-061280  
Victim: City of Rochester  
Suspect(s): Daniel Prude  
Location: 475 Jefferson Ave.

Please let me know if you have any questions.

Deputy Chief Mark Simmons, MSCJA  
Rochester Police Department  
185 Exchange Boulevard  
Rochester, New York 14614  
Office 585-428-6875 / Fax 585-428-6093

**TAB 9**

## City Records Access

---

**From:** Perkowski, Michael E. <Michael.Perkowski@CityofRochester.Gov>  
**Sent:** Monday, April 6, 2020 10:44 AM  
**To:** Correia, Adam H.; Colletti, AaronA.  
**Subject:** RE: foil request for records Good Morning Sgt., Could you please advise if this is an open investigation? Thank you

That is how I would have answered the initial request as well. However, I can tell you that this will probably be appealed and he will win. The City has already been notified about an impending law suit.

---

**From:** Correia, Adam H. <Adam.Correia@CityofRochester.Gov>  
**Sent:** Monday, April 6, 2020 10:38 AM  
**To:** Colletti, Aaron A. <Aaron.Colletti@cityofrochester.gov>  
**Cc:** Perkowski, Michael E. <Michael.Perkowski@CityofRochester.Gov>  
**Subject:** FW: foil request for records Good Morning Sgt., Could you please advise if this is an open investigation? Thank you

FYI

I responded back Yes still an open investigation.

Adam

---

**From:** Perez-Dunham, Margarita  
**Sent:** Monday, April 06, 2020 10:32 AM  
**To:** Correia, Adam H. <[Adam.Correia@CityofRochester.Gov](mailto:Adam.Correia@CityofRochester.Gov)>  
**Subject:** foil request for records Good Morning Sgt., Could you please advise if this is an open investigation? Thank you

|                               |                                                                                        |
|-------------------------------|----------------------------------------------------------------------------------------|
| <b>Requestor #</b>            | RR20-01479                                                                             |
| <b>Brief Request Summary:</b> | BWC recording and all documentation of incident involving Daniel Prude                 |
| <b>Requestor Name:</b>        | Elliot Shields                                                                         |
| <b>Organization/Firm:</b>     | Roth & Roth LLP                                                                        |
| <b>Email Address:</b>         | <a href="mailto:eshields@rothandrothlaw.com">eshields@rothandrothlaw.com</a>           |
| <b>Address:</b>               | Roth & Roth, LLP, 192 Lexington Avenue, Suite 802<br>New York, NY, 10016 United States |
| <b>Phone Number(s):</b>       | Home:                                                                                  |

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                | Work:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                | Mobile:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                | Fax:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Request Type:</b>           | Police                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Incident Date(s):</b>       | 3/23/2020-<br>03:00AM-                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Description of Request:</b> | <p>This is a request for all Body Worn Camera (BWC) recordings and other records related to the incident involving the RPD and Daniel Prude on or about March 23, 2020 at approximately 3:00 a.m. The incident occurred on Jefferson Avenue. Officers apparently used force against Mr. Prude and then transported him to Memorial Hospital, where he died. The incident is depicted, in part, on a video posted here: <a href="https://www.facebook.com/frederico.krueger.35/videos/pcb.251848249544753/25184784287812">https://www.facebook.com/frederico.krueger.35/videos/pcb.251848249544753/25184784287812</a></p> <p>all records related to this incident, including but not limited to: 1 - All BWC recordings; 2 - All 911 call transcripts; 3 - all communications by any RPD Officers and/or City employees related to this incident; 4 - all communications made via their vehicles' Mobile Data Computer (MDC) and/or the Computer Aided Dispatch (CAD) system. 4 - Copies of all CAD reports / print-outs related to the incident; 5 - all arrest reports; 6 - all incident reports; 7 - All "Rough Notes" or any other handwritten notes related to the incident; 8 - All records related to the death; 9 - Color copies of any photographs related to this incident; 10 - All witness statements / interviews; 11 - All incident reports; and 12 - All other records containing factual data related to the incident. The</p> |

**Margarita Perez-Dunham**  
Rochester Police Department  
FOIL Coordinator  
185 Exchange Blvd  
Rochester New York 14614  
phone 585-428-7504  
fax 585-428-7878





## City Records Access

---

**From:** Swetman, Steven D. <Steven.Swetman@CityofRochester.Gov>  
**Sent:** Friday, April 3, 2020 1:07 PM  
**To:** Perkowski, Michael E.; Zenelovic, Flamur  
**Subject:** Fwd: Preservation letter -- incident between RPD and Daniel Prude  
**Attachments:** Prude Preservation Letter.pdf

----- Forwarded message -----

From: "Singletary, La'Ron D." <LaRon.Singletary@CityofRochester.Gov>  
Date: Apr 3, 2020 11:50 AM  
Subject: Fwd: Preservation letter -- incident between RPD and Daniel Prude  
To: "Beath, Patrick" <Patrick.Beath@CityofRochester.Gov>  
Cc: "Jackson, Willie A." <Willie.Jackson@CityofRochester.Gov>, "Swetman, Steven D." <Steven.Swetman@CityofRochester.Gov>, "Singletary, La'Ron D." <LaRon.Singletary@CityofRochester.Gov>

Good Morning Patrick,

I've copied in Lieutenant Steve Swetman of the Professional Standards Section for his advisement.

Thank you.

Chief La'Ron D. Singletary  
Rochester Police Department

---

**From:** Beath, Patrick <patrick.beath@cityofrochester.gov>  
**Sent:** Friday, April 3, 2020 11:47 AM  
**To:** Singletary, La'Ron D.; Jackson, Willie A.  
**Subject:** FW: Preservation letter -- incident between RPD and Daniel Prude

Chiefs Singletary and Jackson,

The Law Department received earlier today the attached preservation notice concerning a March 23, 2020 incident involving Daniel Prude who, at least according to the letter, may have died while in police custody. The preservation notice demands the preservation of all police documents and any video concerning the incident in the possession of the RPD. This may have been a medical call, and I'm not sure if there was any RFD involvement, so that's why I've included Chief Jackson on this email.

Please let me know who I can forward this notice to within the police department (or fire department) to ensure that all relevant materials are preserved and are available to the Law Department should this matter result in litigation.

Patrick



**Patrick Beath**  
Deputy Corporation Counsel  
City of Rochester - Law Department  
City Hall - Room 400A

30 Church Street  
Rochester, New York 14614  
p: (585) 428-6812 / f: (585) 428-6950  
[Patrick.Beath@CityofRochester.gov](mailto:Patrick.Beath@CityofRochester.gov)

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---

**From:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Sent:** Friday, April 03, 2020 11:20 AM  
**To:** Beath, Patrick <[Patrick.Beath@CityofRochester.Gov](mailto:Patrick.Beath@CityofRochester.Gov)>  
**Cc:** David Roth <[droth@rothandrothlaw.com](mailto:droth@rothandrothlaw.com)>; Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>; Yousef Taha <[yntaha@etksdefense.com](mailto:yntaha@etksdefense.com)>  
**Subject:** Preservation letter -- incident between RPD and Daniel Prude

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Patrick,

I hope you and your family are well, especially your brother.

Please see the attached preservation letter. Normally I'd mail this to RPD, but I'm not sure who to email it to. If you'd like me to send it to them too, please provide the email and contact information for the person who I should send it to.

Thanks,

Elliot

Elliot Shields, Esq.  
Roth & Roth, LLP  
192 Lexington Avenue, Suite 802  
New York, NY 10016  
T - [212-425-1020](tel:212-425-1020)  
F - [212-532-3801](tel:212-532-3801)  
[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)

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# ROTH & ROTH, LLP

192 LEXINGTON AVENUE, SUITE 802, NEW YORK, NEW YORK 10016  
ROTHANDROTHLAW.COM T: (212) 425-1020 F: (212) 532-3801

April 3, 2020

**VIA EMAIL: Patrick.Beath@CityofRochester.Gov**

Patrick Beath  
Deputy Corporation Counsel  
City of Rochester - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614

**Re: Preservation of Evidence Related to incident between  
RPD and Daniel Prude on or about March 23, 2020**

To Whom It May Concern:

My office has been contacted by Joe Prude, regarding the death of his brother, Daniel Prude, following an interaction with Rochester Police Department officers on or about March 23, 2020 at approximately 3:00 a.m. in the vicinity of Jefferson Avenue, Rochester, New York. Mr. Prude sustained fatal head injuries and was transported to Strong Memorial Hospital, where he died as a result of his injuries. A portion of the interaction was captured on video, and was posted to Facebook:

<https://www.facebook.com/frederico.krueger.35/videos/pcb.251848249544753/251847842878127/?type=3&theater>.

I write to provide you notice that all evidence related to the incident wherein Mr. Prude interacted with RPD officers on or about March 23, 2020, the events leading up to the incident, his transportation to Strong Memorial Hospital, and any investigation into the incident may be relevant to future litigation against the City of Rochester and the RPD officers involved in the incident. You must preserve all video recordings of the incident, as they are directly relevant to the potential civil claims. Specifically, any videos from body cameras worn by the officers at the scene and any officers who interacted with Mr. Prude in any way, or the events leading up to the incident and immediately following the incident, must be preserved. Further, you must preserve any other video recordings in your possession, such as Blue Light Camera recordings or security camera recordings from private businesses that may have been collected by the RPD.

Please be advised that as an attorney, you have a personal obligation to preserve all paper and electronic evidence that is in any way related to this incident. *Zubulake v. UBS*, 220 F.R.D. 212, 216 (S.D.N.Y. 2003). To the extent any evidence is lost or destroyed, you may be personally subject to a range of sanctions as part of the civil litigation, including cost shifting or fines, adverse inferences or preclusion of evidence, dismissal or default judgment. *Casale v. Kelly*, 08 Civ. 2173 (SAS), 05 Civ. (SAS), 2010 U.S. Dist. LEXIS 40606, at \*7 (S.D.N.Y. Apr. 26, 2010). Importantly, you must preserve all video recordings of the incident, all paperwork mentioning or describing said video recordings; all paperwork created as a result of Mr. Prude's arrest, including arrest reports, incident reports, subject resistance reports, Rough Notes/handwritten notes, and other paperwork documenting the arrest and force used against Mr. Prude and any investigation of the incident.

I hope that based upon this letter, appropriate measures will be taken to preserve all evidence that may be relevant to Mr. Prude's possible civil claims so that we can minimize litigation disputes regarding spoliation of evidence in the future.

Thank you for your cooperation with these matters. Please contact me if you would like to discuss these issues.

Very truly yours,

~/s/~

Elliot Dolby Shields, Esq.

CC:

Donald Thompson, Esq.: dmthompson@etksdefense.com

Yousef Taha, Esq.: yntaha@etksdefense.com

**TAB 10**

## City Records Access

---

**From:** Elliot Shields <eshields@rothandrothlaw.com>  
**Sent:** Friday, April 3, 2020 11:20 AM  
**To:** Beath, Patrick  
**Cc:** David Roth; Donald Thompson; Yousef Taha  
**Subject:** Preservation letter -- incident between RPD and Daniel Prude  
**Attachments:** Prude Preservation Letter.pdf

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

Patrick,

I hope you and your family are well, especially your brother.

Please see the attached preservation letter. Normally I'd mail this to RPD, but I'm not sure who to email it to. If you'd like me to send it to them too, please provide the email and contact information for the person who I should send it to.

Thanks,

Elliot

Elliot Shields, Esq.  
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# TAB 11

## City Records Access

---

**From:** Julie A Luedke <JLuedke@monroecounty.gov>  
**Sent:** Friday, April 10, 2020 8:45 AM  
**To:** Zenelovic, Flamur  
**Cc:** Perkowski, Michael E.  
**Subject:** Prude COD  
**Attachments:** rptPdConfirmation (1).pdf

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**DEATH CONFIRMATION AND SUMMARY REPORT  
OFFICE OF THE MEDICAL EXAMINER  
COUNTY OF MONROE**

---

NAME: **Prude, Daniel T.**

CASE NO.: **20-00902**

DATE OF BIRTH: **██████████**

DATE OF DEATH: **3/30/2020**

DATE OF AUTOPSY: **3/31/2020**

RACE: **Black**

SEX: **Male**

AGE: **41 Years**

ADDRESS: **6444 S Wood St, Chicago IL 60636**

COUNTY/ORIGIN: **Monroe**

---

CAUSE OF DEATH

IMMEDIATE CAUSE: **Complications of asphyxia in the setting of physical restraint**

DUE TO: **Excited delirium**

DUE TO: **Acute phencyclidine intoxication**

OTHER SIGNIFICANT CONDITIONS:

MANNER OF DEATH: **Homicide**

---

DEATH CERTIFICATE SIGNED BY: **Nadia A. Granger, MD**

---

*Notice: The autopsy report may be incomplete at this time and any statements or opinions offered by the Medical Examiner's Office could be preliminary and subject to change pending the issuance of the final autopsy report. The information contained on this report is classified as confidential and is being released solely to the requesting agency and is not to be re-released or republished to any other agency, entity or individual without the prior written permission of the Monroe County Medical Examiner's Office.*

---

**TAB 12**



## City Records Access

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**From:** Roj, Justin C. <Justin.Roj@CityofRochester.Gov>  
**Sent:** Friday, April 10, 2020 6:10 PM  
**To:** Singletary, La'Ron D.  
**Subject:** RE: FYI

Chief, thank for making me aware. No one has reached out from the media, yet. I will coordinate with Frank on any inquiries. I appreciate you letting me know.

----- Original message -----

From: "Singletary, La'Ron D." <LaRon.Singletary@CityofRochester.Gov>  
Date: 4/10/20 5:34 PM (GMT-05:00)  
To: "Roj, Justin C." <Justin.Roj@CityofRochester.Gov>  
Subject: FYI

Hi Justin:

Just wanted to loop you in on an in custody incident that occurred. Attached is an investigative summary.

Quick Summary: On 3/23, officers arrested 42 year old Daniel Prude for mental hygiene arrest and criminal mischief as he was walking around naked, acting irrational . After Prude was taken into custody, he attempted to thrash around on the ground attempting to get up, saying he was going to take an officer's gun. Officers did stabilize the individual on the ground. While doing so, he did stop breathing. AMR began CPR. Prude was transported to Strong where he remained in ICU for a week. He passed away from his injuries on 3/30.

Today, the M.E.'s office ruled on Prude's death and determined such to be a "homicide" with the below attributing factors:

- PCP in his system per toxicology reports
- Excited Delirium
- Resisting Arrest

The incident is on body worn camera. The family about a week ago reached out to Law Department for a preservation request on all documentation and video.

The night it occurred we treated such as an in-custody death and, conducting a criminal investigation (by major crimes) and once the criminal is complete, an internal will be conducted as is protocol.

The Mayor has been in the loop on such since 3/23. Law is in the loop. I am just waiting for the Mayor to call me back to give her the update on the M.E.'s ruling.

Also attached is an investigative action report from the major crimes investigator to give you a little more in-depth background if needed.

Any questions, let me know.

**La'Ron D. Singletary, Chief of Police**

## City Records Access

---

**From:** Singletary, La'Ron D. <LaRon.Singletary@CityofRochester.Gov>  
**Sent:** Friday, April 10, 2020 5:34 PM  
**To:** Roj, Justin C.  
**Subject:** FYI  
**Attachments:** Investigative Summary 435 Jefferson Ave.pdf; IAR-Inv. Houlihan.pdf

Hi Justin:

Just wanted to loop you in on an in custody incident that occurred. Attached is an investigative summary.

**Quick Summary:** On 3/23, officers arrested 42 year old Daniel Prude for mental hygiene arrest and criminal mischief as he was walking around naked, acting irrational . After Prude was taken into custody, he attempted to thrash around on the ground attempting to get up, saying he was going to take an officer's gun. Officers did stabilize the individual on the ground. While doing so, he did stop breathing. AMR began CPR. Prude was transported to Strong where he remained in ICU for a week. He passed away from his injuries on 3/30.

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- PCP in his system per toxicology reports
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The incident is on body worn camera. The family about a week ago reached out to Law Department for a preservation request on all documentation and video.

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The Mayor has been in the loop on such since 3/23. Law is in the loop. I am just waiting for the Mayor to call me back to give her the update on the M.E.'s ruling.

Also attached is an investigative action report from the major crimes investigator to give you a little more in-depth background if needed.

Any questions, let me know.

**La'Ron D. Singletary, Chief of Police**



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

CR #  
**2020-00061280**

Page 1 of 4

|               |                                                                                     |                                                                                          |                    |
|---------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|--------------------|
| <b>DETAIL</b> | Victim's Name (Last, First, Middle) or Name of Business<br><b>City of Rochester</b> | Location of Offense<br><b>435 Jefferson AVE</b>                                          | Beat<br><b>233</b> |
|               | Date/Time of Occurrence<br><b>03/23/2020 03:11</b>                                  | Offense / Charge / Incident (Most Recent Classification)<br><b>Burglary 3/ CM 3/ MHA</b> |                    |

**NARRATIVE**

Burglary Investigation/ Mental Hygiene Arrest, RPD CR#2-061280

435 Jefferson Av, 03/23/20 @ 0311 hr

Suspect: Daniel Prude, M/B, DOB [REDACTED]

**Narrative:**

On 03/23/2020 at approximately 0900 hr., Inv. R. Benjamin and I met with Lt. Perkowski and Sgt. F. Zenelovic. The meeting happened in the lieutenant's office in MCU. During this meeting, Lt. Perkowski informed us that there was an incident that occurred at 435 Jefferson Av earlier in the morning involving a Mental Hygiene Arrest where the arrestee, Daniel Purdue, lost consciousness and went into cardiac arrest while being detained.

Lt. Perkowski informed us that there were three separate job cards associated with this MHA. The first incident was a missing person report at 50 Child St, with the CR #20-061276. The second incident was a criminal mischief/attempted burglary that occurred at 767 W Main St, RPD CR#20-061277, and the third incident was an MHA arrest that occurred at 435 Jefferson Av, RPD CR#20-061280. We were told to compile the majority of our paperwork under the third crime report number, 20-061280.

At 0300 hr., Joe Prude called 911 from 50 Child St (RPD CR#20-061276) to report that his brother, Daniel Prude, had left the house after just being released from Strong Hospital where he had been admitted for suicidal thoughts. Joe Prude reported that his brother was not wearing any shoes and he was only wearing long johns and a white tank-top. Joe Prude was afraid that his brother had run up to the railroad tracks. Officer Mark Vaughn was dispatched to the job and was speaking with Joe Prude when a call came into ECD at 0309 hr. for a burglary alarm at 767 W. Main St (RPD CR#20-061277).

As officers were heading for the burglary alarm at 767 W. Main St, a tow truck driver by the name of Justin Jonathan called 911 from his cell phone ([REDACTED]) to report that there was a male near the intersection of W Main St and Jefferson Av who had no clothes on with blood all over him. Justin Jonathan said that the male was trying to break into a car and was saying that he had the coronavirus. Justin Jonathan said that the male just ran off and was last seen running south on Jefferson Av.

Lt. Perkowski told us that Officers Mark Vaughn, Paul Ricotta, Andrew Specksgoor, Josiah Harris, Troy Talladay and Sgt. Michael Magri were all in the area and responded. They found a naked male in the street at the intersection of Jefferson Av and Cady St (435 Jefferson Av) and took the male into custody. One of the officers (later identified as Officer Mark Vaughn) pointed a Taser at the subject and ordered him to the ground for handcuffing and the subject complied. He was handcuffed without any use of force. According to the ECD job card, Officer A. Specksgoor called one in custody for an MHA at 0319 hr. The male then sat upright and began to spit at officers and attempted to get up. The officers applied a spit sock and laid the subject prone on the ground, stabilizing him until the arrival of AMR. While stabilizing him, he vomited and then went unresponsive. According to AMR, there was no pulse and CPR was required during transport to Strong Hospital.

The subject was identified as Daniel Prude, a male with the date of birth 09/20/78. He recently moved to Rochester to stay with his brother, Joe Prude, at 50 Child St (Phone [REDACTED]). Information was that Daniel Prude had been transported to Strong Hospital on 03/22/2020 at approximately 1920 hr. for a mental health evaluation. According to Joe Prude, he was only at the hospital for a few hours when he returned to 50 Child St at around 11 PM.

|                                      |                              |                           |                                         |
|--------------------------------------|------------------------------|---------------------------|-----------------------------------------|
| Reporting Officer<br><b>HOULIHAN</b> | IBM #<br><b>MICHAEL 0890</b> | Date<br><b>03/26/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR</b> |
|--------------------------------------|------------------------------|---------------------------|-----------------------------------------|



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

NARRATIVE

Inv. R. Benjamin and I went to Strong Hospital at around 1030 hr. to check on the status of Daniel Prude. When we arrived in the E.D. we were informed that Prude was in the Intensive Care Unit, 4-2800. We went to that unit and spoke with the nurse manager, Alexandra Cilano (phone [REDACTED]). She told us that she could not provide specific information about Daniel Prude's health due to HIPA laws. She did offer that since Prude is being treated in the ICU his condition is considered "Critical" but he was in stable condition. Although Cilano was guarded with the information on Prude, I learned that he was on a breathing tube and was not allowed any visitors (due to CoVID-19 procedures). Cilano referred us to the Public Safety supervisor at 585-275-3333 for further information.

Inv. Benjamin and I then relocated from Strong Hospital to 50 Child St to make contact with the family of Daniel Prude. We met with Joe Prude (m/B, DOB [REDACTED]) and his wife, Valerie Stotts (f/W, DOB [REDACTED]). They indicated that they had tried to see Daniel Prude at Strong Hospital but were denied access due to the Coronavirus quarantine. Stotts said that she spoke with a Doctor on the phone (she could not provide the Doctor's name during our interview) and the Doctor told them that Daniel had been without oxygen for an extended period of time and he would likely be "brain dead". Stotts and Prude stated that they had contacted an attorney and they were quite angry that Daniel Prude had been released from Strong Psychiatric after such a brief period of time.

Inv. Benjamin and I then went to AMR Ambulance Corp, 811 West Av, Phone 585-777-7777, to try to speak with the ambulance personnel who attended to Daniel Prude. We met with a shift supervisor there who told us that none of the crew that had been on around 0300 hr. were still working. We provided contact information to him to relay to ambulance personnel Julie Purick and Sean O'Donnell.

At approximately 1215 hr., Valerie Stott contact Inv. Benjamin by phone to provide the name of the Doctor at Strong Hospital that they had talked to. That Doctor's name is Dr. Soniwara.

Inv. Benjamin and I then drove to 796 Glide St to meet with Justin Jonathan (the 911 caller for the possible 10-78 at W. Main St and Jefferson Av). Jonathan told us that he is a tow truck operator for Gates Towing. He was working a towing job at an alley near the intersection of W Main St and Jefferson Av when a male black, about 40 years old, approached him and asked him to call 911. Jonathan said that the male was claiming to have the Coronavirus. Jonathan said that the male had blood on his feet and his stomach. The male tried to open a locked car door on a blue minivan that was parked in the area. Then, the male got down on his knees and begged Jonathan to call 911. Jonathan told him that he was already on the phone with 911. Jonathan said that when he told the man this, the man said something to the effect of "Oh shit, I gotta' leave" and the male started to run down W. Main St to Jefferson Av and then turned southbound on Jefferson Av. Jonathan said that the police arrived in the area and he went back to work towing the vehicle he was there for. Jonathan said that after he hooked the vehicle up he looked down Jefferson Av and saw several police cars and a few police officers standing around the male, who was laying on his side on the ground. Jonathan said that it appeared that the male was handcuffed with a light colored hood over his head. Jonathan drove around the block and again looked down the street briefly at the scene. He could see a few police officers crowded around the male on the ground (who he said appeared to be on his side) and he could see that there was an ambulance on scene and a fire truck. Jonathan said that he stayed in his truck and did not spend much time watching what was going on.

AT 1430 hr., Inv. Carbonel and I returned to the area of 435 Jefferson Av to conduct a neighborhood check of the area between Cady St and Dr. Samuel McCree Way (refer to IAR submitted by Inv. Carbonel regarding details of this neighborhood check).

At 1511 hr., Julie Purick called and made arrangements to meet with Inv. Benjamin and me at the PSB at 5 PM.

At 1625 hr., I spoke with University of Rochester/Strong Hospital Security Supervisor Kay Power (phone 585-273-1891). She asked if Daniel Prude was a suspect, witness or victim. I told her that Prude had been transported to Strong Hospital as a Mental Hygiene Arrest, but there could be criminal charges filed against him when he is released. I told Power that we would like to interview Prude, when and if possible. Power told me that she would advise me when Prude is discharged or

|                   |                |             |                          |
|-------------------|----------------|-------------|--------------------------|
| Reporting Officer | IBM #          | Date        | Reviewed By              |
| <b>HOULIHAN</b>   | <b>MICHAEL</b> | <b>0890</b> | <b>03/26/2020</b>        |
|                   |                |             | <b>ZENELOVIC, FLAMUR</b> |



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

moved to another unit.

AT 1650 hr., Inv. Benjamin and I met with AMR paramedic Julie Purick (f/W, DOB [REDACTED]). She informed us that she was working the shift starting at 1745 hr. on 03/22/2020 with EMT Brett Barnes in Rig #7989. Shortly after 3 am they were dispatched to the area of W. Main St and Jefferson Av for a psychiatric call. The details were that there was a bloody male running in the street naked. They arrived in the area at 0313 hr. and staged at Nick Tahoe's, 320 W Main St. They were called in to the scene at 0318 hr. The drove westbound on W Main St and turned southbound on Jefferson Av, arriving at 0320 hr. Brett Barnes retrieved the stretcher while Purick approached RPD. As she approached RPD one of the officers asked her if she was grabbing the gurney because the subject was fighting. Purick said that she could see the subject actively resisting and attempted to get up. She could hear the subject talking incoherently. She said the subject had a spit sock on. She told the officer she was going to get a medication to sedate the subject. She stated that her observations of the subject were that he could be experiencing "excited delirium", which she described as a condition in which the subject is experiencing agitation and aggression; increased heart rate and respiration; overheating (which she stated would explain the subject being naked on a night when temperatures were around 32 degrees with mixed snow and precipitation); sweating, flushed appearance; excessive strength, a high tolerance for pain and incoherent speech. She indicated that excited delirium is commonly associated with drug use like cocaine and PCP. As Purick was going to get the medication to calm the subject the patient went silent. She heard Brett Barnes say that she was needed, and she heard Brett Barnes tell the officers to roll the subject over and remove the handcuffs. There was a moment while the officers were trying to find a handcuff key, and Barnes and Purick started CPR. When the officers found a handcuff key, they rolled the patient over and took the cuffs off and then continued to perform CPR. The subject was transported to the gurney and put into the back of the ambulance, where Epinephrine and Sodium Bicarbonate were administered. The patient was then intubated and at 0341 hr. the patient's heart began to beat on its own. They transported Daniel Prude to Strong Hospital and arrived at 0347 hrs.

NARRATIVE

On Tuesday, March 24, 2020, at approximately 1100 hr., I went to the Family Dollar located at 715 W. Main St. I spoke with the store manager, Tonya Greenlea (cell phone [REDACTED]). She indicated that the store does have exterior cameras in good working order and that RPD Technicians could have access to the system if they called or met with her before 3 PM. I relayed this information to Sgt. Zenelovic who made arrangements for a technician to respond.

I checked the corner store located at 613 W Main St and spoke with the clerk, Mahamed Algoaim. He told me the exterior cameras at the location were in good working order and he had the passcode for the camera system, although he claimed not to know how to download video files from the system. He provided a phone number of 585-270-4559 for the store and told me that he would be there all afternoon if a technician wanted to stop by. I also found video footage available at the corner store located at 259 Jefferson Av (The Clifton Food Market). I spoke with Hani Muthana who told me that his video system is always available to the police. I told him that a technician would be stopping in to retrieve about ten minutes worth of video. Arrangements were made for the technician to stop by both location after downloading the video from the Family Dollar.

Other locations that were check with negative results were as follows:

- Mason's Deli, 396 Jefferson Av, Phone 585-235-3168. Female at location told me that the cameras are not recording.
- The Seventh-Day Adventist Church, 309 Jefferson Av. There was no answer at the location.
- Nichol's Brother's Collision, 705 W. Main St, Phone #585-235-0897. I spoke with an employee there named John who told me the exterior cameras affixed to the shop do not record.

On 03/24/2020 I was in contact with Strong Hospital Security (Kay Power). She indicated that there has been no change in the status of Daniel Prude. He is still listed in guarded condition in the ICU, intubated and unable to be interviewed. She

|                   |             |                   |                          |
|-------------------|-------------|-------------------|--------------------------|
| Reporting Officer | IBM #       | Date              | Reviewed By              |
| <b>HOULIHAN</b>   | <b>0890</b> | <b>03/26/2020</b> | <b>ZENELOVIC, FLAMUR</b> |



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

informed me that if his status changes she will advise.

On March 26, 2020 at approximately 0930 hr. I contacted Strong Memorial Hospital to inquire about the medical records that had been subpoenaed by ADA Duckles. She indicated that the hospital's Copy Services division had been instructed to send the records to ADA Duckles by March 26, 2020. The hospital's order number for this request is #6262362500.

As of the afternoon of 03/26/2020 I had not further involvement in the investigation.

NARRATIVE



|                   |             |                   |                          |
|-------------------|-------------|-------------------|--------------------------|
| Reporting Officer | IBM #       | Date              | Reviewed By              |
| <b>HOULIHAN</b>   | <b>0890</b> | <b>03/26/2020</b> | <b>ZENELOVIC, FLAMUR</b> |



# Major Crimes Unit

## Genesee Section Burg/MHA Follow Up



### 435 Jefferson Ave

|                       |                   |
|-----------------------|-------------------|
| <b>Date and Time:</b> | 03/23/2020        |
| <b>CR#:</b>           | 20-061280         |
| <b>Victim:</b>        | City of Rochester |
| <b>Suspect(s):</b>    | Daniel Prude      |
| <b>Motive:</b>        | MHA/Burglary      |
| <b>Status:</b>        | <b>Open</b>       |
| <b>Sergeant:</b>      | Zenelovic         |
| <b>Investigators:</b> | Benjamin/Houlihan |
| <b>Summary By:</b>    | Zenelovic         |

On 03/23/20 Genesee Section Investigators responded to 50 Child Street for a suspicious condition/missing person. Officers spoke to Joe Prude who reported that his brother Daniel Prude was acting out and possibly using drugs. According to Joe Prude, Daniel was taken to the hospital under MHA during the evening hours on 03/22/20 but released and arrived at 50 Child Street around 2300 hrs. At approximately 0300 Daniel left the location on foot with no shoes, wearing a tank top shirt and pants. The overnight temperature was approximately 30 degrees. While officers were at 50 Child Street ECD broadcasted a call for a burglary alarm at 767 West Main Street. While investigating that call, ECD broadcasted the report of a man at Jefferson Ave @ West Main Street covered in blood and saying he has the corona virus. Gates tow truck driver Justin Johnathan was the 911 caller for that job.

Officer Vaughn and Tallady located Daniel Prude near 435 Jefferson Ave. The male was naked when located in the middle of the street. He complied when officers ordered him to get on the ground. Officers handcuffed Prude without incident. Officers monitored Prude while they waited for AMR. Prude made several comments (heard on body camera) asking officers to take the handcuffs off and give him their gun. After several minutes the suspect put himself in a seated position and appeared to try and stand up. Officers Vaughn, Tallady and Frank Santiago use force to keep Prude on the ground. Each officer was wearing BWC and their actions were documented on video. As AMR EMS arrives officer's notice that Prude had apparently stopped breathing. Paramedics Purick and Barnes administered first aid and transported Prude to Strong Memorial Hospital. Prude was admitted to the intensive care unit and remains there as of this report. His status was checked by Investigators Benjamin and Houlihan on 3/23/2020 at about 1000hrs and confirmed to be the same.

Investigator Matt Hill deposed Joe Prude at some point and that deposition was sent to MCU. Preliminary draft reports include SRR's from Vaughn, Tallady and Santiago were sent to MCU.



## Major Crimes Unit Investigative Summary

**CR#: 2020-061280**

**Date/Time: 03-23-2020 @ 1511hrs**

**Location: 435 Jefferson Ave**



MCU Investigators spoke to Joe Prude after checking the status of Daniel Prude. Joe confirmed that on 03/22/20 Daniel traveled to Rochester by train from Chicago. At some point Daniel became disruptive on the train and was escorted off the train at the stop in Buffalo. Joe drove to Buffalo and picked Daniel up. Joe believes that Daniel has a significant drug problem and uses PCP.

Investigators located and interviewed Justin Johnathan from Gates Tow, who stated in sum and substance that he saw the suspect walking around on W. Main Street and the suspect was wearing a white shirt, dark pants and no shoes. Johnathan observed the male had blood on his shirt and body. The male said that he had corona virus. Johnathan was concerned so he called 911. He did not observe officers stop or take Prude into custody and left the area.

Investigators re-canvassed the 400 block of Jefferson Ave. No additional witnesses were identified. Blue light video from West Main & Henion Street and Danforth and Child Street were reviewed and downloaded. Surveillance video was located and recovered from 422 Jefferson Ave, 781 West Main St, and 799 W. Main Street. The suspect is captured on video from 781 West Main Street covering his face with his shirt and using a cinder block to break the window of the business located at 767 W. Main St. The suspect then unlawfully enters the building.

Investigators made contact with AMR Medic Julie Purick. She was on a day off but agreed to come to the PSB. She was working with Brett Barnes who was also off today and not due back to work until 03/25/20. Purick arrived and saw that Prude was naked, rambling and uncooperative with police and she surmised that he may be suffering from excited delirium. She told officers that she was going to administer some type of medication to calm the suspect. A short time later she was alerted to the fact that Prude was not breathing. Her partner began chest compressions and they loaded him into the ambulance. Purick noted that Prude was in cardiac arrest and over the course of the next approximately 18 minutes they worked to regain a pulse. Prude was intubated and while on the ambulance was given 2 doses of epinephrine and 1 dose of sodium bicarbonate. A pulse was established and Prude was transported to Strong Memorial Hospital. Purick advised that she completed a standard AMR report and would provide us a copy.

We have reviewed the available BWC footage and applicable reports. Several reports have been rejected for revisions. Investigators will continue to monitor the status of Prude. They have arranged to receive updates from security at Strong Memorial Hospital. Security has a very strict protocol in place regarding who can enter the hospital in an effort to protect visitors, including law enforcement from corona virus.

On 3/30/20 Prude died at the hospital. The Medical Examiners Office is conducting an autopsy on 4/1/20.





## Major Crimes Unit Investigative Summary

**CR#: 2020-061280**

**Date/Time: 03-23-2020 @ 1511hrs**

**Location: 435 Jefferson Ave**

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**TAB 13**

## City Records Access

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**From:** Favor Jr., Henry C. <Henry.FavorJr@CityofRochester.Gov>  
**Sent:** Tuesday, April 14, 2020 3:41 PM  
**To:** Morabito II, Joseph M.  
**Subject:** FW: Investigative Summary 435 Jefferson Ave.2  
**Attachments:** Investigative Summary 435 Jefferson Ave.2.docx

[As discussed sir...](#)

---

**From:** Umbrino, Frank  
**Sent:** Tuesday, April 14, 2020 2:23 PM  
**To:** Favor Jr., Henry C. <Henry.FavorJr@CityofRochester.Gov>  
**Subject:** Investigative Summary 435 Jefferson Ave.2

Bulleted timeline is under the narrative portion. The gray Malibu is ours and we are addressing it



## Major Crimes Unit Investigative Summary



**CR#: 20-061280**

**Date/Time: 03-23-20 @ 0310 hrs.**

**Location: 435 Jefferson Ave.**

### 435 Jefferson Ave.

|                       |                   |
|-----------------------|-------------------|
| <b>Date and Time:</b> | 03/23/20          |
| <b>CR#:</b>           | 20-061280         |
| <b>Victim:</b>        | City of Rochester |
| <b>Suspect(s):</b>    | Daniel Prude      |
| <b>Motive:</b>        | MHA/Burglary      |
| <b>Status:</b>        | <b>Open</b>       |
| <b>Sergeant:</b>      | Zenelovic         |
| <b>Investigators:</b> | Benjamin/Houlihan |
| <b>Summary By:</b>    | Zenelovic         |

On 03/23/20 Genesee Section Investigators responded to 50 Child Street for a suspicious condition/missing person. Officers spoke to Joe Prude who reported that his brother Daniel Prude was acting out and possibly using drugs. According to Joe Prude, Daniel was taken to the hospital under MHA on 03/22/20 approximately 1909 hrs. Joe Prude reported that Daniel was later released and was dropped off at 50 Child Street around 2300 hrs. At approximately 0300 Daniel left the location on foot with no shoes, wearing a tank top shirt and pants. The overnight temperature was approximately 30 degrees. While officers were at 50 Child Street, ECD broadcasted a call for a burglary alarm at 767 West Main St. While investigating that call, ECD broadcasted the report of a man at Jefferson Ave @ West Main St. covered in blood saying he has the corona virus. Gates tow truck driver Justin Johnathan was the 911 caller for that job.

Officer Vaughn and Tallady located Daniel Prude near 435 Jefferson Ave. The male was naked when located in the middle of the street. He complied when officers ordered him to get on the ground. Officers handcuffed Prude without incident. Officers monitored Prude while they waited for AMR. Prude made several comments (heard on body camera) asking officers to take the handcuffs off and give him their gun. Prude was spitting and as a result of an active Corona virus pandemic impact our area officer applied a spit sock to his head. After several minutes, the suspect put himself in a seated position and appeared to try and stand up. Officers Vaughn, Tallady and Frank Santiago had to use minimal force to keep Prude on the ground. He was stabilized while officers waited for AMR. Each officer was wearing BWC and their actions were documented on video. A short time later officer's notice that Prude had apparently stopped breathing. Paramedics Purick and Barnes administered first aid and transported Prude to Strong Memorial Hospital. Prude was admitted to the intensive care unit.

Investigator Matt Hill deposed Joe Prude shortly after the incident and he was later re-interviewed by MCU. Joe confirmed that on 03/22/20 Daniel traveled to Rochester by train from Chicago. At some point Daniel became disruptive on the train and was escorted off by police at the stop in Buffalo. Daniel Prude had contact with three police officers from the Depew, Cheektowaga and Orchard Park Police departments including being escorted from the train. Joe drove to Buffalo and picked him up. Joe believes that Daniel has a significant drug problem and uses PCP.



## Major Crimes Unit Investigative Summary

**CR#: 20-061280**

**Date/Time: 03-23-20 @ 0310 hrs.**

**Location: 435 Jefferson Ave.**



Investigators located and interviewed Justin Johnathan from Gates Tow. Jonathan stated in sum and substance that he saw the suspect walking around on W. Main St. wearing a white shirt, dark pants and no shoes. Johnathan observed the male had blood on his shirt and body. The male was yelling he had corona virus and was talking in a nonsensical manner. Johnathan was concerned so he called 911. He did not observe officers stop or take Prude into custody and left the area.

Investigators reconvassed the 400 block of Jefferson Ave. No additional witnesses were identified. Blue light video from West Main & Henion Street and Danforth and Child Street were reviewed and downloaded. Surveillance video was located and recovered from 422 Jefferson Ave, 781 West Main St, and 799 W. Main St. The suspect is captured on video from 781 West Main St. covering his face with his shirt and using a cinder block to break the window of the business located at 767 W. Main St. The suspect then unlawfully enters the building.

MCU Investigators made contact with AMR Medic Julie Purick. She was working with Brett Barnes the day of this incident. When Purick arrived on Jefferson Ave she saw that Prude was naked, rambling and uncooperative with police. Due to his actions she surmised he may be suffering from excited delirium. She told officers that she was going to administer some type of medication to the suspect to try and calm him. A short time later she was alerted to the fact Prude was not breathing. Her partner began chest compressions and they loaded him into the ambulance. Purick noted that Prude was in cardiac arrest. Over the course of the next approximately 18 minutes they worked to regain a pulse. Prude was intubated and while on the ambulance was given 2 doses of epinephrine and 1 dose of sodium bicarbonate. A pulse was established and Prude was transported to URMC. Purick advised that she completed a standard AMR report and would provide us a copy. AMR Medic Barnes went on vacation following the incident and investigators will interview him upon his return. As of 4/14/20 this has not yet occurred.

On 3/30/20 Prude died at the hospital. An autopsy was performed by Dr. Granger. Her official ruling states Prudes cause of death was classified as, the immediate cause being “complications of asphyxia in the setting of physical restraint”, due to Excited Delirium and Acute phencyclidine intoxication” (PCP). The manner of death was ruled a “homicide”. (**Note:** this is a medical ruling/definition of a homicide) The medical examiner’s office took custody of the hospital blood drawn from Prude on 03/23/20 directly from Strong Memorial Hospital. The blood was tested and found to contain enough PCP to attribute to the cause of death. As of 4/14/20 we have not received the complete autopsy report or the toxicology report.

On 04/03/20 MCU became aware of a Facebook live video on the internet depicting a naked male running naked down Jefferson Ave. The male is believed to be Daniel Prude based on the location of the where the video was recorded being the same block where officers encountered him. It was determined that Mario Perez made the recording and posted it toe Facebook. On 04/11/20 Perez was interviewed by investigators. Perez authenticated the video and said he was driving down Jefferson Ave and saw the naked male running down Jefferson Ave. acting crazy and irrational. Prude can be seen running after Perez as he drove south on Jefferson Ave telling him to give him his car. MCU investigators will be interviewing the involved officers on this incident over a two day period 4/13-4/14.



## Major Crimes Unit Investigative Summary



**CR#: 20-061280**

**Date/Time: 03-23-20 @ 0310 hrs.**

**Location: 435 Jefferson Ave.**

---

Time Line of events for Daniel Prude:

### 03/22/20

08:35-Depew NY Police Department responds to the AMTRAK train station at 55 Dick Rd regarding a passenger on the train from Chicago who is refusing to listen to orders and smoking on the train.

09:01-Depew Police make contact with Daniel Prude. He is dispersed from the train without incident. They attempted to contact family in Rochester with no success.

11:24-Cheektowaga NY Police Department investigates a 911 call regarding the theft of a cell phone from a vehicle.

12:06:13-Officers make contact with Daniel Prude and recover the phone

12:21:07-Officers transport Daniel Prude and drop him off at City Mission Harbor House

12:43-Orchard Park NY Police Department received an attempt to locate call from Joe and Valerie Prude attempting to locate him. They are advised he was dropped off at Harbor House. Prude is picked up in Buffalo area by his brother and brought to Rochester

18:53-RPD Officers respond to 50 Child Street regarding Daniel Prude smoked PCP and was tripping. Reported he thought people were out to get him and he wanted to die. He was taken into custody for MHA and taken to Strong Hospital

23:00-According to Joe Prude, Daniel was discharged from the hospital and arrives at 50 Child Street.

### 03/23/20

03:00-Joe Prude Calls 911 to report his brother Daniel Prude was recently released from the hospital and is suicidal. Daniel was using unknown drugs at the house and left on foot only wearing long johns and a tank top shirt.

03:09-911 Call reporting an alarm at 767 W. Main Street, Metro PCS.

03:11-Officers arrive at 767 W. Main Street. Responding officers find broken glass and a brick inside of the location. (Video evidence later confirms Daniel Prude committed the burglary).

03:11-Gates Tow truck driver reports a male running down the street covered in blood saying he has corona virus. Male is described as wearing no shirt and blue pants.

03:16-Officers locate Daniel Prude completely naked in the street at 435 Jefferson Ave. Prude is ordered to the ground and handcuffed without incident.

03:18-Daniel Prude is threatening that he wants officers to give him there gun. He is spitting toward officers

03:19-Officer apply a spit sock over Daniel Prudes head. He continues to spit.

03:20:25-Daniel Prude attempts to stand from seated position. He is asking for the officer's gun. Prude is stabilized face down on the pavement before he can stand.

03:21:00-AMR ambulance arrives on scene.



## Major Crimes Unit Investigative Summary

**CR#: 20-061280**

**Date/Time: 03-23-20 @ 0310 hrs.**

**Location: 435 Jefferson Ave.**



---

03:22:34-Officers notice Prude has thrown up and is possibly not breathing.

03:23:48-AMR medic starts medical treatment.

03:24:20-AMR medic begins CPR.

03:24:34-AMR medic notifies their dispatch they have a medical 500.

03:27:07-Daniel Prude is placed in the Ambulance. Prude is then transported to Strong Memorial Hospital.

03:44:00-According to AMR records, paramedics reestablished Prude's vital signs including blood pressure and pulse.

**03/30/20**

2219-RPD advised that Daniel Prude died at approximately 2100 hrs.

**TAB 14**



## City Records Access

---

**From:** Morabito II, Joseph M. <Joseph.Morabito@CityofRochester.Gov>  
**Sent:** Tuesday, April 14, 2020 4:34 PM  
**To:** Singletary, La'Ron D.  
**Subject:** 435 Jefferson Ave.  
**Attachments:** Investigative Summary 435 Jefferson Ave.2.docx

Chief,

Let me know if this version will work for you?

Thanks

Deputy Chief Joseph Morabito  
Operations Bureau  
Rochester Police Department  
185 Exchange Boulevard  
Rochester, N.Y. 14614  
Phone# 585-428-1290  
jm0961@cityofrochester.gov

--Confidentiality Notice--This email, including all the attachments, is for the sole use of the intended recipient (s) and contains confidential information. Unauthorized use or disclosure is prohibited. If you are not the intended recipient, you may not use, disclose, copy or disseminate this information. If you are not the intended recipient, please contact the sender immediately by reply email and destroy all copies of the original message, including attachments.



## Major Crimes Unit Investigative Summary



**CR#: 20-061280**

**Date/Time: 03-23-20 @ 0310 hrs.**

**Location: 435 Jefferson Ave.**

### 435 Jefferson Ave.

|                       |                   |
|-----------------------|-------------------|
| <b>Date and Time:</b> | 03/23/20          |
| <b>CR#:</b>           | 20-061280         |
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| <b>Motive:</b>        | MHA/Burglary      |
| <b>Status:</b>        | <b>Open</b>       |
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## Major Crimes Unit Investigative Summary

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## Major Crimes Unit Investigative Summary

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## Major Crimes Unit Investigative Summary

**CR#: 20-061280**

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---

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03:44:00-According to AMR records, paramedics reestablished Prude's vital signs including blood pressure and pulse.

**03/30/20**

2219-RPD advised that Daniel Prude died at approximately 2100 hrs.

**TAB 15**

## City Records Access

---

**From:** Zenelovic, Flamur <Flamur.Zenelovic@CityofRochester.Gov>  
**Sent:** Thursday, April 16, 2020 4:35 PM  
**To:** 'Sommers, Jennifer'  
**Subject:** RE: Prude  
**Attachments:** Joe Prude Deposition .pdf; ME Report.pdf

Attached to this e-mail please find a deposition from Joe Prude, Brother of Daniel Prude and the medical examiner's report.

Thank you,  
Flamur

**Sgt. Flamur Zenelovic**  
**Major Crimes Unit**  
**Rochester Police Department**  
185 Exchange Blvd.  
Rochester, New York 14614  
Cell # (██████████)  
Office #(585) 428-6868  
[fz1543@cityofrochester.gov](mailto:fz1543@cityofrochester.gov)



---

**From:** Sommers, Jennifer <Jennifer.Sommers@ag.ny.gov>  
**Sent:** Thursday, April 16, 2020 2:56 PM  
**To:** Zenelovic, Flamur <Flamur.Zenelovic@CityofRochester.Gov>  
**Subject:** RE: Prude

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

No worries – Are you free for a call now?

---

**From:** Zenelovic, Flamur <[Flamur.Zenelovic@CityofRochester.Gov](mailto:Flamur.Zenelovic@CityofRochester.Gov)>  
**Sent:** Thursday, April 16, 2020 2:55 PM  
**To:** Sommers, Jennifer <[Jennifer.Sommers@ag.ny.gov](mailto:Jennifer.Sommers@ag.ny.gov)>  
**Subject:** RE: Prude

Hello,

My cell phone number is ██████████ and my office number is 428-6868. Sorry for the delay.

Flamur

**Sgt. Flamur Zenelovic**  
**Major Crimes Unit**  
**Rochester Police Department**  
185 Exchange Blvd.  
Rochester, New York 14614  
Cell # ( [REDACTED] )  
Office #(585) 428-6868  
[fz1543@cityofrochester.gov](mailto:fz1543@cityofrochester.gov)



---

**From:** Sommers, Jennifer <[Jennifer.Sommers@ag.ny.gov](mailto:Jennifer.Sommers@ag.ny.gov)>  
**Sent:** Thursday, April 16, 2020 1:33 PM  
**To:** Perry M Duckles <[PDuckles@monroecounty.gov](mailto:PDuckles@monroecounty.gov)>; Doorley, Sandra (Monroe County) <[sdoorley@monroecounty.gov](mailto:sdoorley@monroecounty.gov)>  
**Cc:** Zenelovic, Flamur <[Flamur.Zenelovic@CityofRochester.Gov](mailto:Flamur.Zenelovic@CityofRochester.Gov)>  
**Subject:** RE: Prude

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

Thank you so much Perry!  
Flamur – What is your cell phone number?  
I have a 2:00 conference call but I can call you now if you are available or else I can call you after.  
Thank you again...

---

**From:** Perry M Duckles <[PDuckles@monroecounty.gov](mailto:PDuckles@monroecounty.gov)>  
**Sent:** Thursday, April 16, 2020 1:28 PM  
**To:** Sandra J Doorley <[SDoorley@monroecounty.gov](mailto:SDoorley@monroecounty.gov)>; Sommers, Jennifer <[Jennifer.Sommers@ag.ny.gov](mailto:Jennifer.Sommers@ag.ny.gov)>  
**Cc:** Zenelovic, Flamur <[Flamur.Zenelovic@CityofRochester.Gov](mailto:Flamur.Zenelovic@CityofRochester.Gov)>  
**Subject:** RE: Prude

[EXTERNAL]

Hello Jen, Flamur Zenelovic (copied herein) is the Sgt. In charge of this matter. He's aware you'll be reaching out and is happy to help get you whatever you need. I am also able to help in that regard, just let me know. Let us know, and I'm glad to hear you are well.

Perry Duckles  
First Assistant District Attorney  
Monroe County District Attorney's Office  
47 South Fitzhugh Street  
Rochester, NY 14614



**From:** Sandra J Doorley <[SDoorley@monroecounty.gov](mailto:SDoorley@monroecounty.gov)>

**Sent:** Thursday, April 16, 2020 1:18 PM

**To:** Sommers, Jennifer <[Jennifer.Sommers@ag.ny.gov](mailto:Jennifer.Sommers@ag.ny.gov)>; Perry M Duckles <[PDuckles@monroecounty.gov](mailto:PDuckles@monroecounty.gov)>

**Subject:** Prude

Great talking to you, Jen!

I'm copying Perry in on this. He is going to reach out to RPD and get you the appropriate contact. Stay tuned.....

Stay safe!!

Sandra

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IN THE MATTER OF DEFENDANTS/RESPONDENTS LISTED BELOW:

- 1. \_\_\_\_\_ DEFENDANT'S/RESPONDENT'S NAME \_\_\_\_\_ DEFENDANT'S/RESPONDENT'S ADDRESS
- 2. \_\_\_\_\_ DEFENDANT'S/RESPONDENT'S NAME \_\_\_\_\_ DEFENDANT'S/RESPONDENT'S ADDRESS
- 3. \_\_\_\_\_ DEFENDANT'S/RESPONDENT'S NAME \_\_\_\_\_ DEFENDANT'S/RESPONDENT'S ADDRESS

CHARGED WITH ALLEGED OFFENSES, TO WIT:

Joe Prude      10/01/75      50 CHINA ST. 448-6262  
 DEPONENT'S NAME      DATE OF BIRTH      DEPONENT'S ADDRESS AND PHONE NUMBER

DEPONENT DEPOSES AND SAYS:

At around 3 AM DANIEL WAS ACTING VERY STRANGE AGAIN - HE RAN OUT MY BACK DOOR WEARING ONLY A TANK TOP AND SOME LONG JOHNS. I CALLED THE POLICE AGAIN SO THEY COULD FIND HIM AND TAKE HIM BACK TO THE HOSPITAL. (JP)

NOTICE: FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW.

Joe Prude \_\_\_\_\_  
 DEPONENT'S SIGNATURE      DATE

Tammy Hill \_\_\_\_\_ 03/23/22  
 WITNESS SIGNATURE      DATE  
Lynn Matt Hill

IN THE MATTER OF DEFENDANTS/RESPONDENTS LISTED BELOW:

- 1. \_\_\_\_\_ DEFENDANT'S/RESPONDENT'S NAME      \_\_\_\_\_ DEFENDANT'S/RESPONDENT'S ADDRESS
- 2. \_\_\_\_\_ DEFENDANT'S/RESPONDENT'S NAME      \_\_\_\_\_ DEFENDANT'S/RESPONDENT'S ADDRESS
- 3. \_\_\_\_\_ DEFENDANT'S/RESPONDENT'S NAME      \_\_\_\_\_ DEFENDANT'S/RESPONDENT'S ADDRESS

CHARGED WITH ALLEGED OFFENSES, TO WIT:

JOE PRUDE      10/01/75      50 CHILD ST.  
 DEPONENT'S NAME      DATE OF BIRTH      DEPONENT'S ADDRESS AND PHONE NUMBER

DEPONENT DEPOSES AND SAYS:

My NAME IS JOE PRUDE I LIVE AT 50  
 CHILD ST  
 FORD  
 My BROTHER, DANIEL PRUDE, WAS COMING TO ROCHESTER  
 FROM CHICAGO VIA THE TRAIN. DANIEL HAS HAD PROBLEMS  
 WITH A PCP ADDICTION, DANIEL WAS KICKED OFF  
 THE TRAIN IN BUFFALO FOR SMOKING AND ACTING UP.  
 WE BROUGHT DANIEL HOME IN THE AFTERNOON.  
 SHORTLY AFTER 4 PM WE HAD TO CALL THE POLICE  
 TO TAKE DANIEL TO THE HOSPITAL. HE WAS  
 THREATENING TO HARM HIMSELF.  
 DANIEL WAS RELEASED FROM THE HOSPITAL AND  
 CAME BACK TO CHILD ST AROUND 11 PM. (JP)

NOTICE: FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW.

Joe Prude  
 DEPONENT'S SIGNATURE      DATE

Am [Signature]      03/23/20  
 WITNESS SIGNATURE      DATE  
 [Signature]



**DEATH CONFIRMATION AND SUMMARY REPORT  
OFFICE OF THE MEDICAL EXAMINER  
COUNTY OF MONROE**

---

NAME: **Prude, Daniel T.**

CASE NO.: **20-00902**

DATE OF BIRTH: **9/20/1978**

DATE OF DEATH: **3/30/2020**

DATE OF AUTOPSY: **3/31/2020**

RACE: **Black**

SEX: **Male**

AGE: **41 Years**

ADDRESS: **6444 S Wood St, Chicago IL 60636**

COUNTY/ORIGIN: **Monroe**

---

CAUSE OF DEATH

IMMEDIATE CAUSE: **Complications of asphyxia in the setting of physical restraint**

DUE TO: **Excited delirium**

DUE TO: **Acute phencyclidine intoxication**

OTHER SIGNIFICANT CONDITIONS:

MANNER OF DEATH: **Homicide**

---

DEATH CERTIFICATE SIGNED BY: **Nadia A. Granger, MD**

---

*Notice: The autopsy report may be incomplete at this time and any statements or opinions offered by the Medical Examiner's Office could be preliminary and subject to change pending the issuance of the final autopsy report. The information contained on this report is classified as confidential and is being released solely to the requesting agency and is not to be re-released or republished to any other agency, entity or individual without the prior written permission of the Monroe County Medical Examiner's Office.*

---

**TAB 16**

**TAB 17**

## City Records Access

---

**From:** Zenelovic, Flamur <Flamur.Zenelovic@CityofRochester.Gov>  
**Sent:** Thursday, April 16, 2020 4:33 PM  
**To:** 'Sommers, Jennifer'  
**Subject:** RE: Prude  
**Attachments:** Cheektowaga Police Report.pdf; Crime Report-Ofc. Ricotta-Metro PCS Burglary.pdf; Depew Police Report.pdf; IAR-Inv. Carbonel.pdf; IAR-Inv. Gotham.pdf; IAR-Inv. Houlihan.pdf; IAR-Ofc. Frye.pdf; IAR-Ofc. Gonzalez.pdf; IAR-Ofc. Harris.pdf; IAR-Ofc. Laurez.pdf; IAR-Ofc. Serenis.pdf; IAR-Ofc. Specksgoor.pdf; IAR-Ofc. Talladay.pdf; IAR-Sgt. Magri.pdf; Incident Report-Ofc. Vaughn.pdf; MHA Report 03.23.20 .pdf; MHA Report 03.22.20.pdf; Orchard Park Police Report.pdf

Please find attached to this e-mail all related police reports, MHA reports from RPD as well as some reports from Buffalo area police agencies for 03/23/20. Those agencies had contact with Daniel Prude on 03/23/20.

Thank you,  
Flamur

**Sgt. Flamur Zenelovic**  
**Major Crimes Unit**  
**Rochester Police Department**  
185 Exchange Blvd.  
Rochester, New York 14614  
Cell # (██████████)  
Office #(585) 428-6868  
[fz1543@cityofrochester.gov](mailto:fz1543@cityofrochester.gov)



---

**From:** Sommers, Jennifer <Jennifer.Sommers@ag.ny.gov>  
**Sent:** Thursday, April 16, 2020 2:56 PM  
**To:** Zenelovic, Flamur <Flamur.Zenelovic@CityofRochester.Gov>  
**Subject:** RE: Prude

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

No worries – Are you free for a call now?

---

**From:** Zenelovic, Flamur <[Flamur.Zenelovic@CityofRochester.Gov](mailto:Flamur.Zenelovic@CityofRochester.Gov)>  
**Sent:** Thursday, April 16, 2020 2:55 PM  
**To:** Sommers, Jennifer <[Jennifer.Sommers@ag.ny.gov](mailto:Jennifer.Sommers@ag.ny.gov)>  
**Subject:** RE: Prude

Hello,

My cell phone number is [REDACTED] and my office number is 428-6868. Sorry for the delay.

Flamur

**Sgt. Flamur Zenelovic**  
**Major Crimes Unit**  
**Rochester Police Department**  
185 Exchange Blvd.  
Rochester, New York 14614  
Cell # (585) [REDACTED]  
Office # (585) 428-6868  
[fz1543@cityofrochester.gov](mailto:fz1543@cityofrochester.gov)



---

**From:** Sommers, Jennifer <[Jennifer.Sommers@ag.ny.gov](mailto:Jennifer.Sommers@ag.ny.gov)>  
**Sent:** Thursday, April 16, 2020 1:33 PM  
**To:** Perry M Duckles <[PDuckles@monroecounty.gov](mailto:PDuckles@monroecounty.gov)>; Doorley, Sandra (Monroe County) <[sdoorley@monroecounty.gov](mailto:sdoorley@monroecounty.gov)>  
**Cc:** Zenelovic, Flamur <[Flamur.Zenelovic@CityofRochester.Gov](mailto:Flamur.Zenelovic@CityofRochester.Gov)>  
**Subject:** RE: Prude

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

Thank you so much Perry!  
Flamur – What is your cell phone number?  
I have a 2:00 conference call but I can call you now if you are available or else I can call you after.  
Thank you again...

---

**From:** Perry M Duckles <[PDuckles@monroecounty.gov](mailto:PDuckles@monroecounty.gov)>  
**Sent:** Thursday, April 16, 2020 1:28 PM  
**To:** Sandra J Doorley <[SDoorley@monroecounty.gov](mailto:SDoorley@monroecounty.gov)>; Sommers, Jennifer <[Jennifer.Sommers@ag.ny.gov](mailto:Jennifer.Sommers@ag.ny.gov)>  
**Cc:** Zenelovic, Flamur <[Flamur.Zenelovic@CityofRochester.Gov](mailto:Flamur.Zenelovic@CityofRochester.Gov)>  
**Subject:** RE: Prude

**[EXTERNAL]**

Hello Jen, Flamur Zenelovic (copied herein) is the Sgt. In charge of this matter. He's aware you'll be reaching out and is happy to help get you whatever you need. I am also able to help in that regard, just let me know. Let us know, and I'm glad to hear you are well.

Perry Duckles



First Assistant District Attorney  
Monroe County District Attorney's Office  
47 South Fitzhugh Street  
Rochester, NY 14614  
585-753-4653 (office)

---

**From:** Sandra J Doorley <[SDoorley@monroecounty.gov](mailto:SDoorley@monroecounty.gov)>

**Sent:** Thursday, April 16, 2020 1:18 PM

**To:** Sommers, Jennifer <[Jennifer.Sommers@ag.ny.gov](mailto:Jennifer.Sommers@ag.ny.gov)>; Perry M Duckles <[PDuckles@monroecounty.gov](mailto:PDuckles@monroecounty.gov)>

**Subject:** Prude

Great talking to you, Jen!

I'm copying Perry in on this. He is going to reach out to RPD and get you the appropriate contact. Stay tuned.....

Stay safe!!

Sandra

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**TAB 18**



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES  
ATTORNEY GENERAL

DIVISION OF CRIMINAL JUSTICE  
SPECIAL INVESTIGATIONS AND PROSECUTIONS UNIT

April 21, 2020

Hon. Sandra Doorley  
Monroe County District Attorney  
47 South Fitzhugh St. #4  
Rochester New York 14614

RE: Investigation into the death of Daniel Prude

Dear District Attorney Doorley:

Please allow this letter to confirm that pursuant to Executive Order No. 147, dated July 8, 2015, the Office of the New York State Attorney General has jurisdiction under over the investigation into the death of Daniel Prude on March 30, 2020 in Rochester, New York.

Thank you as well as First Assistant Perry Duckles for your cooperation.

Sincerely,

*J. Sommers*

Jennifer M. Sommers  
Deputy Chief  
Special Investigations and Prosecutions Unit  
[REDACTED]

cc: Sgt. F. Zenelovic, RPD

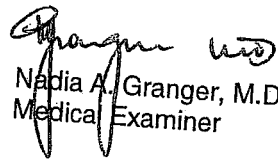
**TAB 19**



Name: Daniel T. Prude  
Date of Birth: [REDACTED]  
Age: 41 Years  
Manner of Death: Homicide  
Cause of Death: Complications of asphyxia in the setting of physical restraint  
Excited delirium  
Acute phencyclidine intoxication

**FINAL FINDINGS**

- I. Complications of asphyxia in the setting of physical restraint:
  - a. Bilateral organizing bronchopulmonary pneumonia.
  - b. Acute myocarditis.
  - c. Severe respiratory acidosis (clinical history).
  - d. Profound global hypoxic ischemic injury (clinical history).
    - i. Cerebral edema.
    - ii. Subfalcine and transtentorial herniation.
  - e. History of physical restraint in prone position (incident report).
- II. Excited delirium:
  - a. Suicidal ideation and possible auditory hallucinations and paranoia (clinical history).
  - b. Agitation and combative behavior (clinical history).
- III. Acute phencyclidine intoxication (toxicology studies).
- IV. Status post donor after cardiac death organ (liver and left kidney) procurement.

  
Nadia A. Granger, M.D. 03/22/2020  
Medical Examiner



Name: Daniel T. Prude

Date of Birth: [REDACTED]

Residence: 6444 S Wood St, Chicago IL 60636

External Exam Start: Mar 31 2020 11:07AM

External Exam End: Mar 31 2020 11:50AM

Internal Exam Start: Mar 31 2020 12:40PM

Internal Exam End: Mar 31 2020 1:15PM

### GROSS FINDINGS

**POSTMORTEM EXAMINATION:** An autopsy is performed on the body initially identified as Daniel Prude, later confirmed as Daniel T. Prude by antemortem and postmortem fingerprint comparison performed by the Rochester Police Department, on the 31<sup>st</sup> day of March, 2020, commencing at 11:07 AM.

**EXTERNAL EXAMINATION:** The body is that of a well-developed, well-nourished, adult black male, who weighs 186 pounds, is 68 ½ inches in length, and appears compatible with the reported age of 41 years at the time of examination. There is an identification tag secured around the left ankle with the following handwritten information: 20-00902; Daniel Prude; 3-31-20. A hospital identification band is secured around the right wrist with the following printed information: [REDACTED] (41 yrs) Prude, Daniel. There are hospital identification bands encircling the bilateral ankles with the following printed information: [REDACTED]. The body is received unclad. The body is cool. Rigor mortis is partially fixed. Fixed purple-red livor mortis extends over the posterior surfaces of the body, except in areas exposed to pressure. Evidence of organ and tissue donation includes sutured incised wounds of the chest and abdomen; a medial sternotomy incision; an incised wound opening the pericardial sac; and recent surgical absence of the liver, gallbladder, left kidney, segments of the descending aorta, and a fragment of the spleen. The scalp hair is black and gray stubble. The irides are brown. The pupils are round, measuring 0.4 cm in diameter bilaterally. The corneae are translucent. The sclerae are white and the conjunctivae are clear. No petechial hemorrhages are identified on the sclerae, bulbar conjunctivae, facial skin, or oral mucosa. The nose is unremarkable. The ears are normally formed with a single pierce mark in each earlobe. The decedent wears a black and gray mustache, trimmed to 1/16 inch, and a black and gray goatee, trimmed up to 1/4 inch. Beard stubble covers the remainder of the hair-bearing face. The teeth are natural and in adequate condition. The frenula are intact. The neck is unremarkable. The thorax is well developed and symmetrical. The abdomen is scaphoid. The anus and back are unremarkable. The external genitalia are consistent with that of a normal adult male. The penis is circumcised. The testes are bilaterally descended within the scrotum. The upper and lower extremities are well developed and symmetrical, without absence of digits. Identifying marks and scars include a 1 3/4 inch hypopigmented scar on the left eyebrow; illegible tattoos on the right neck and midline upper chest; a tattoo of "Rip Byron" on the left neck; a 1 3/4 inch hyperpigmented nevus on the lateral left chest; a 1 1/2 inch hyperpigmented scar on the left hip; a 1 inch hyperpigmented scar on the right buttock; scattered hypo- and hyperpigmented scar, up to 1 inch, on the bilateral arms; tattoos of "Stank", "Lil Rell", and "Shyra" on the right upper arm; a 1 1/4 inch hair-bearing mole on the dorsal right upper arm; tattoos of hands in prayer with "Lord Knows" and "Leroy" on the ventral right forearm; two hyperpigmented scars, 3 inches and 1 1/2 inches, on the ventral right forearm; a tattoo of "RIP ZOID" on the ventral right wrist; tattoos of "Omar" and "Faye" on the dorsal right wrist; tattoos of "12 Street" and "Only The Strong Survive" with a wooden stake piercing the skin on the left upper arm; tattoos of a tombstone inscribed with "1972 Limp 1987" and "In Loving Memory" on the ventral left forearm, along with tattoos of "Weno" and "Main"; a tattoo of "R.I.P GIG" on the ventral left wrist; tattoos of crown and "Mari" on the dorsal left forearm; scattered hypo- and hyperpigmented scars, up to 1 1/4 inches, on the anterior lower extremities; and a 2 1/2 inch hypopigmented scar of the medial left calf.



**EVIDENCE OF RECENT MEDICAL/SURGICAL INTERVENTION:** Evidence of medical intervention includes a triple-lumen catheter in the lateral right neck (secured with clear adhesive); five electrocardiograph patches attached to leads on the bilateral and mid back; intravenous catheters in the bilateral antecubital fossae (secured with clear adhesive); ventral right forearm (secured with clear adhesive) and the ventral right wrist (secured with clear adhesive and tubing secured by a brace to the right hand and dorsal right upper arm); and a pulse oximeter lead on the left index finger tip.

On internal examination, there is hemorrhage into the right neck muscles surrounding the intravenous catheter and hemorrhage into the oropharyngeal mucosa, consistent with intubation.

**EVIDENCE OF INJURY/RECENT TRAUMA:**

**DESCRIPTION OF BLUNT FORCE INJURIES:**

**HEAD AND NECK:** On the forehead are multiple scabbed abrasions, up to 2 3/4 inches. There is a 1/2 inch diameter black scabbed abrasion on the right cheek. On the left cheek is a 1 1/2 x 1 inch scabbed abrasion.

On internal examination, there is patchy subgaleal and subscalpular hemorrhage lining the frontal scalp.

**THORAX AND ABDOMEN:** On the left upper back is a 1 1/4 inch scabbed abrasion. There is a 1/2 inch L-shaped red abrasion of the left lower back.

**UPPER EXTREMITIES:** On the dorsal right forearm is a 1/2 inch red-yellow abrasion. Scattered scabbed abrasions, up to 1 inch, are present on the dorsal right forearm. On the dorsal left upper arm are scattered scabbed red-yellow to black abrasions, up to 3 3/4 inches in greatest dimension.

**LOWER EXTREMITIES:** On the anterior surfaces of the bilateral legs are scattered scabbed abrasions, up to 1 1/4 inches in greatest dimension. On the medial left heel is a 2 1/4 x 1 3/4 inch green contusion.

**INTERNAL EXAMINATION:**

**BODY CAVITIES:** The body is opened with a standard Y-shaped incision. No adhesions or abnormal collections of fluid are in any of the body cavities. Except for previously described organ procurement related findings, all body organs are present in normal and anatomic position with the exception of the right kidney (located in the pelvis) and the appendix (remotely surgically absent). The serous surfaces are smooth and glistening.

**CENTRAL NERVOUS SYSTEM:** The scalp is without laceration. The skull is intact. The brain weighs 1510 grams. The dura mater and falx cerebri are intact and not adherent to the surface of the brain. The leptomeninges are thin and delicate. There is no epidural, subdural, or subarachnoid hemorrhage. The cerebral hemispheres appear edematous with flattening of the gyri and effacement of the sulci. The structures at the base of the brain, including cranial nerves and blood vessels, arise normally and are free of abnormality. Sections through the cerebral hemispheres reveal slight left-sided deviation of the corpus callosum and right cingulate gyrus, consistent with early subfalcine herniation. There is diffuse dulling of the gray-white junction. The cerebral ventricles are of normal caliber. Sections through the brainstem and cerebellum show hemorrhage into the brainstem, consistent with transtentorial herniation.

**NECK:** Except as described in the "EVIDENCE OF RECENT MEDICAL/SURGICAL INTERVENTION" section, examination of the soft tissues of the neck, including strap muscles and large vessels, reveals no abnormalities. The hyoid bone and larynx are intact. Special examination of the tongue is unremarkable.



**CARDIOVASCULAR SYSTEM:** The heart weighs 390 grams. The pericardial sac is free of significant fluid or adhesions. The epicardial surfaces are smooth, glistening, and unremarkable. The coronary arteries arise normally and follow the distribution of a right dominant pattern with no significant arteriosclerosis. The chambers and valves bear the usual size/position relationship and are unremarkable. The following circumferential valve measurements are obtained: tricuspid valve, 11 cm; pulmonic valve, 7 cm; mitral valve, 11 cm; and aortic valve, 6.5 cm. The myocardium is dark red-brown, firm, and free of local or regional fibrosis, erythema, pallor, or softening. The atrial and ventricular septa are intact and the septum and free walls are free of muscular bulges. The right ventricle measures 0.3 cm and the left ventricle measures 1.5 cm in thickness as measured 1 cm below the respective atrioventricular valve annulus. The interventricular septum thickness is 1.8 cm. Except for previously described organ procurement related findings, the aorta and its major branches arise normally and follow the usual course, with no significant atherosclerosis and the vena cava and its major tributaries return to the heart in the usual distribution and are unremarkable.

**RESPIRATORY SYSTEM:** The right and left lungs weigh 480 and 380 grams, respectively. The pleural surfaces are smooth, glistening, and unremarkable. The upper and lower airways are unobstructed, and the mucosal surfaces are smooth, yellow-tan and lined with a thin layer of mucus. The pulmonary parenchyma is dark red-purple and variegated. Cut surfaces exude moderate amounts of blood, frothy fluid and exudate. The pulmonary arteries are normally developed and patent. Specifically, no thromboemboli or saddle embolus are seen.

**HEPATOBIILIARY SYSTEM:** The liver and gallbladder are procured for organ donation prior to autopsy.

**GASTROINTESTINAL SYSTEM:** The esophagus is lined by gray-white smooth mucosa. The gastric mucosa is arranged in the usual rugal folds and the lumen contains trace amounts of yellow mucoid material. The loops of small and large bowel are unremarkable. The appendix is remotely surgically absent. The colon contains progressively formed stool. The pancreas has a normal, tan, lobulated appearance.

**GENITOURINARY SYSTEM:** The left kidney is procured for organ donation prior to autopsy. The right kidney weighs 120 grams. The renal capsule is smooth, thin, semitransparent, and strips with ease from the underlying smooth, red-brown, firm cortical surface. The cortex is of normal thickness and delineated from the medullary pyramids. The calyx, pelvis, and ureter are not dilated and free of stones. The urinary bladder contains no urine; the mucosa is gray-tan and trabeculated with blistering of the surface. The prostate is not enlarged.

**HEMOLYMPHATIC SYSTEM:** The residual splenic fragment weighs 90 grams and has a smooth intact capsule covering red-purple, firm parenchyma. The splenic white pulp is grossly indiscernible.

**ENDOCRINE SYSTEM:** The thyroid gland is of normal position, size, and texture. The adrenal glands are not identified.

**MUSCULOSKELETAL SYSTEM:** Except for previously described organ procurement related findings, the bony framework, supporting musculature, and soft tissues are not unusual.

**AUTOPSY TECHNICIANS:** Ms. A. Gordon and Mr. A. Tobey

**MICROSCOPY:** Cassette #1: Heart, lungs, right kidney

**TOXICOLOGY:** No samples are collected at the time of autopsy.

**DNA SPECIMEN:** Blood.

**SPECIAL STUDIES:** None.

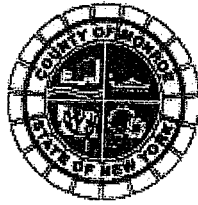




**EVIDENCE COLLECTED:** Pulled head hair, fingerprint and palmprint cards, DNA card.

**X-RAYS:** Total body x-rays show no evidence of recent trauma.

**CAUSE OF DEATH:** Complications of asphyxia in the setting of physical restraint due to Excited delirium due to Acute phencyclidine intoxication. The manner of death is Homicide.



### MICROSCOPIC EXAMINATION

**HEART:** Scattered foci of interstitial macrophages, neutrophils and eosinophils with focal myocyte necrosis; patchy epicardial chronic inflammation.

**LUNGS:** Foci of atelectasis; pulmonary edema; patchy intra-alveolar neutrophils; increased intra-alveolar type II pneumocytes; areas of early fibrosis; mucus plugging and numerous neutrophils in respiratory epithelium in medium-sized airways.

**RIGHT KIDNEY:** No significant histopathologic abnormality.



9/4/22/2020

**Toxicology Report**

**Report Issued** 04/08/2020 17:04

**Patient Name** PRUDE, DANIEL  
**Patient ID** 20-00902  
**Chain** 20110633  
**Age 41 Y** **DOB** [REDACTED]  
**Gender** Male  
**Workorder** 20110633

**To: 98795**  
 Monroe County Medical Examiner's Office  
 Attn: Robert Zerby  
 740 E. Henrietta Rd  
 Rochester, NY 14623

Page 1 of 4

**Positive Findings:**

| <u>Compound</u>     | <u>Result</u> | <u>Units</u> | <u>Matrix Source</u> |
|---------------------|---------------|--------------|----------------------|
| Caffeine            | Positive      | mcg/mL       | 001 - Hospital Blood |
| Cotinine            | Positive      | ng/mL        | 001 - Hospital Blood |
| Phencyclidine       | 18            | ng/mL        | 001 - Hospital Blood |
| Delta-9 Carboxy THC | 13            | ng/mL        | 001 - Hospital Blood |
| Delta-9 THC         | 1.2           | ng/mL        | 001 - Hospital Blood |

See Detailed Findings section for additional information

**Testing Requested:**

| <u>Analysis Code</u> | <u>Description</u>                           |
|----------------------|----------------------------------------------|
| 90025B               | Postmortem, Expanded, Blood (Forensic) (CSA) |

**Specimens Received:**

| <u>ID</u> | <u>Tube/Container</u> | <u>Volume/<br/>Mass</u> | <u>Collection<br/>Date/Time</u> | <u>Matrix Source</u> | <u>Miscellaneous<br/>Information</u> |
|-----------|-----------------------|-------------------------|---------------------------------|----------------------|--------------------------------------|
| 001       | Lavender Vial         | 2 mL                    | 03/23/2020 04:01                | Hospital Blood       |                                      |
| 002       | Red Vial              | 2 mL                    | 03/23/2020 04:01                | Hospital Blood       |                                      |

All sample volumes/weights are approximations.

Specimens received on 04/01/2020.

9/4/22/2020

**Reference Comments:**

5. Phencyclidine (Angel Dust; PCP; Sherm) - Hospital Blood:

Phencyclidine (PCP) is a DEA Schedule II controlled dangerous hallucinogenic drug. There exists a dearth of pharmacokinetic data of PCP usage in humans; however, it has been reported that blood levels of phencyclidine ranged from 7 - 240 ng/mL (mean, 75 ng/mL) in individuals stopped for driving under the influence of drugs or for being intoxicated in public.

Ataxia, agitation, combativeness, seizures, spasticity, coma and respiratory depression are associated with phencyclidine concentrations ranging from 90 - 220 ng/mL plasma.

The physiological effects of PCP can be classified as low or high dose. In low doses, PCP can elicit visual disturbances, drowsiness, agitation, hallucinations, aggressiveness, increased pulse rate and blood pressure, bronchospasm, increased respiratory rate and hyperthermia. In high doses, PCP can elicit convulsions, opisthotonos, coma, arrhythmias, decreased blood pressure and respirations and rhabdomyolysis.

There appears to be no relation between plasma levels of phencyclidine and degree of intoxication. Even so, death has been reported following the use of only 120 mg of phencyclidine. Blood concentrations in phencyclidine-related fatalities have been reported to range from 300 - 25000 ng/mL (mean, 5000 ng/mL).

Unless alternate arrangements are made by you, the remainder of the submitted specimens will be discarded six (6) months from the date of this report; and generated data will be discarded five (5) years from the date the analyses were performed.

CERTIFICATION: Pursuant to New York Criminal Procedure Law Section 190.30(2), I certify that this report was made by me or is a true copy thereof for testing conducted at NMS Laboratories. I further certify that I am authorized by NMS Laboratories to make this certification.

For discovery information according to NY Article 245, please email the workorder number (upper right portion of this report) to ExpertServices@NMSLabs.com as soon as possible. Once collated, the information may be accessed via NMS Labs secure web portal.

Workorder 20110633 was electronically signed on 04/08/2020 16:03 by:



Erik Flail, B.A.  
Certifying Scientist

**Analysis Summary and Reporting Limits:**

All of the following tests were performed for this case. For each test, the compounds listed were included in the scope. The Reporting Limit listed for each compound represents the lowest concentration of the compound that will be reported as being positive. If the compound is listed as None Detected, it is not present above the Reporting Limit. Please refer to the Positive Findings section of the report for those compounds that were identified as being present.

Acode 50017B - Phencyclidine Confirmation, Blood - Hospital Blood

-Analysis by High Performance Liquid Chromatography/ Tandem Mass Spectrometry (LC-MS/MS) for:

| <u>Compound</u> | <u>Rpt. Limit</u> | <u>Compound</u> | <u>Rpt. Limit</u> |
|-----------------|-------------------|-----------------|-------------------|
| Phencyclidine   | 5.0 ng/mL         |                 |                   |

Acode 52198B - Cannabinoids Confirmation, Blood - Hospital Blood

-Analysis by High Performance Liquid Chromatography/ Tandem Mass Spectrometry (LC-MS/MS) for:

| <u>Compound</u>        | <u>Rpt. Limit</u> | <u>Compound</u> | <u>Rpt. Limit</u> |
|------------------------|-------------------|-----------------|-------------------|
| 11-Hydroxy Delta-9 THC | 1.0 ng/mL         | Delta-9 THC     | 0.50 ng/mL        |
| Delta-9 Carboxy THC    | 5.0 ng/mL         |                 |                   |

Acode 90025B - Postmortem, Expanded, Blood (Forensic) (CSA) - Hospital Blood

**TAB 20**

# CHEEKTOWAGA POLICE DEPARTMENT

## Complaint Information

**Complaint# 20-012436 Date Received: 03/22/2020 Source: PHONE**

**Dispatch Code:** 1699 **Description:** LARCENY-OTHER **Call Type:** POLICE

**Final Dispatch Code:** 1699 **Description:** LARCENY-OTHER

**Street:** NOB HILL PARK TN **Tract:** **Street Code:** 10725

**Cross Street:** **Municipality:** CHEEKTOWAGA

**Business:** **Call Back:**

**Times:** **Received:** 11:24:39 **Dispatched:** 11:26:49 **Arrived:** 11:29:23 **Completed:** 12:21:11

**Officers:**

**Received By:** **Dispatcher:**

**Report (follow up):** YES **Notified:**

**Action Codes** 1. 2.  
3. 4.

**Associated Persons:** SUB - PRUDE, DANIEL DOB: [REDACTED]

[REDACTED] CHICAGO

CMP - PING, ANDREW J. DOB: [REDACTED]

[REDACTED] SLOAN Phone: [REDACTED]

03/22/20 11:24:23 675 B/M WEARING BLACK LEATHER JACKET TAN HOOD BLUE SWEATPANTS AND BLACK DUFFLE BAG // OPENED DOOR OF TOWN TRUCK AND TOOK A CELLPHONE // WALKING THROUGH THE PARK

03/22/20 11:24:38 675 SAT DOWN IN BLEACHERS BY BASEBALL DIAMOND

03/22/20 11:26:33 675 L/S WALKING TOWARDS POSSIBLY WHITE RD OR BERT RD

03/22/20 11:29:39 675 MALE L/S ON REDLEAF

03/22/20 12:06:13 632 PROPERTY RECOVERED AND MALE TAKEN TO THE CITY MISSION

03/22/20 12:13:18 632 HARBOR HOUSE NOW

03/22/20 12:21:07 675 MALE WAS DROPPED OFF AT HARBOR HOUSE // ADVISED OF SERVICES

03/23/20 17:54:29 332 PR FILED



# ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #  
**2020-00061277**

|               |                                          |                                  |                             |                                |                           |                              |                         |  |
|---------------|------------------------------------------|----------------------------------|-----------------------------|--------------------------------|---------------------------|------------------------------|-------------------------|--|
| <b>DETAIL</b> | Incident Type<br><b>05. Burglary</b>     | Report Date<br><b>03/23/2020</b> | Report Time<br><b>03:10</b> | Date From<br><b>03/23/2020</b> | Time From<br><b>03:10</b> | Date To<br><b>03/23/2020</b> | Time To<br><b>03:10</b> |  |
|               | Incident Address<br><b>767 W MAIN ST</b> |                                  |                             |                                | Beat<br><b>213</b>        | Campus Code                  |                         |  |
|               | Violent Crime Context                    |                                  |                             |                                |                           | BWC<br><b>Yes</b>            |                         |  |

|                                                                                |                                                                                       |                                    |                                  |                                  |                           |                           |                       |
|--------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------|----------------------------------|----------------------------------|---------------------------|---------------------------|-----------------------|
| <b>OFFENSES</b>                                                                | Statute - <b>PL 145.00 01 AM4</b> Attempt/Commit - <b>Completed</b> Counts - <b>1</b> |                                    |                                  |                                  |                           |                           |                       |
|                                                                                | Description - <b>Criminal Mischief 4th: Intent To Damage Property</b>                 |                                    |                                  |                                  |                           |                           |                       |
|                                                                                | Location<br><b>Other Retail Store-40</b>                                              |                                    |                                  |                                  | Weapon                    |                           |                       |
|                                                                                | Larceny Type                                                                          |                                    |                                  | Aggravated Assault Circumstances |                           | Gang Related<br><b>No</b> | Computer<br><b>No</b> |
|                                                                                | Bias Type<br><b>No Bias-Not Applicable-77</b>                                         |                                    | Entry Point                      |                                  | Method of Entry           |                           | # of Premises Entered |
|                                                                                | Statute - <b>PL 140.20 DF3</b> Attempt/Commit - <b>Completed</b> Counts - <b>1</b>    |                                    |                                  |                                  |                           |                           |                       |
| Description - <b>Burglary 3rd: Illegal Entry with Intent to Commit a Crime</b> |                                                                                       |                                    |                                  |                                  |                           |                           |                       |
| Location<br><b>Other Retail Store-40</b>                                       |                                                                                       |                                    |                                  | Weapon                           |                           |                           |                       |
| Larceny Type                                                                   |                                                                                       |                                    | Aggravated Assault Circumstances |                                  | Gang Related<br><b>No</b> | Computer<br><b>No</b>     |                       |
| Bias Type<br><b>No Bias-Not Applicable-77</b>                                  |                                                                                       | Entry Point<br><b>Window Front</b> |                                  | Method of Entry<br><b>Force</b>  |                           | # of Premises Entered     |                       |

|               |                                          |                                                       |                                         |  |                                                                                                                            |     |                                           |      |           |                                           |
|---------------|------------------------------------------|-------------------------------------------------------|-----------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------|-----|-------------------------------------------|------|-----------|-------------------------------------------|
| <b>VICTIM</b> | Victim Type<br><b>Business-B</b>         | Victim Name (Last, First, Middle)<br><b>METRO PCS</b> |                                         |  |                                                                                                                            |     |                                           |      |           |                                           |
|               | Address<br><b>676 W MAIN ST</b>          |                                                       |                                         |  | Date of Birth                                                                                                              | Age | Sex                                       | Race | Ethnicity | Residence Status<br><b>Not Applicable</b> |
|               | City, State, Zip<br><b>Rochester, NY</b> |                                                       |                                         |  | Victim/Offender Relationship (Offender Name, DOB, Relationship)<br><b>Prude, daniel [REDACTED] Relationship Unknown-40</b> |     |                                           |      |           |                                           |
|               | Telephone                                |                                                       | Level of Injury<br><b>Business - NA</b> |  | Type of Injury<br><b>Business - NA</b>                                                                                     |     | Medical Treatment<br><b>Business - NA</b> |      |           |                                           |

|                |                                                                                        |                             |            |          |          |          |            |  |  |               |
|----------------|----------------------------------------------------------------------------------------|-----------------------------|------------|----------|----------|----------|------------|--|--|---------------|
| <b>PERSONS</b> | R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed |                             |            |          |          |          |            |  |  |               |
|                | Type                                                                                   | Name (Last, First, Middle)  | DOB        | Sex      | Race     | Eth      | Address    |  |  | Telephone No. |
|                | <b>NO</b>                                                                              | <b>MOHAMMED, NAHSHEL, A</b> | [REDACTED] | <b>M</b> | <b>A</b> | <b>N</b> | [REDACTED] |  |  | [REDACTED]    |
|                |                                                                                        |                             |            |          |          |          |            |  |  |               |

|                              |                                            |        |                                                            |                |                  |                 |                                                |                       |                       |                  |
|------------------------------|--------------------------------------------|--------|------------------------------------------------------------|----------------|------------------|-----------------|------------------------------------------------|-----------------------|-----------------------|------------------|
| <b>SUSPECT / MISSING PER</b> | Type - <b>S</b>                            |        | Suspect Name (Last, First, Middle)<br><b>Prude, daniel</b> |                |                  |                 |                                                |                       | Nickname              |                  |
|                              | Address<br><b>[REDACTED] NY</b>            |        |                                                            | Date of Birth  | Age<br><b>41</b> | Sex<br><b>M</b> | Race<br><b>B</b>                               | Ethnicity<br><b>N</b> | MoRIS / JCR #         |                  |
|                              | Height                                     | Weight | Hair Color                                                 | Hair Length    | Eye Color        | Glasses         | Complexion                                     | Build                 | Facial Hair           | Gang Affiliation |
|                              | Clothing, Jewelry, Distinguishing Features |        |                                                            |                |                  |                 | Offender Condition<br><b>Apparently Normal</b> |                       | Scars, Marks, Tattoos |                  |
|                              | Mothers Maiden Name                        |        |                                                            | Place of Birth |                  |                 | School Name / ID #                             |                       |                       |                  |

|                               |                                                                        |  |                                   |                                          |  |                                              |                                                     |                                     |  |                                              |  |                          |  |  |  |
|-------------------------------|------------------------------------------------------------------------|--|-----------------------------------|------------------------------------------|--|----------------------------------------------|-----------------------------------------------------|-------------------------------------|--|----------------------------------------------|--|--------------------------|--|--|--|
| <b>INVESTIGATION</b>          | Modus Operandi                                                         |  |                                   |                                          |  |                                              |                                                     |                                     |  |                                              |  |                          |  |  |  |
|                               | 01. Witness to the offense?                                            |  |                                   | 05. Can a suspect be described?          |  |                                              | 09. Is there significant Modus Operandi present?    |                                     |  | 12. Preliminary investigation NOT completed? |  |                          |  |  |  |
|                               | 02. Surveillance footage of event? <input checked="" type="checkbox"/> |  |                                   | 06. Can a suspect be identified?         |  |                                              | 10. Is there significant physical evidence present? |                                     |  | 11. Has evidence tech work been performed?   |  |                          |  |  |  |
|                               | 03. Can a suspect be named?                                            |  |                                   | 07. Can a suspect vehicle be identified? |  |                                              | 11. Has evidence tech work been performed?          |                                     |  | 12. Preliminary investigation NOT completed? |  |                          |  |  |  |
| 04. Can a suspect be located? |                                                                        |  | 08. Is stolen property traceable? |                                          |  | 12. Preliminary investigation NOT completed? |                                                     |                                     |  |                                              |  |                          |  |  |  |
| Case Status<br><b>Field</b>   |                                                                        |  |                                   | Exceptional Clearance                    |  |                                              |                                                     | Assigned Bureau<br><b>CIS - MCU</b> |  |                                              |  | Review Box<br><b>CID</b> |  |  |  |

|                                          |                      |                           |                                         |                                    |
|------------------------------------------|----------------------|---------------------------|-----------------------------------------|------------------------------------|
| Reporting Officer<br><b>RICOTTA PAUL</b> | IBM #<br><b>2534</b> | Date<br><b>03/24/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR</b> | Date Reviewed<br><b>03/26/2020</b> |
|------------------------------------------|----------------------|---------------------------|-----------------------------------------|------------------------------------|







ON 3/23/20, AT ABOUT 0310 HOURS, I RESPONDED TO 767 W MAIN ST. (METRO PCS) FOR THE BURGLARY ALARM FOR TWO GLASS BRAKE ALERTS. UPON ARRIVAL, I OBSERVED THE PLATE GLASS WINDOW WAS SHATTERED ON THE WEST SIDE OF THE STORE . AS I APPROACHED THE WINDOW, I OBSERVED A CINDER BLOCK WAS LYING ON THE WINDOW FRAME AND APPEARED TO HAVE BEEN THROWN THROUGH THE WINDOW BY AN UNKNOWN SUSPECT.

(NO) NAHSHEL MOHAMMED ARRIVED AND ATTEMPTED TO REVIEW VIDEO BUT WAS UNABLE TO ACCESS THE VIDEO SINCE HE DIDN'T HAVE THE PROPER PASSWORD. (NO) ALSO STATED THAT NOTHING WAS MISSING FROM THE STORE. SPECIAL SERVICES ADVISED THAT THEY WOULD COME AT 0800 HOURS TO REPAIR THE WINDOW.

THE CITY CAMERA AT W MAIN ST/HENION ST. WAS FACING THE OPPOSITE DIRECTION WHEN THE INCIDENT OCCURRED. THERE ARE MULTIPLE CAMERAS AT 781 W MAIN ST. (HAIR BIZZ) THAT FACE THE PARKING LOT. HAIR BIZZ WAS CLOSED AND I WAS UNABLE TO VIEW THEM.

I TOOK PHOTOS OF THE BROKEN WINDOW WITH MY BWC. TECH RADELL ARRIVED AND ALSO PROCESSED THE SCENE.

I LATER LEARNED THAT VIDEO WAS OBTAINED FROM 781 W MAIN ST. (SEE IA'S FOR MORE).

---FILED TO MCU--

NARRATIVE

|                   |       |            |                              |
|-------------------|-------|------------|------------------------------|
| Reporting Officer | IBM # | Date       | Reviewed By                  |
| RICOTTA PAUL      | 2534  | 03/24/2020 | ZENELOVIC, FLAMUR 03/26/2020 |

**DEPEW POLICE DEPARTMENT**  
**Complaint Information**

**Complaint# 20-002489    Date Received: 03/22/2020    Source: PHONE**

**Dispatch Code:** 5007    **Description:** CUSTOMER TROUBLE    **Call Type:** POLICE  
**Final Dispatch Code:**5007    **Description:** CUSTOMER TROUBLE

**Street:** 55 DICK RD    **Tract:**    **Street Code:** 4715  
**Cross Street:**    **Municipality:**DEPEW

**Business:** AMTRAK    **Call Back:**

**Times:**    **Received:**08:35:48    **Dispatched:**08:35:52    **Arrived:**08:42:53    **Completed:**09:36:42

**Officers:** STRANC, TIMOTHY    GORSKI, JEFFREY

**Received By:** DZIADOSZ, CHESTER    **Dispatcher:** DZIADOSZ, CHESTER

**Report (follow up):** NO    **Notified:**

**Action Codes**    1.    2.  
                          3.    4.

**Associated Persons:** SUB - PRUDE, DANIEL

CMP - AMTRAK

                          DEPEW Phone: [REDACTED]

03/22/20 08:35:24 317 AMTRAK  
CMP ( BRAD, EMPLOYEE ) REPORTS MALE ON IN BOUND TRAIN  
REFUSING TO LISTEN TO ORDERS CONTINUES TO SMOKE ON TRAIN  
FROM CHICAGO DUE IN AT 08:45 HRS

03/22/20 09:01:46 317 PER PATROL DANIEL PRUDE LEFT TRAIN WITH NO INCIDENT SUBJECT  
LAST SEEN AT BUS STOP DISPATCH MADE CONTACT WITH ROCHESTER  
PD IN ATTEMPT TO CONTACT FAMILY MEMBER

03/22/20 09:36:37 317 UNABLE TO FIND # RPD HAS NO INFO

## City Records Access

---

**From:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Sent:** Thursday, June 11, 2020 4:56 PM  
**To:** 'Elliot Shields'  
**Cc:** Donald Thompson; David Roth; Roj, Justin C.; 'O'Neill, Kristin (DOS)'; Mitchell, Shani C.  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479  
**Attachments:** Cheektowaga Police Report\_Redacted.pdf; Depew Police Report\_Redacted.pdf; Orchard Park Police Report\_Redacted.pdf; Crime Report-Ofc. Ricotta-Metro PCS Burglary\_Redacted.pdf; IAR-Inv. Carbonel\_Redacted.pdf; IAR-Inv. Gotham\_Redacted.pdf; IAR-Inv. Houlihan 2\_Redacted.pdf; IAR-Inv. Houlihan\_Redacted.pdf; IAR-Ofc. Frye.pdf; IAR-Ofc. Gonzalez\_Redacted.pdf; IAR-Ofc. Harris.pdf; IAR-Ofc. Laurez.pdf; IAR-Ofc. Serenis.pdf; IAR-Ofc. Specksgoor\_Redacted.pdf; IAR-Ofc. Talladay\_Redacted.pdf; IAR-Sgt. Magri\_Redacted.pdf; IAR-Sgt. Zenelovic\_Redacted.pdf; Incident Report-Ofc. Vaughn\_Redacted.pdf; Ofc. Santiago SRR\_Redacted.pdf; Ofc. Talladay SRR\_Redacted.pdf; Ofc. Vaughn SRR\_Redacted.pdf

Elliot:

In response to your FOIL appeal, we have performed a diligent search and review for the categories of records referenced in your request related to the March 23, 2020 incident involving Daniel Prude. Attached hereto are all police reports and SRRs with redactions made pursuant to Public Officers Law 87(2)(b). These redactions have been made to prevent an unwarranted invasion of personal privacy and they include dates of birth, personal phone numbers, and residential street addresses. Two Mental Health Transport forms dated March 22, 2020 and March 23, 2020, respectively, are withheld pursuant to Mental Hygiene Law 33.13.

In addition to police reports, there are other records which will be sent to you via mail as everything is too large to send via email. As I am aware that you are working remotely, please provide an address for the City to mail records.

Regarding BWC footage, it is my understanding that you represent the Estate of Daniel Prude. The footage contains video of medical treatment by EMTs and later in a hospital. If you can provide an appropriate HIPAA release form so that we can release that footage without HIPAA-related redactions, please provide a signed, notarized form. If not, please advise so that we can instruct our digital media specialist to properly prepare the video.

An item-by-item response to your request is below, to avoid confusion.

- 1 - All BWC recordings – please see above.
- 2 - All 911 call recordings and transcripts: New York County Law 308(4), the City is prohibited from releasing any records of 911 calls, in whatever form they are kept.
- 3 - all communications by any RPD Officers and/or City employees related to this incident, including communications made via their vehicles' Mobile Data Computer (MDC) and/or the Computer Aided Dispatch (CAD) system: Please consider this a certification that, following a diligent search, no such records could be located.
- 4 - Copies of all CAD reports / print-outs related to the incident: Please consider this a certification that, following a diligent search, no such records could be located.
- 5 - all arrest reports: Two Mental Health Transport forms are withheld pursuant to Mental Hygiene Law 33.13. Please consider this a certification that, following a diligent search, no further records could be located.
- 6 - all subject resistance reports: all available reports are attached to this email.
- 7 - All "Rough Notes" or any other handwritten notes related to the incident: will be sent via mail, containing redactions pursuant to Public Officers Law 87(2)(b) to prevent an unwarranted invasion of personal privacy.

- 8 - All records related to Mr. Prude's death: all available reports are attached to this email. Otherwise, this request is unreasonably described as it does not specify a specific kind of document.
- 9 - Color copies of any photographs related to this incident: photos will be sent via mail.
- 10 - All witness statements / Supporting Depositions: will be sent via mail.
- 11 - All incident reports: all available reports are attached to this email.
- 12 - All other records containing factual data related to the incident: this request is unreasonably described as it does not specify a specific kind of document.

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

Sincerely,

Timothy R. Curtin  
Corporation Counsel

Via:



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950  
[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Elliot Shields <eshields@rothandrothlaw.com>  
**Sent:** Wednesday, June 10, 2020 3:39 PM  
**To:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Cc:** Donald Thompson <dmthompson@etksdefense.com>; David Roth <droth@rothandrothlaw.com>  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

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

Stephanie,

It was nice speaking with you on the phone yesterday. Thank you for agreeing to produce all the documents and reports requested in our FOIL request.

We do not consent to the City withholding the BWC videos until the Attorney General concludes its investigation. However, we do consent to the limited redaction of the video, solely for the purposes of redacting Mr. Prude's genitals. Even though you stated on the phone that any redactions would not take more than two hours, we do not consent to paying any money for the RPD to apply any redactions to the video.

Thus, please produce all the reports, documents and BWC videos requested in the FOIL request by tomorrow so we can avoid filing an Article 78.

Thank you,

Elliot

---

**From:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>  
**Sent:** Tuesday, June 9, 2020 12:28 PM  
**To:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Cc:** Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

Sounds good – I'm working remotely today, so I'll call you from my cell phone – it's a 469 area code.



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950  
[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Sent:** Tuesday, June 9, 2020 12:26 PM  
**To:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>  
**Cc:** Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

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

Around 2:30-3:00 pm should be good. I've got my office phone hooked up at home, you can call that or my cell

On Jun 9, 2020, 12:13 PM -0400, Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>, wrote:

Elliot,

Do you have time today to discuss this? I have additional information related to an ongoing investigation by the AG's office, who I understand has reached out to Don Thompson.

If you are free today let me know how to reach you and I'll give you a call.

Thanks,



**Stephanie A. Prince**

Municipal Attorney

City of Rochester, New York - Law Department

City Hall - Room 400A

30 Church Street

Rochester, New York 14614

p: (585) 428-6752 / f: (585) 428-6950

[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>

**Sent:** Thursday, May 28, 2020 9:06 PM

**To:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>; Mitchell, Shani C. <[Shani.Mitchell@CityofRochester.Gov](mailto:Shani.Mitchell@CityofRochester.Gov)>

**Cc:** David Roth <[droth@rothandrothlaw.com](mailto:droth@rothandrothlaw.com)>; Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>; Audra Roth <[aroth@rothandrothlaw.com](mailto:aroth@rothandrothlaw.com)>

**Subject:** Appeal of Constructive Denial of RR20-01479

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

Dear Stephanie and Shani,

I hope you are staying safe and healthy. I am writing to appeal the constructive denial of the attached FOIL request. It has been nearly two months and I have not received any communications related to this request.

Please immediately provide all the requested body worn camera recordings and other records requested.

Thank you,

Elliot

**From:** [requestnoreply@cityofrochester.gov](mailto:requestnoreply@cityofrochester.gov) <[requestnoreply@cityofrochester.gov](mailto:requestnoreply@cityofrochester.gov)>  
**Sent:** Friday, April 3, 2020 10:30 AM  
**To:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Subject:** City of Rochester FOIL Request Submission - RR20-01479

Dear Elliot Shields,

Your Freedom of Information Law (FOIL) request for "BWC recording and all documentation of incident involving Daniel Prude" has been received by the City of Rochester.

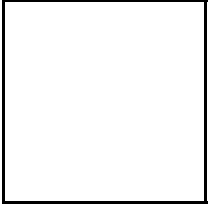
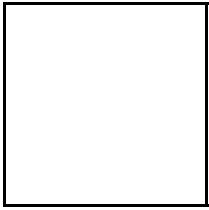
Your request is currently being processed. The City will supply either the requested material or an updated response within approximately 20 business days. We will notify you in writing should additional time be needed.

This request has been assigned FOIL #RR20-01479. Please refer to this number when making any inquiries regarding this request.

[Click here](#) to check on the status of your request.

Sincerely,

Justin Roj  
Records Access Officer



---

The logo for the United States Census 2020, featuring the text "United States Census 2020" in white on a blue background.

**HAVE YOU FILLED  
OUT YOUR CENSUS?**

*Rochester's future is counting on you*





**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
CASE UPDATE**

CR #  
**2020-00061280**

Page 1 of 3

DETAIL

SUSPECT / MISSING PER

VEHICLE RECOVERY

NARRATIVE

INVESTIGATION

|                                                                       |  |                                                           |                    |
|-----------------------------------------------------------------------|--|-----------------------------------------------------------|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business<br><b>TBA</b> |  | Location of Offense<br><b>435 JEFFERSON AVE Rochester</b> | Beat<br><b>263</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:15</b>                    |  | Offense / Charge / Incident (Most Recent Classification)  |                    |
| Classification After Investigation (Include Law Section Number)       |  |                                                           | BWC<br><b>No</b>   |

|                                            |        |                                                            |                  |                               |                                               |                       |                       |             |
|--------------------------------------------|--------|------------------------------------------------------------|------------------|-------------------------------|-----------------------------------------------|-----------------------|-----------------------|-------------|
| Suspect Type <b>S</b>                      |        | Suspect Name (Last, First, Middle)<br><b>PRUDE, DANIEL</b> |                  |                               | Nickname                                      |                       |                       |             |
| Address<br>[REDACTED], NY 14611            |        | Date of Birth<br>[REDACTED]                                | Age<br><b>41</b> | Sex<br><b>M</b>               | Race<br><b>B</b>                              | Ethnicity<br><b>N</b> | MoRIS / JCR #         |             |
| Height                                     | Weight | Hair Color<br><b>Black</b>                                 | Hair Length      | Eye Color<br><b>Brown</b>     | Glasses                                       | Complexion            | Build                 | Facial Hair |
| Clothing, Jewelry, Distinguishing Features |        |                                                            |                  |                               | Offender Condition<br><b>Impaired w Drugs</b> |                       | Scars, Marks, Tattoos |             |
| Missing Person Code                        |        | Missing Person Mothers Maiden Name                         |                  | Missing Person Place of Birth |                                               |                       | School ID Number      |             |

|                                      |                |       |      |            |                                 |
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| Year                                 | Make           | Model |      | Style      | Color                           |
| State                                | Registration # | VIN # |      | Towed to - | Towed by -                      |
| Location Recovered                   |                |       | Date | Time       | Owner Notified by:              |
| Evidence of Damage / Method of Theft |                |       |      |            | Time Radio Notified of Recovery |

**On March 23, 2020 I was tasked by Sgt. Zenelovic to do a neighborhood check in the 400 block of Jefferson Avenue between Dr. Samuel McRee Way and Cady Street. I was able to locate video at 422 Jefferson Avenue. The video was collected by members of the technicians unit. I could not locate any additional video between Dr. Samuel McRee Way and Cady Street. During the canvass I did speak to the following residents on Jefferson Avenue.**

**N/I-Abdikadir Muya of [REDACTED] no answer at the door. I did leave a business card asking for a call back.**

**N/O- Gwendolyn Sweet of [REDACTED]. Sweet said that she heard a male yelling and Screaming out of her bedroom window. Sweet said that she did not get up to look out her window. She only knew that the police were outside when she saw the crime scene tape.**

**435 Jefferson Avenue Abundant Life Church closed with no video cameras.**

|                                |                   |                            |     |                                                        |                 |
|--------------------------------|-------------------|----------------------------|-----|--------------------------------------------------------|-----------------|
| Continuance of<br><b>Field</b> |                   | Changed to<br><b>Field</b> |     | Closed by<br><b>Field</b>                              |                 |
| Exceptional Clearance          |                   | Bias Type                  |     | Victim Relationship to Suspect<br><b>Unknown</b>       |                 |
| Property Recovered             | Value of Property | # Arrested                 | SRR | Multiple Clearup                                       | Teletype Status |
| Additional Techwork Performed  |                   |                            |     | Further Investigation Conducted By<br><b>CIS - MCU</b> |                 |

|                                      |                 |                      |                           |                                                    |
|--------------------------------------|-----------------|----------------------|---------------------------|----------------------------------------------------|
| Reporting Officer<br><b>CARBONEL</b> | <b>WILFREDO</b> | IBM #<br><b>0636</b> | Date<br><b>03/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR 03/26/2020</b> |
|--------------------------------------|-----------------|----------------------|---------------------------|----------------------------------------------------|



428 Jefferson Avenue Pretty Black Society Hair Gallery business closed with no video.

424 Jefferson Avenue is a multiple family apartment building with no exterior video cameras.

N/O Juvenile Taniya Williams of [REDACTED]. Williams said that she did not see or hear anything.

424 Jefferson Avenue #26 no answer at the door business card was left in the door.

Dimetrius Holmes [REDACTED]. Holmes said that he saw the police standing out in front of his apartment. He did not see anyone else or what occurred on Jefferson Avenue.

Pastine Davis [REDACTED] refused to give her phone number. Davis said that she was asleep in her apartment. That is when woke up because she heard someone screaming outside. She looked out of her window that faces Jefferson Avenue. She saw a naked male with the Police. After she saw the male with the police she went back to bed.

450 Jefferson Avenue vacant under construction.

NARRATIVE

|                   |       |            |                              |
|-------------------|-------|------------|------------------------------|
| Reporting Officer | IBM # | Date       | Reviewed By                  |
| CARBONEL WILFREDO | 0636  | 03/23/2020 | ZENELOVIC, FLAMUR 03/26/2020 |



# ROCHESTER POLICE DEPARTMENT INVESTIGATIVE ACTION REPORT CASE UPDATE

CR #  
**2020-00061280**

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB        | Sex | Race | Eth | Address    | Telephone No. |
|------|----------------------------|------------|-----|------|-----|------------|---------------|
| NI   | MUYA , ABDIKADIR           |            | M   | B    | N   | [REDACTED] |               |
| NO   | SWEET , GWENDOLYN          | [REDACTED] | F   | B    | N   | [REDACTED] | [REDACTED]    |
| NO   | WILLIAMS, TANIYA           | [REDACTED] | F   | B    | N   | [REDACTED] | [REDACTED]    |
| NO   | HOLMES, DIMETRIUS          | [REDACTED] | M   | B    | N   | [REDACTED] | [REDACTED]    |
| NO   | DAVIS , PASTINE            | [REDACTED] | F   | B    | N   | [REDACTED] | [REDACTED]    |

ADDITIONAL PERSONS

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address | Telephone No. |
|------|----------------------------|-----|-----|------|-----|---------|---------------|
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R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address | Telephone No. |
|------|----------------------------|-----|-----|------|-----|---------|---------------|
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|--------------------------------------|--------------------------|---------------------|----------------------------------|----------------------------------------------------|
| Reporting Officer<br><b>CARBONEL</b> | IBM #<br><b>WILFREDO</b> | Date<br><b>0636</b> | Reviewed By<br><b>03/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR 03/26/2020</b> |
|--------------------------------------|--------------------------|---------------------|----------------------------------|----------------------------------------------------|



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
CASE UPDATE**

CR #  
**2020-00061280**

DETAIL

SUSPECT / MISSING PER

VEHICLE RECOVERY

NARRATIVE

INVESTIGATION

Reporting Officer

|                                                                       |  |                                                           |  |                    |
|-----------------------------------------------------------------------|--|-----------------------------------------------------------|--|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business<br><b>TBA</b> |  | Location of Offense<br><b>435 Jefferson AVE Rochester</b> |  | Beat<br><b>213</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:10</b>                    |  | Offense / Charge / Incident (Most Recent Classification)  |  |                    |
| Classification After Investigation (Include Law Section Number)       |  |                                                           |  | BWC<br><b>No</b>   |

|                                             |        |                                                            |                  |                               |                  |                       |                  |
|---------------------------------------------|--------|------------------------------------------------------------|------------------|-------------------------------|------------------|-----------------------|------------------|
| Suspect Type <b>S</b>                       |        | Suspect Name (Last, First, Middle)<br><b>PRUDE, DANIEL</b> |                  |                               | Nickname         |                       |                  |
| Address<br>██████████<br><b>R, NY 14611</b> |        | Date of Birth<br>██████████                                | Age<br><b>41</b> | Sex<br><b>M</b>               | Race<br><b>B</b> | Ethnicity<br><b>N</b> | MoRIS / JCR #    |
| Height                                      | Weight | Hair Color<br><b>Black</b>                                 | Hair Length      | Eye Color<br><b>Brown</b>     | Glasses          | Complexion            | Build            |
| Clothing, Jewelry, Distinguishing Features  |        |                                                            |                  | Offender Condition            |                  | Scars, Marks, Tattoos |                  |
| Missing Person Code                         |        | Missing Person Mothers Maiden Name                         |                  | Missing Person Place of Birth |                  |                       | School ID Number |

|                                      |                |       |      |            |                                 |
|--------------------------------------|----------------|-------|------|------------|---------------------------------|
| Year                                 | Make           | Model |      | Style      | Color                           |
| State                                | Registration # | VIN # |      | Towed to - | Towed by -                      |
| Location Recovered                   |                |       | Date | Time       | Owner Notified by:              |
| Evidence of Damage / Method of Theft |                |       |      |            | Time Radio Notified of Recovery |

**On 3/23/20, Inv. M. Hill and I were called back to duty by Sgt. Weigel in order to assist Genesee Section with the above incident that had occurred in the area of 435 Jefferson Ave.**

**Upon our arrival, we were briefed by Sgt. Weigel and learned that while Genesee Section Officers were attempting to take (S) Prude into custody for a mental hygiene arrest, when (S) Prude had a medical event and became unresponsive. (S) Prude was then transported to Strong Memorial Hospital in order to receive medical treatment.**

**Sgt. Weigel tasked Inv. Hill and me with interviewing the 911 caller (PK1) Jonathan and (S) Prude's brother, (PK2) Prude.**

**I first called (PK1) Jonathan at ██████████. (PK1) Jonathan stated that he works for Gates Towing and wasn't able to respond back to the area in order to speak. However, (PK1) Jonathan stated the following: He was in the process of hooking/towing a vehicle in the area of 179 Jefferson Ave. when he observed a bald black male wearing dark colored thermal pants and**

|                                |                   |            |     |                                                        |                 |
|--------------------------------|-------------------|------------|-----|--------------------------------------------------------|-----------------|
| Continuance of<br><b>Field</b> |                   | Changed to |     | Closed by                                              |                 |
| Exceptional Clearance          |                   | Bias Type  |     | Victim Relationship to Suspect                         |                 |
| Property Recovered             | Value of Property | # Arrested | SRR | Multiple Clearup                                       | Teletype Status |
| Additional Techwork Performed  |                   |            |     | Further Investigation Conducted By<br><b>CIS - MCU</b> |                 |

|                                    |                |                      |                           |                                                    |
|------------------------------------|----------------|----------------------|---------------------------|----------------------------------------------------|
| Reporting Officer<br><b>GOTHAM</b> | <b>BRANDON</b> | IBM #<br><b>1831</b> | Date<br><b>03/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR 03/26/2020</b> |
|------------------------------------|----------------|----------------------|---------------------------|----------------------------------------------------|



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
CASE UPDATE**

no shirt. The male appeared to have blood on his stomach and feet and wasn't wearing shoes.

(PK1) Jonathan heard the male, later identified as (S) Prude, yelling statements to the effect of, "Call 911. I've got the Coronavirus." (PK1) Jonathan then observed (S) Prude attempt to get into a Medical Transport van that was parked on Jefferson Ave. (PK1) Jonathan informed (S) Prude that he was calling 911 as requested, and at that point, (S) Prude took off heading southbound on Jefferson Ave.

(PK1) Jonathan stated that he didn't see the Police Officers take (S) Prude into custody.

Inv. Hill and I then responded to [REDACTED] in order to speak with (PK2) Prude. (PK2) Prude then provided a written deposition to Inv. M. Hill regarding the events of the day. See deposition for further.

NARRATIVE

|                   |                |             |                                     |
|-------------------|----------------|-------------|-------------------------------------|
| Reporting Officer | IBM #          | Date        | Reviewed By                         |
| <b>GOTHAM</b>     | <b>BRANDON</b> | <b>1831</b> | <b>03/23/2020</b>                   |
|                   |                |             | <b>ZENELOVIC, FLAMUR 03/26/2020</b> |



# ROCHESTER POLICE DEPARTMENT INVESTIGATIVE ACTION REPORT CASE UPDATE

CR #  
**2020-00061280**

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB        | Sex | Race | Eth | Address       | Telephone No. |
|------|----------------------------|------------|-----|------|-----|---------------|---------------|
| PK   | Jonathan, Justin           | [REDACTED] | M   | W    | N   | [REDACTED] Y  | [REDACTED]    |
| PK   | Prude, Joe                 | [REDACTED] | M   | B    | N   | [REDACTED] NY | [REDACTED]    |

ADDITIONAL PERSONS

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address | Telephone No. |
|------|----------------------------|-----|-----|------|-----|---------|---------------|
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R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address | Telephone No. |
|------|----------------------------|-----|-----|------|-----|---------|---------------|
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|------------------------------------|------------------------------|---------------------------|----------------------------------------------------|
| Reporting Officer<br><b>GOTHAM</b> | IBM #<br><b>BRANDON 1831</b> | Date<br><b>03/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR 03/26/2020</b> |
|------------------------------------|------------------------------|---------------------------|----------------------------------------------------|



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

CR #  
**2020-00061280**

|               |                                                                                     |                                                                                             |                    |
|---------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|--------------------|
| <b>DETAIL</b> | Victim's Name (Last, First, Middle) or Name of Business<br><b>City of Rochester</b> | Location of Offense<br><b>435 Jefferson AVE</b>                                             | Beat<br><b>233</b> |
|               | Date/Time of Occurrence<br><b>03/23/2020 03:11</b>                                  | Offense / Charge / Incident (Most Recent Classification)<br><b>Burg 3/CM 3/MHA incident</b> |                    |

**NARRATIVE**

On Monday, 03/30/2020 at approximately 2243 hr., I received a voice mail message from Kay Power of University of Rochester/Strong Hospital, informing me that Daniel Prude had died earlier in the evening. I then notified Sgt. Zenelovic and Inv. Benjamin of this change in his status.

On Friday, 04/10/2020, I was informed by Sgt. Zenelovic that interviews with the three police officers involved in the physical restraint of Daniel Prude would be occurring on Monday, 04/13/2020 at 1030 hr.

On Saturday, 04/11/2020, at approximately 2130 hr., I received a call from Sgt. Zenelovic informing me that Mario Perez was in custody at the East Side Office. Perez had previously posted a "FACEBOOK LIVE" video on his Facebook account under the user name "Frederico Kruger". The video was posted on 03/23/20, and it showed Perez driving around the area of W Main St/Jefferson Av and taunting a naked Daniel Prude as Prude ran through the streets.

I arrived at the East Division Office (home of Patrol Section Investigations (PSI)) at around 2315 hr. Inv. Benjamin had arrived a few minutes before me. Perez was in Interview Room #123 and he was being interviewed by Inv. E. Rogers and Inv. S. Savitchev. They stepped out of the interview room with him at around 2335 hr. After stepping out of the room, the Investigators told Inv. Benjamin and me that they did not mind if we briefly spoke with Perez for a few minutes while they reviewed some surveillance video from their shooting investigation.

Inv. Benjamin and I entered the interview room at 2337 hr. Inv. Benjamin and I introduced ourselves to Perez. We then spoke with Perez about the events around the Facebook live video that he uploaded on March 23<sup>rd</sup>. Perez said that he remembered that night. He said that he had just driven a female friend home when he was driving up the street and saw a tow truck blocking the street near Jefferson Av and W Main St. He said that he saw a man running. The man had been pleading with the tow truck driver, saying "Please. Please." He said that he went live on Facebook because the guy was naked. Perez said that he offered to call someone for the naked guy and the naked guy started to chase him. He told us that he saw some kid walking in the street and he warned the kid about the naked guy. Perez said that he was present when the police arrived and he saw the police detain the guy. Perez said that he heard the guy saying to the police "Look at my balls. Look at my big dick. Get the fuck away from me." Perez said that the police weren't on the naked guy while this was going on, but rather standing nearby. Benjamin asked Perez if he saw the police detain the naked man or handcuff him and Perez said "no". Perez further said that he wasn't even sure if the naked man was handcuffed, but he assumed that he was. Benjamin asked Perez if he saw when the ambulance arrived, and Perez said that he had already left by then. Perez said that he then went home.

We continued to ask Perez about the naked man and his behavior. Perez said that after pleading with the tow truck driver the naked man took his long-johns off in the street. Perez told us that could be seen on the video. The naked man was jumping in traffic and Perez said that he almost got hit by a car. Perez said he was acting crazy and he believed the man was on drugs. Perez said that the naked man was saying "I hate that bitch" and then he told Perez that he had to take a shit. Perez said that the naked man tried to chase him and then the naked guy got down in the street and crouched down and defecated. Perez told us that he was driving his car and he was recording his Facebook live video on his cell phone [REDACTED]

At approximately 2352 hr., Inv. Benjamin and I ended our interview with Perez. The interview (which was conducted during the middle of a Reckless Endangerment investigation conducted by Rogers and Savitchev) was recorded with audio and video. The entirety of this interview was saved. A copy of the interview as placed into the MCU file for 435 Jefferson Av.

On Monday, 04/13/20 at approximately 1045 hr., Inv. Benjamin and I conducted an interview with Officer Mark Vaughn.

|                                      |                              |                           |                                         |
|--------------------------------------|------------------------------|---------------------------|-----------------------------------------|
| Reporting Officer<br><b>HOULIHAN</b> | IBM #<br><b>MICHAEL 0890</b> | Date<br><b>04/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR</b> |
|--------------------------------------|------------------------------|---------------------------|-----------------------------------------|



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

NARRATIVE

The interview was conducted with Locust Club Attorney Dan DeBolt listening in on speaker phone. Prior to the interview, Inv. Benjamin and I had familiarized ourselves with the paperwork and body worn camera footage from all of the Officers involved. Officer Vaughn provided us with a verbal account of the three incidents he responded to involving Daniel Prude on the morning of March 23, 2020. His account was consistent with the BWC footage, as well as the copies of the Incident Report that he filed in connection with the MHA arrest of Prude (RPD CR#20-061280) and his Subject Resistance Report.

Immediately following the interview with Officer Vaughn, we met with and spoke to Officer Troy Talladay. Dan DeBolt was listening in to this interview as well. Officer Talladay described to us his involvement in the arrest of Daniel Prude on March 23, 2020. He told us that he originally responded to 50 Child St at around 0300 hr. for the report of a missing person. Officer Talladay said that while he was looking around in the area for the missing person he received information over the radio that the missing person could be under the influence of PCP. Officer Talladay's interview was the same as the details that he documented in his IAR and SRR for the incident occurring at 435 Jefferson Av, as it was with the BWC footage captured and retained as a part of this event.

On 04/13/2020 at approximately 1300 hr., I spoke over the phone with EMT Brett Barnes (phone [REDACTED]). I asked him if he would be willing to speak with Inv. Benjamin and me about his observations and involvement with the transportation of Daniel Prude to the hospital on March 23, 2020. Barnes indicated that he does not work again until Friday, 04/17/2020 at 1745 hr.

On 04/14/2020 at approximately 1030 hr., Officer Francisco Santiago came up to CIS with Sgt. Wiater for his interview. The interview took place in the CIS conference room. At 1040 hr., Inv. Benjamin and I entered the conference room and introduced ourselves. Sgt. Wiater left and we called Locust Club Attorney Dan DeBolt so he could listen in on the interview. The interview was brief, as Officer Santiago's involvement with Daniel Prude was also brief. Officer Santiago indicated that he was working First Platoon as a K-9 Officer, and he responded to the area of the burglary alarm on West Main St because police K-9's are often requested for such a call. While on his way to the burglary alarm he received new information over the radio that Officer Vaughn had encountered the possible suspect on Jefferson Av. He responded there and assisted with the arrest. Officer Santiago's account of his involvement did not differentiate from the documentation that he prepared for the incident (that being his SRR).

On 04/22/2020 at approximately 2:04 PM, Inv. Randy Benjamin and I met with Brett Barnes (m/W, [REDACTED], of [REDACTED] Rochester, NY 14620, Phone [REDACTED]) in CID Interview Room #444. Barnes told us that he was working for AMR up until last Sunday when he left AMR to pursue higher education in Connecticut. We asked him about the call at 435 Jefferson Av on 03/23/20. He told us that he was working the ambulance with Julie Purick. He said that they were in the area of Broad St and W Main St when a call came in for a Psych/Not alert, which he said could mean anything. They staged at Broad St and W Main St until they were cleared to enter the arrest scene. When they pulled up, Julie pulled the ambulance up to about 15-20 feet from where the police were detaining a male (Prude). Barnes told us that he was not certain if it was three or four officers that were detaining the male, but he knew there was one male on the feet of the subject; one male holding down the head of the subject; and one or two males on the back torso of the subject. He told us that the male was wearing a spit sock and his head was turned (he demonstrated the subject's head turned to the left). He described getting out of the ambulance and getting the stretcher, and he said that while he was doing this he heard Julie say that she was going to get a sedative for the patient. He stated that the patient was moving around and behaving erratically and uncontrollably while the officers attempted to hold him down. I asked Barnes to further describe what he meant by "erratically and uncontrollably" and Barnes told us that the patient was fidgeting and moving every muscle trying to move. He said when he and Julie Purick arrived on scene that the patient was showing signs of life as evidenced by his body movements and his garbled, slurred speech. He said that shortly after their arrival the subject stopped moving. He sense that something had changed with the patient's status and he asked the officers to remove the spit sock from the patient. When they did this he could see that the patient was not breathing. He alerted Julie Purick and he immediately started CPR. Purick notified their dispatch that they had a "medical 500". Barnes estimates that this all occurred in the span

|                   |             |                   |                          |
|-------------------|-------------|-------------------|--------------------------|
| Reporting Officer | IBM #       | Date              | Reviewed By              |
| <b>HOULIHAN</b>   | <b>0890</b> | <b>04/23/2020</b> | <b>ZENELOVIC, FLAMUR</b> |





**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

of two to three minutes. They loaded Prude onto the stretcher and moved him into the back of the ambulance where they continued CPR until they received a pulse. Once they obtained a pulse, Barnes drove the ambulance to the hospital while Purick continued to monitor Prude's status.

I asked further questions about the physical force/restraint that he observed the police officers using to restrain Prude. He said that Prude was handcuffed. He told me that there was one officer controlling the feet (in the area from the knee down); one officer controlling the head (Barnes described it as "tripodding"); and one or two officers in the middle. He said that he believes that he observed a knee down across the back. I asked if he observed any other physical actions used to restrain Prude or physically engage him, and Barnes said that he did not see any actions by the police other than the physical restraint he described. Barnes further indicated that nothing looked "over the top" or malicious in nature, stating that the officers' actions appeared appropriate for what Prude was doing, and necessary to keep Prude from running around the entire street.

When asked about Prude's physical appearance, Barnes told us that he was a male black, above average build; with a muscular, solid build. He then said that he remembered the male probably being in his upper 30's for age, and somewhere between 180-210 lb. He did not observe any injuries on Prude beyond some minor scrapes and abrasions. He said that his behavior was not normal and his first thought was that Prude was under the influence of drugs. He described "excited delirium" and the effects that drugs can have on people, and he said that looked like what Prude was exhibiting.

At the request of Jennifer Sommers (Attorney General's Office/Deputy Chief of Special Investigations and Prosecutions) the entire interview was recorded (audio and video) and a copy of the interview was saved in the case file for RPD CR#20-061280.

NARRATIVE

|                   |             |                   |                          |
|-------------------|-------------|-------------------|--------------------------|
| Reporting Officer | IBM #       | Date              | Reviewed By              |
| <b>HOULIHAN</b>   | <b>0890</b> | <b>04/23/2020</b> | <b>ZENELOVIC, FLAMUR</b> |



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

CR #

**2020-00061280**

Page 1 of 4

|                         |                                                         |                                                          |            |
|-------------------------|---------------------------------------------------------|----------------------------------------------------------|------------|
| <b>DETAIL</b>           | Victim's Name (Last, First, Middle) or Name of Business | Location of Offense                                      | Beat       |
|                         | <b>City of Rochester</b>                                | <b>435 Jefferson AVE</b>                                 | <b>233</b> |
| Date/Time of Occurrence |                                                         | Offense / Charge / Incident (Most Recent Classification) |            |
| <b>03/23/2020 03:11</b> |                                                         | <b>Burglary 3/ CM 3/ MHA</b>                             |            |

**NARRATIVE**

Burglary Investigation/ Mental Hygiene Arrest, RPD CR#2-061280

435 Jefferson Av, 03/23/20 @ 0311 hr

Suspect: Daniel Prude, M/B, [REDACTED]

**Narrative:**

On 03/23/2020 at approximately 0900 hr., Inv. R. Benjamin and I met with Lt. Perkowski and Sgt. F. Zenelovic. The meeting happened in the lieutenant's office in MCU. During this meeting, Lt. Perkowski informed us that there was an incident that occurred at 435 Jefferson Av earlier in the morning involving a Mental Hygiene Arrest where the arrestee, Daniel Purdue, lost consciousness and went into cardiac arrest while being detained.

Lt. Perkowski informed us that there were three separate job cards associated with this MHA. The first incident was a missing person report at 50 Child St, with the CR #20-061276. The second incident was a criminal mischief/attempted burglary that occurred at 767 W Main St, RPD CR#20-061277, and the third incident was an MHA arrest that occurred at 435 Jefferson Av, RPD CR#20-061280. We were told to compile the majority of our paperwork under the third crime report number, 20-061280.

At 0300 hr., Joe Prude called 911 from 50 Child St (RPD CR#20-061276) to report that his brother, Daniel Prude, had left the house after just being released from Strong Hospital where he had been admitted for suicidal thoughts. Joe Prude reported that his brother was not wearing any shoes and he was only wearing long johns and a white tank-top. Joe Prude was afraid that his brother had run up to the railroad tracks. Officer Mark Vaughn was dispatched to the job and was speaking with Joe Prude when a call came into ECD at 0309 hr. for a burglary alarm at 767 W. Main St (RPD CR#20-061277).

As officers were heading for the burglary alarm at 767 W. Main St, a tow truck driver by the name of Justin Jonathan called 911 from his cell phone [REDACTED] to report that there was a male near the intersection of W Main St and Jefferson Av who had no clothes on with blood all over him. Justin Jonathan said that the male was trying to break into a car and was saying that he had the coronavirus. Justin Jonathan said that the male just ran off and was last seen running south on Jefferson Av.

Lt. Perkowski told us that Officers Mark Vaughn, Paul Ricotta, Andrew Specksgoor, Josiah Harris, Troy Talladay and Sgt. Michael Magri were all in the area and responded. They found a naked male in the street at the intersection of Jefferson Av and Cady St (435 Jefferson Av) and took the male into custody. One of the officers (later identified as Officer Mark Vaughn) pointed a Taser at the subject and ordered him to the ground for handcuffing and the subject complied. He was handcuffed without any use of force. According to the ECD job card, Officer A. Specksgoor called one in custody for an MHA at 0319 hr. The male then sat upright and began to spit at officers and attempted to get up. The officers applied a spit sock and laid the subject prone on the ground, stabilizing him until the arrival of AMR. While stabilizing him, he vomited and then went unresponsive. According to AMR, there was no pulse and CPR was required during transport to Strong Hospital.

The subject was identified as Daniel Prude, a male with the date of birth [REDACTED]. He recently moved to Rochester to stay with his brother, Joe Prude, at [REDACTED]. Information was that Daniel Prude had been transported to Strong Hospital on 03/22/2020 at approximately 1920 hr. for a mental health evaluation. According to Joe Prude, he was only at the hospital for a few hours when he returned to [REDACTED] at around 11 PM.

|                   |             |                   |                          |
|-------------------|-------------|-------------------|--------------------------|
| Reporting Officer | IBM #       | Date              | Reviewed By              |
| <b>HOULIHAN</b>   | <b>0890</b> | <b>03/26/2020</b> | <b>ZENELOVIC, FLAMUR</b> |



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

NARRATIVE

Inv. R. Benjamin and I went to Strong Hospital at around 1030 hr. to check on the status of Daniel Prude. When we arrived in the E.D. we were informed that Prude was in the Intensive Care Unit, 4-2800. We went to that unit and spoke with the nurse manager, Alexandra Cilano ([REDACTED]). She told us that she could not provide specific information about Daniel Prude's health due to HIPA laws. She did offer that since Prude is being treated in the ICU his condition is considered "Critical" but he was in stable condition. Although Cilano was guarded with the information on Prude, I learned that he was on a breathing tube and was not allowed any visitors (due to CoVID-19 procedures). Cilano referred us to the Public Safety supervisor at 585-275-3333 for further information.

Inv. Benjamin and I then relocated from Strong Hospital to [REDACTED] to make contact with the family of Daniel Prude. We met with Joe Prude (m/B, [REDACTED]) and his wife, Valerie Stotts (f/W, [REDACTED]). They indicated that they had tried to see Daniel Prude at Strong Hospital but were denied access due to the Coronavirus quarantine. Stotts said that she spoke with a Doctor on the phone (she could not provide the Doctor's name during our interview) and the Doctor told them that Daniel had been without oxygen for an extended period of time and he would likely be "brain dead". Stotts and Prude stated that they had contacted an attorney and they were quite angry that Daniel Prude had been released from Strong Psychiatric after such a brief period of time.

Inv. Benjamin and I then went to AMR Ambulance Corp, 811 West Av, Phone 585-777-7777, to try to speak with the ambulance personnel who attended to Daniel Prude. We met with a shift supervisor there who told us that none of the crew that had been on around 0300 hr. were still working. We provided contact information to him to relay to ambulance personnel Julie Purick and Sean O'Donnell.

At approximately 1215 hr., Valerie Stott contact Inv. Benjamin by phone to provide the name of the Doctor at Strong Hospital that they had talked to. That Doctor's name is Dr. Soniwara.

Inv. Benjamin and I then drove to [REDACTED] to meet with Justin Jonathan (the 911 caller for the possible 10-78 at W. Main St and Jefferson Av). Jonathan told us that he is a tow truck operator for Gates Towing. He was working a towing job at an alley near the intersection of W Main St and Jefferson Av when a male black, about 40 years old, approached him and asked him to call 911. Jonathan said that the male was claiming to have the Coronavirus. Jonathan said that the male had blood on his feet and his stomach. The male tried to open a locked car door on a blue minivan that was parked in the area. Then, the male got down on his knees and begged Jonathan to call 911. Jonathan told him that he was already on the phone with 911. Jonathan said that when he told the man this, the man said something to the effect of "Oh shit, I gotta' leave" and the male started to run down W. Main St to Jefferson Av and then turned southbound on Jefferson Av. Jonathan said that the police arrived in the area and he went back to work towing the vehicle he was there for. Jonathan said that after he hooked the vehicle up he looked down Jefferson Av and saw several police cars and a few police officers standing around the male, who was laying on his side on the ground. Jonathan said that it appeared that the male was handcuffed with a light colored hood over his head. Jonathan drove around the block and again looked down the street briefly at the scene. He could see a few police officers crowded around the male on the ground (who he said appeared to be on his side) and he could see that there was an ambulance on scene and a fire truck. Jonathan said that he stayed in his truck and did not spend much time watching what was going on.

AT 1430 hr., Inv. Carbonel and I returned to the area of 435 Jefferson Av to conduct a neighborhood check of the area between Cady St and Dr. Samuel McCree Way (refer to IAR submitted by Inv. Carbonel regarding details of this neighborhood check).

At 1511 hr., Julie Purick called and made arrangements to meet with Inv. Benjamin and me at the PSB at 5 PM.

At 1625 hr., I spoke with University of Rochester/Strong Hospital Security Supervisor Kay Power ([REDACTED]). She asked if Daniel Prude was a suspect, witness or victim. I told her that Prude had been transported to Strong Hospital as a Mental Hygiene Arrest, but there could be criminal charges filed against him when he is released. I told Power that we would like to interview Prude, when and if possible. Power told me that she would advise me when Prude is discharged or

|                   |                 |            |                   |
|-------------------|-----------------|------------|-------------------|
| Reporting Officer | IBM #           | Date       | Reviewed By       |
| HOULIHAN          | MICHAEL<br>0890 | 03/26/2020 | ZENELOVIC, FLAMUR |



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

moved to another unit.

AT 1650 hr., Inv. Benjamin and I met with AMR paramedic Julie Purick (f/W, [REDACTED]). She informed us that she was working the shift starting at 1745 hr. on 03/22/2020 with EMT Brett Barnes in Rig #7989. Shortly after 3 am they were dispatched to the area of W. Main St and Jefferson Av for a psychiatric call. The details were that there was a bloody male running in the street naked. They arrived in the area at 0313 hr. and staged at Nick Tahoe's, 320 W Main St. They were called in to the scene at 0318 hr. The drove westbound on W Main St and turned southbound on Jefferson Av, arriving at 0320 hr. Brett Barnes retrieved the stretcher while Purick approached RPD. As she approached RPD one of the officers asked her if she was grabbing the gurney because the subject was fighting. Purick said that she could see the subject actively resisting and attempted to get up. She could hear the subject talking incoherently. She said the subject had a spit sock on. She told the officer she was going to get a medication to sedate the subject. She stated that her observations of the subject were that he could be experiencing "excited delirium", which she described as a condition in which the subject is experiencing agitation and aggression; increased heart rate and respiration; overheating (which she stated would explain the subject being naked on a night when temperatures were around 32 degrees with mixed snow and precipitation); sweating, flushed appearance; excessive strength, a high tolerance for pain and incoherent speech. She indicated that excited delirium is commonly associated with drug use like cocaine and PCP. As Purick was going to get the medication to calm the subject the patient went silent. She heard Brett Barnes say that she was needed, and she heard Brett Barnes tell the officers to roll the subject over and remove the handcuffs. There was a moment while the officers were trying to find a handcuff key, and Barnes and Purick started CPR. When the officers found a handcuff key, they rolled the patient over and took the cuffs off and then continued to perform CPR. The subject was transported to the gurney and put into the back of the ambulance, where Epinephrine and Sodium Bicarbonate were administered. The patient was then intubated and at 0341 hr. the patient's heart began to beat on its own. They transported Daniel Prude to Strong Hospital and arrived at 0347 hrs.

NARRATIVE

On Tuesday, March 24, 2020, at approximately 1100 hr., I went to the Family Dollar located at 715 W. Main St. I spoke with the store manager, Tonya Greenlea ([REDACTED]). She indicated that the store does have exterior cameras in good working order and that RPD Technicians could have access to the system if they called or met with her before 3 PM. I relayed this information to Sgt. Zenelovic who made arrangements for a technician to respond.

I checked the corner store located at 613 W Main St and spoke with the clerk, Mahamed Algoaim. He told me the exterior cameras at the location were in good working order and he had the passcode for the camera system, although he claimed not to know how to download video files from the system. He provided a phone number of 585-270-4559 for the store and told me that he would be there all afternoon if a technician wanted to stop by. I also found video footage available at the corner store located at 259 Jefferson Av (The Clifton Food Market). I spoke with Hani Muthana who told me that his video system is always available to the police. I told him that a technician would be stopping in to retrieve about ten minutes worth of video. Arrangements were made for the technician to stop by both location after downloading the video from the Family Dollar.

Other locations that were check with negative results were as follows:

- Mason's Deli, 396 Jefferson Av, Phone 585-235-3168. Female at location told me that the cameras are not recording.
- The Seventh-Day Adventist Church, 309 Jefferson Av. There was no answer at the location.
- Nichol's Brother's Collision, 705 W. Main St, Phone #585-235-0897. I spoke with an employee there named John who told me the exterior cameras affixed to the shop do not record.

On 03/24/2020 I was in contact with Strong Hospital Security (Kay Power). She indicated that there has been no change in the status of Daniel Prude. He is still listed in guarded condition in the ICU, intubated and unable to be interviewed. She

|                   |             |                   |                          |
|-------------------|-------------|-------------------|--------------------------|
| Reporting Officer | IBM #       | Date              | Reviewed By              |
| <b>HOULIHAN</b>   | <b>0890</b> | <b>03/26/2020</b> | <b>ZENELOVIC, FLAMUR</b> |



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

informed me that if his status changes she will advise.

On March 26, 2020 at approximately 0930 hr. I contacted Strong Memorial Hospital to inquire about the medical records that had been subpoenaed by ADA Duckles. She indicated that the hospital's Copy Services division had been instructed to send the records to ADA Duckles by March 26, 2020. The hospital's order number for this request is #6262362500.

As of the afternoon of 03/26/2020 I had not further involvement in the investigation.

NARRATIVE

[REDACTED]

[REDACTED]

[REDACTED]

|                   |             |                   |                          |
|-------------------|-------------|-------------------|--------------------------|
| Reporting Officer | IBM #       | Date              | Reviewed By              |
| <b>HOULIHAN</b>   | <b>0890</b> | <b>03/26/2020</b> | <b>ZENELOVIC, FLAMUR</b> |



# ROCHESTER POLICE DEPARTMENT INVESTIGATIVE ACTION REPORT NARRATIVE ONLY

CR #  
**2020-00061280**

DETAIL

|                                                         |                                                          |                    |
|---------------------------------------------------------|----------------------------------------------------------|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business | Location of Offense<br><b>435 Jefferson AVE</b>          | Beat<br><b>233</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:11</b>      | Offense / Charge / Incident (Most Recent Classification) |                    |

NARRATIVE

**On 03/23/20, I assisted with the above incident. At 0810 hrs., I located the suspect's white tank top on the sidewalk, in front of 767 W.Main Street. Technician Mueller responded and collected it.**



|                                  |        |                      |                           |                                         |
|----------------------------------|--------|----------------------|---------------------------|-----------------------------------------|
| Reporting Officer<br><b>FRYE</b> | THOMAS | IBM #<br><b>1827</b> | Date<br><b>03/27/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR</b> |
|----------------------------------|--------|----------------------|---------------------------|-----------------------------------------|



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
CASE UPDATE**

CR #  
**2020-00061280**

|               |                                                                                 |  |                                                          |  |                    |
|---------------|---------------------------------------------------------------------------------|--|----------------------------------------------------------|--|--------------------|
| <b>DETAIL</b> | Victim's Name (Last, First, Middle) or Name of Business<br><b>PRUDE, DANIEL</b> |  | Location of Offense<br><b>435 Jefferon AVE Rochester</b> |  | Beat<br><b>233</b> |
|               | Date/Time of Occurrence<br><b>03/23/2020 03:11</b>                              |  | Offense / Charge / Incident (Most Recent Classification) |  |                    |
|               | Classification After Investigation (Include Law Section Number)                 |  |                                                          |  | BWC<br><b>No</b>   |

|                              |                                            |        |                                    |             |               |                               |            |                       |                  |                  |
|------------------------------|--------------------------------------------|--------|------------------------------------|-------------|---------------|-------------------------------|------------|-----------------------|------------------|------------------|
| <b>SUSPECT / MISSING PER</b> | Suspect Type                               |        | Suspect Name (Last, First, Middle) |             |               | Nickname                      |            |                       |                  |                  |
|                              | Address                                    |        |                                    |             | Date of Birth | Age                           | Sex        | Race                  | Ethnicity        | MoRIS / JCR #    |
|                              | Height                                     | Weight | Hair Color                         | Hair Length | Eye Color     | Glasses                       | Complexion | Build                 | Facial Hair      | Gang Affiliation |
|                              | Clothing, Jewelry, Distinguishing Features |        |                                    |             |               | Offender Conditon             |            | Scars, Marks, Tattoos |                  |                  |
|                              | Missing Person Code                        |        | Missing Person Mothers Maiden Name |             |               | Missing Person Place of Birth |            |                       | School ID Number |                  |

|                         |                                      |                |       |      |                          |                    |                                 |
|-------------------------|--------------------------------------|----------------|-------|------|--------------------------|--------------------|---------------------------------|
| <b>VEHICLE RECOVERY</b> | Year                                 | Make           | Model |      | Style                    |                    | Color                           |
|                         | State                                | Registration # | VIN # |      | Towed to -<br>Towed by - |                    |                                 |
|                         | Location Recovered                   |                |       | Date | Time                     | Owner Notified by: |                                 |
|                         | Evidence of Damage / Method of Theft |                |       |      |                          |                    | Time Radio Notified of Recovery |

|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>NARRATIVE</b> | <p><b>ON 3/23/20 DURING 2ND PLATOON ROLL CALL RO WAS ASSIGNED TO ASSIST WITH THE FOLLOW UP OF THIS ONGOING INVESTIGATION. RO WAS TASKED WITH CHECKING THE CAMERAS IN THE AREA OF W. MAIN ST/HENION ST.</b></p> <p><b>RO CALLED THE CAMERA ROOM AS THERE IS A CITY BLUE LIGHT CAMERA AT THE CORNER OF W. MAIN ST AND HENION ST. RO SPOKE WITH PSA HETZLER WHO CHECKED THE CAMERA AND STATED THAT BETWEEN 0300HRS AND 0301HRS THE MALE WAS SEEN ON CAMERA. HE WAS IN THE VALERO GAS STATION LOT (799 W MAIN ST) ACTING TUMULTUOUS THEN LEFT THE FRAME. HE WAS WEARING THE DARK COLORED LONG JOHNS AND WHITE TANK TOP. HETZLER BOOKMARKED THE VIDEO AND DOWNLOADED IT TO A HARD COPY THAT WAS TURNED INTO THE PROPERTY CLERKS OFFICE.</b></p> <p><b>THAT PARKING LOT IS NEXT TO THE 767 (METROPCS) AND 781 (HAIR BIZZ) W. MAIN ST SHARED PARKING LOT.</b></p> |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                      |                                                     |                   |            |     |                                    |                 |
|----------------------|-----------------------------------------------------|-------------------|------------|-----|------------------------------------|-----------------|
| <b>INVESTIGATION</b> | Continuance of<br><b>Not Applicable (non-crime)</b> |                   | Changed to |     | Closed by                          |                 |
|                      | Exceptional Clearance                               |                   | Bias Type  |     | Victim Relationship to Suspect     |                 |
|                      | Property Recovered                                  | Value of Property | # Arrested | SRR | Multiple Clearup                   | Teletype Status |
|                      | Additional Techwork Performed                       |                   |            |     | Further Investigation Conducted By |                 |

|                                      |                |                      |                           |                                                    |
|--------------------------------------|----------------|----------------------|---------------------------|----------------------------------------------------|
| Reporting Officer<br><b>GONZALEZ</b> | <b>ANTONIO</b> | IBM #<br><b>1394</b> | Date<br><b>03/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR 03/23/2020</b> |
|--------------------------------------|----------------|----------------------|---------------------------|----------------------------------------------------|



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
CASE UPDATE**

AT 0309HRS THE ALARM CALL FOR SERVICE CAME IN FOR 767 W MAIN ST(METRO PCS) AS THE GLASS BREAK DETECTOR WAS TRIGGERED. 1ST PLATOON OFFICERS ARRIVED ONSCENE AND CONFIRMED THAT THE GLASS WINDOW WAS BROKEN AND REQUESTED A BOARD UP. \*NOTE 2ND PLATOON OFC. T. FRYE LOCATED A BLOODY WHITE TANK TOP ON THE W. MAIN ST SIDEWALK IN FRONT OF METRO PCS

AT 0730HRS RO RESPONDED TO 767 W MAIN ST AND SPOKE WITH (PK1) WHO IS THE STORE OWNER OF METROPCS AND HE STATED THAT THE CAMERAS IN THE PARKING LOT ARE RUN BY THE FOLKS WHO OWN THE HAIR BIZZ. HE DID NOT HAVE THEIR CONTACT INFORMATION BUT HE STATED THAT THEY OPEN UP AT 1000HRS. RO CHECKED THE HAIR BIZZ SEVERAL TIMES AFTER 1000HRS BUT THE BUSINESS REMAINED CLOSED. THERE WAS NO CONTACT INFORMATION POSTED ON THEIR DOOR OR WINDOWS. RO HAD ADMIN CHANNEL 5 SEARCH FOR THEIR CONTACT INFO WITH NEGATIVE RESULTS. RO CHECKED LERMS FOR 'HAIR BIZZ' BUT THE ONLY ENTRY WAS A DIFFERENT LOCATION FROM 2010.

CONTINUANCE OF A NON CRIMINAL INCIDENT.

NARRATIVE

|                         |             |                   |                                     |
|-------------------------|-------------|-------------------|-------------------------------------|
| Reporting Officer       | IBM #       | Date              | Reviewed By                         |
| <b>GONZALEZ ANTONIO</b> | <b>1394</b> | <b>03/23/2020</b> | <b>ZENELOVIC, FLAMUR 03/23/2020</b> |





# ROCHESTER POLICE DEPARTMENT INVESTIGATIVE ACTION REPORT CASE UPDATE

CR #  
**2020-00061280**

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB        | Sex | Race | Eth | Address          | Telephone No. |
|------|----------------------------|------------|-----|------|-----|------------------|---------------|
| PK   | NAHSHEL, MOHAMMED          | [REDACTED] | M   | A    | N   | [REDACTED] 14611 | [REDACTED]    |
|      |                            |            |     |      |     |                  |               |
|      |                            |            |     |      |     |                  |               |

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address | Telephone No. |
|------|----------------------------|-----|-----|------|-----|---------|---------------|
|      |                            |     |     |      |     |         |               |
|      |                            |     |     |      |     |         |               |

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address | Telephone No. |
|------|----------------------------|-----|-----|------|-----|---------|---------------|
|      |                            |     |     |      |     |         |               |
|      |                            |     |     |      |     |         |               |

ADDITIONAL PERSONS

|                         |             |                   |                                     |
|-------------------------|-------------|-------------------|-------------------------------------|
| Reporting Officer       | IBM #       | Date              | Reviewed By                         |
| <b>GONZALEZ ANTONIO</b> | <b>1394</b> | <b>03/23/2020</b> | <b>ZENELOVIC, FLAMUR 03/23/2020</b> |



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

CR #  
**2020-00061280**

DETAIL

|                                                         |                                                                        |                    |
|---------------------------------------------------------|------------------------------------------------------------------------|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business | Location of Offense<br><b>435 JEFFERSON AVE</b>                        | Beat<br><b>233</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:11</b>      | Offense / Charge / Incident (Most Recent Classification)<br><b>N/A</b> |                    |

NARRATIVE

On 03/23/20 at or about 0300 hrs I responded to the area of Jefferson Ave/W Main St for the report of a male running around naked stating that he had the COVID-19 virus.

While in the area, officers did locate the male who was later identified as (S) Daniel Prude. Once I arrived, (S) Prude was handcuffed and laying naked in the middle of the street, in front of the above location. While officers were waiting for the arrival of AMR, (S) Prude began to state that he wanted to take an officers gun and attempted to get off the ground and come toward officers. (S) Prude was controlled by officers.

I then left the location and responded to another priority job involving a male with a knife.

I returned to the above location around 0330 hrs. Once I arrived, (S) Prude was already on the ambulance (#7989). The following AMR staff were at the scene:

- Paramedic, Julie Purick
- Paramedic, Sean O'Donnell
- EMT, Brett Barnes
- Supervisor, Melissa Greek-Rouse
- Supervisor, McKenzie Moranz

I then followed AMR to SMH where he received treatment from Dr. Tenney and SMH staff in the emergency department.

While at the hospital I took the following photos of (S) Prude:

- left foot showing a laceration
- right foot showing a laceration
- right forearm and bicep area showing an abrasion
- left shin area showing a contusion
- left hand with laceration

(S) Prude was transported to room 4.1818 (#4). I remained with Prude until Sgt. Magri informed me to secure. At the time of this report, (S) Prude remained in critical condition.

No further information.



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

CR #  
2020-00061280

DETAIL

|                                                                            |                                                                                      |                    |
|----------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business<br><b>metro pc</b> | Location of Offense<br><b>767 W MAIN ST</b>                                          | Beat<br><b>213</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:10</b>                         | Offense / Charge / Incident (Most Recent Classification)<br><b>criminal mischief</b> |                    |

NARRATIVE

RO RESPONDED TO 424 JEFFERSON AVENUE TO ATTEMPT TO LOCATE VIDEO. ON SCENE RO SPOKE TO THE OWNER THAT OPENS THE STORE IN THE MORNING. HE SAID HE DOES NOT KNOW HOW TO WORK THE CAMERAS HOWEVER HIS SON COMES IN TO WORK AT THREE AND CAN HELP WITH THE CAMERAS AT THAT TIME.

|                                    |                       |                     |                                  |                          |
|------------------------------------|-----------------------|---------------------|----------------------------------|--------------------------|
| Reporting Officer<br><b>LARUEZ</b> | IBM #<br><b>JAMES</b> | Date<br><b>1787</b> | Reviewed By<br><b>03/25/2020</b> | <b>ZENELOVIC, FLAMUR</b> |
|------------------------------------|-----------------------|---------------------|----------------------------------|--------------------------|



# ROCHESTER POLICE DEPARTMENT INVESTIGATIVE ACTION REPORT NARRATIVE ONLY

CR #  
**2020-00061280**

DETAIL

|                                                                |                                                                             |                    |
|----------------------------------------------------------------|-----------------------------------------------------------------------------|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business<br>--- | Location of Offense<br><b>435 Jefferson AVE</b>                             | Beat<br><b>233</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:11</b>             | Offense / Charge / Incident (Most Recent Classification)<br><b>MHL 9.41</b> |                    |

NARRATIVE

On Monday 03/23/2020 I was tasked with checking the area of Jefferson Ave from Dr Samuel McCree Way north to W Main St for clothing worn by mental hygiene arrestee Daniel Prude [REDACTED]. The clothing consisting long underwear and a white tank top that was reportedly removed by Prude prior to police contact and the subsequent MHA. I did locate a pair of black long underwear in the roadway on Jefferson Ave at Adams St at approximately 0750hrs. I requested a tech to respond. Tech Ofc Mueller promptly responded to photograph and collect the same.

|                                         |                      |                           |                                         |
|-----------------------------------------|----------------------|---------------------------|-----------------------------------------|
| Reporting Officer<br><b>SERINIS TED</b> | IBM #<br><b>1605</b> | Date<br><b>03/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR</b> |
|-----------------------------------------|----------------------|---------------------------|-----------------------------------------|



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

DETAIL

|                                                                                 |                                                          |                    |
|---------------------------------------------------------------------------------|----------------------------------------------------------|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business<br><b>PRUDE, DANIEL</b> | Location of Offense<br><b>435 Jefferson AVE</b>          | Beat<br><b>233</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:11</b>                              | Offense / Charge / Incident (Most Recent Classification) |                    |

NARRATIVE

On 03/23/2020, at 0311 hours, I responded to [REDACTED] for a report of a male who ran out of the house. Upon arriving on scene I made contact with Joe Prude. Joe stated his brother, Daniel Prude, just ran out of the back door of the house without explanation. Joe advised Daniel was wearing only a white tank top and black long johns, with no shoes or jacket.

Joe stated Daniel had returned to the residence at approximately 2100 hours from being MHA'd earlier in the day. Joe said Daniel is known to abuse PCP. Joe said Daniel said he wanted to kill himself and threw himself down a flight of stairs earlier in the day. Joe stated since returning to the residence Daniel had acted calm, not made suicidal statements, and had not used any substances to his knowledge. Joe said Daniel did not have a history of suicide attempts before today.

As I was speaking with Joe, Dispatch advised they received a call about a male in the area of Jefferson Ave and West Main St, running down the road in only blue pants and no shirt. Joe immediately stated the call was probably his brother Daniel.

I responded to the area of 435 Jefferson Ave, where officers had located and detained the male. I observed the male to be naked, handcuffed, and laying on the middle of Jefferson Avenue. I asked the male if he was Daniel Prude and the male advised he was Daniel Prude. I observed Daniel to have minor lacerations on his body. Daniel was yelling and rolling around on the ground while waiting for AMR to arrive on scene. Daniel asked officers several times to give him one of their guns. Daniel was officially MHA'd at 0319 hours.

At this point I returned to my patrol vehicle to begin MHA paperwork. As I was completing the MHA paperwork AMR arrived on scene. I positioned my patrol vehicle behind the AMR ambulance to prepare to follow them to Strong Hospital. At this time I looked up and observed AMR performing CPR on Daniel.

Daniel was transported to Strong Hospital by AMR. I set up tape around the scene. I responded to [REDACTED] to maintain custody of the residence.

I cleared the scene when directed by Lt Tordai.

Nothing further to report at this time.



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

CR #  
**2020-00061280**

Page 1 of 1

DETAIL

|                                                                                 |                                                          |                    |
|---------------------------------------------------------------------------------|----------------------------------------------------------|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business<br><b>Prude, Daniel</b> | Location of Offense<br><b>435 Jefferon AVE</b>           | Beat<br><b>233</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:11</b>                              | Offense / Charge / Incident (Most Recent Classification) |                    |

NARRATIVE

On 3/23/20 at approximately 0300 hours I responded to the area of [REDACTED] (CR 20-061272) for the report of a male wearing a white tank top and long johns that had run from the location in an unknown direction. Prude was previously MHA'd at Strong Hospital earlier in the day for being suicidal. It was broadcasted by officers who spoke with Prudes brother that he was on PCP.

Officers were then dispatched to 767 W. Main St. for a burglary alarm (CR 20-061277). Once on scene officers observed a broken storefront window.

A third call came in for a black male wearing blue pants and no shirt in the area of Jefferson Ave/W Main St. I responded to the area and continued South down Jefferson Ave looking for the male. Prude was located by Ofc. Vaughn in the area of 435 Jefferson Ave. While Prude was handcuffed on the ground I instructed him to stay on the ground while waiting for AMR to respond. Prude made comments about wanting my gun, attempting to spit on me and then attempted to stand up. I used force to keep Prude on the ground while waiting for AMR, see SRR.

While waiting for AMR to get the gurney off the rig, I observed Prude become unresponsive. AMR then began to treat him. AMR stopped chest compressions for a moment and rolled Prude over on his left side so I could remove the handcuffs and he could continue receiving treatment.

|                                     |                      |                     |                                  |                          |
|-------------------------------------|----------------------|---------------------|----------------------------------|--------------------------|
| Reporting Officer<br><b>TALADAY</b> | IBM #<br><b>TROY</b> | Date<br><b>2794</b> | Reviewed By<br><b>03/24/2020</b> | <b>ZENELOVIC, FLAMUR</b> |
|-------------------------------------|----------------------|---------------------|----------------------------------|--------------------------|



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

CR #  
2020-00061280

DETAIL

|                                                         |                                                                        |                    |
|---------------------------------------------------------|------------------------------------------------------------------------|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business | Location of Offense<br><b>435 Jefferson AVE</b>                        | Beat<br><b>233</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:11</b>      | Offense / Charge / Incident (Most Recent Classification)<br><b>N/A</b> |                    |

NARRATIVE

On 3/23/20 at approximately 0300, I responded to the area of Jefferson Ave/ W Main st for the call of a male running down the street bloody and no shirt. It was believed that it was in relation to a suspicious persons at [REDACTED] and possibly the burglary at 767 W Main St (CR# 20-061276). While checking the area I heard officers call out that they had the male at Jefferson and McCree. While pulling up to that location they called out that he was in custody. I parked my patrol vehicle and approached on foot. I observed the male on the ground with officers standing around him. At this time the male was completely naked and handcuffed behind his back. I requested AMR to respond to the location for the MHA. While waiting for the ambulance to arrive the male stayed on the ground but was continuously yelling. He was also sticking his hand between his butt checks and stating he had "shit" on his hands and he was going to eat it. He continued yelling various things towards officers and asked for their guns. At one point the male attempted to get up and officers moved in to ground stabilize him. The male was still yelling and AMR eventually arrived. AMR exited and officers believed the male may have stopped breathing. They rolled him onto his side and confirmed their observations. AMR then began lifesaving measures on the male. AMR then transported the male to Strong Memorial Hospital and I had no further contact with the male. I was later told that the male was Daniel Prude who was in fact the male from the original call at [REDACTED]



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

CR #  
**2020-00061280**

|               |                                                         |                                                          |            |
|---------------|---------------------------------------------------------|----------------------------------------------------------|------------|
| <b>DETAIL</b> | Victim's Name (Last, First, Middle) or Name of Business | Location of Offense                                      | Beat       |
|               | <b>City of Rochester</b>                                | <b>435 Jefferson AVE</b>                                 | <b>233</b> |
|               | Date/Time of Occurrence                                 | Offense / Charge / Incident (Most Recent Classification) |            |
|               | <b>03/23/2020 03:11</b>                                 | <b>MHA/Burg 3rd</b>                                      |            |

**NARRATIVE**

On 03/23/20 at approximately 0910 hrs I met with Lt. Perkowski at the Public Safety Building. He assigned me to coordinate an investigation involving an MHA/Burglary which occurred at approximately 0315hrs at 435 Jefferson Ave. The involved suspect, identified as Daniel Prude, lost consciousness during the incident while officers were stabilizing him on the ground. I assigned investigators Houlihan and Benjamin as the lead investigators and we were briefed by Lt. Perkowski.

We learned that Genesee Section Officers were dispatched to a 911 call at [REDACTED] regarding an MHA. Joe Prude reported that his brother, Daniel Prude, was using drugs and was suicidal, and left the location on foot. Officers also learned from Joe Prude that Daniel Prude was taken into custody for a Mental Hygiene Arrest on 03/22/20 by RPD Officers at approximately 1900 hrs. I also learned that Prude had traveled to New York on Amtrak and was directed to leave the train at the Depew NY Train station due to his unruly behavior.

While officers were looking for Daniel Prude, they were made aware of a 911 call reporting a burglary alarm at 767 W. Main St. Upon arrival officers found forced entry at that location. Another 911 call came in for the report of a male covered in blood claiming to have corona virus running down Jefferson Ave. Officer's Vaughn, Talladay and F. Santiago located a male who they determined to be Daniel Prude in the street at 435 Jefferson Ave.

Daniel Prude was ordered to the ground and detained without incident. At the time he was located Prude was naked. While waiting for the AMR ambulance to respond Prude began spitting and officers placed a spit sock over his head to minimize the potential of exposure to officers. At some point Prude tried to stand from a seated position telling an officer to give him his gun. Officers Vaughn and Talladay directed Prude to a prone position and stabilized him. It was during the period that Prude was restrained that he apparently vomited and fell unconscious. An ambulance arrived shortly after officers located Prude. The paramedics performed CPR on Prude and ultimately reestablishing a heartbeat. Prude was transported to Strong Memorial Hospital where he was listed in critical condition. All three officers are assigned body cameras and I learned they had their body cameras activated during the incident. Their cameras had been docked and the footage uploaded to C3.

I learned that Sgt. M. Magri and Officer J. Harris were at the 435 Jefferson Ave. scene arriving after Prude was detained. They did not have any physical contact with Prude. They are also assigned body worn cameras and had them activated during the incident. The BWC footage was downloaded to C3. The following officers also responded to either the [REDACTED] call, the 767 W. Main Street call, or responded to the area of 435 Jefferson Ave. to assist with traffic points, tech work or assisted with other assignments.

Those officers include:

- Lt. L. Tordai
- Lt. G. Bello
- Sgt. N. Tamburello
- Sgt. E. Rathfelder
- Sgt. E. Weigel
- Sgt. R. Romig

|                   |               |             |                         |
|-------------------|---------------|-------------|-------------------------|
| Reporting Officer | IBM #         | Date        | Reviewed By             |
| <b>ZENELOVIC</b>  | <b>FLAMUR</b> | <b>1543</b> | <b>04/27/2020</b>       |
|                   |               |             | <b>JOSEPH, DAVID A.</b> |





ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

- Ofc. A. Jackson
- Ofc. G. Rivera
- Ofc. H. Bellot
- Ofc. M. Brongo
- Ofc. J. Breen
- Ofc. P. Ricotta
- Ofc. A. Specksgoor
- Ofc. Algarin
- Inv. M. Hill
- Inv. B. Gotham
- Tech. R. Radell

We viewed the body camera footage from Officers Vaughn, Talladay, Santiago, Harris, and Sgt. Magri. The recorded video footage should be viewed for more details. I was advised by Lt. Perkowski that the involved officers completed their reports including subject resistance reports prior to the end of their tour of duty. Copies of said reports were sent to my office for review.

NARRATIVE

I contacted the Emergency Communications Department and requested copies of all 911 calls and related job cards. They were later reviewed and made part of the case file. I requested the Monroe Crime Analysis Center follow up with the Erie Crime Analysis Center to obtain copies of any police related reports or dispatch cards. I received via e-mail complaint information forms from the Cheektowaga, Depew and Orchard Park Police departments. All three agencies had some form of contact with Daniel Prude on 03/22/20 while he was in the Buffalo area.

I was updated by Genesee Section Sgt. Ince on the status of the neighborhood check conducted by second platoon Officers A. Gonzalez, J. Laurez, T. Serinis and T. Frye. I learned that a white T-shirt and a pair of blue long johns believed to belong to Daniel Prude were located during the neighborhood canvass. Those items were recovered by Technicians and turned into evidence. See reports by the officers for more information.

I also assigned several video retrieval requests for the technicians to follow up on. Video was retrieved from 259 and 422 Jefferson Ave., as well as 613, 715, 767, 781, and 799 West Main Street. I downloaded video footage from blue light cameras located at Child Street-Danforth Street and W. Main-Henion Street. The video was reviewed and a basic timeline was established of Daniel Prude's travel from the time he left the area of 50 Child Street until he was stopped by officers at 435 Jefferson Ave. I requested Matt Ehlers from the Body Worn Camera Office create a video compilation encompassing clips of surveillance video which capture Daniel Prude's travels. The video compilation was completed on April 20<sup>th</sup> and has been made part of the case file.

On April 14<sup>th</sup>, I spoke to Officer Curt Blizzard, telephone # [REDACTED], who is an Amtrak Police Officer. At the time of our phone call Amtrak had no documented reports regarding the interaction with Daniel Prude other than the fact that he was told to leave the train. Officer Blizzard said the Depew Police Department normally handle calls if Amtrak Officers are not available to respond to the train station.

On April 16<sup>th</sup> I was advised by 1<sup>st</sup> Assistant District Attorney Perry Duckles that this investigation falls under the jurisdiction of the New York State Attorney General's Office. The Monroe County District Attorney's Office will

|                   |             |                   |                         |
|-------------------|-------------|-------------------|-------------------------|
| Reporting Officer | IBM #       | Date              | Reviewed By             |
| <b>ZENELOVIC</b>  | <b>1543</b> | <b>04/27/2020</b> | <b>JOSEPH, DAVID A.</b> |



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

CR #  
**2020-00061280**

no longer be involved in this investigation. I spoke with Jennifer Sommers who explained her office would have jurisdiction over this case based on Executive Order No. 147 and would be assigning an investigator. I provided a copy of all reports to her office by e-mail. On Friday April 17, I provided a copy of all documents, video and photographs via an external hard drive.

I obtained a copy of training records relative to trained techniques used by Officers Vaughn, Taladay and Santiago. The techniques used to stabilize Prude on the ground include segmenting, knee on top, and leg control were topics covered during RPD's 2020 Winter In-Service. All officers attending the in-service training had to demonstrate proficiency on multiple techniques. See below for more details.

Mark Vaughn attended in-service on 02/20/20 and the proficiency test was administered by Defensive Tactics Instructor Officer Justin Trzcinski IBM #2197. Officer Vaughn was also trained on the techniques and evaluated as part of his duties with the SWAT team 08/13/19 by Defensive Tactics Instructor Don Wasser IBM #1782.

Troy Taladay attended in-service on 01/22/20 and the proficiency test was administered by Defensive Tactics Instructor Officer Chris Renz IBM #1081. Officer Taladay was also trained on the techniques while he was in the academy on 10/10/18, 10/15/18 and 12/13/18.

Francisco Santiago attended in-service on 02/14/20 and the proficiency test was administered by Defensive Tactics Instructor Officer Chris Renz IBM #1081.

Please see copies of the training materials and copies attendance sheets including in the case file.

- 2020 Defensive Tactics Lesson Plan
- Public Safety Training Facility Defensive Tactics Training Manual
- Basic Course for Police Officers Defensive Tactics and Principles of Control Manual
- 2020 Defensive Tactics Instructor In-Service Schedule
- 2020 Winter In-Service Defensive Tactics Training Attendance Form
- DCJS/DT Program Proficiency Test, Winter In-Service 2020 Form
- DT Program Schedule for Class #66 A Platoon
- DCJS DTI Manual

Additional training records related to when Officer Vaughn received training on the hypoglossal pain compliance control technique are maintained by the Public Safety Training Center and are currently unavailable. The training center is closed as on 04/20/20 due to the Covid-19 shutdown.

Investigator's Houlihan, Benjamin and I conducted a complete review of body worn camera footage, surveillance video footage, as well as the reports and interviews of the involved officers and paramedics. Based upon the investigation, the officers' actions and conduct displayed when dealing with Prude appear to be appropriate and consistent with their training.

NARRATIVE

|                                       |                        |                     |                                  |                         |
|---------------------------------------|------------------------|---------------------|----------------------------------|-------------------------|
| Reporting Officer<br><b>ZENELOVIC</b> | IBM #<br><b>FLAMUR</b> | Date<br><b>1543</b> | Reviewed By<br><b>04/27/2020</b> | <b>JOSEPH, DAVID A.</b> |
|---------------------------------------|------------------------|---------------------|----------------------------------|-------------------------|



# ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #  
**2020-00061280**

|               |                                                    |                                  |                             |                                |                           |                              |                         |  |
|---------------|----------------------------------------------------|----------------------------------|-----------------------------|--------------------------------|---------------------------|------------------------------|-------------------------|--|
| <b>DETAIL</b> | Incident Type<br><b>IR - Non-Criminal Incident</b> | Report Date<br><b>03/23/2020</b> | Report Time<br><b>03:11</b> | Date From<br><b>03/23/2020</b> | Time From<br><b>03:11</b> | Date To<br><b>03/23/2020</b> | Time To<br><b>03:11</b> |  |
|               | Incident Address<br><b>435 Jefferson AVE</b>       |                                  |                             |                                | Beat<br><b>233</b>        | Campus Code                  |                         |  |
|               | Violent Crime Context                              |                                  |                             |                                |                           | BWC<br><b>Yes</b>            |                         |  |

|                                     |                                     |                                  |
|-------------------------------------|-------------------------------------|----------------------------------|
| <b>OFFENSES</b>                     | Statute - Attempt/Commit - Counts - |                                  |
|                                     | Description -                       |                                  |
|                                     | Location                            | Weapon                           |
|                                     | Larceny Type                        | Aggravated Assault Circumstances |
|                                     | Gang Related                        | Computer                         |
|                                     | Bias Type                           | Entry Point                      |
| Method of Entry                     |                                     | # of Premises Entered            |
| Statute - Attempt/Commit - Counts - |                                     |                                  |
| Description -                       |                                     |                                  |
| Location                            | Weapon                              |                                  |
| Larceny Type                        | Aggravated Assault Circumstances    |                                  |
| Gang Related                        | Computer                            |                                  |
| Bias Type                           | Entry Point                         |                                  |
| Method of Entry                     |                                     | # of Premises Entered            |

|               |                  |                                                                 |                |                   |      |           |                  |  |
|---------------|------------------|-----------------------------------------------------------------|----------------|-------------------|------|-----------|------------------|--|
| <b>VICTIM</b> | Victim Type      | Victim Name (Last, First, Middle)                               |                |                   |      |           |                  |  |
|               | Address          | Date of Birth                                                   | Age            | Sex               | Race | Ethnicity | Residence Status |  |
|               | City, State, Zip | Victim/Offender Relationship (Offender Name, DOB, Relationship) |                |                   |      |           |                  |  |
|               | Telephone        | Level of Injury                                                 | Type of Injury | Medical Treatment |      |           |                  |  |

|                |                                                                                        |                            |     |     |      |     |               |               |
|----------------|----------------------------------------------------------------------------------------|----------------------------|-----|-----|------|-----|---------------|---------------|
| <b>PERSONS</b> | R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed |                            |     |     |      |     |               |               |
|                | Type                                                                                   | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address       | Telephone No. |
|                | RP                                                                                     | Jonathan, Justin           |     | M   | W    | N   | Rochester, NY |               |
|                | PK                                                                                     | Prude, Joe                 |     | M   | B    | N   |               |               |

|                              |                                                            |                                                            |             |                |           |           |                                                |                       |
|------------------------------|------------------------------------------------------------|------------------------------------------------------------|-------------|----------------|-----------|-----------|------------------------------------------------|-----------------------|
| <b>SUSPECT / MISSING PER</b> | Type - <b>S</b>                                            | Suspect Name (Last, First, Middle)<br><b>Prude, Daniel</b> |             |                |           |           |                                                | Nickname              |
|                              | Address<br><b>NY</b>                                       | Date of Birth                                              | Age         | Sex            | Race      | Ethnicity | MoRIS / JCR #                                  |                       |
|                              | Height                                                     | Weight                                                     | Hair Color  | Hair Length    | Eye Color | Glasses   | Complexion                                     | Build                 |
|                              | <b>5' 10</b>                                               | <b>230</b>                                                 | <b>Bald</b> |                |           |           | <b>Medium</b>                                  | <b>Heavy</b>          |
|                              | Clothing, Jewelry, Distinguishing Features<br><b>Naked</b> |                                                            |             |                |           |           | Offender Condition<br><b>Apparently Normal</b> | Scars, Marks, Tattoos |
|                              | Mothers Maiden Name                                        |                                                            |             | Place of Birth |           |           | School Name / ID #                             |                       |

|                      |                                                  |                                    |                             |                               |                                 |                                  |                                            |                                   |                                                  |                                                     |                                            |                                              |
|----------------------|--------------------------------------------------|------------------------------------|-----------------------------|-------------------------------|---------------------------------|----------------------------------|--------------------------------------------|-----------------------------------|--------------------------------------------------|-----------------------------------------------------|--------------------------------------------|----------------------------------------------|
| <b>INVESTIGATION</b> | Modus Operandi                                   |                                    |                             |                               |                                 |                                  |                                            |                                   |                                                  |                                                     |                                            |                                              |
|                      | 01. Witness to the offense?                      | 02. Surveillance footage of event? | 03. Can a suspect be named? | 04. Can a suspect be located? | 05. Can a suspect be described? | 06. Can a suspect be identified? | 07. Can a suspect vehicle be identified?   | 08. Is stolen property traceable? | 09. Is there significant Modus Operandi present? | 10. Is there significant physical evidence present? | 11. Has evidence tech work been performed? | 12. Preliminary investigation NOT completed? |
|                      | Case Status<br><b>Not Applicable (non-crime)</b> |                                    |                             | Exceptional Clearance         |                                 |                                  | Assigned Bureau<br><b>Patrol - Genesee</b> |                                   |                                                  | Review Box<br><b>CID</b>                            |                                            |                                              |

|                                         |                      |                           |                                         |                           |
|-----------------------------------------|----------------------|---------------------------|-----------------------------------------|---------------------------|
| Reporting Officer<br><b>VAUGHN MARK</b> | IBM #<br><b>2333</b> | Date<br><b>03/24/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR</b> | Date<br><b>03/26/2020</b> |
|-----------------------------------------|----------------------|---------------------------|-----------------------------------------|---------------------------|



# ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #  
**2020-00061280**

|                       |               |             |                  |                                  |                 |  |                       |
|-----------------------|---------------|-------------|------------------|----------------------------------|-----------------|--|-----------------------|
| <b>ADDT'L OFFENSE</b> | Statute -     |             | Attempt/Commit - |                                  | Counts -        |  |                       |
|                       | Description - |             |                  |                                  |                 |  |                       |
|                       | Location      |             |                  |                                  | Weapon          |  |                       |
|                       | Larceny Type  |             |                  | Aggravated Assault Circumstances |                 |  | Gang Related          |
| Bias Type             |               | Entry Point |                  |                                  | Method of Entry |  | # of Premises Entered |

|                  |                  |  |                                   |  |                                                                 |                |     |                   |           |                  |
|------------------|------------------|--|-----------------------------------|--|-----------------------------------------------------------------|----------------|-----|-------------------|-----------|------------------|
| <b>VICTIM #2</b> | Victim Type      |  | Victim Name (Last, First, Middle) |  |                                                                 |                |     |                   |           |                  |
|                  | Address          |  |                                   |  | Date of Birth                                                   | Age            | Sex | Race              | Ethnicity | Residence Status |
|                  | City, State, Zip |  |                                   |  | Victim/Offender Relationship (Offender Name, DOB, Relationship) |                |     |                   |           |                  |
|                  | Telephone        |  | Level of Injury                   |  |                                                                 | Type of Injury |     | Medical Treatment |           |                  |

|                |                                                                                               |                            |  |  |     |     |      |     |         |  |               |
|----------------|-----------------------------------------------------------------------------------------------|----------------------------|--|--|-----|-----|------|-----|---------|--|---------------|
| <b>PERSONS</b> | <b>R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed</b> |                            |  |  |     |     |      |     |         |  |               |
|                | Type                                                                                          | Name (Last, First, Middle) |  |  | DOB | Sex | Race | Eth | Address |  | Telephone No. |
|                |                                                                                               |                            |  |  |     |     |      |     |         |  |               |
|                |                                                                                               |                            |  |  |     |     |      |     |         |  |               |
|                |                                                                                               |                            |  |  |     |     |      |     |         |  |               |

|                   |                                            |        |                                    |             |           |                    |            |          |                       |                  |               |
|-------------------|--------------------------------------------|--------|------------------------------------|-------------|-----------|--------------------|------------|----------|-----------------------|------------------|---------------|
| <b>SUSPECT #2</b> | Type -                                     |        | Suspect Name (Last, First, Middle) |             |           |                    |            | Nickname |                       |                  |               |
|                   | Address                                    |        |                                    |             |           | Date of Birth      | Age        | Sex      | Race                  | Ethnicity        | MoRIS / JCR # |
|                   | Height                                     | Weight | Hair Color                         | Hair Length | Eye Color | Glasses            | Complexion | Build    | Facial Hair           | Gang Affiliation |               |
|                   | Clothing, Jewelry, Distinguishing Features |        |                                    |             |           | Offender Condition |            |          | Scars, Marks, Tattoos |                  |               |

|                                    |                           |  |                    |  |  |                |  |               |  |  |
|------------------------------------|---------------------------|--|--------------------|--|--|----------------|--|---------------|--|--|
| <b>PROPERTY</b>                    | Property Code             |  | Property Type      |  |  | Property Value |  | Serial Number |  |  |
|                                    | <b>Seized Evidence</b>    |  | <b>BWC Video</b>   |  |  |                |  |               |  |  |
|                                    | Item Type and Description |  |                    |  |  |                |  |               |  |  |
| <b>Video Recorded by IBM: xxxx</b> |                           |  |                    |  |  |                |  |               |  |  |
| Quantity                           | Unit of Measure           |  | Measurement Source |  |  | Drug Type      |  |               |  |  |
| <b>1</b>                           | <b>Item(s)</b>            |  |                    |  |  |                |  |               |  |  |

|                 |                           |                 |               |                    |  |                |           |               |  |  |       |
|-----------------|---------------------------|-----------------|---------------|--------------------|--|----------------|-----------|---------------|--|--|-------|
| <b>PROPERTY</b> | Property Code             |                 | Property Type |                    |  | Property Value |           | Serial Number |  |  |       |
|                 | Item Type and Description |                 |               |                    |  |                |           |               |  |  | Color |
|                 | Quantity                  | Unit of Measure |               | Measurement Source |  |                | Drug Type |               |  |  |       |

|                |                       |  |               |  |      |  |        |       |               |        |
|----------------|-----------------------|--|---------------|--|------|--|--------|-------|---------------|--------|
| <b>FIREARM</b> | Firearm Property Code |  | Firearm Value |  | Make |  |        | Model |               | Finish |
|                | Caliber               |  | Capacity      |  | Type |  | Action |       | Serial Number |        |
|                | Description           |  |               |  |      |  |        |       |               |        |

|                |                        |              |      |       |  |       |               |       |       |
|----------------|------------------------|--------------|------|-------|--|-------|---------------|-------|-------|
| <b>VEHICLE</b> | Vehicle Status         |              | Year | Make  |  | Model |               | Style | Color |
|                | State                  | Plate Number |      | VIN # |  |       | Recovery Date |       |       |
|                | Additional Description |              |      |       |  |       |               |       |       |

|                   |  |  |             |                   |                                     |  |
|-------------------|--|--|-------------|-------------------|-------------------------------------|--|
| Reporting Officer |  |  | IBM #       | Date              | Reviewed By                         |  |
| <b>VAUGHN</b>     |  |  | <b>2333</b> | <b>03/24/2020</b> | <b>ZENELOVIC, FLAMUR 03/26/2020</b> |  |



On 3/23/20 at approximately 0300 hours I responded to the area of [REDACTED]. (CR 20-061272) for the report of a male wearing a white tank top and long johns that had run from the location in an unknown direction. Officers were informed by Prude's brother Joe Prude that he was on PCP. Prude was previously MHA'd at Strong Hospital earlier in the day for being suicidal.

Officers were then dispatched to 767 W. Main St. for a burglary alarm (CR 20-061277). Once on scene officers observed a broken storefront window.

Officers were then dispatched to the area of Jefferson Ave and W. Main St. for a black male in blue pants covered in blood. I immediately relocated to Jefferson Ave where I spoke with Justin Jonathan, a tow truck driver, who stated that he saw a black male running in front of cars, screaming to call the police, and saying that he had the Corona Virus. Jonathan stated that the male ran southbound on Jefferson Ave and was a few blocks down.

I located Prude in the area of 435 Jefferson Ave when I observed him running in traffic and then grabbing items, throwing them into the street. I ordered Prude to the ground and took him into custody without incident.

Officers stood by while waiting for AMR to arrive for an MHA. Prude told officers several times to give him their guns and eventually told Officer Taladay to give him his gun, while getting up in his direction. Officers used force to restrain Prude until the ambulance arrived on scene, see SRR.

While waiting for AMR to pull the Gurney from the ambulance Prude became unresponsive and AMR immediately began treating him. AMR then transported Prude to Strong Hospital. Officer Harris followed the ambulance to Strong, see IAR.

Technician Radell responded to the scene, see tech sheet.

Officers were later able to locate the clothing that Prude discarded and obtained video footage of Prude breaking the window at 767 W. Main St.

Non-Criminal Incident

NARRATIVE

|                   |       |      |                              |
|-------------------|-------|------|------------------------------|
| Reporting Officer | IBM # | Date | Reviewed By                  |
| VAUGHN            | MARK  | 2333 | 03/24/2020                   |
|                   |       |      | ZENELOVIC, FLAMUR 03/26/2020 |

Check if Taser was deployed

SUBJECT

|                              |  |                             |  |             |                           |                        |                             |
|------------------------------|--|-----------------------------|--|-------------|---------------------------|------------------------|-----------------------------|
| <b>1. LAST NAME</b><br>PRUDE |  | <b>FIRST NAME</b><br>DANIEL |  | <b>M.I.</b> | <b>2. DATE</b><br>3/23/20 | <b>3. TIME</b><br>0320 | <b>4. CR #</b><br>20-061280 |
|------------------------------|--|-----------------------------|--|-------------|---------------------------|------------------------|-----------------------------|

|                             |                       |                         |                           |                         |                                                   |                    |
|-----------------------------|-----------------------|-------------------------|---------------------------|-------------------------|---------------------------------------------------|--------------------|
| <b>5. DOB</b><br>[REDACTED] | <b>6. SEX</b><br>Male | <b>7. RACE</b><br>Black | <b>8. HEIGHT</b><br>5'10" | <b>9. WEIGHT</b><br>230 | <b>10. INCIDENT LOCATION</b><br>435 JEFFERSON AVE | <b>BEAT</b><br>233 |
|-----------------------------|-----------------------|-------------------------|---------------------------|-------------------------|---------------------------------------------------|--------------------|

**11. ARREST?**  NO – Release approved by:  
 YES – Charges: MHA 9.41

|                              |                                 |
|------------------------------|---------------------------------|
| <b>12. SUBJECT'S ACTIONS</b> | <b>13. TACTIC EFFECTIVENESS</b> |
|------------------------------|---------------------------------|

Subject resisted by (check all that apply and explain in the narrative)

Check the appropriate box indicating whether the tactic was used. If the tactic was used, write the number (1, 2, 3...) indicating what order the tactics were used in column one. In column two, write E for Effective, ME for Moderately Effective and NE for Not Effective.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Order | Effectiveness | Order | Effectiveness |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|---------------|-------|---------------|
| <input checked="" type="checkbox"/> <b>Avoiding Custody</b><br>(May include: Non response, verbal refusal, using body as "dead weight," running/walking away, bracing/tensing body, pulling away, locking arms under body, holding onto a fixed object)<br><br><input checked="" type="checkbox"/> <b>Assaultive</b><br>(May include: Fighting stance, combative approach, punching, kicking, biting, tackling)<br><br><input type="checkbox"/> <b>Imminent Threat of Deadly Physical Force/Serious Physical Injury (SPI)</b><br>(May include: Using or threatening to use a firearm/edged weapon/contact weapon in close proximity or while closing the distance/dangerous instrument under circumstances in which it is readily capable of SPI or death. Air/blood choke which creates an imminent risk of SPI or death. Impacts w/o weapon which creates an imminent risk of death or other SPI) |       |               |       |               |
| <input type="checkbox"/> Verbal<br><input type="checkbox"/> Mandibular Angle<br><input type="checkbox"/> Hypoglossal Nerve<br><input type="checkbox"/> Jugular Notch<br><input type="checkbox"/> Clavical Notch<br><input type="checkbox"/> Brachial Stun<br><input type="checkbox"/> Suprascapular Stun<br><input type="checkbox"/> Jab<br><input type="checkbox"/> Front Kick<br><input type="checkbox"/> Straight Punch<br><input type="checkbox"/> Angle Kick<br><input type="checkbox"/> Forearm Strike<br><input type="checkbox"/> Knee Strike<br><input type="checkbox"/> Spear<br><input type="checkbox"/> Hooking Technique<br><input checked="" type="checkbox"/> Ground Stabilization (i.e. 3-Point Landing, joint manipulation)                                                                                                                                                         | 1     | E             |       |               |
| <input type="checkbox"/> Bi-Lateral Compression<br><input type="checkbox"/> Arm Lock w/Baton<br><input type="checkbox"/> Front Jab w/Baton<br><input type="checkbox"/> Rear Jab w/ Baton<br><input type="checkbox"/> Forward Strike<br><input type="checkbox"/> Middle Strike<br><input type="checkbox"/> Reverse Strike<br><input type="checkbox"/> Strong Side Horizontal Strike<br><input type="checkbox"/> Support Side Horizontal Strike<br><br><input type="checkbox"/> OC<br><input type="checkbox"/> Taser<br><input type="checkbox"/> Bean Bag<br><input type="checkbox"/> Hand Gun<br><input type="checkbox"/> Long Gun<br><input type="checkbox"/> Other:<br><input type="checkbox"/> Other:                                                                                                                                                                                             |       |               |       |               |

**14. Narrative** (If officer is in plainclothes, describe own clothing. If tactic(s) used on subject were ineffective, explain reason(s) why.)

ON THE ABOVE DATE AND TIME I ASSISTED GENESEE SECTION OFFICERS WITH A 78 CALL. SUSPECT WAS A M/B, BALD WITH NO SHIRT ON AND LAST SEEN RUNNING S/B ON JEFFERSON AVE. WHEN I ARRIVED IN THE AREA OF JEFFERSON AVE/ MCREE ST S WAS ALREADY IN CUSTODY, COMPLETELY NAKED, LAYING ON THE GROUND AND YELLING. S WAS YELLING THAT HE HAD THE CORONA VIRUS AND THAT HE WANTED MY GUN. S THEN BEGAN TO SPIT TOWARDS AND IN RANGE OF OFFICERS WHILE ON THE GROUND. S THEN SHIFTED TO A SITTING POSITION. AT THIS POINT S MADE A MOTION AS IF HE WAS GOING TO ATTEMPT TO STAND UP. S WAS THEN POSITIONED BACK IN A LAYING POSITION BY OFFICERS. WHILE OFFICER VAUGHN AND TALADAY WERE PERFORMING GROUND STABALIZATION TECHNIQUES, I OBSERVED S WAS KICKING HIS LEGS BACK AND FORTH IN AN ATTEMPT TO BREAK LOOSE. I THEN TOOK HOLD OF S'S LEFT ANKLE WITH MY LEFT HAND AND TOOK HOLD OF S'S RIGHT ANKLE WITH MY RIGHT HAND. I PLACED S'S RIGHT ANKLE OVER HIS LEFT ANKLE AND THEN APPLIED PRESSURE TO S'S RIGHT CALF WITH MY LEFT SHIN. THIS WAS EFFECTIVE AND PREVENTED S FROM KICKING OR ATTEMPTING TO GET UP. ONCE IT WAS REALIZED THAT S WASN'T BREATHING I COMPLETELY LIFTED MY BODY WEIGHT OFF OF S. THE ONLY OTHER TIME I HAD CONTACT WITH S WAS WHEN I ASSISTED IN PLACING S ON THE GURNEY, WHICH INVOLVED GRABBING S'S LEGS AND WITH THE ASSISTANCE OF OFFICERS AND AMR CREW, LIFTING AND THEN PLACING S ON THE GURNEY.

Officer:  Primary Officer  Assisting Officer Name: F SANTIAGO ID# 1723

Check if Taser was deployed

**SUBJECT**

|                              |                       |                             |                          |                         |                                                   |                        |                             |
|------------------------------|-----------------------|-----------------------------|--------------------------|-------------------------|---------------------------------------------------|------------------------|-----------------------------|
| <b>1. LAST NAME</b><br>Prude |                       | <b>FIRST NAME</b><br>Daniel |                          | <b>M.I.</b>             | <b>2. DATE</b><br>3/23/20                         | <b>3. TIME</b><br>0320 | <b>4. CR #</b><br>20-061280 |
| <b>5. DOB</b><br>[REDACTED]  | <b>6. SEX</b><br>Male | <b>7. RACE</b><br>Black     | <b>8. HEIGHT</b><br>5'10 | <b>9. WEIGHT</b><br>230 | <b>10. INCIDENT LOCATION</b><br>435 Jefferson Ave |                        | <b>BEAT</b><br>233          |

**11. ARREST?**  NO - Release approved by:  
 YES - Charges: MHA 9.41

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |          |               |          |               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------------|----------|---------------|
| <b>12. SUBJECT'S ACTIONS</b><br><br>Subject resisted by (check all that apply and explain in the narrative)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>13. TACTIC EFFECTIVENESS</b><br><br>Check the appropriate box indicating whether the tactic was used. If the tactic was used, write the number (1, 2, 3...) indicating what order the tactics were used in column one. In column two, write <b>E</b> for <i>Effective</i> , <b>ME</b> for <i>Moderately Effective</i> and <b>NE</b> for <i>Not Effective</i> .                                                                                                                                                                                                                                                                                                                                                                                      |          |               |          |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Order    | Effectiveness | Order    | Effectiveness |
| <input checked="" type="checkbox"/> <b>Avoiding Custody</b><br>(May include: Non response, verbal refusal, using body as "dead weight," running/walking away, bracing/tensing body, pulling away, locking arms under body, holding onto a fixed object)<br><br><input checked="" type="checkbox"/> <b>Assaultive</b><br>(May include: Fighting stance, combative approach, punching, kicking, biting, tackling)<br><br><input type="checkbox"/> <b>Imminent Threat of Deadly Physical Force/Serious Physical Injury (SPI)</b><br>(May include: Using or threatening to use a firearm/edged weapon/contact weapon in close proximity or while closing the distance/dangerous instrument under circumstances in which it is readily capable of SPI or death. Air/blood choke which creates an imminent risk of SPI or death. Impacts w/o weapon which creates an imminent risk of death or other SPI) | <input checked="" type="checkbox"/> Verbal<br><input type="checkbox"/> Mandibular Angle<br><input type="checkbox"/> Hypoglossal Nerve<br><input type="checkbox"/> Jugular Notch<br><input type="checkbox"/> Clavical Notch<br><input type="checkbox"/> Brachial Stun<br><input type="checkbox"/> Suprascapular Stun<br><input type="checkbox"/> Jab<br><input type="checkbox"/> Front Kick<br><input type="checkbox"/> Straight Punch<br><input type="checkbox"/> Angle Kick<br><input type="checkbox"/> Forearm Strike<br><input type="checkbox"/> Knee Strike<br><input type="checkbox"/> Spear<br><input type="checkbox"/> Hooking Technique<br><input checked="" type="checkbox"/> Ground Stabilization (i.e. 3-Point Landing, joint manipulation) | <b>1</b> | <b>NE</b>     |          |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |          | <b>2</b>      | <b>E</b> |               |

**14. Narrative** (If officer is in plainclothes, describe own clothing. If tactic(s) used on subject were ineffective, explain reason(s) why.)

On 03/23/20 at approximately 0300 hours I responded to the area of [REDACTED] for a suicidal male that was high on PCP and left the location. The male (A) was described as black wearing a white tank top, long jons and no shoes. I searched the area for (A) from my patrol car with negative results. A call for an alarm/break in came in at 767 W. Main St a few minutes later and it was determined that there was a glass break at the location. A third call came in for a male that matched the previous description, headed s/b on Jefferson Ave. At approximately 0315 hours I located a male (A) matching the description near the intersection of Jefferson Ave/Mccree Way. (A) was handcuffed and continually tried to get up. I instructed (A) to remain on the ground while waiting for AMR to arrive on scene. (Tactic 1, NE) While (A) was handcuffed he began spitting in the direction of myself as well as stating "Gimme that gun!". (A) made a direct movement to get up in my direction after making comments about wanting my gun. I then placed my right knee on the center of (A)'s back. I then grabbed the right wrist of (A) with my right hand and the right elbow of (A) with my left hand in order to stabilize his body (Tactic 2, E). Once (A) became less resistant I relieved pressure from his back and arm. I remained in a squatting position on the left side of (A) while I monitored (A)'s inhalations by observing the movement in his back. It appeared that (A) was not breathing and then I rolled (A) over to his left side to help him recover. AMR immediately began life saving measures. While AMR was performing chest compressions, (A) was rolled over to his left side for a brief moment in order to give me access to uncuff him. AMR continued to perform life saving measures and transported (A) to Strong Hospital.

**Officer:**  Primary Officer  Assisting Officer **Name: Officer Troy Taladay** **ID# 2794**

Check if Taser was deployed

SUBJECT

|                       |                |                      |                    |                  |                                            |                 |                      |
|-----------------------|----------------|----------------------|--------------------|------------------|--------------------------------------------|-----------------|----------------------|
| 1. LAST NAME<br>Prude |                | FIRST NAME<br>Daniel |                    | M.I.             | 2. DATE<br>3/23/20                         | 3. TIME<br>0320 | 4. CR #<br>20-061280 |
| 5. DOB<br>[REDACTED]  | 6. SEX<br>Male | 7. RACE<br>Black     | 8. HEIGHT<br>5'10" | 9. WEIGHT<br>230 | 10. INCIDENT LOCATION<br>435 Jefferson Ave |                 | BEAT<br>233          |

11. ARREST?  NO - Release approved by:  
 YES - Charges: MHL 9.41

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |       |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--|
| 12. SUBJECT'S ACTIONS<br><br>Subject resisted by (check all that apply and explain in the narrative)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 13. TACTIC EFFECTIVENESS<br><br>Check the appropriate box indicating whether the tactic was used. If the tactic was used, write the number (1, 2, 3...) indicating what order the tactics were used in column one. In column two, write E for <i>Effective</i> , ME for <i>Moderately Effective</i> and NE for <i>Not Effective</i> .                                                                                                                                                                                                                                                                                                                                                                                                                             |       |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Order | Effectiveness | Order                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Effectiveness |  |
| <input checked="" type="checkbox"/> <b>Avoiding Custody</b><br>(May include: Non response, verbal refusal, using body as "dead weight," running/walking away, bracing/tensing body, pulling away, locking arms under body, holding onto a fixed object)<br><br><input checked="" type="checkbox"/> <b>Assaultive</b><br>(May include: Fighting stance, combative approach, punching, kicking, biting, tackling)<br><br><input type="checkbox"/> <b>Imminent Threat of Deadly Physical Force/Serious Physical Injury (SPI)</b><br>(May include: Using or threatening to use a firearm/edged weapon/contact weapon in close proximity or while closing the distance/dangerous instrument under circumstances in which it is readily capable of SPI or death. Air/blood choke which creates an imminent risk of SPI or death. Impacts w/o weapon which creates an imminent risk of death or other SPI) | <input checked="" type="checkbox"/> Verbal<br><input type="checkbox"/> Mandibular Angle<br><input checked="" type="checkbox"/> Hypoglossal Nerve<br><input type="checkbox"/> Jugular Notch<br><input type="checkbox"/> Clavical Notch<br><input type="checkbox"/> Brachial Stun<br><input type="checkbox"/> Suprascapular Stun<br><input type="checkbox"/> Jab<br><input type="checkbox"/> Front Kick<br><input type="checkbox"/> Straight Punch<br><input type="checkbox"/> Angle Kick<br><input type="checkbox"/> Forearm Strike<br><input type="checkbox"/> Knee Strike<br><input type="checkbox"/> Spear<br><input type="checkbox"/> Hooking Technique<br><input checked="" type="checkbox"/> Ground Stabilization (i.e. 3-Point Landing, joint manipulation) | 1     | NE            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |       | 3             | E                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2     | E             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |       |               | <input type="checkbox"/> Bi-Lateral Compression<br><input type="checkbox"/> Arm Lock w/Baton<br><input type="checkbox"/> Front Jab w/Baton<br><input type="checkbox"/> Rear Jab w/ Baton<br><input type="checkbox"/> Forward Strike<br><input type="checkbox"/> Middle Strike<br><input type="checkbox"/> Reverse Strike<br><input type="checkbox"/> Strong Side Horizontal Strike<br><input type="checkbox"/> Support Side Horizontal Strike<br><br><input type="checkbox"/> OC<br><input type="checkbox"/> Taser<br><input type="checkbox"/> Bean Bag<br><input type="checkbox"/> Hand Gun<br><input type="checkbox"/> Long Gun<br><input type="checkbox"/> Other:<br><input type="checkbox"/> Other: |               |  |

14. Narrative (If officer is in plainclothes, describe own clothing. If tactic(s) used on subject were ineffective, explain reason(s) why.)

On 3/23/20 at approximately 0300 hours I responded to the area [REDACTED] for the report of a male wearing a white tank top and long johns that had run from the location. The male (Prude) was previously suicidal in the night and had been MHA'd previously at Strong Hospital and officers were informed that Prude had used PCP. I then relocated to 767 W. Main St. for a burglary alarm and a broken storefront window when officers received another call for a male at Jefferson Ave and W Main St. that was covered in blood and wearing blue pants. I spoke with a tow truck driver who stated that the male was running in front of cars and was stating he had the corona virus. I located the male in the area of 435 Jefferson Ave running in front of vehicles and throwing objects into the road. I ordered the male to the ground and handcuffed him as trained. I noted that he appeared to be under the influence of an unknown drug. The male asked officers for their guns several times. The male continuously spit in the direction of officers and due to the potential for contracting a virus, to include the Corona Virus I placed a spit sock on him. Prude continued to spit through the spit sock in the direction of Officer Taladay. The male then said that he was going to kill everyone. The male once again began spitting at officers and said "give me that gun" several times while attempting to get up in the direction of Officer Taladay. I moved towards the male and segmented his head while he was on his stomach.

Officer:  Primary Officer     Assisting Officer    Name: Officer Mark Vaughn    ID# 2333





| 15. Name                     | ID # | BWC Assigned | BWC Video | Height | Weight | Section | Pltn | Uniform | Injured/Treated | Cover Page |
|------------------------------|------|--------------|-----------|--------|--------|---------|------|---------|-----------------|------------|
| PRIMARY: Officer Mark Vaughn | 2333 | Yes          | Yes       | 5'10"  | 180    | Genesee | 1st  | Yes     | Yes             | Yes        |
| Officer Troy Taladay         | 2794 | Yes          | Yes       | 5'6"   | 185    | Genesee | 1st  | Yes     | No              | Yes        |
| Officer Franck Santiago      | 1723 | Yes          | Yes       | 5'9"   | 180    | SOD     | 1st  | Yes     | No              | Yes        |
|                              |      |              |           |        |        |         |      |         |                 |            |
|                              |      |              |           |        |        |         |      |         |                 |            |

WITNESSES – Conduct a neighborhood check and indicate with code: W – Witness/Deposed; NI – Not Interviewed; NO – Interviewed/No Information; WR – Witness/Refused Deposition.

| 16. NAME       | ADDRESS           | DAY PHONE | EVENING PHONE | WITNESS CODE |
|----------------|-------------------|-----------|---------------|--------------|
| Princess Sweet | [REDACTED]        |           |               | NO           |
|                | 435 Jefferson Ave |           |               | NI           |
|                | 445 Jefferson Ave |           |               | NI           |
|                | 426 Jefferson Ave |           |               | NI           |
|                | 424 Jefferson Ave |           |               | NI           |
|                | 428 Jefferson Ave |           |               | NI           |

**MEDICAL**

*\*Attach and forward a copy of all depositions to PSS and PDS*

17. Condition of subject:  Sober  Alcohol Influence  Intoxicated (alcohol)  Drugs

18. Subject injured prior to incident:  No  Yes, describe: Several lacerations to the body

19. Subject injured during incident:  No  Yes, describe:  
*\* TASER probe penetration or drive stun marks alone are not considered an injury for Box 19.*

20. TASER probe penetration:  No  Yes TASER Drive Stun:  No  Yes

21. If subject was exposed to O.C., was subject treated:  No  Yes  At hospital  PSB Eyewash Station

22. Hospitalization:  No – Reason:  
 Yes – Transport via  RPD Vehicle #  Ambulance Co./Veh # 7989  Other

23. Hospital: Strong Hospital 24. Attending medical professional: Dr. Austin Tenney

25. Subject:  Admitted  Treated and Released  No Treatment  Refused 26. Time of treatment/refusal: 350

27. Witness to refusal:

28. Technician work performed:  No – Reason:  
 Yes by: Radell  Photos  Diagram  Other:

Photos of:  Member(s)  Subject  Other:

29. Reports completed:  Crime  Incident  Investigative Action  
 (DO NOT ATTACH)  Prisoner Data  Addendum(s)  Technician's Report  
 Other: 9.41  CR #: 20-061277

30. Commanding Officer at scene: Tordai Rank: Lieutenant Section: Genesee

**ADMINISTRATIVE REVIEW**

31. Reviewing Supervisor: SGT [Signature] Magrini Date: 3/24/20 Training Requested:  Yes\*  No  
 a. BWC Compliance  Yes  No\*\*

32. Section Taser Reviewing Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_ Training Requested:  Yes\*  No

33. Platoon Commanding Officer: \_\_\_\_\_ Date: \_\_\_\_\_ Training Requested:  Yes\*  No

*\* If training is requested, the Platoon Commanding Officer is responsible to ensure that Additional Training Report, RPD 1347, is attached for each member requested to receive training.  
 \*\*If not in compliance with BWC requirements, refer to Section Commanding Officer for follow-up.*

# Town of Orchard Park Police Department

## Complaint Information

**Complaint# 20-009120    Date Received: 03/22/2020    Source:**

**Dispatch Code:** 4517                      **Description:** ATTEMPT TO LOCATE                      **Call Type:**  
**Final Dispatch Code:**4517                      **Description:** ATTEMPT TO LOCATE  
**Street:** 4295 S BUFFALO ST                      **Tract:**                      **Street Code:**  
**Cross Street:**                      **Municipality:**VOP  
**Business:**                      **Call Back:**  
**Times:**                      **Received:**12:44:16    **Dispatched:**12:45:01    **Arrived:**12:45:01    **Completed:**12:45:01

**Officers:**

**Received By:**                      **Dispatcher:**

**Report (follow up):**                      **Notified:**

|                     |    |    |
|---------------------|----|----|
| <b>Action Codes</b> | 1. | 2. |
|                     | 3. | 4. |

**Associated Persons:** SUB - PRUDE, DANIEL

|                   |     |                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 03/22/20 12:43:56 | 131 | Entry Initiated                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 03/22/20 12:43:58 | 131 | DEP PSD-DZIADOSZ (12:43:28): ATL Daniel Prude black male with a red suitcase & a black suit case same was asked to leave a Amtrak train in Depew earlier this morning family from Rochester area is looking for him Joe & Valerie Prude [REDACTED] same state that Daniel suffers from ADHD & doesnt have much or any money on him no cellphone last seen at a bus stop near train station if located contact family or Depew pd |
| 03/22/20 12:44:15 | 131 | Sent to Dispatch - ATTEMPT TO LOCATE - 4295 S BUFFALO ST VOP (VILLAGE ZONE) Pri: 3                                                                                                                                                                                                                                                                                                                                               |
| 03/22/20 12:44:56 | 131 | CHE POL-JCHAR (12:44:24): took him to harbor house                                                                                                                                                                                                                                                                                                                                                                               |
| 03/22/20 12:45:01 | 131 | Archived                                                                                                                                                                                                                                                                                                                                                                                                                         |

**TAB 21**

# City of Rochester Records Access Application

## Personal Information

This information will only be used to contact you regarding your request

**Date**

4/3/2020

**Request Number**

RR20 01479

**First Name \***

Elliot

**Last Name \***

Shelds

**Email**

eshelds@rothandrothlaw.com

**Confirm Email**

eshelds@rothandrothlaw.com

**Firm or Organization**

Roth & Roth LLP

**Country**

United States

**Mailing Address or P.O. Box \***

Roth & Roth LLP 192 Lexington Avenue Suite 802

**Address Line 2****City \***

New York

**State / Province / Region \***

NY

**Zip / Postal Code \***

10016

**Home Phone****Mobile Phone****Work Phone****Fax**

## Request Details

**Primary Record/Incident Type \***

[What does this mean?](#)

Police

**What date or date range did this happen?**

On or About 03/23/2020

**What time or time range did this happen?**

At 03:00AM

Where did it happen?

Property or Incident address associated with the record

**Additional References**

Optional - e.g. local code number, insurance claim number, police/fire report number, accident report number, etc.

**Special characters such as smiley faces should not be entered.**

**Brief Description of Request\***

BWC recording and all documentation of incident involving Daniel Prude

**Describe Your Request in Detail\***

Please include any additional information that will help us locate your records. Examples include the specific type of records requested, names or descriptions of individuals or officers involved, dates of birth. If you need more space, please attach your request description as a PDF or Word document using the Upload button below.

This is a request for all Body Worn Camera (BWC) recordings and other records related to the incident between members of the RPD and Daniel Prude on or about March 23, 2020 at approximately 3:00 a.m.

The incident is believed to have occurred on Jefferson Avenue. Officers apparently used force against Mr. Prude and then transported him to Strong Memorial Hospital where he died.

The incident is depicted in part on a video posted here:

<https://www.facebook.com/frederico.krueger.35/videos/pcb.251848249544753/251847842878127/?type=3&theater>

Produce all records related to this incident including but not limited to:

1. All BWC recordings
2. All 911 call recordings and transcripts
3. All communications by any RPD Officers and/or City employees related to this incident including communications made via the vehicles' Mobile Data Computer (MDC) and/or the Computer Aided Dispatch (CAD) system
4. Copies of all CAD reports / printouts related to the incident
5. All arrest reports
6. All subject resistance reports
7. All "Rough Notes" or any other handwritten notes related to the incident
8. All records related to Mr. Prude's death
9. Color copies of any photographs related to this incident
10. All witness statements / Supporting Depositions
11. All incident reports and
12. All other records containing factual data related to the incident

Thank you

**Attach supporting documentation (if applicable)**

**Preferred method of record delivery\***

**(Subject to Limitations)**

- Email
- In-person at City Hall (Room 202A)
- Pick up copies at City Hall (Room 202A)
- Mail
- Fax

## City Records Access

---

**From:** Elliot Shields <eshields@rothandrothlaw.com>  
**Sent:** Thursday, May 28, 2020 9:06 PM  
**To:** Prince, Stephanie A.; Mitchell,Shani C.  
**Cc:** David Roth; Donald Thompson; Audra Roth  
**Subject:** Appeal of Constructive Denial of RR20-01479  
**Attachments:** City of Rochester Records Access Application.pdf

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

Dear Stephanie and Shani,

I hope you are staying safe and healthy. I am writing to appeal the constructive denial of the attached FOIL request. It has been nearly two months and I have not received any communications related to this request.

Please immediately provide all the requested body worn camera recordings and other records requested.

Thank you,

Elliot

**From:** requestnoreply@cityofrochester.gov <requestnoreply@cityofrochester.gov>  
**Sent:** Friday, April 3, 2020 10:30 AM  
**To:** Elliot Shields <eshields@rothandrothlaw.com>  
**Subject:** City of Rochester FOIL Request Submission - RR20-01479

Dear Elliot Shields,

Your Freedom of Information Law (FOIL) request for "BWC recording and all documentation of incident involving Daniel Prude" has been received by the City of Rochester.

Your request is currently being processed. The City will supply either the requested material or an updated response within approximately 20 business days. We will notify you in writing should additional time be needed.

This request has been assigned FOIL #RR20-01479. Please refer to this number when making any inquiries regarding this request.

[Click here](#) to check on the status of your request.

Sincerely,

Justin Roj  
Records Access Officer

**TAB 22**



**TAB 23**

## City Records Access

---

**From:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Sent:** Thursday, June 4, 2020 2:06 PM  
**To:** Curtin, Tim  
**Subject:** RE: Important.\*\*\*\*FW: Contact Info Jenn Sommers at AG's Office

The request is now a FOIL appeal filed by Elliot Shields for constructive denial of his request. Our response deadline is next Thursday, 6/11. I spoke with Jenn Sommers this morning – what her office typically does and what she’s suggested for this matter is to invite Don Thompson (the attorney representing Daniel Prude’s family) to come to her office to review the case file (including BWC) in person, provided he agrees to sign an agreement that he cannot scan/copy/otherwise attempt to reproduce the information. This way, the AG is making the file available to the family’s attorney, but we are not releasing anything to the public. If Don agrees to the AG’s offer, I would contact Elliot and let him know that the matter is being investigated by the AG, but that the AG is making the case file available for Don T. to review in person. We would ask Elliot to agree to adjourn the appeal deadline until after the AG’s investigation is complete. This way, the City is not releasing anything pertaining to the case for at least a month (more like 2), and it will not be publicly available. Ultimately, anything we do release would be heavily, heavily redacted as the decedent is naked in the BWC footage, we have to redact his medical treatment, and the reports all discuss his mental health and condition.

After receiving the below I reached out to Jenn and asked her to hold off on contacting Don Thompson until I got back to her.



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950  
[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Curtin, Tim <Tim.Curtin@CityofRochester.Gov>  
**Sent:** Thursday, June 4, 2020 1:28 PM  
**To:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Subject:** FW: Important.\*\*\*\*FW: Contact Info Jenn Sommers at AG's Office

Can you review this? Can we deny/delay? Thanks.



Timothy R. Curtin  
Corporation Counsel  
City of Rochester  
30 Church Street, Room 400  
Rochester, NY 14614  
(585) 428-7741  
[Tim.Curtin@CityofRochester.Gov](mailto:Tim.Curtin@CityofRochester.Gov)

---

**From:** Mura, Mark S.  
**Sent:** Thursday, June 04, 2020 1:25 PM  
**To:** Simmons, Mark L. <[Mark.Simmons@CityofRochester.Gov](mailto:Mark.Simmons@CityofRochester.Gov)>; Curtin, Tim <[Tim.Curtin@CityofRochester.Gov](mailto:Tim.Curtin@CityofRochester.Gov)>; Beath, Patrick <[Patrick.Beath@CityofRochester.Gov](mailto:Patrick.Beath@CityofRochester.Gov)>  
**Cc:** Singletary, La'Ron D. <[LaRon.Singletary@CityofRochester.Gov](mailto:LaRon.Singletary@CityofRochester.Gov)>  
**Subject:** RE: Important. \*\*\*\*FW: Contact Info Jenn Sommers at AG's Office

I'm available

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**Sent:** Thursday, June 4, 2020 12:55 PM  
**To:** Curtin, Tim <[Tim.Curtin@CityofRochester.Gov](mailto:Tim.Curtin@CityofRochester.Gov)>; Beath, Patrick <[Patrick.Beath@CityofRochester.Gov](mailto:Patrick.Beath@CityofRochester.Gov)>  
**Cc:** Singletary, La'Ron D. <[LaRon.Singletary@CityofRochester.Gov](mailto:LaRon.Singletary@CityofRochester.Gov)>; Mura, Mark S. <[Mark.Mura@CityofRochester.Gov](mailto:Mark.Mura@CityofRochester.Gov)>  
**Subject:** FW: Important. \*\*\*\*FW: Contact Info Jenn Sommers at AG's Office  
**Importance:** High

Good afternoon gentlemen,

Are you available tomorrow morning to discuss the FOIL request for BWC video footage surrounding the Jefferson Avenue in custody death? If so, please let me know your availability?

Thank you,  
DCA Simmons

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**From:** Singletary, La'Ron D.  
**Sent:** Thursday, June 4, 2020 12:42 PM  
**To:** Simmons, Mark L. <[Mark.Simmons@CityofRochester.Gov](mailto:Mark.Simmons@CityofRochester.Gov)>  
**Cc:** Mura, Mark S. <[Mark.Mura@CityofRochester.Gov](mailto:Mark.Mura@CityofRochester.Gov)>; Morabito II, Joseph M. <[Joseph.Morabito@CityofRochester.Gov](mailto:Joseph.Morabito@CityofRochester.Gov)>  
**Subject:** Re: Important. \*\*\*\*FW: Contact Info Jenn Sommers at AG's Office

I totally agree. If you can set up a zoom meeting with Pat and/or Tim.

Chief La'Ron D. Singletary  
Rochester Police Department

---

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Chief,

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I ask that we reach out to Corporation Council and ask them to deny the request based on the fact that the case is still active, as it is currently being investigated for possible criminal charges to be brought forth by the AG's office.

Federal Guidelines governing FOIL request exceptions state:

Exemption 7: Information compiled for law enforcement purposes that:

7(A). Could reasonably be expected to interfere with enforcement proceedings

7(B). Would deprive a person of a right to a fair trial or an impartial adjudication

Please let me know your thoughts on this, as the request is time sensitive.

DCA Simmons

---

**From:** Favor Jr., Henry C.

**Sent:** Thursday, June 4, 2020 10:06 AM

**To:** Morabito II, Joseph M. <[Joseph.Morabito@CityofRochester.Gov](mailto:Joseph.Morabito@CityofRochester.Gov)>; Simmons, Mark L. <[Mark.Simmons@CityofRochester.Gov](mailto:Mark.Simmons@CityofRochester.Gov)>

**Subject:** Important. \*\*\*\*FW: Contact Info Jenn Sommers at AG's Office

**Importance:** High

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** "Umbrino, Frank" <[Frank.Umbrino@CityofRochester.Gov](mailto:Frank.Umbrino@CityofRochester.Gov)>

**Date:** 6/4/20 9:58 AM (GMT-05:00)

**To:** "Favor Jr., Henry C." <[Henry.FavorJr@CityofRochester.Gov](mailto:Henry.FavorJr@CityofRochester.Gov)>

**Subject:** FW: Contact Info Jenn Sommers at AG's Office

I told you before this is closed and after further discussion we think that is up for interpretation on the RPD's end...although that does not change the fact we pretty much have to give it to corporation council. Basically corporation council will review the package and decide what should and should not be turned over. They need to keep in mind:

1. this can be labeled still as an active investigation because the AG's Office has not concluded their portion of it and have requested additional interviews of the officers. Our investigation can be interpreted technically as remaining "open" until their investigation is complete in the highly unlikely event they uncover any additional information that could impact our investigative findings
2. In light of the recent events throughout the country, any release of information should be in conjunction with and coordinated with the Mayor and the Chief as it very well have some intense ramifications.

I respectfully suggest the Chief and DCA be made aware of exactly what is going on with this FOIL so there are no surprises and they can weigh in on the discussion with the Mayors Office

---

**From:** Perkowski, Michael E. <[Michael.Perkowski@CityofRochester.Gov](mailto:Michael.Perkowski@CityofRochester.Gov)>

**Sent:** Thursday, June 4, 2020 9:46 AM

**To:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>

Cc: Umbrino, Frank <[Frank.Umbrino@CityofRochester.Gov](mailto:Frank.Umbrino@CityofRochester.Gov)>

Subject: RE: Contact Info Jenn Sommers at AG's Office

Steph,

Attached are all of the Crime Reports, SRR's and BWC video. I am sending you this for review. Will you please let me know how your conversation goes with the AG's Office? I am very concerned about releasing this prematurely in light of what is going on in Rochester and around the Country. If the decision is to release this based on the FOIL, I will have to make several notifies to my Command staff before that happens. I may be overthinking this, but I would think the Chief's Office and Mayor's Office would want a heads up before this goes out.

As I stated before, this is still an open investigation. Based on what I can tell from the new legislation concerning the in custody death of an unarmed suspect, the AG's Office takes the role of the DA's Office.

Mike

City of Rochester ShareFile Attachments Expires July 4, 2020

|                   |        |
|-------------------|--------|
| 435 Jefferson Ave | 2.7 GB |
|-------------------|--------|

[Download Attachments](#)

Files are sent and received securely. Files sent with ShareFile will be available for up to 31 days from the time they are sent.

---

**From:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>

**Sent:** Wednesday, June 3, 2020 5:34 PM

**To:** Perkowski, Michael E. <[Michael.Perkowski@CityofRochester.Gov](mailto:Michael.Perkowski@CityofRochester.Gov)>

**Subject:** RE: Contact Info Jenn Sommers at AG's Office

Thanks, Mike.

---

**From:** Perkowski, Michael E. <[Michael.Perkowski@CityofRochester.Gov](mailto:Michael.Perkowski@CityofRochester.Gov)>

**Sent:** Wednesday, June 3, 2020 5:31 PM

**To:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>

**Subject:** Contact Info Jenn Sommers at AG's Office

The contact information for Jennifer Sommers is 327-3231.

[Jennifer.Sommers@ag.ny.gov](mailto:Jennifer.Sommers@ag.ny.gov)

Steph,

Above is the contact for the AG's Office. Sgt Zenelovic is the lead Sgt on this case with his investigators. He called Jen today to verify her contact information. Jen said she would look forward to speaking with you and that this is still an active open case. In fact a call to possibly re-interview the officers has been placed with their attorney.

Jen said that she may be able to assist by allowing the plaintiff's attorney to view the BWC without releasing it, to buy some more time before we have to release this. I'm wondering if we shouldn't hold back on this for a little while considering what is going on around the country. Nonetheless, I think I should have ShareFile fixed tomorrow, so call or email me when you talk to Jen and let me know how you want to proceed.

Mike

**TAB 24**

## City Records Access

---

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Mike

City of Rochester ShareFile Attachments Expires July 4, 2020

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[Jennifer.Sommers@ag.ny.gov](mailto:Jennifer.Sommers@ag.ny.gov)

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Mike

**TAB 25**

## City Records Access

---

**From:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Sent:** Monday, July 27, 2020 5:23 PM  
**To:** 'Elliot Shields'  
**Cc:** Donald Thompson; David Roth; Mitchell, Shani C.  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

Elliot,

Everything is ready to be sent to you – I'm simply waiting for the BWC footage to be processed. As you and I previously discussed, RPD only has one employee who reviews and redacts video and he is only working 50% of his hours (due to budget cuts) through the end of July and is not working this Thursday or Friday. He has an enormous backlog of work, but I've asked him to prioritize this video so that it is ready to be sent to you early next week.

Thanks,



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950  
[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

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**Sent:** Thursday, July 23, 2020 5:02 PM  
**To:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Cc:** Donald Thompson <dmthompson@etksdefense.com>; David Roth <droth@rothandrothlaw.com>; Roj, Justin C. <Justin.Roj@CityofRochester.Gov>; 'O'Neill, Kristin (DOS)' <Kristin.ONEill@dos.ny.gov>; Mitchell, Shani C. <Shani.Mitchell@CityofRochester.Gov>  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

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

Stephanie,

I watched most of the videos the other day at the attorney general's office. I didn't see anything that could be redacted under any FOIL exemption. I didn't watch any videos at the hospital, just the surveillance videos and the body camera videos from the scene where Daniel Prude was handcuffed and force was used on him.

Please send me all the body worn camera videos at the scene. None of these have anything that can be redacted. They only show the officers, the paramedics, and the decedent.

Please also email me the remainder of the paperwork that wasn't originally sent – and if it's too large, send it via file share.

Thank you,

Elliot

---

**From:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>

**Sent:** Thursday, June 11, 2020 4:56 PM

**To:** Elliot Shields <eshields@rothandrothlaw.com>

**Cc:** Donald Thompson <dmthompson@etksdefense.com>; David Roth <droth@rothandrothlaw.com>; Roj, Justin C. <Justin.Roj@CityofRochester.Gov>; 'O'Neill, Kristin (DOS)' <Kristin.ONEill@dos.ny.gov>; Mitchell, Shani C. <Shani.Mitchell@CityofRochester.Gov>

**Subject:** RE: Appeal of Constructive Denial of RR20-01479

Elliot:

In response to your FOIL appeal, we have performed a diligent search and review for the categories of records referenced in your request related to the March 23, 2020 incident involving Daniel Prude. Attached hereto are all police reports and SRRs with redactions made pursuant to Public Officers Law 87(2)(b). These redactions have been made to prevent an unwarranted invasion of personal privacy and they include dates of birth, personal phone numbers, and residential street addresses. Two Mental Health Transport forms dated March 22, 2020 and March 23, 2020, respectively, are withheld pursuant to Mental Hygiene Law 33.13.

In addition to police reports, there are other records which will be sent to you via mail as everything is too large to send via email. As I am aware that you are working remotely, please provide an address for the City to mail records.

Regarding BWC footage, it is my understanding that you represent the Estate of Daniel Prude. The footage contains video of medical treatment by EMTs and later in a hospital. If you can provide an appropriate HIPAA release form so that we can release that footage without HIPAA-related redactions, please provide a signed, notarized form. If not, please advise so that we can instruct our digital media specialist to properly prepare the video.

An item-by-item response to your request is below, to avoid confusion.

- 1 - All BWC recordings – please see above.
- 2 - All 911 call recordings and transcripts: New York County Law 308(4), the City is prohibited from releasing any records of 911 calls, in whatever form they are kept.
- 3 - all communications by any RPD Officers and/or City employees related to this incident, including communications made via their vehicles' Mobile Data Computer (MDC) and/or the Computer Aided Dispatch (CAD) system: Please consider this a certification that, following a diligent search, no such records could be located.
- 4 - Copies of all CAD reports / print-outs related to the incident: Please consider this a certification that, following a diligent search, no such records could be located.
- 5 - all arrest reports: Two Mental Health Transport forms are withheld pursuant to Mental Hygiene Law 33.13. Please consider this a certification that, following a diligent search, no further records could be located.
- 6 - all subject resistance reports: all available reports are attached to this email.
- 7 - All "Rough Notes" or any other handwritten notes related to the incident: will be sent via mail, containing redactions pursuant to Public Officers Law 87(2)(b) to prevent an unwarranted invasion of personal privacy.
- 8 - All records related to Mr. Prude's death: all available reports are attached to this email. Otherwise, this request is unreasonably described as it does not specify a specific kind of document.
- 9 - Color copies of any photographs related to this incident: photos will be sent via mail.
- 10 - All witness statements / Supporting Depositions: will be sent via mail.
- 11 - All incident reports: all available reports are attached to this email.
- 12 - All other records containing factual data related to the incident: this request is unreasonably described as it does not specify a specific kind of document.

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

Sincerely,

Timothy R. Curtin  
Corporation Counsel

Via:



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950  
[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Sent:** Wednesday, June 10, 2020 3:39 PM  
**To:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>  
**Cc:** Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>; David Roth <[droth@rothandrothlaw.com](mailto:droth@rothandrothlaw.com)>  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

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

Stephanie,

It was nice speaking with you on the phone yesterday. Thank you for agreeing to produce all the documents and reports requested in our FOIL request.

We do not consent to the City withholding the BWC videos until the Attorney General concludes its investigation. However, we do consent to the limited redaction of the video, solely for the purposes of redacting Mr. Prude's genitals. Even though you stated on the phone that any redactions would not take more than two hours, we do not consent to paying any money for the RPD to apply any redactions to the video.

Thus, please produce all the reports, documents and BWC videos requested in the FOIL request by tomorrow so we can avoid filing an Article 78.

Thank you,



Elliot

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**From:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>  
**Sent:** Tuesday, June 9, 2020 12:28 PM  
**To:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Cc:** Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

Sounds good – I'm working remotely today, so I'll call you from my cell phone – it's a 469 area code.



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950  
[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

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**From:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Sent:** Tuesday, June 9, 2020 12:26 PM  
**To:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>  
**Cc:** Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

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

Around 2:30-3:00 pm should be good. I've got my office phone hooked up at home, you can call that or my cell

On Jun 9, 2020, 12:13 PM -0400, Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>, wrote:

Elliot,

Do you have time today to discuss this? I have additional information related to an ongoing investigation by the AG's office, who I understand has reached out to Don Thompson.

If you are free today let me know how to reach you and I'll give you a call.

Thanks,



**Stephanie A. Prince**

Municipal Attorney

City of Rochester, New York - Law Department

City Hall - Room 400A

30 Church Street

Rochester, New York 14614

p: (585) 428-6752 / f: (585) 428-6950

[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>

**Sent:** Thursday, May 28, 2020 9:06 PM

**To:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>; Mitchell, Shani C. <[Shani.Mitchell@CityofRochester.Gov](mailto:Shani.Mitchell@CityofRochester.Gov)>

**Cc:** David Roth <[droth@rothandrothlaw.com](mailto:droth@rothandrothlaw.com)>; Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>; Audra Roth <[aroth@rothandrothlaw.com](mailto:aroth@rothandrothlaw.com)>

**Subject:** Appeal of Constructive Denial of RR20-01479

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

Dear Stephanie and Shani,

I hope you are staying safe and healthy. I am writing to appeal the constructive denial of the attached FOIL request. It has been nearly two months and I have not received any communications related to this request.

Please immediately provide all the requested body worn camera recordings and other records requested.

Thank you,

Elliot

**From:** [requestnoreply@cityofrochester.gov](mailto:requestnoreply@cityofrochester.gov) <[requestnoreply@cityofrochester.gov](mailto:requestnoreply@cityofrochester.gov)>  
**Sent:** Friday, April 3, 2020 10:30 AM  
**To:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Subject:** City of Rochester FOIL Request Submission - RR20-01479

Dear Elliot Shields,

Your Freedom of Information Law (FOIL) request for "BWC recording and all documentation of incident involving Daniel Prude" has been received by the City of Rochester.

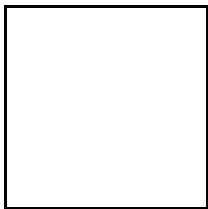
Your request is currently being processed. The City will supply either the requested material or an updated response within approximately 20 business days. We will notify you in writing should additional time be needed.

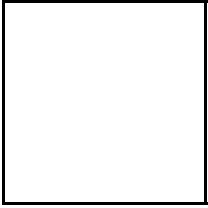
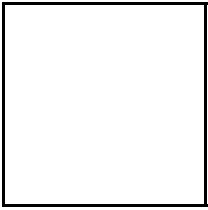
This request has been assigned FOIL #RR20-01479. Please refer to this number when making any inquiries regarding this request.

[Click here](#) to check on the status of your request.

Sincerely,

Justin Roj  
Records Access Officer





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**United States<sup>®</sup>**  
**Census**  
**2020**

**HAVE YOU FILLED  
OUT YOUR CENSUS?**

*Rochester's future is counting on you*

A horizontal banner with a blue background on the left and a red background on the right. The text is white and black. The banner is positioned below a horizontal line.

**TAB 26**

# CHEEKTOWAGA POLICE DEPARTMENT

## Complaint Information

**Complaint# 20-012436 Date Received: 03/22/2020 Source: PHONE**

**Dispatch Code: 1699 Description: LARCENY-OTHER Call Type: POLICE**

**Final Dispatch Code: 1699 Description: LARCENY-OTHER**

**Street: NOB HILL PARK TN Tract: Street Code: 10725**

**Cross Street: Municipality: CHEEKTOWAGA**

**Business: Call Back:**

**Times: Received: 11:24:39 Dispatched: 11:26:49 Arrived: 11:29:23 Completed: 12:21:11**

**Officers:**

**Received By: Dispatcher:**

**Report (follow up): YES Notified:**

**Action Codes 1. 2.  
3. 4.**

**Associated Persons: SUB - PRUDE, DANIEL DOB: [REDACTED]**

**[REDACTED] CHICAGO**

**CMP - PING, ANDREW J. DOB: [REDACTED]**

**[REDACTED] SLOAN Phone: [REDACTED]**

03/22/20 11:24:23 675 B/M WEARING BLACK LEATHER JACKET TAN HOOD BLUE SWEATPANTS AND BLACK DUFFLE BAG // OPENED DOOR OF TOWN TRUCK AND TOOK A CELLPHONE // WALKING THROUGH THE PARK

03/22/20 11:24:38 675 SAT DOWN IN BLEACHERS BY BASEBALL DIAMOND

03/22/20 11:26:33 675 L/S WALKING TOWARDS POSSIBLY WHITE RD OR BERT RD

03/22/20 11:29:39 675 MALE L/S ON REDLEAF

03/22/20 12:06:13 632 PROPERTY RECOVERED AND MALE TAKEN TO THE CITY MISSION

03/22/20 12:13:18 632 HARBOR HOUSE NOW

03/22/20 12:21:07 675 MALE WAS DROPPED OFF AT HARBOR HOUSE // ADVISED OF SERVICES

03/23/20 17:54:29 332 PR FILED



# ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #  
**2020-00061277**

|               |                                          |                                  |                             |                                |                           |                              |                         |  |
|---------------|------------------------------------------|----------------------------------|-----------------------------|--------------------------------|---------------------------|------------------------------|-------------------------|--|
| <b>DETAIL</b> | Incident Type<br><b>05. Burglary</b>     | Report Date<br><b>03/23/2020</b> | Report Time<br><b>03:10</b> | Date From<br><b>03/23/2020</b> | Time From<br><b>03:10</b> | Date To<br><b>03/23/2020</b> | Time To<br><b>03:10</b> |  |
|               | Incident Address<br><b>767 W MAIN ST</b> |                                  |                             | Beat<br><b>213</b>             | Campus Code               |                              |                         |  |
|               | Violent Crime Context                    |                                  |                             |                                | BWC<br><b>Yes</b>         |                              |                         |  |

|                                                                                    |                                                                                       |                                  |
|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|----------------------------------|
| <b>OFFENSES</b>                                                                    | Statute - <b>PL 145.00 01 AM4</b> Attempt/Commit - <b>Completed</b> Counts - <b>1</b> |                                  |
|                                                                                    | Description - <b>Criminal Mischief 4th: Intent To Damage Property</b>                 |                                  |
|                                                                                    | Location<br><b>Other Retail Store-40</b>                                              | Weapon                           |
|                                                                                    | Larceny Type                                                                          | Aggravated Assault Circumstances |
|                                                                                    | Gang Related<br><b>No</b>                                                             | Computer<br><b>No</b>            |
| Bias Type<br><b>No Bias-Not Applicable-77</b>                                      | Entry Point                                                                           | Method of Entry                  |
| Statute - <b>PL 140.20 DF3</b> Attempt/Commit - <b>Completed</b> Counts - <b>1</b> |                                                                                       | # of Premises Entered            |
| Description - <b>Burglary 3rd: Illegal Entry with Intent to Commit a Crime</b>     |                                                                                       |                                  |
| Location<br><b>Other Retail Store-40</b>                                           | Weapon                                                                                |                                  |
| Larceny Type                                                                       | Aggravated Assault Circumstances                                                      | Gang Related<br><b>No</b>        |
|                                                                                    |                                                                                       | Computer<br><b>No</b>            |
| Bias Type<br><b>No Bias-Not Applicable-77</b>                                      | Entry Point<br><b>Window Front</b>                                                    | Method of Entry<br><b>Force</b>  |
|                                                                                    |                                                                                       | # of Premises Entered            |

|               |                                          |                                                       |  |                                                                                                                            |     |                                           |      |           |                                           |
|---------------|------------------------------------------|-------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------|-----|-------------------------------------------|------|-----------|-------------------------------------------|
| <b>VICTIM</b> | Victim Type<br><b>Business-B</b>         | Victim Name (Last, First, Middle)<br><b>METRO PCS</b> |  |                                                                                                                            |     |                                           |      |           |                                           |
|               | Address<br><b>676 W MAIN ST</b>          |                                                       |  | Date of Birth                                                                                                              | Age | Sex                                       | Race | Ethnicity | Residence Status<br><b>Not Applicable</b> |
|               | City, State, Zip<br><b>Rochester, NY</b> |                                                       |  | Victim/Offender Relationship (Offender Name, DOB, Relationship)<br><b>Prude, daniel [REDACTED] Relationship Unknown-40</b> |     |                                           |      |           |                                           |
|               | Telephone                                | Level of Injury<br><b>Business - NA</b>               |  | Type of Injury<br><b>Business - NA</b>                                                                                     |     | Medical Treatment<br><b>Business - NA</b> |      |           |                                           |

|                |                                                                                        |                             |            |          |          |          |            |  |  |               |
|----------------|----------------------------------------------------------------------------------------|-----------------------------|------------|----------|----------|----------|------------|--|--|---------------|
| <b>PERSONS</b> | R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed |                             |            |          |          |          |            |  |  |               |
|                | Type                                                                                   | Name (Last, First, Middle)  | DOB        | Sex      | Race     | Eth      | Address    |  |  | Telephone No. |
|                | <b>NO</b>                                                                              | <b>MOHAMMED, NAHSHEL, A</b> | [REDACTED] | <b>M</b> | <b>A</b> | <b>N</b> | [REDACTED] |  |  | [REDACTED]    |
|                |                                                                                        |                             |            |          |          |          |            |  |  |               |

|                              |                                            |                                                            |            |                |                                                |                 |                    |                       |               |
|------------------------------|--------------------------------------------|------------------------------------------------------------|------------|----------------|------------------------------------------------|-----------------|--------------------|-----------------------|---------------|
| <b>SUSPECT / MISSING PER</b> | Type - <b>S</b>                            | Suspect Name (Last, First, Middle)<br><b>Prude, daniel</b> |            |                |                                                |                 |                    | Nickname              |               |
|                              | Address<br><b>[REDACTED] NY</b>            |                                                            |            | Date of Birth  | Age<br><b>41</b>                               | Sex<br><b>M</b> | Race<br><b>B</b>   | Ethnicity<br><b>N</b> | MoRIS / JCR # |
|                              | Height                                     | Weight                                                     | Hair Color | Hair Length    | Eye Color                                      | Glasses         | Complexion         | Build                 | Facial Hair   |
|                              | Clothing, Jewelry, Distinguishing Features |                                                            |            |                | Offender Condition<br><b>Apparently Normal</b> |                 |                    | Scars, Marks, Tattoos |               |
|                              | Mothers Maiden Name                        |                                                            |            | Place of Birth |                                                |                 | School Name / ID # |                       |               |

|                               |                                    |                                     |                                          |                                              |                                                     |                          |                          |  |  |  |  |  |
|-------------------------------|------------------------------------|-------------------------------------|------------------------------------------|----------------------------------------------|-----------------------------------------------------|--------------------------|--------------------------|--|--|--|--|--|
| <b>INVESTIGATION</b>          | Modus Operandi                     |                                     |                                          |                                              |                                                     |                          |                          |  |  |  |  |  |
|                               | 01. Witness to the offense?        | <input type="checkbox"/>            | 05. Can a suspect be described?          | <input type="checkbox"/>                     | 09. Is there significant Modus Operandi present?    | <input type="checkbox"/> |                          |  |  |  |  |  |
|                               | 02. Surveillance footage of event? | <input checked="" type="checkbox"/> | 06. Can a suspect be identified?         | <input type="checkbox"/>                     | 10. Is there significant physical evidence present? | <input type="checkbox"/> |                          |  |  |  |  |  |
|                               | 03. Can a suspect be named?        | <input type="checkbox"/>            | 07. Can a suspect vehicle be identified? | <input type="checkbox"/>                     | 11. Has evidence tech work been performed?          | <input type="checkbox"/> |                          |  |  |  |  |  |
| 04. Can a suspect be located? | <input type="checkbox"/>           | 08. Is stolen property traceable?   | <input type="checkbox"/>                 | 12. Preliminary investigation NOT completed? | <input type="checkbox"/>                            |                          |                          |  |  |  |  |  |
| Case Status<br><b>Field</b>   | Exceptional Clearance              |                                     |                                          | Assigned Bureau<br><b>CIS - MCU</b>          |                                                     |                          | Review Box<br><b>CID</b> |  |  |  |  |  |

|                                          |                      |                           |                                         |                                    |
|------------------------------------------|----------------------|---------------------------|-----------------------------------------|------------------------------------|
| Reporting Officer<br><b>RICOTTA PAUL</b> | IBM #<br><b>2534</b> | Date<br><b>03/24/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR</b> | Date Reviewed<br><b>03/26/2020</b> |
|------------------------------------------|----------------------|---------------------------|-----------------------------------------|------------------------------------|

# ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #

2020-00061277



|                |               |             |                  |                                  |          |                       |
|----------------|---------------|-------------|------------------|----------------------------------|----------|-----------------------|
| ADDT'L OFFENSE | Statute -     |             | Attempt/Commit - |                                  | Counts - |                       |
|                | Description - |             |                  |                                  |          |                       |
|                | Location      |             |                  |                                  | Weapon   |                       |
|                | Larceny Type  |             |                  | Aggravated Assault Circumstances |          | Gang Related          |
| Bias Type      |               | Entry Point |                  | Method of Entry                  |          | # of Premises Entered |

|           |                  |  |                                   |                                                                 |                |     |                   |           |                  |
|-----------|------------------|--|-----------------------------------|-----------------------------------------------------------------|----------------|-----|-------------------|-----------|------------------|
| VICTIM #2 | Victim Type      |  | Victim Name (Last, First, Middle) |                                                                 |                |     |                   |           |                  |
|           | Address          |  |                                   | Date of Birth                                                   | Age            | Sex | Race              | Ethnicity | Residence Status |
|           | City, State, Zip |  |                                   | Victim/Offender Relationship (Offender Name, DOB, Relationship) |                |     |                   |           |                  |
|           | Telephone        |  | Level of Injury                   |                                                                 | Type of Injury |     | Medical Treatment |           |                  |

|         |                                                                                        |                            |  |  |     |     |      |     |         |               |
|---------|----------------------------------------------------------------------------------------|----------------------------|--|--|-----|-----|------|-----|---------|---------------|
| PERSONS | R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed |                            |  |  |     |     |      |     |         |               |
|         | Type                                                                                   | Name (Last, First, Middle) |  |  | DOB | Sex | Race | Eth | Address | Telephone No. |
|         |                                                                                        |                            |  |  |     |     |      |     |         |               |
|         |                                                                                        |                            |  |  |     |     |      |     |         |               |
|         |                                                                                        |                            |  |  |     |     |      |     |         |               |

|            |                                            |        |                                    |             |               |                    |            |                       |             |                  |
|------------|--------------------------------------------|--------|------------------------------------|-------------|---------------|--------------------|------------|-----------------------|-------------|------------------|
| SUSPECT #2 | Type -                                     |        | Suspect Name (Last, First, Middle) |             |               |                    | Nickname   |                       |             |                  |
|            | Address                                    |        |                                    |             | Date of Birth | Age                | Sex        | Race                  | Ethnicity   | MoRIS / JCR #    |
|            | Height                                     | Weight | Hair Color                         | Hair Length | Eye Color     | Glasses            | Complexion | Build                 | Facial Hair | Gang Affiliation |
|            | Clothing, Jewelry, Distinguishing Features |        |                                    |             |               | Offender Condition |            | Scars, Marks, Tattoos |             |                  |

|          |                                    |  |                    |  |                |  |               |  |       |
|----------|------------------------------------|--|--------------------|--|----------------|--|---------------|--|-------|
| PROPERTY | Property Code                      |  | Property Type      |  | Property Value |  | Serial Number |  |       |
|          | <b>Seized Evidence</b>             |  | <b>BWC Video</b>   |  |                |  |               |  |       |
|          | Item Type and Description          |  |                    |  |                |  |               |  | Color |
|          | <b>Video Recorded by IBM: 2534</b> |  |                    |  |                |  |               |  |       |
| Quantity | Unit of Measure                    |  | Measurement Source |  | Drug Type      |  |               |  |       |
| <b>1</b> | <b>Item(s)</b>                     |  |                    |  |                |  |               |  |       |

|          |                                  |  |                       |  |                |  |               |  |       |
|----------|----------------------------------|--|-----------------------|--|----------------|--|---------------|--|-------|
| PROPERTY | Property Code                    |  | Property Type         |  | Property Value |  | Serial Number |  |       |
|          | <b>Damaged Vandalized</b>        |  | <b>Other Property</b> |  | <b>\$200</b>   |  |               |  |       |
|          | Item Type and Description        |  |                       |  |                |  |               |  | Color |
|          | <b>BROKEN PLATE GLASS WINDOW</b> |  |                       |  |                |  |               |  |       |
| Quantity | Unit of Measure                  |  | Measurement Source    |  | Drug Type      |  |               |  |       |
| <b>1</b> | <b>Item(s)</b>                   |  |                       |  |                |  |               |  |       |

|         |                       |  |               |      |      |        |       |               |               |
|---------|-----------------------|--|---------------|------|------|--------|-------|---------------|---------------|
| FIREARM | Firearm Property Code |  | Firearm Value |      | Make |        | Model |               | Finish        |
|         | Caliber               |  | Capacity      | Type |      | Action |       | Serial Number |               |
|         | Description           |  |               |      |      |        |       |               | Recovery Date |

|         |                        |              |      |       |  |       |               |       |       |
|---------|------------------------|--------------|------|-------|--|-------|---------------|-------|-------|
| VEHICLE | Vehicle Status         |              | Year | Make  |  | Model |               | Style | Color |
|         | State                  | Plate Number |      | VIN # |  |       | Recovery Date |       |       |
|         | Additional Description |              |      |       |  |       |               |       |       |

|                     |  |             |                   |                                     |  |
|---------------------|--|-------------|-------------------|-------------------------------------|--|
| Reporting Officer   |  | IBM #       | Date              | Reviewed By                         |  |
| <b>RICOTTA PAUL</b> |  | <b>2534</b> | <b>03/24/2020</b> | <b>ZENELOVIC, FLAMUR 03/26/2020</b> |  |





ON 3/23/20, AT ABOUT 0310 HOURS, I RESPONDED TO 767 W MAIN ST. (METRO PCS) FOR THE BURGLARY ALARM FOR TWO GLASS BRAKE ALERTS. UPON ARRIVAL, I OBSERVED THE PLATE GLASS WINDOW WAS SHATTERED ON THE WEST SIDE OF THE STORE . AS I APPROACHED THE WINDOW, I OBSERVED A CINDER BLOCK WAS LYING ON THE WINDOW FRAME AND APPEARED TO HAVE BEEN THROWN THROUGH THE WINDOW BY AN UNKNOWN SUSPECT.

(NO) NAHSHEL MOHAMMED ARRIVED AND ATTEMPTED TO REVIEW VIDEO BUT WAS UNABLE TO ACCESS THE VIDEO SINCE HE DIDN'T HAVE THE PROPER PASSWORD. (NO) ALSO STATED THAT NOTHING WAS MISSING FROM THE STORE. SPECIAL SERVICES ADVISED THAT THEY WOULD COME AT 0800 HOURS TO REPAIR THE WINDOW.

THE CITY CAMERA AT W MAIN ST/HENION ST. WAS FACING THE OPPOSITE DIRECTION WHEN THE INCIDENT OCCURRED. THERE ARE MULTIPLE CAMERAS AT 781 W MAIN ST. (HAIR BIZZ) THAT FACE THE PARKING LOT. HAIR BIZZ WAS CLOSED AND I WAS UNABLE TO VIEW THEM.

I TOOK PHOTOS OF THE BROKEN WINDOW WITH MY BWC. TECH RADELL ARRIVED AND ALSO PROCESSED THE SCENE.

I LATER LEARNED THAT VIDEO WAS OBTAINED FROM 781 W MAIN ST. (SEE IA'S FOR MORE).

---FILED TO MCU--

NARRATIVE

|                   |       |            |                              |
|-------------------|-------|------------|------------------------------|
| Reporting Officer | IBM # | Date       | Reviewed By                  |
| RICOTTA PAUL      | 2534  | 03/24/2020 | ZENELOVIC, FLAMUR 03/26/2020 |

**DEPEW POLICE DEPARTMENT**  
**Complaint Information**

**Complaint# 20-002489    Date Received: 03/22/2020    Source: PHONE**

Dispatch Code: 5007    Description: CUSTOMER TROUBLE    Call Type: POLICE  
Final Dispatch Code:5007    Description: CUSTOMER TROUBLE

Street: 55 DICK RD    Tract:    Street Code: 4715  
Cross Street:    Municipality:DEPEW

Business: AMTRAK    Call Back:

Times: Received:08:35:48    Dispatched:08:35:52    Arrived:08:42:53    Completed:09:36:42

Officers: STRANC, TIMOTHY    GORSKI, JEFFREY

Received By: DZIADOSZ, CHESTER    Dispatcher: DZIADOSZ, CHESTER

Report (follow up): NO    Notified:

Action Codes    1.    2.  
                          3.    4.

Associated Persons: SUB - PRUDE, DANIEL

CMP - AMTRAK

                          DEPEW Phone: [REDACTED]

03/22/20 08:35:24 317 AMTRAK  
CMP ( BRAD, EMPLOYEE ) REPORTS MALE ON IN BOUND TRAIN  
REFUSING TO LISTEN TO ORDERS CONTINUES TO SMOKE ON TRAIN  
FROM CHICAGO DUE IN AT 08:45 HRS

03/22/20 09:01:46 317 PER PATROL DANIEL PRUDE LEFT TRAIN WITH NO INCIDENT SUBJECT  
LAST SEEN AT BUS STOP DISPATCH MADE CONTACT WITH ROCHESTER  
PD IN ATTEMPT TO CONTACT FAMILY MEMBER

03/22/20 09:36:37 317 UNABLE TO FIND # RPD HAS NO INFO

## City Records Access

---

**From:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Sent:** Thursday, June 11, 2020 4:56 PM  
**To:** 'Elliot Shields'  
**Cc:** Donald Thompson; David Roth; Roj, Justin C.; 'O'Neill, Kristin (DOS)'; Mitchell, Shani C.  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479  
**Attachments:** Cheektowaga Police Report\_Redacted.pdf; Depew Police Report\_Redacted.pdf; Orchard Park Police Report\_Redacted.pdf; Crime Report-Ofc. Ricotta-Metro PCS Burglary\_Redacted.pdf; IAR-Inv. Carbonel\_Redacted.pdf; IAR-Inv. Gotham\_Redacted.pdf; IAR-Inv. Houlihan 2\_Redacted.pdf; IAR-Inv. Houlihan\_Redacted.pdf; IAR-Ofc. Frye.pdf; IAR-Ofc. Gonzalez\_Redacted.pdf; IAR-Ofc. Harris.pdf; IAR-Ofc. Laurez.pdf; IAR-Ofc. Serenis.pdf; IAR-Ofc. Specksgoor\_Redacted.pdf; IAR-Ofc. Talladay\_Redacted.pdf; IAR-Sgt. Magri\_Redacted.pdf; IAR-Sgt. Zenelovic\_Redacted.pdf; Incident Report-Ofc. Vaughn\_Redacted.pdf; Ofc. Santiago SRR\_Redacted.pdf; Ofc. Talladay SRR\_Redacted.pdf; Ofc. Vaughn SRR\_Redacted.pdf

Elliot:

In response to your FOIL appeal, we have performed a diligent search and review for the categories of records referenced in your request related to the March 23, 2020 incident involving Daniel Prude. Attached hereto are all police reports and SRRs with redactions made pursuant to Public Officers Law 87(2)(b). These redactions have been made to prevent an unwarranted invasion of personal privacy and they include dates of birth, personal phone numbers, and residential street addresses. Two Mental Health Transport forms dated March 22, 2020 and March 23, 2020, respectively, are withheld pursuant to Mental Hygiene Law 33.13.

In addition to police reports, there are other records which will be sent to you via mail as everything is too large to send via email. As I am aware that you are working remotely, please provide an address for the City to mail records.

Regarding BWC footage, it is my understanding that you represent the Estate of Daniel Prude. The footage contains video of medical treatment by EMTs and later in a hospital. If you can provide an appropriate HIPAA release form so that we can release that footage without HIPAA-related redactions, please provide a signed, notarized form. If not, please advise so that we can instruct our digital media specialist to properly prepare the video.

An item-by-item response to your request is below, to avoid confusion.

- 1 - All BWC recordings – please see above.
- 2 - All 911 call recordings and transcripts: New York County Law 308(4), the City is prohibited from releasing any records of 911 calls, in whatever form they are kept.
- 3 - all communications by any RPD Officers and/or City employees related to this incident, including communications made via their vehicles' Mobile Data Computer (MDC) and/or the Computer Aided Dispatch (CAD) system: Please consider this a certification that, following a diligent search, no such records could be located.
- 4 - Copies of all CAD reports / print-outs related to the incident: Please consider this a certification that, following a diligent search, no such records could be located.
- 5 - all arrest reports: Two Mental Health Transport forms are withheld pursuant to Mental Hygiene Law 33.13. Please consider this a certification that, following a diligent search, no further records could be located.
- 6 - all subject resistance reports: all available reports are attached to this email.
- 7 - All "Rough Notes" or any other handwritten notes related to the incident: will be sent via mail, containing redactions pursuant to Public Officers Law 87(2)(b) to prevent an unwarranted invasion of personal privacy.

- 8 - All records related to Mr. Prude's death: all available reports are attached to this email. Otherwise, this request is unreasonably described as it does not specify a specific kind of document.
- 9 - Color copies of any photographs related to this incident: photos will be sent via mail.
- 10 - All witness statements / Supporting Depositions: will be sent via mail.
- 11 - All incident reports: all available reports are attached to this email.
- 12 - All other records containing factual data related to the incident: this request is unreasonably described as it does not specify a specific kind of document.

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

Sincerely,

Timothy R. Curtin  
Corporation Counsel

Via:



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950  
[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Elliot Shields <eshields@rothandrothlaw.com>  
**Sent:** Wednesday, June 10, 2020 3:39 PM  
**To:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Cc:** Donald Thompson <dmthompson@etksdefense.com>; David Roth <droth@rothandrothlaw.com>  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

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

Stephanie,

It was nice speaking with you on the phone yesterday. Thank you for agreeing to produce all the documents and reports requested in our FOIL request.

We do not consent to the City withholding the BWC videos until the Attorney General concludes its investigation. However, we do consent to the limited redaction of the video, solely for the purposes of redacting Mr. Prude's genitals. Even though you stated on the phone that any redactions would not take more than two hours, we do not consent to paying any money for the RPD to apply any redactions to the video.

Thus, please produce all the reports, documents and BWC videos requested in the FOIL request by tomorrow so we can avoid filing an Article 78.

Thank you,

Elliot

---

**From:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>  
**Sent:** Tuesday, June 9, 2020 12:28 PM  
**To:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Cc:** Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

Sounds good – I'm working remotely today, so I'll call you from my cell phone – it's a 469 area code.



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950  
[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Sent:** Tuesday, June 9, 2020 12:26 PM  
**To:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>  
**Cc:** Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

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Around 2:30-3:00 pm should be good. I've got my office phone hooked up at home, you can call that or my cell 585-749-2089.

On Jun 9, 2020, 12:13 PM -0400, Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>, wrote:

Elliot,

Do you have time today to discuss this? I have additional information related to an ongoing investigation by the AG's office, who I understand has reached out to Don Thompson.

If you are free today let me know how to reach you and I'll give you a call.

Thanks,



**Stephanie A. Prince**

Municipal Attorney

City of Rochester, New York - Law Department

City Hall - Room 400A

30 Church Street

Rochester, New York 14614

p: (585) 428-6752 / f: (585) 428-6950

[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>

**Sent:** Thursday, May 28, 2020 9:06 PM

**To:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>; Mitchell, Shani C. <[Shani.Mitchell@CityofRochester.Gov](mailto:Shani.Mitchell@CityofRochester.Gov)>

**Cc:** David Roth <[droth@rothandrothlaw.com](mailto:droth@rothandrothlaw.com)>; Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>; Audra Roth <[aroth@rothandrothlaw.com](mailto:aroth@rothandrothlaw.com)>

**Subject:** Appeal of Constructive Denial of RR20-01479

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Dear Stephanie and Shani,

I hope you are staying safe and healthy. I am writing to appeal the constructive denial of the attached FOIL request. It has been nearly two months and I have not received any communications related to this request.

Please immediately provide all the requested body worn camera recordings and other records requested.

Thank you,

Elliot

**From:** [requestnoreply@cityofrochester.gov](mailto:requestnoreply@cityofrochester.gov) <[requestnoreply@cityofrochester.gov](mailto:requestnoreply@cityofrochester.gov)>  
**Sent:** Friday, April 3, 2020 10:30 AM  
**To:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Subject:** City of Rochester FOIL Request Submission - RR20-01479

Dear Elliot Shields,

Your Freedom of Information Law (FOIL) request for "BWC recording and all documentation of incident involving Daniel Prude" has been received by the City of Rochester.

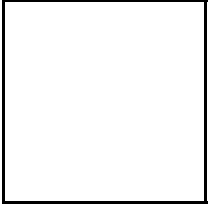
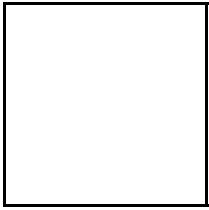
Your request is currently being processed. The City will supply either the requested material or an updated response within approximately 20 business days. We will notify you in writing should additional time be needed.

This request has been assigned FOIL #RR20-01479. Please refer to this number when making any inquiries regarding this request.

[Click here](#) to check on the status of your request.

Sincerely,

Justin Roj  
Records Access Officer



---

**United States<sup>®</sup>  
Census  
2020** **HAVE YOU FILLED  
OUT YOUR CENSUS?**  
*Rochester's future is counting on you*

A horizontal banner with a blue background on the left and a red background on the right. The text is white and black. The blue section contains the text 'United States<sup>®</sup> Census 2020'. The red section contains the text 'HAVE YOU FILLED OUT YOUR CENSUS?'. Below the red section, on a black background, is the text 'Rochester's future is counting on you' in white italics.



## City Records Access

---

**From:** Elliot Shields <eshields@rothandrothlaw.com>  
**Sent:** Friday, June 12, 2020 11:14 AM  
**To:** Prince, Stephanie A.  
**Cc:** Donald Thompson; David Roth; Roj, Justin C.; 'O'Neill, Kristin (DOS)'; Mitchell, Shani C.  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

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Stephanie,

Thank you for emailing the response and materials. Instead of sending me the materials in the mail, I'd like to arrange for Don's office to pick them up from the City, if that works. And we will get you a HIPAA for the BWC video.

Can you also please provide copies of the other videos referenced in the reports you emailed. Specifically, the surveillance videos, blue light camera videos, and the compilation video that Matt put together. Technically I think this falls under request no 12. If not then we can just submit another FOIL request.

Thank you,

Elliot

---

**From:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Sent:** Thursday, June 11, 2020 4:56 PM  
**To:** Elliot Shields <eshields@rothandrothlaw.com>  
**Cc:** Donald Thompson <dmthompson@etksdefense.com>; David Roth <droth@rothandrothlaw.com>; Roj, Justin C. <Justin.Roj@CityofRochester.Gov>; 'O'Neill, Kristin (DOS)' <Kristin.ONeill@dos.ny.gov>; Mitchell, Shani C. <Shani.Mitchell@CityofRochester.Gov>  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

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An item-by-item response to your request is below, to avoid confusion.

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Sincerely,

Timothy R. Curtin  
Corporation Counsel

Via:



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**Subject:** RE: Appeal of Constructive Denial of RR20-01479

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Stephanie,

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Thank you,

Elliot

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**Subject:** RE: Appeal of Constructive Denial of RR20-01479

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**Stephanie A. Prince**  
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Around 2:30-3:00 pm should be good. I've got my office phone hooked up at home, you can call that or my cell

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Elliot,

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If you are free today let me know how to reach you and I'll give you a call.

Thanks,



**Stephanie A. Prince**

Municipal Attorney

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City Hall - Room 400A

30 Church Street

Rochester, New York 14614

p: (585) 428-6752 / f: (585) 428-6950

[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

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**From:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Sent:** Thursday, May 28, 2020 9:06 PM  
**To:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>; Mitchell, Shani C. <[Shani.Mitchell@CityofRochester.Gov](mailto:Shani.Mitchell@CityofRochester.Gov)>  
**Cc:** David Roth <[droth@rothandrothlaw.com](mailto:droth@rothandrothlaw.com)>; Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>; Audra Roth <[aroth@rothandrothlaw.com](mailto:aroth@rothandrothlaw.com)>  
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Please immediately provide all the requested body worn camera recordings and other records requested.

Thank you,

Elliot

**From:** [requestnoreply@cityofrochester.gov](mailto:requestnoreply@cityofrochester.gov) <[requestnoreply@cityofrochester.gov](mailto:requestnoreply@cityofrochester.gov)>  
**Sent:** Friday, April 3, 2020 10:30 AM  
**To:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Subject:** City of Rochester FOIL Request Submission - RR20-01479

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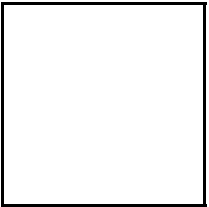
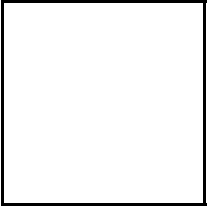
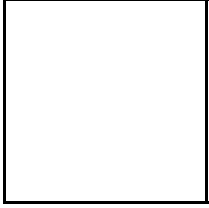
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This request has been assigned FOIL #RR20-01479. Please refer to this number when making any inquiries regarding this request.

[Click here](#) to check on the status of your request.

Sincerely,

Justin Roj  
Records Access Officer





**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
CASE UPDATE**

CR #  
**2020-00061280**

Page 1 of 3

DETAIL

SUSPECT / MISSING PER

VEHICLE RECOVERY

NARRATIVE

INVESTIGATION

Reporting Officer

|                                                                       |  |                                                           |  |                    |
|-----------------------------------------------------------------------|--|-----------------------------------------------------------|--|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business<br><b>TBA</b> |  | Location of Offense<br><b>435 JEFFERSON AVE Rochester</b> |  | Beat<br><b>263</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:15</b>                    |  | Offense / Charge / Incident (Most Recent Classification)  |  |                    |
| Classification After Investigation (Include Law Section Number)       |  |                                                           |  | BWC<br><b>No</b>   |

|                                            |        |                                                            |                  |                                               |                  |                       |               |
|--------------------------------------------|--------|------------------------------------------------------------|------------------|-----------------------------------------------|------------------|-----------------------|---------------|
| Suspect Type <b>S</b>                      |        | Suspect Name (Last, First, Middle)<br><b>PRUDE, DANIEL</b> |                  |                                               | Nickname         |                       |               |
| Address<br>[REDACTED], NY 14611            |        | Date of Birth<br>[REDACTED]                                | Age<br><b>41</b> | Sex<br><b>M</b>                               | Race<br><b>B</b> | Ethnicity<br><b>N</b> | MoRIS / JCR # |
| Height                                     | Weight | Hair Color<br><b>Black</b>                                 | Hair Length      | Eye Color<br><b>Brown</b>                     | Glasses          | Complexion            | Build         |
| Clothing, Jewelry, Distinguishing Features |        |                                                            |                  | Offender Condition<br><b>Impaired w Drugs</b> |                  | Scars, Marks, Tattoos |               |
| Missing Person Code                        |        | Missing Person Mothers Maiden Name                         |                  | Missing Person Place of Birth                 |                  | School ID Number      |               |

|                                      |                |       |      |                    |                                 |
|--------------------------------------|----------------|-------|------|--------------------|---------------------------------|
| Year                                 | Make           | Model |      | Style              | Color                           |
| State                                | Registration # | VIN # |      | Towed to -         | Towed by -                      |
| Location Recovered                   |                | Date  | Time | Owner Notified by: |                                 |
| Evidence of Damage / Method of Theft |                |       |      |                    | Time Radio Notified of Recovery |

**On March 23, 2020 I was tasked by Sgt. Zenelovic to do a neighborhood check in the 400 block of Jefferson Avenue between Dr. Samuel McRee Way and Cady Street. I was able to locate video at 422 Jefferson Avenue. The video was collected by members of the technicians unit. I could not locate any additional video between Dr. Samuel McRee Way and Cady Street. During the canvass I did speak to the following residents on Jefferson Avenue.**

**N/I-Abdikadir Muya of [REDACTED] no answer at the door. I did leave a business card asking for a call back.**

**N/O- Gwendolyn Sweet of [REDACTED]. Sweet said that she heard a male yelling and Screaming out of her bedroom window. Sweet said that she did not get up to look out her window. She only knew that the police were outside when she saw the crime scene tape.**

**435 Jefferson Avenue Abundant Life Church closed with no video cameras.**

|                                |                   |                            |     |                                                        |                 |
|--------------------------------|-------------------|----------------------------|-----|--------------------------------------------------------|-----------------|
| Continuance of<br><b>Field</b> |                   | Changed to<br><b>Field</b> |     | Closed by<br><b>Field</b>                              |                 |
| Exceptional Clearance          |                   | Bias Type                  |     | Victim Relationship to Suspect<br><b>Unknown</b>       |                 |
| Property Recovered             | Value of Property | # Arrested                 | SRR | Multiple Cleanup                                       | Teletype Status |
| Additional Techwork Performed  |                   |                            |     | Further Investigation Conducted By<br><b>CIS - MCU</b> |                 |

|                 |                 |                      |                           |                                                    |
|-----------------|-----------------|----------------------|---------------------------|----------------------------------------------------|
| <b>CARBONEL</b> | <b>WILFREDO</b> | IBM #<br><b>0636</b> | Date<br><b>03/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR 03/26/2020</b> |
|-----------------|-----------------|----------------------|---------------------------|----------------------------------------------------|



428 Jefferson Avenue Pretty Black Society Hair Gallery business closed with no video.

424 Jefferson Avenue is a multiple family apartment building with no exterior video cameras.

N/O Juvenile Taniya Williams of [REDACTED]. Williams said that she did not see or hear anything.

424 Jefferson Avenue #26 no answer at the door business card was left in the door.

Dimetrius Holmes [REDACTED]. Holmes said that he saw the police standing out in front of his apartment. He did not see anyone else or what occurred on Jefferson Avenue.

Pastine Davis [REDACTED] refused to give her phone number. Davis said that she was asleep in her apartment. That is when woke up because she heard someone screaming outside. She looked out of her window that faces Jefferson Avenue. She saw a naked male with the Police. After she saw the male with the police she went back to bed.

450 Jefferson Avenue vacant under construction.

NARRATIVE

|                   |                 |             |                                     |
|-------------------|-----------------|-------------|-------------------------------------|
| Reporting Officer | IBM #           | Date        | Reviewed By                         |
| <b>CARBONEL</b>   | <b>WILFREDO</b> | <b>0636</b> | <b>03/23/2020</b>                   |
|                   |                 |             | <b>ZENELOVIC, FLAMUR 03/26/2020</b> |





# ROCHESTER POLICE DEPARTMENT INVESTIGATIVE ACTION REPORT CASE UPDATE

CR #  
**2020-00061280**

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB        | Sex | Race | Eth | Address    | Telephone No. |
|------|----------------------------|------------|-----|------|-----|------------|---------------|
| NI   | MUYA , ABDIKADIR           |            | M   | B    | N   | [REDACTED] |               |
| NO   | SWEET , GWENDOLYN          | [REDACTED] | F   | B    | N   | [REDACTED] | [REDACTED]    |
| NO   | WILLIAMS, TANIYA           | [REDACTED] | F   | B    | N   | [REDACTED] | [REDACTED]    |
| NO   | HOLMES, DIMETRIUS          | [REDACTED] | M   | B    | N   | [REDACTED] | [REDACTED]    |
| NO   | DAVIS , PASTINE            | [REDACTED] | F   | B    | N   | [REDACTED] | [REDACTED]    |
|      |                            |            |     |      |     |            |               |
|      |                            |            |     |      |     |            |               |
|      |                            |            |     |      |     |            |               |

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address | Telephone No. |
|------|----------------------------|-----|-----|------|-----|---------|---------------|
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|      |                            |     |     |      |     |         |               |

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address | Telephone No. |
|------|----------------------------|-----|-----|------|-----|---------|---------------|
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ADDITIONAL PERSONS

|                                      |                          |                     |                                  |                                                    |
|--------------------------------------|--------------------------|---------------------|----------------------------------|----------------------------------------------------|
| Reporting Officer<br><b>CARBONEL</b> | IBM #<br><b>WILFREDO</b> | Date<br><b>0636</b> | Reviewed By<br><b>03/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR 03/26/2020</b> |
|--------------------------------------|--------------------------|---------------------|----------------------------------|----------------------------------------------------|



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
CASE UPDATE**

CR #  
**2020-00061280**

|               |                                                                       |  |                                                           |  |                    |
|---------------|-----------------------------------------------------------------------|--|-----------------------------------------------------------|--|--------------------|
| <b>DETAIL</b> | Victim's Name (Last, First, Middle) or Name of Business<br><b>TBA</b> |  | Location of Offense<br><b>435 Jefferson AVE Rochester</b> |  | Beat<br><b>213</b> |
|               | Date/Time of Occurrence<br><b>03/23/2020 03:10</b>                    |  | Offense / Charge / Incident (Most Recent Classification)  |  |                    |
|               | Classification After Investigation (Include Law Section Number)       |  |                                                           |  | BWC<br><b>No</b>   |

|                              |                                             |        |                                                            |                             |                               |                 |                       |                       |               |                  |
|------------------------------|---------------------------------------------|--------|------------------------------------------------------------|-----------------------------|-------------------------------|-----------------|-----------------------|-----------------------|---------------|------------------|
| <b>SUSPECT / MISSING PER</b> | Suspect Type <b>S</b>                       |        | Suspect Name (Last, First, Middle)<br><b>PRUDE, DANIEL</b> |                             |                               | Nickname        |                       |                       |               |                  |
|                              | Address<br>██████████<br><b>R, NY 14611</b> |        |                                                            | Date of Birth<br>██████████ | Age<br><b>41</b>              | Sex<br><b>M</b> | Race<br><b>B</b>      | Ethnicity<br><b>N</b> | MoRIS / JCR # |                  |
|                              | Height                                      | Weight | Hair Color<br><b>Black</b>                                 | Hair Length                 | Eye Color<br><b>Brown</b>     | Glasses         | Complexion            | Build                 | Facial Hair   | Gang Affiliation |
|                              | Clothing, Jewelry, Distinguishing Features  |        |                                                            |                             | Offender Condition            |                 | Scars, Marks, Tattoos |                       |               |                  |
|                              | Missing Person Code                         |        | Missing Person Mothers Maiden Name                         |                             | Missing Person Place of Birth |                 |                       | School ID Number      |               |                  |

|                         |                                      |                |       |            |                                 |  |
|-------------------------|--------------------------------------|----------------|-------|------------|---------------------------------|--|
| <b>VEHICLE RECOVERY</b> | Year                                 | Make           | Model | Style      | Color                           |  |
|                         | State                                | Registration # | VIN # | Towed to - | Towed by -                      |  |
|                         | Location Recovered                   |                | Date  | Time       | Owner Notified by:              |  |
|                         | Evidence of Damage / Method of Theft |                |       |            | Time Radio Notified of Recovery |  |

**On 3/23/20, Inv. M. Hill and I were called back to duty by Sgt. Weigel in order to assist Genesee Section with the above incident that had occurred in the area of 435 Jefferson Ave.**

**Upon our arrival, we were briefed by Sgt. Weigel and learned that while Genesee Section Officers were attempting to take (S) Prude into custody for a mental hygiene arrest, when (S) Prude had a medical event and became unresponsive. (S) Prude was then transported to Strong Memorial Hospital in order to receive medical treatment.**

**Sgt. Weigel tasked Inv. Hill and me with interviewing the 911 caller (PK1) Jonathan and (S) Prude's brother, (PK2) Prude.**

**I first called (PK1) Jonathan at ██████████. (PK1) Jonathan stated that he works for Gates Towing and wasn't able to respond back to the area in order to speak. However, (PK1) Jonathan stated the following: He was in the process of hooking/towing a vehicle in the area of 179 Jefferson Ave. when he observed a bald black male wearing dark colored thermal pants and**

|                      |                                |                   |            |     |                                                        |                 |
|----------------------|--------------------------------|-------------------|------------|-----|--------------------------------------------------------|-----------------|
| <b>INVESTIGATION</b> | Continuance of<br><b>Field</b> |                   | Changed to |     | Closed by                                              |                 |
|                      | Exceptional Clearance          |                   | Bias Type  |     | Victim Relationship to Suspect                         |                 |
|                      | Property Recovered             | Value of Property | # Arrested | SRR | Multiple Cleanup                                       | Teletype Status |
|                      | Additional Techwork Performed  |                   |            |     | Further Investigation Conducted By<br><b>CIS - MCU</b> |                 |

|                                            |                      |                           |                                                    |
|--------------------------------------------|----------------------|---------------------------|----------------------------------------------------|
| Reporting Officer<br><b>GOTHAM BRANDON</b> | IBM #<br><b>1831</b> | Date<br><b>03/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR 03/26/2020</b> |
|--------------------------------------------|----------------------|---------------------------|----------------------------------------------------|



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
CASE UPDATE**

no shirt. The male appeared to have blood on his stomach and feet and wasn't wearing shoes.

(PK1) Jonathan heard the male, later identified as (S) Prude, yelling statements to the effect of, "Call 911. I've got the Coronavirus." (PK1) Jonathan then observed (S) Prude attempt to get into a Medical Transport van that was parked on Jefferson Ave. (PK1) Jonathan informed (S) Prude that he was calling 911 as requested, and at that point, (S) Prude took off heading southbound on Jefferson Ave.

(PK1) Jonathan stated that he didn't see the Police Officers take (S) Prude into custody.

Inv. Hill and I then responded to [REDACTED] in order to speak with (PK2) Prude. (PK2) Prude then provided a written deposition to Inv. M. Hill regarding the events of the day. See deposition for further.

NARRATIVE

|                   |                |             |                                     |
|-------------------|----------------|-------------|-------------------------------------|
| Reporting Officer | IBM #          | Date        | Reviewed By                         |
| <b>GOTHAM</b>     | <b>BRANDON</b> | <b>1831</b> | <b>03/23/2020</b>                   |
|                   |                |             | <b>ZENELOVIC, FLAMUR 03/26/2020</b> |



# ROCHESTER POLICE DEPARTMENT INVESTIGATIVE ACTION REPORT CASE UPDATE

CR #  
**2020-00061280**

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB        | Sex | Race | Eth | Address       | Telephone No. |
|------|----------------------------|------------|-----|------|-----|---------------|---------------|
| PK   | Jonathan, Justin           | [REDACTED] | M   | W    | N   | [REDACTED] Y  | [REDACTED]    |
| PK   | Prude, Joe                 | [REDACTED] | M   | B    | N   | [REDACTED] NY | [REDACTED]    |

ADDITIONAL PERSONS

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address | Telephone No. |
|------|----------------------------|-----|-----|------|-----|---------|---------------|
|      |                            |     |     |      |     |         |               |
|      |                            |     |     |      |     |         |               |
|      |                            |     |     |      |     |         |               |

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address | Telephone No. |
|------|----------------------------|-----|-----|------|-----|---------|---------------|
|      |                            |     |     |      |     |         |               |
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|                                    |                              |                           |                                                    |
|------------------------------------|------------------------------|---------------------------|----------------------------------------------------|
| Reporting Officer<br><b>GOTHAM</b> | IBM #<br><b>BRANDON 1831</b> | Date<br><b>03/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR 03/26/2020</b> |
|------------------------------------|------------------------------|---------------------------|----------------------------------------------------|



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

CR #  
**2020-00061280**

Page 1 of 3

|               |                                                                                     |                                                                                             |                    |
|---------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|--------------------|
| <b>DETAIL</b> | Victim's Name (Last, First, Middle) or Name of Business<br><b>City of Rochester</b> | Location of Offense<br><b>435 Jefferson AVE</b>                                             | Beat<br><b>233</b> |
|               | Date/Time of Occurrence<br><b>03/23/2020 03:11</b>                                  | Offense / Charge / Incident (Most Recent Classification)<br><b>Burg 3/CM 3/MHA incident</b> |                    |

**NARRATIVE**

On Monday, 03/30/2020 at approximately 2243 hr., I received a voice mail message from Kay Power of University of Rochester/Strong Hospital, informing me that Daniel Prude had died earlier in the evening. I then notified Sgt. Zenelovic and Inv. Benjamin of this change in his status.

On Friday, 04/10/2020, I was informed by Sgt. Zenelovic that interviews with the three police officers involved in the physical restraint of Daniel Prude would be occurring on Monday, 04/13/2020 at 1030 hr.

On Saturday, 04/11/2020, at approximately 2130 hr., I received a call from Sgt. Zenelovic informing me that Mario Perez was in custody at the East Side Office. Perez had previously posted a "FACEBOOK LIVE" video on his Facebook account under the user name "Frederico Kruger". The video was posted on 03/23/20, and it showed Perez driving around the area of W Main St/Jefferson Av and taunting a naked Daniel Prude as Prude ran through the streets.

I arrived at the East Division Office (home of Patrol Section Investigations (PSI)) at around 2315 hr. Inv. Benjamin had arrived a few minutes before me. Perez was in Interview Room #123 and he was being interviewed by Inv. E. Rogers and Inv. S. Savitchev. They stepped out of the interview room with him at around 2335 hr. After stepping out of the room, the Investigators told Inv. Benjamin and me that they did not mind if we briefly spoke with Perez for a few minutes while they reviewed some surveillance video from their shooting investigation.

Inv. Benjamin and I entered the interview room at 2337 hr. Inv. Benjamin and I introduced ourselves to Perez. We then spoke with Perez about the events around the Facebook live video that he uploaded on March 23<sup>rd</sup>. Perez said that he remembered that night. He said that he had just driven a female friend home when he was driving up the street and saw a tow truck blocking the street near Jefferson Av and W Main St. He said that he saw a man running. The man had been pleading with the tow truck driver, saying "Please. Please." He said that he went live on Facebook because the guy was naked. Perez said that he offered to call someone for the naked guy and the naked guy started to chase him. He told us that he saw some kid walking in the street and he warned the kid about the naked guy. Perez said that he was present when the police arrived and he saw the police detain the guy. Perez said that he heard the guy saying to the police "Look at my balls. Look at my big dick. Get the fuck away from me." Perez said that the police weren't on the naked guy while this was going on, but rather standing nearby. Benjamin asked Perez if he saw the police detain the naked man or handcuff him and Perez said "no". Perez further said that he wasn't even sure if the naked man was handcuffed, but he assumed that he was. Benjamin asked Perez if he saw when the ambulance arrived, and Perez said that he had already left by then. Perez said that he then went home.

We continued to ask Perez about the naked man and his behavior. Perez said that after pleading with the tow truck driver the naked man took his long-johns off in the street. Perez told us that could be seen on the video. The naked man was jumping in traffic and Perez said that he almost got hit by a car. Perez said he was acting crazy and he believed the man was on drugs. Perez said that the naked man was saying "I hate that bitch" and then he told Perez that he had to take a shit. Perez said that the naked man tried to chase him and then the naked guy got down in the street and crouched down and defecated. Perez told us that he was driving his car and he was recording his Facebook live video on his cell phone [REDACTED]

At approximately 2352 hr., Inv. Benjamin and I ended our interview with Perez. The interview (which was conducted during the middle of a Reckless Endangerment investigation conducted by Rogers and Savitchev) was recorded with audio and video. The entirety of this interview was saved. A copy of the interview as placed into the MCU file for 435 Jefferson Av.

On Monday, 04/13/20 at approximately 1045 hr., Inv. Benjamin and I conducted an interview with Officer Mark Vaughn.

|                                      |                              |                           |                                         |
|--------------------------------------|------------------------------|---------------------------|-----------------------------------------|
| Reporting Officer<br><b>HOULIHAN</b> | IBM #<br><b>MICHAEL 0890</b> | Date<br><b>04/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR</b> |
|--------------------------------------|------------------------------|---------------------------|-----------------------------------------|



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

The interview was conducted with Locust Club Attorney Dan DeBolt listening in on speaker phone. Prior to the interview, Inv. Benjamin and I had familiarized ourselves with the paperwork and body worn camera footage from all of the Officers involved. Officer Vaughn provided us with a verbal account of the three incidents he responded to involving Daniel Prude on the morning of March 23, 2020. His account was consistent with the BWC footage, as well as the copies of the Incident Report that he filed in connection with the MHA arrest of Prude (RPD CR#20-061280) and his Subject Resistance Report.

Immediately following the interview with Officer Vaughn, we met with and spoke to Officer Troy Talladay. Dan DeBolt was listening in to this interview as well. Officer Talladay described to us his involvement in the arrest of Daniel Prude on March 23, 2020. He told us that he originally responded to 50 Child St at around 0300 hr. for the report of a missing person. Officer Talladay said that while he was looking around in the area for the missing person he received information over the radio that the missing person could be under the influence of PCP. Officer Talladay's interview was the same as the details that he documented in his IAR and SRR for the incident occurring at 435 Jefferson Av, as it was with the BWC footage captured and retained as a part of this event.

On 04/13/2020 at approximately 1300 hr., I spoke over the phone with EMT Brett Barnes (phone [REDACTED]). I asked him if he would be willing to speak with Inv. Benjamin and me about his observations and involvement with the transportation of Daniel Prude to the hospital on March 23, 2020. Barnes indicated that he does not work again until Friday, 04/17/2020 at 1745 hr.

On 04/14/2020 at approximately 1030 hr., Officer Francisco Santiago came up to CIS with Sgt. Wiater for his interview. The interview took place in the CIS conference room. At 1040 hr., Inv. Benjamin and I entered the conference room and introduced ourselves. Sgt. Wiater left and we called Locust Club Attorney Dan DeBolt so he could listen in on the interview. The interview was brief, as Officer Santiago's involvement with Daniel Prude was also brief. Officer Santiago indicated that he was working First Platoon as a K-9 Officer, and he responded to the area of the burglary alarm on West Main St because police K-9's are often requested for such a call. While on his way to the burglary alarm he received new information over the radio that Officer Vaughn had encountered the possible suspect on Jefferson Av. He responded there and assisted with the arrest. Officer Santiago's account of his involvement did not differentiate from the documentation that he prepared for the incident (that being his SRR).

On 04/22/2020 at approximately 2:04 PM, Inv. Randy Benjamin and I met with Brett Barnes (m/W, [REDACTED], of [REDACTED] Rochester, NY 14620, Phone [REDACTED]) in CID Interview Room #444. Barnes told us that he was working for AMR up until last Sunday when he left AMR to pursue higher education in Connecticut. We asked him about the call at 435 Jefferson Av on 03/23/20. He told us that he was working the ambulance with Julie Purick. He said that they were in the area of Broad St and W Main St when a call came in for a Psych/Not alert, which he said could mean anything. They staged at Broad St and W Main St until they were cleared to enter the arrest scene. When they pulled up, Julie pulled the ambulance up to about 15-20 feet from where the police were detaining a male (Prude). Barnes told us that he was not certain if it was three or four officers that were detaining the male, but he knew there was one male on the feet of the subject; one male holding down the head of the subject; and one or two males on the back torso of the subject. He told us that the male was wearing a spit sock and his head was turned (he demonstrated the subject's head turned to the left). He described getting out of the ambulance and getting the stretcher, and he said that while he was doing this he heard Julie say that she was going to get a sedative for the patient. He stated that the patient was moving around and behaving erratically and uncontrollably while the officers attempted to hold him down. I asked Barnes to further describe what he meant by "erratically and uncontrollably" and Barnes told us that the patient was fidgeting and moving every muscle trying to move. He said when he and Julie Purick arrived on scene that the patient was showing signs of life as evidenced by his body movements and his garbled, slurred speech. He said that shortly after their arrival the subject stopped moving. He sense that something had changed with the patient's status and he asked the officers to remove the spit sock from the patient. When they did this he could see that the patient was not breathing. He alerted Julie Purick and he immediately started CPR. Purick notified their dispatch that they had a "medical 500". Barnes estimates that this all occurred in the span

NARRATIVE

|                   |                |             |                          |
|-------------------|----------------|-------------|--------------------------|
| Reporting Officer | IBM #          | Date        | Reviewed By              |
| <b>HOULIHAN</b>   | <b>MICHAEL</b> | <b>0890</b> | <b>04/23/2020</b>        |
|                   |                |             | <b>ZENELOVIC, FLAMUR</b> |



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

of two to three minutes. They loaded Prude onto the stretcher and moved him into the back of the ambulance where they continued CPR until they received a pulse. Once they obtained a pulse, Barnes drove the ambulance to the hospital while Purick continued to monitor Prude's status.

I asked further questions about the physical force/restraint that he observed the police officers using to restrain Prude. He said that Prude was handcuffed. He told me that there was one officer controlling the feet (in the area from the knee down); one officer controlling the head (Barnes described it as "tripodding"); and one or two officers in the middle. He said that he believes that he observed a knee down across the back. I asked if he observed any other physical actions used to restrain Prude or physically engage him, and Barnes said that he did not see any actions by the police other than the physical restraint he described. Barnes further indicated that nothing looked "over the top" or malicious in nature, stating that the officers' actions appeared appropriate for what Prude was doing, and necessary to keep Prude from running around the entire street.

When asked about Prude's physical appearance, Barnes told us that he was a male black, above average build; with a muscular, solid build. He then said that he remembered the male probably being in his upper 30's for age, and somewhere between 180-210 lb. He did not observe any injuries on Prude beyond some minor scrapes and abrasions. He said that his behavior was not normal and his first thought was that Prude was under the influence of drugs. He described "excited delirium" and the effects that drugs can have on people, and he said that looked like what Prude was exhibiting.

At the request of Jennifer Sommers (Attorney General's Office/Deputy Chief of Special Investigations and Prosecutions) the entire interview was recorded (audio and video) and a copy of the interview was saved in the case file for RPD CR#20-061280.

NARRATIVE

|                   |             |                   |                          |
|-------------------|-------------|-------------------|--------------------------|
| Reporting Officer | IBM #       | Date              | Reviewed By              |
| <b>HOULIHAN</b>   | <b>0890</b> | <b>04/23/2020</b> | <b>ZENELOVIC, FLAMUR</b> |



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

CR #  
2020-00061280

|        |                                                         |                                                          |      |
|--------|---------------------------------------------------------|----------------------------------------------------------|------|
| DETAIL | Victim's Name (Last, First, Middle) or Name of Business | Location of Offense                                      | Beat |
|        | City of Rochester                                       | 435 Jefferson AVE                                        | 233  |
|        | Date/Time of Occurrence                                 | Offense / Charge / Incident (Most Recent Classification) |      |
|        | 03/23/2020 03:11                                        | Burglary 3/ CM 3/ MHA                                    |      |

Burglary Investigation/ Mental Hygiene Arrest, RPD CR#2--061280  
435 Jefferson Av, 03/23/20 @ 0311 hr

Suspect: Daniel Prude, M/B, [REDACTED]

Narrative:

On 03/23/2020 at approximately 0900 hr., Inv. R. Benjamin and I met with Lt. Perkowski and Sgt. F. Zenelovic. The meeting happened in the lieutenant's office in MCU. During this meeting, Lt. Perkowski informed us that there was an incident that occurred at 435 Jefferson Av earlier in the morning involving a Mental Hygiene Arrest where the arrestee, Daniel Purdue, lost consciousness and went into cardiac arrest while being detained.

Lt. Perkowski informed us that there were three separate job cards associated with this MHA. The first incident was a missing person report at 50 Child St, with the CR #20-061276. The second incident was a criminal mischief/attempted burglary that occurred at 767 W Main St, RPD CR#20-061277, and the third incident was an MHA arrest that occurred at 435 Jefferson Av, RPD CR#20-061280. We were told to compile the majority of our paperwork under the third crime report number, 20-061280.

At 0300 hr., Joe Prude called 911 from 50 Child St (RPD CR#20-061276) to report that his brother, Daniel Prude, had left the house after just being released from Strong Hospital where he had been admitted for suicidal thoughts. Joe Prude reported that his brother was not wearing any shoes and he was only wearing long johns and a white tank-top. Joe Prude was afraid that his brother had run up to the railroad tracks. Officer Mark Vaughn was dispatched to the job and was speaking with Joe Prude when a call came into ECD at 0309 hr. for a burglary alarm at 767 W. Main St (RPD CR#20-061277).

As officers were heading for the burglary alarm at 767 W. Main St, a tow truck driver by the name of Justin Jonathan called 911 from his cell phone [REDACTED] to report that there was a male near the intersection of W Main St and Jefferson Av who had no clothes on with blood all over him. Justin Jonathan said that the male was trying to break into a car and was saying that he had the coronavirus. Justin Jonathan said that the male just ran off and was last seen running south on Jefferson Av.

Lt. Perkowski told us that Officers Mark Vaughn, Paul Ricotta, Andrew Specksgoor, Josiah Harris, Troy Talladay and Sgt. Michael Magri were all in the area and responded. They found a naked male in the street at the intersection of Jefferson Av and Cady St (435 Jefferson Av) and took the male into custody. One of the officers (later identified as Officer Mark Vaughn) pointed a Taser at the subject and ordered him to the ground for handcuffing and the subject complied. He was handcuffed without any use of force. According to the ECD job card, Officer A. Specksgoor called one in custody for an MHA at 0319 hr. The male then sat upright and began to spit at officers and attempted to get up. The officers applied a spit sock and laid the subject prone on the ground, stabilizing him until the arrival of AMR. While stabilizing him, he vomited and then went unresponsive. According to AMR, there was no pulse and CPR was required during transport to Strong Hospital.

The subject was identified as Daniel Prude, a male with the date of birth [REDACTED]. He recently moved to Rochester to stay with his brother, Joe Prude, at [REDACTED]. Information was that Daniel Prude had been transported to Strong Hospital on 03/22/2020 at approximately 1920 hr. for a mental health evaluation. According to Joe Prude, he was only at the hospital for a few hours when he returned to [REDACTED] at around 11 PM.

|                   |         |      |                   |
|-------------------|---------|------|-------------------|
| Reporting Officer | IBM #   | Date | Reviewed By       |
| HOULIHAN          | MICHAEL | 0890 | 03/26/2020        |
|                   |         |      | ZENELOVIC, FLAMUR |





ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

NARRATIVE

Inv. R. Benjamin and I went to Strong Hospital at around 1030 hr. to check on the status of Daniel Prude. When we arrived in the E.D. we were informed that Prude was in the Intensive Care Unit, 4-2800. We went to that unit and spoke with the nurse manager, Alexandra Cilano ( [REDACTED] ). She told us that she could not provide specific information about Daniel Prude's health due to HIPA laws. She did offer that since Prude is being treated in the ICU his condition is considered "Critical" but he was in stable condition. Although Cilano was guarded with the information on Prude, I learned that he was on a breathing tube and was not allowed any visitors (due to CoVID-19 procedures). Cilano referred us to the Public Safety supervisor at 585-275-3333 for further information.

Inv. Benjamin and I then relocated from Strong Hospital to [REDACTED] to make contact with the family of Daniel Prude. We met with Joe Prude (m/B, [REDACTED] ) and his wife, Valerie Stotts (f/W, [REDACTED] ). They indicated that they had tried to see Daniel Prude at Strong Hospital but were denied access due to the Coronavirus quarantine. Stotts said that she spoke with a Doctor on the phone (she could not provide the Doctor's name during our interview) and the Doctor told them that Daniel had been without oxygen for an extended period of time and he would likely be "brain dead". Stotts and Prude stated that they had contacted an attorney and they were quite angry that Daniel Prude had been released from Strong Psychiatric after such a brief period of time.

Inv. Benjamin and I then went to AMR Ambulance Corp, 811 West Av, Phone 585-777-7777, to try to speak with the ambulance personnel who attended to Daniel Prude. We met with a shift supervisor there who told us that none of the crew that had been on around 0300 hr. were still working. We provided contact information to him to relay to ambulance personnel Julie Purick and Sean O'Donnell.

At approximately 1215 hr., Valerie Stott contact Inv. Benjamin by phone to provide the name of the Doctor at Strong Hospital that they had talked to. That Doctor's name is Dr. Soniwara.

Inv. Benjamin and I then drove to [REDACTED] to meet with Justin Jonathan (the 911 caller for the possible 10-78 at W. Main St and Jefferson Av). Jonathan told us that he is a tow truck operator for Gates Towing. He was working a towing job at an alley near the intersection of W Main St and Jefferson Av when a male black, about 40 years old, approached him and asked him to call 911. Jonathan said that the male was claiming to have the Coronavirus. Jonathan said that the male had blood on his feet and his stomach. The male tried to open a locked car door on a blue minivan that was parked in the area. Then, the male got down on his knees and begged Jonathan to call 911. Jonathan told him that he was already on the phone with 911. Jonathan said that when he told the man this, the man said something to the effect of "Oh shit, I gotta' leave" and the male started to run down W. Main St to Jefferson Av and then turned southbound on Jefferson Av. Jonathan said that the police arrived in the area and he went back to work towing the vehicle he was there for. Jonathan said that after he hooked the vehicle up he looked down Jefferson Av and saw several police cars and a few police officers standing around the male, who was laying on his side on the ground. Jonathan said that it appeared that the male was handcuffed with a light colored hood over his head. Jonathan drove around the block and again looked down the street briefly at the scene. He could see a few police officers crowded around the male on the ground (who he said appeared to be on his side) and he could see that there was an ambulance on scene and a fire truck. Jonathan said that he stayed in his truck and did not spend much time watching what was going on.

AT 1430 hr., Inv. Carbonel and I returned to the area of 435 Jefferson Av to conduct a neighborhood check of the area between Cady St and Dr. Samuel McCree Way (refer to IAR submitted by Inv. Carbonel regarding details of this neighborhood check).

At 1511 hr., Julie Purick called and made arrangements to meet with Inv. Benjamin and me at the PSB at 5 PM.

At 1625 hr., I spoke with University of Rochester/Strong Hospital Security Supervisor Kay Power ( [REDACTED] ). She asked if Daniel Prude was a suspect, witness or victim. I told her that Prude had been transported to Strong Hospital as a Mental Hygiene Arrest, but there could be criminal charges filed against him when he is released. I told Power that we would like to interview Prude, when and if possible. Power told me that she would advise me when Prude is discharged or

|                   |         |      |             |                   |
|-------------------|---------|------|-------------|-------------------|
| Reporting Officer | IBM #   | Date | Reviewed By |                   |
| HOULIHAN          | MICHAEL | 0890 | 03/26/2020  | ZENELOVIC, FLAMUR |



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

moved to another unit.

AT 1650 hr., Inv. Benjamin and I met with AMR paramedic Julie Purick (f/W, [REDACTED]). She informed us that she was working the shift starting at 1745 hr. on 03/22/2020 with EMT Brett Barnes in Rig #7989. Shortly after 3 am they were dispatched to the area of W. Main St and Jefferson Av for a psychiatric call. The details were that there was a bloody male running in the street naked. They arrived in the area at 0313 hr. and staged at Nick Tahoe's, 320 W Main St. They were called in to the scene at 0318 hr. The drove westbound on W Main St and turned southbound on Jefferson Av, arriving at 0320 hr. Brett Barnes retrieved the stretcher while Purick approached RPD. As she approached RPD one of the officers asked her if she was grabbing the gurney because the subject was fighting. Purick said that she could see the subject actively resisting and attempted to get up. She could hear the subject talking incoherently. She said the subject had a spit sock on. She told the officer she was going to get a medication to sedate the subject. She stated that her observations of the subject were that he could be experiencing "excited delirium", which she described as a condition in which the subject is experiencing agitation and aggression; increased heart rate and respiration; overheating (which she stated would explain the subject being naked on a night when temperatures were around 32 degrees with mixed snow and precipitation); sweating, flushed appearance; excessive strength, a high tolerance for pain and incoherent speech. She indicated that excited delirium is commonly associated with drug use like cocaine and PCP. As Purick was going to get the medication to calm the subject the patient went silent. She heard Brett Barnes say that she was needed, and she heard Brett Barnes tell the officers to roll the subject over and remove the handcuffs. There was a moment while the officers were trying to find a handcuff key, and Barnes and Purick started CPR. When the officers found a handcuff key, they rolled the patient over and took the cuffs off and then continued to perform CPR. The subject was transported to the gurney and put into the back of the ambulance, where Epinephrine and Sodium Bicarbonate were administered. The patient was then intubated and at 0341 hr. the patient's heart began to beat on its own. They transported Daniel Prude to Strong Hospital and arrived at 0347 hrs.

On Tuesday, March 24, 2020, at approximately 1100 hr., I went to the Family Dollar located at 715 W. Main St. I spoke with the store manager, Tonya Greenlea ([REDACTED]). She indicated that the store does have exterior cameras in good working order and that RPD Technicians could have access to the system if they called or met with her before 3 PM. I relayed this information to Sgt. Zenelovic who made arrangements for a technician to respond.

I checked the corner store located at 613 W Main St and spoke with the clerk, Mahamed Algoaim. He told me the exterior cameras at the location were in good working order and he had the passcode for the camera system, although he claimed not to know how to download video files from the system. He provided a phone number of 585-270-4559 for the store and told me that he would be there all afternoon if a technician wanted to stop by. I also found video footage available at the corner store located at 259 Jefferson Av (The Clifton Food Market). I spoke with Hani Muthana who told me that his video system is always available to the police. I told him that a technician would be stopping in to retrieve about ten minutes worth of video. Arrangements were made for the technician to stop by both location after downloading the video from the Family Dollar.

Other locations that were check with negative results were as follows:

- Mason's Deli, 396 Jefferson Av, Phone 585-235-3168. Female at location told me that the cameras are not recording.
- The Seventh-Day Adventist Church, 309 Jefferson Av. There was no answer at the location.
- Nichol's Brother's Collision, 705 W. Main St, Phone #585-235-0897. I spoke with an employee there named John who told me the exterior cameras affixed to the shop do not record.

On 03/24/2020 I was in contact with Strong Hospital Security (Kay Power). She indicated that there has been no change in the status of Daniel Prude. He is still listed in guarded condition in the ICU, intubated and unable to be interviewed. She

NARRATIVE

|                   |         |      |             |                   |
|-------------------|---------|------|-------------|-------------------|
| Reporting Officer | IBM #   | Date | Reviewed By |                   |
| HOULIHAN          | MICHAEL | 0890 | 03/26/2020  | ZENELOVIC, FLAMUR |



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

informed me that if his status changes she will advise.

On March 26, 2020 at approximately 0930 hr. I contacted Strong Memorial Hospital to inquire about the medical records that had been subpoenaed by ADA Duckles. She indicated that the hospital's Copy Services division had been instructed to send the records to ADA Duckles by March 26, 2020. The hospital's order number for this request is #6262362500.

As of the afternoon of 03/26/2020 I had not further involvement in the investigation.

NARRATIVE

[REDACTED]

[REDACTED]

[REDACTED]

|                   |             |                   |                          |
|-------------------|-------------|-------------------|--------------------------|
| Reporting Officer | IBM #       | Date              | Reviewed By              |
| <b>HOULIHAN</b>   | <b>0890</b> | <b>03/26/2020</b> | <b>ZENELOVIC, FLAMUR</b> |



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

CR #  
**2020-00061280**

DETAIL

|                                                         |                                                          |                    |
|---------------------------------------------------------|----------------------------------------------------------|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business | Location of Offense<br><b>435 Jefferson AVE</b>          | Beat<br><b>233</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:11</b>      | Offense / Charge / Incident (Most Recent Classification) |                    |

NARRATIVE

**On 03/23/20, I assisted with the above incident. At 0810 hrs., I located the suspect's white tank top on the sidewalk, in front of 767 W.Main Street. Technician Mueller responded and collected it.**

|                                         |                      |                           |                                         |
|-----------------------------------------|----------------------|---------------------------|-----------------------------------------|
| Reporting Officer<br><b>FRYE THOMAS</b> | IBM #<br><b>1827</b> | Date<br><b>03/27/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR</b> |
|-----------------------------------------|----------------------|---------------------------|-----------------------------------------|



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
CASE UPDATE**

CR #  
**2020-00061280**

|               |                                                                                 |  |                                                          |  |                    |
|---------------|---------------------------------------------------------------------------------|--|----------------------------------------------------------|--|--------------------|
| <b>DETAIL</b> | Victim's Name (Last, First, Middle) or Name of Business<br><b>PRUDE, DANIEL</b> |  | Location of Offense<br><b>435 Jefferon AVE Rochester</b> |  | Beat<br><b>233</b> |
|               | Date/Time of Occurrence<br><b>03/23/2020 03:11</b>                              |  | Offense / Charge / Incident (Most Recent Classification) |  |                    |
|               | Classification After Investigation (Include Law Section Number)                 |  |                                                          |  | BWC<br><b>No</b>   |

|                              |                                            |        |                                    |             |               |                               |            |                       |                  |                  |
|------------------------------|--------------------------------------------|--------|------------------------------------|-------------|---------------|-------------------------------|------------|-----------------------|------------------|------------------|
| <b>SUSPECT / MISSING PER</b> | Suspect Type                               |        | Suspect Name (Last, First, Middle) |             |               |                               | Nickname   |                       |                  |                  |
|                              | Address                                    |        |                                    |             | Date of Birth | Age                           | Sex        | Race                  | Ethnicity        | MoRIS / JCR #    |
|                              | Height                                     | Weight | Hair Color                         | Hair Length | Eye Color     | Glasses                       | Complexion | Build                 | Facial Hair      | Gang Affiliation |
|                              | Clothing, Jewelry, Distinguishing Features |        |                                    |             |               | Offender Conditon             |            | Scars, Marks, Tattoos |                  |                  |
|                              | Missing Person Code                        |        | Missing Person Mothers Maiden Name |             |               | Missing Person Place of Birth |            |                       | School ID Number |                  |

|                         |                                      |                |       |      |            |                                 |  |
|-------------------------|--------------------------------------|----------------|-------|------|------------|---------------------------------|--|
| <b>VEHICLE RECOVERY</b> | Year                                 | Make           | Model |      | Style      | Color                           |  |
|                         | State                                | Registration # | VIN # |      | Towed to - | Towed by -                      |  |
|                         | Location Recovered                   |                |       | Date | Time       | Owner Notified by:              |  |
|                         | Evidence of Damage / Method of Theft |                |       |      |            | Time Radio Notified of Recovery |  |
|                         |                                      |                |       |      |            |                                 |  |

|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>NARRATIVE</b> | <p><b>ON 3/23/20 DURING 2ND PLATOON ROLL CALL RO WAS ASSIGNED TO ASSIST WITH THE FOLLOW UP OF THIS ONGOING INVESTIGATION. RO WAS TASKED WITH CHECKING THE CAMERAS IN THE AREA OF W. MAIN ST/HENION ST.</b></p> <p><b>RO CALLED THE CAMERA ROOM AS THERE IS A CITY BLUE LIGHT CAMERA AT THE CORNER OF W. MAIN ST AND HENION ST. RO SPOKE WITH PSA HETZLER WHO CHECKED THE CAMERA AND STATED THAT BETWEEN 0300HRS AND 0301HRS THE MALE WAS SEEN ON CAMERA. HE WAS IN THE VALERO GAS STATION LOT (799 W MAIN ST) ACTING TUMULTUOUS THEN LEFT THE FRAME. HE WAS WEARING THE DARK COLORED LONG JOHNS AND WHITE TANK TOP. HETZLER BOOKMARKED THE VIDEO AND DOWNLOADED IT TO A HARD COPY THAT WAS TURNED INTO THE PROPERTY CLERKS OFFICE.</b></p> <p><b>THAT PARKING LOT IS NEXT TO THE 767 (METROPCS) AND 781 (HAIR BIZZ) W. MAIN ST SHARED PARKING LOT.</b></p> |
|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

|                      |                                                     |                   |            |     |                                    |                 |
|----------------------|-----------------------------------------------------|-------------------|------------|-----|------------------------------------|-----------------|
| <b>INVESTIGATION</b> | Continuance of<br><b>Not Applicable (non-crime)</b> |                   | Changed to |     | Closed by                          |                 |
|                      | Exceptional Clearance                               |                   | Bias Type  |     | Victim Relationship to Suspect     |                 |
|                      | Property Recovered                                  | Value of Property | # Arrested | SRR | Multiple Clearup                   | Teletype Status |
|                      | Additional Techwork Performed                       |                   |            |     | Further Investigation Conducted By |                 |

|                                              |                      |                           |                                                    |
|----------------------------------------------|----------------------|---------------------------|----------------------------------------------------|
| Reporting Officer<br><b>GONZALEZ ANTONIO</b> | IBM #<br><b>1394</b> | Date<br><b>03/23/2020</b> | Reviewed By<br><b>ZENELOVIC, FLAMUR 03/23/2020</b> |
|----------------------------------------------|----------------------|---------------------------|----------------------------------------------------|



**ROCHESTER POLICE DEPARTMENT**  
**INVESTIGATIVE ACTION REPORT**  
**CASE UPDATE**

AT 0309HRS THE ALARM CALL FOR SERVICE CAME IN FOR 767 W MAIN ST(METRO PCS) AS THE GLASS BREAK DETECTOR WAS TRIGGERED. 1ST PLATOON OFFICERS ARRIVED ONSCENE AND CONFIRMED THAT THE GLASS WINDOW WAS BROKEN AND REQUESTED A BOARD UP. \*NOTE 2ND PLATOON OFC. T. FRYE LOCATED A BLOODY WHITE TANK TOP ON THE W. MAIN ST SIDEWALK IN FRONT OF METRO PCS

AT 0730HRS RO RESPONDED TO 767 W MAIN ST AND SPOKE WITH (PK1) WHO IS THE STORE OWNER OF METROPCS AND HE STATED THAT THE CAMERAS IN THE PARKING LOT ARE RUN BY THE FOLKS WHO OWN THE HAIR BIZZ. HE DID NOT HAVE THEIR CONTACT INFORMATION BUT HE STATED THAT THEY OPEN UP AT 1000HRS. RO CHECKED THE HAIR BIZZ SEVERAL TIMES AFTER 1000HRS BUT THE BUSINESS REMAINED CLOSED. THERE WAS NO CONTACT INFORMATION POSTED ON THEIR DOOR OR WINDOWS. RO HAD ADMIN CHANNEL 5 SEARCH FOR THEIR CONTACT INFO WITH NEGATIVE RESULTS. RO CHECKED LERMS FOR 'HAIR BIZZ' BUT THE ONLY ENTRY WAS A DIFFERENT LOCATION FROM 2010.

CONTINUANCE OF A NON CRIMINAL INCIDENT.

NARRATIVE

|                         |             |                   |                                     |
|-------------------------|-------------|-------------------|-------------------------------------|
| Reporting Officer       | IBM #       | Date              | Reviewed By                         |
| <b>GONZALEZ ANTONIO</b> | <b>1394</b> | <b>03/23/2020</b> | <b>ZENELOVIC, FLAMUR 03/23/2020</b> |



# ROCHESTER POLICE DEPARTMENT INVESTIGATIVE ACTION REPORT CASE UPDATE

CR #  
**2020-00061280**

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB        | Sex | Race | Eth | Address          | Telephone No. |
|------|----------------------------|------------|-----|------|-----|------------------|---------------|
| PK   | NAHSHEL, MOHAMMED          | [REDACTED] | M   | A    | N   | [REDACTED] 14611 | [REDACTED]    |
|      |                            |            |     |      |     |                  |               |
|      |                            |            |     |      |     |                  |               |
|      |                            |            |     |      |     |                  |               |
|      |                            |            |     |      |     |                  |               |
|      |                            |            |     |      |     |                  |               |
|      |                            |            |     |      |     |                  |               |
|      |                            |            |     |      |     |                  |               |

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address | Telephone No. |
|------|----------------------------|-----|-----|------|-----|---------|---------------|
|      |                            |     |     |      |     |         |               |
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|      |                            |     |     |      |     |         |               |
|      |                            |     |     |      |     |         |               |

R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed

| Type | Name (Last, First, Middle) | DOB | Sex | Race | Eth | Address | Telephone No. |
|------|----------------------------|-----|-----|------|-----|---------|---------------|
|      |                            |     |     |      |     |         |               |
|      |                            |     |     |      |     |         |               |
|      |                            |     |     |      |     |         |               |
|      |                            |     |     |      |     |         |               |
|      |                            |     |     |      |     |         |               |
|      |                            |     |     |      |     |         |               |
|      |                            |     |     |      |     |         |               |
|      |                            |     |     |      |     |         |               |

ADDITIONAL PERSONS

|                         |             |                   |                                     |
|-------------------------|-------------|-------------------|-------------------------------------|
| Reporting Officer       | IBM #       | Date              | Reviewed By                         |
| <b>GONZALEZ ANTONIO</b> | <b>1394</b> | <b>03/23/2020</b> | <b>ZENELOVIC, FLAMUR 03/23/2020</b> |



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

DETAIL

|                                                         |                                                                        |                    |
|---------------------------------------------------------|------------------------------------------------------------------------|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business | Location of Offense<br><b>435 JEFFERSON AVE</b>                        | Beat<br><b>233</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:11</b>      | Offense / Charge / Incident (Most Recent Classification)<br><b>N/A</b> |                    |

NARRATIVE

On 03/23/20 at or about 0300 hrs I responded to the area of Jefferson Ave/W Main St for the report of a male running around naked stating that he had the COVID-19 virus.

While in the area, officers did locate the male who was later identified as (S) Daniel Prude. Once I arrived, (S) Prude was handcuffed and laying naked in the middle of the street, in front of the above location. While officers were waiting for the arrival of AMR, (S) Prude began to state that he wanted to take an officers gun and attempted to get off the ground and come toward officers. (S) Prude was controlled by officers.

I then left the location and responded to another priority job involving a male with a knife.

I returned to the above location around 0330 hrs. Once I arrived, (S) Prude was already on the ambulance (#7989). The following AMR staff were at the scene:

- Paramedic, Julie Purick
- Paramedic, Sean O'Donnell
- EMT, Brett Barnes
- Supervisor, Melissa Greek-Rouse
- Supervisor, McKenzie Moranz

I then followed AMR to SMH where he received treatment from Dr. Tenney and SMH staff in the emergency department.

While at the hospital I took the following photos of (S) Prude:

- left foot showing a laceration
- right foot showing a laceration
- right forearm and bicep area showing an abrasion
- left shin area showing a contusion
- left hand with laceration

(S) Prude was transported to room 4.1818 (#4). I remained with Prude until Sgt. Magri informed me to secure. At the time of this report, (S) Prude remained in critical condition.

No further information.





ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

CR #  
2020-00061280

DETAIL

|                                                         |                                                          |      |
|---------------------------------------------------------|----------------------------------------------------------|------|
| Victim's Name (Last, First, Middle) or Name of Business | Location of Offense                                      | Beat |
| metro pc                                                | 767 W MAIN ST                                            | 213  |
| Date/Time of Occurrence                                 | Offense / Charge / Incident (Most Recent Classification) |      |
| 03/23/2020 03:10                                        | criminal mischief                                        |      |

NARRATIVE

RO RESPONDED TO 424 JEFFERSON AVENUE TO ATTEMPT TO LOCATE VIDEO. ON SCENE RO SPOKE TO THE OWNER THAT OPENS THE STORE IN THE MORNING. HE SAID HE DOES NOT KNOW HOW TO WORK THE CAMERAS HOWEVER HIS SON COMES IN TO WORK AT THREE AND CAN HELP WITH THE CAMERAS AT THAT TIME.

|                   |       |            |                   |
|-------------------|-------|------------|-------------------|
| Reporting Officer | IBM # | Date       | Reviewed By       |
| LARUEZ JAMES      | 1787  | 03/25/2020 | ZENELOVIC, FLAMUR |



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

CR #  
2020-00061280

DETAIL

|                                                                |                                                                      |             |
|----------------------------------------------------------------|----------------------------------------------------------------------|-------------|
| Victim's Name (Last, First, Middle) or Name of Business<br>--- | Location of Offense<br>435 Jefferson AVE                             | Beat<br>233 |
| Date/Time of Occurrence<br>03/23/2020 03:11                    | Offense / Charge / Incident (Most Recent Classification)<br>MHL 9.41 |             |

NARRATIVE

On Monday 03/23/2020 I was tasked with checking the area of Jefferson Ave from Dr Samuel McCree Way north to W Main St for clothing worn by mental hygiene arrestee Daniel Prude 09/20/1978. The clothing consisting long underwear and a white tank top that was reportedly removed by Prude prior to police contact and the subsequent MHA. I did locate a pair of black long underwear in the roadway on Jefferson Ave at Adams St at approximately 0750hrs. I requested a tech to respond. Tech Ofc Mueller promptly responded to photograph and collect the same.

|                              |              |              |                           |                   |
|------------------------------|--------------|--------------|---------------------------|-------------------|
| Reporting Officer<br>SERINIS | IBM #<br>TED | Date<br>1605 | Reviewed By<br>03/23/2020 | ZENELOVIC, FLAMUR |
|------------------------------|--------------|--------------|---------------------------|-------------------|



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

CR #  
2020-00061280

DETAIL

|                                                                                 |                                                          |                    |
|---------------------------------------------------------------------------------|----------------------------------------------------------|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business<br><b>PRUDE, DANIEL</b> | Location of Offense<br><b>435 Jefferson AVE</b>          | Beat<br><b>233</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:11</b>                              | Offense / Charge / Incident (Most Recent Classification) |                    |

NARRATIVE

On 03/23/2020, at 0311 hours, I responded to [REDACTED] for a report of a male who ran out of the house. Upon arriving on scene I made contact with Joe Prude. Joe stated his brother, Daniel Prude, just ran out of the back door of the house without explanation. Joe advised Daniel was wearing only a white tank top and black long johns, with no shoes or jacket.

Joe stated Daniel had returned to the residence at approximately 2100 hours from being MHA'd earlier in the day. Joe said Daniel is known to abuse PCP. Joe said Daniel said he wanted to kill himself and threw himself down a flight of stairs earlier in the day. Joe stated since returning to the residence Daniel had acted calm, not made suicidal statements, and had not used any substances to his knowledge. Joe said Daniel did not have a history of suicide attempts before today.

As I was speaking with Joe, Dispatch advised they received a call about a male in the area of Jefferson Ave and West Main St, running down the road in only blue pants and no shirt. Joe immediately stated the call was probably his brother Daniel.

I responded to the area of 435 Jefferson Ave, where officers had located and detained the male. I observed the male to be naked, handcuffed, and laying on the middle of Jefferson Avenue. I asked the male if he was Daniel Prude and the male advised he was Daniel Prude. I observed Daniel to have minor lacerations on his body. Daniel was yelling and rolling around on the ground while waiting for AMR to arrive on scene. Daniel asked officers several times to give him one of their guns. Daniel was officially MHA'd at 0319 hours.

At this point I returned to my patrol vehicle to begin MHA paperwork. As I was completing the MHA paperwork AMR arrived on scene. I positioned my patrol vehicle behind the AMR ambulance to prepare to follow them to Strong Hospital. At this time I looked up and observed AMR performing CPR on Daniel.

Daniel was transported to Strong Hospital by AMR. I set up tape around the scene. I responded to [REDACTED] to maintain custody of the residence.

I cleared the scene when directed by Lt Tordai.

Nothing further to report at this time.



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

CR #  
**2020-00061280**

|               |                                                         |                                                          |            |
|---------------|---------------------------------------------------------|----------------------------------------------------------|------------|
| <b>DETAIL</b> | Victim's Name (Last, First, Middle) or Name of Business | Location of Offense                                      | Beat       |
|               | <b>Prude, Daniel</b>                                    | <b>435 Jefferon AVE</b>                                  | <b>233</b> |
|               | Date/Time of Occurrence                                 | Offense / Charge / Incident (Most Recent Classification) |            |
|               | <b>03/23/2020 03:11</b>                                 |                                                          |            |

**NARRATIVE**

On 3/23/20 at approximately 0300 hours I responded to the area of [REDACTED] (CR 20-061272) for the report of a male wearing a white tank top and long johns that had run from the location in an unknown direction. Prude was previously MHA'd at Strong Hospital earlier in the day for being suicidal. It was broadcasted by officers who spoke with Prudes brother that he was on PCP.

Officers were then dispatched to 767 W. Main St. for a burglary alarm (CR 20-061277). Once on scene officers observed a broken storefront window.

A third call came in for a black male wearing blue pants and no shirt in the area of Jefferson Ave/W Main St. I responded to the area and continued South down Jefferson Ave looking for the male. Prude was located by Ofc. Vaughn in the area of 435 Jefferson Ave. While Prude was handcuffed on the ground I instructed him to stay on the ground while waiting for AMR to respond. Prude made comments about wanting my gun, attempting to spit on me and then attempted to stand up. I used force to keep Prude on the ground while waiting for AMR, see SRR.

While waiting for AMR to get the gurney off the rig, I observed Prude become unresponsive. AMR then began to treat him. AMR stopped chest compressions for a moment and rolled Prude over on his left side so I could remove the handcuffs and he could continue receiving treatment.

|                     |             |                   |                          |
|---------------------|-------------|-------------------|--------------------------|
| Reporting Officer   | IBM #       | Date              | Reviewed By              |
| <b>TALADAY TROY</b> | <b>2794</b> | <b>03/24/2020</b> | <b>ZENELOVIC, FLAMUR</b> |



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

CR #  
2020-00061280

DETAIL

|                                                         |                                                                        |                    |
|---------------------------------------------------------|------------------------------------------------------------------------|--------------------|
| Victim's Name (Last, First, Middle) or Name of Business | Location of Offense<br><b>435 Jefferson AVE</b>                        | Beat<br><b>233</b> |
| Date/Time of Occurrence<br><b>03/23/2020 03:11</b>      | Offense / Charge / Incident (Most Recent Classification)<br><b>N/A</b> |                    |

NARRATIVE

On 3/23/20 at approximately 0300, I responded to the area of Jefferson Ave/ W Main st for the call of a male running down the street bloody and no shirt. It was believed that it was in relation to a suspicious persons at [REDACTED] and possibly the burglary at 767 W Main St (CR# 20-061276). While checking the area I heard officers call out that they had the male at Jefferson and McCree. While pulling up to that location they called out that he was in custody. I parked my patrol vehicle and approached on foot. I observed the male on the ground with officers standing around him. At this time the male was completely naked and handcuffed behind his back. I requested AMR to respond to the location for the MHA. While waiting for the ambulance to arrive the male stayed on the ground but was continuously yelling. He was also sticking his hand between his butt checks and stating he had "shit" on his hands and he was going to eat it. He continued yelling various things towards officers and asked for their guns. At one point the male attempted to get up and officers moved in to ground stabilize him. The male was still yelling and AMR eventually arrived. AMR exited and officers believed the male may have stopped breathing. They rolled him onto his side and confirmed their observations. AMR then began lifesaving measures on the male. AMR then transported the male to Strong Memorial Hospital and I had no further contact with the male. I was later told that the male was Daniel Prude who was in fact the male from the original call at [REDACTED]



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

CR #  
**2020-00061280**

|               |                                                                                     |                                                                                 |                    |
|---------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|--------------------|
| <b>DETAIL</b> | Victim's Name (Last, First, Middle) or Name of Business<br><b>City of Rochester</b> | Location of Offense<br><b>435 Jefferson AVE</b>                                 | Beat<br><b>233</b> |
|               | Date/Time of Occurrence<br><b>03/23/2020 03:11</b>                                  | Offense / Charge / Incident (Most Recent Classification)<br><b>MHA/Burg 3rd</b> |                    |

**NARRATIVE**

On 03/23/20 at approximately 0910 hrs I met with Lt. Perkowski at the Public Safety Building. He assigned me to coordinate an investigation involving an MHA/Burglary which occurred at approximately 0315hrs at 435 Jefferson Ave. The involved suspect, identified as Daniel Prude, lost consciousness during the incident while officers were stabilizing him on the ground. I assigned investigators Houlihan and Benjamin as the lead investigators and we were briefed by Lt. Perkowski.

We learned that Genesee Section Officers were dispatched to a 911 call at [REDACTED] regarding an MHA. Joe Prude reported that his brother, Daniel Prude, was using drugs and was suicidal, and left the location on foot. Officers also learned from Joe Prude that Daniel Prude was taken into custody for a Mental Hygiene Arrest on 03/22/20 by RPD Officers at approximately 1900 hrs. I also learned that Prude had traveled to New York on Amtrak and was directed to leave the train at the Depew NY Train station due to his unruly behavior.

While officers were looking for Daniel Prude, they were made aware of a 911 call reporting a burglary alarm at 767 W. Main St. Upon arrival officers found forced entry at that location. Another 911 call came in for the report of a male covered in blood claiming to have corona virus running down Jefferson Ave. Officer's Vaughn, Talladay and F. Santiago located a male who they determined to be Daniel Prude in the street at 435 Jefferson Ave.

Daniel Prude was ordered to the ground and detained without incident. At the time he was located Prude was naked. While waiting for the AMR ambulance to respond Prude began spitting and officers placed a spit sock over his head to minimize the potential of exposure to officers. At some point Prude tried to stand from a seated position telling an officer to give him his gun. Officers Vaughn and Talladay directed Prude to a prone position and stabilized him. It was during the period that Prude was restrained that he apparently vomited and fell unconscious. An ambulance arrived shortly after officers located Prude. The paramedics performed CPR on Prude and ultimately reestablishing a heartbeat. Prude was transported to Strong Memorial Hospital where he was listed in critical condition. All three officers are assigned body cameras and I learned they had their body cameras activated during the incident. Their cameras had been docked and the footage uploaded to C3.

I learned that Sgt. M. Magri and Officer J. Harris were at the 435 Jefferson Ave. scene arriving after Prude was detained. They did not have any physical contact with Prude. They are also assigned body worn cameras and had them activated during the incident. The BWC footage was downloaded to C3. The following officers also responded to either the [REDACTED] call, the 767 W. Main Street call, or responded to the area of 435 Jefferson Ave. to assist with traffic points, tech work or assisted with other assignments.

Those officers include:

- Lt. L. Tordai
- Lt. G. Bello
- Sgt. N. Tamburello
- Sgt. E. Rathfelder
- Sgt. E. Weigel
- Sgt. R. Romig

|                                       |        |                      |                           |                                        |
|---------------------------------------|--------|----------------------|---------------------------|----------------------------------------|
| Reporting Officer<br><b>ZENELOVIC</b> | FLAMUR | IBM #<br><b>1543</b> | Date<br><b>04/27/2020</b> | Reviewed By<br><b>JOSEPH, DAVID A.</b> |
|---------------------------------------|--------|----------------------|---------------------------|----------------------------------------|



ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY

- Ofc. A. Jackson
- Ofc. G. Rivera
- Ofc. H. Bellot
- Ofc. M. Brongo
- Ofc. J. Breen
- Ofc. P. Ricotta
- Ofc. A. Specksgoor
- Ofc. Algarin
- Inv. M. Hill
- Inv. B. Gotham
- Tech. R. Radell

We viewed the body camera footage from Officers Vaughn, Talladay, Santiago, Harris, and Sgt. Magri. The recorded video footage should be viewed for more details. I was advised by Lt. Perkowski that the involved officers completed their reports including subject resistance reports prior to the end of their tour of duty. Copies of said reports were sent to my office for review.

NARRATIVE

I contacted the Emergency Communications Department and requested copies of all 911 calls and related job cards. They were later reviewed and made part of the case file. I requested the Monroe Crime Analysis Center follow up with the Erie Crime Analysis Center to obtain copies of any police related reports or dispatch cards. I received via e-mail complaint information forms from the Cheektowaga, Depew and Orchard Park Police departments. All three agencies had some form of contact with Daniel Prude on 03/22/20 while he was in the Buffalo area.

I was updated by Genesee Section Sgt. Ince on the status of the neighborhood check conducted by second platoon Officers A. Gonzalez, J. Laurez, T. Serinis and T. Frye. I learned that a white T-shirt and a pair of blue long johns believed to belong to Daniel Prude were located during the neighborhood canvass. Those items were recovered by Technicians and turned into evidence. See reports by the officers for more information.

I also assigned several video retrieval requests for the technicians to follow up on. Video was retrieved from 259 and 422 Jefferson Ave., as well as 613, 715, 767, 781, and 799 West Main Street. I downloaded video footage from blue light cameras located at Child Street-Danforth Street and W. Main-Henion Street. The video was reviewed and a basic timeline was established of Daniel Prude's travel from the time he left the area of 50 Child Street until he was stopped by officers at 435 Jefferson Ave. I requested Matt Ehlers from the Body Worn Camera Office create a video compilation encompassing clips of surveillance video which capture Daniel Prude's travels. The video compilation was completed on April 20<sup>th</sup> and has been made part of the case file.

On April 14<sup>th</sup>, I spoke to Officer Curt Blizzard, telephone # [REDACTED], who is an Amtrak Police Officer. At the time of our phone call Amtrak had no documented reports regarding the interaction with Daniel Prude other than the fact that he was told to leave the train. Officer Blizzard said the Depew Police Department normally handle calls if Amtrak Officers are not available to respond to the train station.

On April 16<sup>th</sup> I was advised by 1<sup>st</sup> Assistant District Attorney Perry Duckles that this investigation falls under the jurisdiction of the New York State Attorney General's Office. The Monroe County District Attorney's Office will

|                   |               |             |                         |
|-------------------|---------------|-------------|-------------------------|
| Reporting Officer | IBM #         | Date        | Reviewed By             |
| <b>ZENELOVIC</b>  | <b>FLAMUR</b> | <b>1543</b> | <b>04/27/2020</b>       |
|                   |               |             | <b>JOSEPH, DAVID A.</b> |



**ROCHESTER POLICE DEPARTMENT  
INVESTIGATIVE ACTION REPORT  
NARRATIVE ONLY**

CR #  
**2020-00061280**

no longer be involved in this investigation. I spoke with Jennifer Sommers who explained her office would have jurisdiction over this case based on Executive Order No. 147 and would be assigning an investigator. I provided a copy of all reports to her office by e-mail. On Friday April 17, I provided a copy of all documents, video and photographs via an external hard drive.

I obtained a copy of training records relative to trained techniques used by Officers Vaughn, Taladay and Santiago. The techniques used to stabilize Prude on the ground include segmenting, knee on top, and leg control were topics covered during RPD's 2020 Winter In-Service. All officers attending the in-service training had to demonstrate proficiency on multiple techniques. See below for more details.

Mark Vaughn attended in-service on 02/20/20 and the proficiency test was administered by Defensive Tactics Instructor Officer Justin Trzcinski IBM #2197. Officer Vaughn was also trained on the techniques and evaluated as part of his duties with the SWAT team 08/13/19 by Defensive Tactics Instructor Don Wasser IBM #1782.

Troy Taladay attended in-service on 01/22/20 and the proficiency test was administered by Defensive Tactics Instructor Officer Chris Renz IBM #1081. Officer Taladay was also trained on the techniques while he was in the academy on 10/10/18, 10/15/18 and 12/13/18.

Francisco Santiago attended in-service on 02/14/20 and the proficiency test was administered by Defensive Tactics Instructor Officer Chris Renz IBM #1081.

Please see copies of the training materials and copies attendance sheets including in the case file.

- 2020 Defensive Tactics Lesson Plan
- Public Safety Training Facility Defensive Tactics Training Manual
- Basic Course for Police Officers Defensive Tactics and Principles of Control Manual
- 2020 Defensive Tactics Instructor In-Service Schedule
- 2020 Winter In-Service Defensive Tactics Training Attendance Form
- DCJS/DT Program Proficiency Test, Winter In-Service 2020 Form
- DT Program Schedule for Class #66 A Platoon
- DCJS DTI Manual

Additional training records related to when Officer Vaughn received training on the hypoglossal pain compliance control technique are maintained by the Public Safety Training Center and are currently unavailable. The training center is closed as on 04/20/20 due to the Covid-19 shutdown.

Investigator's Houlihan, Benjamin and I conducted a complete review of body worn camera footage, surveillance video footage, as well as the reports and interviews of the involved officers and paramedics. Based upon the investigation, the officers' actions and conduct displayed when dealing with Prude appear to be appropriate and consistent with their training.

NARRATIVE

|                                       |               |                      |                           |                                        |
|---------------------------------------|---------------|----------------------|---------------------------|----------------------------------------|
| Reporting Officer<br><b>ZENELOVIC</b> | <b>FLAMUR</b> | IBM #<br><b>1543</b> | Date<br><b>04/27/2020</b> | Reviewed By<br><b>JOSEPH, DAVID A.</b> |
|---------------------------------------|---------------|----------------------|---------------------------|----------------------------------------|







# ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR #  
**2020-00061280**

|                       |               |             |                  |                                  |          |                       |              |
|-----------------------|---------------|-------------|------------------|----------------------------------|----------|-----------------------|--------------|
| <b>ADDT'L OFFENSE</b> | Statute -     |             | Attempt/Commit - |                                  | Counts - |                       |              |
|                       | Description - |             |                  |                                  |          | Location              |              |
|                       | Location      |             |                  |                                  |          | Weapon                |              |
|                       | Larceny Type  |             |                  | Aggravated Assault Circumstances |          |                       | Gang Related |
| Bias Type             |               | Entry Point |                  | Method of Entry                  |          | # of Premises Entered |              |

|                  |                  |  |                                   |                                                                 |                |     |                   |           |                  |
|------------------|------------------|--|-----------------------------------|-----------------------------------------------------------------|----------------|-----|-------------------|-----------|------------------|
| <b>VICTIM #2</b> | Victim Type      |  | Victim Name (Last, First, Middle) |                                                                 |                |     |                   |           |                  |
|                  | Address          |  |                                   | Date of Birth                                                   | Age            | Sex | Race              | Ethnicity | Residence Status |
|                  | City, State, Zip |  |                                   | Victim/Offender Relationship (Offender Name, DOB, Relationship) |                |     |                   |           |                  |
|                  | Telephone        |  | Level of Injury                   |                                                                 | Type of Injury |     | Medical Treatment |           |                  |

|                |                                                                                        |                            |  |  |     |     |      |     |         |               |
|----------------|----------------------------------------------------------------------------------------|----------------------------|--|--|-----|-----|------|-----|---------|---------------|
| <b>PERSONS</b> | R = Reporting Person    W = Witness    PK = Person w/Knowledge    NI = Not Interviewed |                            |  |  |     |     |      |     |         |               |
|                | Type                                                                                   | Name (Last, First, Middle) |  |  | DOB | Sex | Race | Eth | Address | Telephone No. |
|                |                                                                                        |                            |  |  |     |     |      |     |         |               |
|                |                                                                                        |                            |  |  |     |     |      |     |         |               |
|                |                                                                                        |                            |  |  |     |     |      |     |         |               |

|                   |                                            |        |                                    |             |           |                    |            |          |                       |                  |               |
|-------------------|--------------------------------------------|--------|------------------------------------|-------------|-----------|--------------------|------------|----------|-----------------------|------------------|---------------|
| <b>SUSPECT #2</b> | Type -                                     |        | Suspect Name (Last, First, Middle) |             |           |                    |            | Nickname |                       |                  |               |
|                   | Address                                    |        |                                    |             |           | Date of Birth      | Age        | Sex      | Race                  | Ethnicity        | MoRIS / JCR # |
|                   | Height                                     | Weight | Hair Color                         | Hair Length | Eye Color | Glasses            | Complexion | Build    | Facial Hair           | Gang Affiliation |               |
|                   | Clothing, Jewelry, Distinguishing Features |        |                                    |             |           | Offender Condition |            |          | Scars, Marks, Tattoos |                  |               |

|                 |                           |  |                  |  |                |  |               |  |
|-----------------|---------------------------|--|------------------|--|----------------|--|---------------|--|
| <b>PROPERTY</b> | Property Code             |  | Property Type    |  | Property Value |  | Serial Number |  |
|                 | <b>Seized Evidence</b>    |  | <b>BWC Video</b> |  |                |  |               |  |
|                 | Item Type and Description |  |                  |  |                |  |               |  |

|                 |               |                 |               |                    |                |           |               |
|-----------------|---------------|-----------------|---------------|--------------------|----------------|-----------|---------------|
| <b>PROPERTY</b> | Quantity      | Unit of Measure |               | Measurement Source |                | Drug Type |               |
|                 | <b>1</b>      | <b>Item(s)</b>  |               |                    |                |           |               |
|                 | Property Code |                 | Property Type |                    | Property Value |           | Serial Number |

|                |                       |  |               |  |      |  |        |  |               |
|----------------|-----------------------|--|---------------|--|------|--|--------|--|---------------|
| <b>FIREARM</b> | Firearm Property Code |  | Firearm Value |  | Make |  | Model  |  | Finish        |
|                | Caliber               |  | Capacity      |  | Type |  | Action |  | Serial Number |
|                | Description           |  |               |  |      |  |        |  | Recovery Date |

|                |                        |              |      |       |  |       |               |       |       |
|----------------|------------------------|--------------|------|-------|--|-------|---------------|-------|-------|
| <b>VEHICLE</b> | Vehicle Status         |              | Year | Make  |  | Model |               | Style | Color |
|                | State                  | Plate Number |      | VIN # |  |       | Recovery Date |       |       |
|                | Additional Description |              |      |       |  |       |               |       |       |

|                   |  |  |             |                   |                                     |  |
|-------------------|--|--|-------------|-------------------|-------------------------------------|--|
| Reporting Officer |  |  | IBM #       | Date              | Reviewed By                         |  |
| <b>VAUGHN</b>     |  |  | <b>2333</b> | <b>03/24/2020</b> | <b>ZENELOVIC, FLAMUR 03/26/2020</b> |  |



On 3/23/20 at approximately 0300 hours I responded to the area of [REDACTED]. (CR 20-061272) for the report of a male wearing a white tank top and long johns that had run from the location in an unknown direction. Officers were informed by Prude's brother Joe Prude that he was on PCP. Prude was previously MHA'd at Strong Hospital earlier in the day for being suicidal.

Officers were then dispatched to 767 W. Main St. for a burglary alarm (CR 20-061277). Once on scene officers observed a broken storefront window.

Officers were then dispatched to the area of Jefferson Ave and W. Main St. for a black male in blue pants covered in blood. I immediately relocated to Jefferson Ave where I spoke with Justin Jonathan, a tow truck driver, who stated that he saw a black male running in front of cars, screaming to call the police, and saying that he had the Corona Virus. Jonathan stated that the male ran southbound on Jefferson Ave and was a few blocks down.

I located Prude in the area of 435 Jefferson Ave when I observed him running in traffic and then grabbing items, throwing them into the street. I ordered Prude to the ground and took him into custody without incident.

Officers stood by while waiting for AMR to arrive for an MHA. Prude told officers several times to give him their guns and eventually told Officer Taladay to give him his gun, while getting up in his direction. Officers used force to restrain Prude until the ambulance arrived on scene, see SRR.

While waiting for AMR to pull the Gurney from the ambulance Prude became unresponsive and AMR immediately began treating him. AMR then transported Prude to Strong Hospital. Officer Harris followed the ambulance to Strong, see IAR.

Technician Radell responded to the scene, see tech sheet.

Officers were later able to locate the clothing that Prude discarded and obtained video footage of Prude breaking the window at 767 W. Main St.

Non-Criminal Incident

NARRATIVE

|                   |      |       |      |      |            |             |                              |
|-------------------|------|-------|------|------|------------|-------------|------------------------------|
| Reporting Officer | MARK | IBM # | 2333 | Date | 03/24/2020 | Reviewed By | ZENELOVIC, FLAMUR 03/26/2020 |
|-------------------|------|-------|------|------|------------|-------------|------------------------------|

Check if Taser was deployed

**SUBJECT**

|                              |  |                             |  |             |                           |                        |                             |
|------------------------------|--|-----------------------------|--|-------------|---------------------------|------------------------|-----------------------------|
| <b>1. LAST NAME</b><br>PRUDE |  | <b>FIRST NAME</b><br>DANIEL |  | <b>M.I.</b> | <b>2. DATE</b><br>3/23/20 | <b>3. TIME</b><br>0320 | <b>4. CR #</b><br>20-061280 |
|------------------------------|--|-----------------------------|--|-------------|---------------------------|------------------------|-----------------------------|

|                             |                       |                         |                           |                         |                                                   |                    |
|-----------------------------|-----------------------|-------------------------|---------------------------|-------------------------|---------------------------------------------------|--------------------|
| <b>5. DOB</b><br>[REDACTED] | <b>6. SEX</b><br>Male | <b>7. RACE</b><br>Black | <b>8. HEIGHT</b><br>5'10" | <b>9. WEIGHT</b><br>230 | <b>10. INCIDENT LOCATION</b><br>435 JEFFERSON AVE | <b>BEAT</b><br>233 |
|-----------------------------|-----------------------|-------------------------|---------------------------|-------------------------|---------------------------------------------------|--------------------|

**11. ARREST?**  NO - Release approved by:  
 YES - Charges: MHA 9.41

|                              |                                 |
|------------------------------|---------------------------------|
| <b>12. SUBJECT'S ACTIONS</b> | <b>13. TACTIC EFFECTIVENESS</b> |
|------------------------------|---------------------------------|

Subject resisted by (check all that apply and explain in the narrative)

Check the appropriate box indicating whether the tactic was used. If the tactic was used, write the number (1, 2, 3...) indicating what order the tactics were used in column one. In column two, write **E** for *Effective*, **ME** for *Moderately Effective* and **NE** for *Not Effective*.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Order | Effectiveness | Order | Effectiveness |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|---------------|-------|---------------|
| <input checked="" type="checkbox"/> <b>Avoiding Custody</b><br>(May include: Non response, verbal refusal, using body as "dead weight," running/walking away, bracing/tensing body, pulling away, locking arms under body, holding onto a fixed object)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |       |               |       |               |
| <input checked="" type="checkbox"/> <b>Assaultive</b><br>(May include: Fighting stance, combative approach, punching, kicking, biting, tackling)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |       |               |       |               |
| <input type="checkbox"/> <b>Imminent Threat of Deadly Physical Force/Serious Physical Injury (SPI)</b><br>(May include: Using or threatening to use a firearm/edged weapon/contact weapon in close proximity or while closing the distance/dangerous instrument under circumstances in which it is readily capable of SPI or death. Air/blood choke which creates an imminent risk of SPI or death. Impacts w/o weapon which creates an imminent risk of death or other SPI)                                                                                                                                                                                                                                                                |       |               |       |               |
| <input type="checkbox"/> Verbal<br><input type="checkbox"/> Mandibular Angle<br><input type="checkbox"/> Hypoglossal Nerve<br><input type="checkbox"/> Jugular Notch<br><input type="checkbox"/> Clavical Notch<br><input type="checkbox"/> Brachial Stun<br><input type="checkbox"/> Suprascapular Stun<br><input type="checkbox"/> Jab<br><input type="checkbox"/> Front Kick<br><input type="checkbox"/> Straight Punch<br><input type="checkbox"/> Angle Kick<br><input type="checkbox"/> Forearm Strike<br><input type="checkbox"/> Knee Strike<br><input type="checkbox"/> Spear<br><input type="checkbox"/> Hooking Technique<br><input checked="" type="checkbox"/> Ground Stabilization (i.e. 3-Point Landing, joint manipulation) | 1     | E             |       |               |
| <input type="checkbox"/> Bi-Lateral Compression<br><input type="checkbox"/> Arm Lock w/Baton<br><input type="checkbox"/> Front Jab w/Baton<br><input type="checkbox"/> Rear Jab w/ Baton<br><input type="checkbox"/> Forward Strike<br><input type="checkbox"/> Middle Strike<br><input type="checkbox"/> Reverse Strike<br><input type="checkbox"/> Strong Side Horizontal Strike<br><input type="checkbox"/> Support Side Horizontal Strike                                                                                                                                                                                                                                                                                               |       |               |       |               |
| <input type="checkbox"/> OC<br><input type="checkbox"/> Taser<br><input type="checkbox"/> Bean Bag<br><input type="checkbox"/> Hand Gun<br><input type="checkbox"/> Long Gun<br><input type="checkbox"/> Other:<br><input type="checkbox"/> Other:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |       |               |       |               |

**14. Narrative** (If officer is in plainclothes, describe own clothing. If tactic(s) used on subject were ineffective, explain reason(s) why.)

ON THE ABOVE DATE AND TIME I ASSISTED GENESEE SECTION OFFICERS WITH A 78 CALL. SUSPECT WAS A M/B, BALD WITH NO SHIRT ON AND LAST SEEN RUNNING S/B ON JEFFERSON AVE. WHEN I ARRIVED IN THE AREA OF JEFFERSON AVE/ MCREE ST S WAS ALREADY IN CUSTODY, COMPLETELY NAKED, LAYING ON THE GROUND AND YELLING. S WAS YELLING THAT HE HAD THE CORONA VIRUS AND THAT HE WANTED MY GUN. S THEN BEGAN TO SPIT TOWARDS AND IN RANGE OF OFFICERS WHILE ON THE GROUND. S THEN SHIFTED TO A SITTING POSITION. AT THIS POINT S MADE A MOTION AS IF HE WAS GOING TO ATTEMPT TO STAND UP. S WAS THEN POSITIONED BACK IN A LAYING POSITION BY OFFICERS. WHILE OFFICER VAUGHN AND TALADAY WERE PERFORMING GROUND STABALIZATION TECHNIQUES, I OBSERVED S WAS KICKING HIS LEGS BACK AND FORTH IN AN ATTEMPT TO BREAK LOOSE. I THEN TOOK HOLD OF S'S LEFT ANKLE WITH MY LEFT HAND AND TOOK HOLD OF S'S RIGHT ANKLE WITH MY RIGHT HAND. I PLACED S'S RIGHT ANKLE OVER HIS LEFT ANKLE AND THEN APPLIED PRESSURE TO S'S RIGHT CALF WITH MY LEFT SHIN. THIS WAS EFFECTIVE AND PREVENTED S FROM KICKING OR ATTEMPTING TO GET UP. ONCE IT WAS REALIZED THAT S WASN'T BREATHING I COMPLETELY LIFTED MY BODY WEIGHT OFF OF S. THE ONLY OTHER TIME I HAD CONTACT WITH S WAS WHEN I ASSISTED IN PLACING S ON THE GURNEY, WHICH INVOLVED GRABBING S'S LEGS AND WITH THE ASSISTANCE OF OFFICERS AND AMR CREW, LIFTING AND THEN PLACING S ON THE GURNEY.

|                                                                                                                |                         |                 |
|----------------------------------------------------------------------------------------------------------------|-------------------------|-----------------|
| <b>Officer:</b> <input type="checkbox"/> Primary Officer <input checked="" type="checkbox"/> Assisting Officer | <b>Name:</b> F SANTIAGO | <b>ID#</b> 1723 |
|----------------------------------------------------------------------------------------------------------------|-------------------------|-----------------|

Check if Taser was deployed

**SUBJECT**

|                              |                       |                             |                          |                         |                                                   |                        |                             |
|------------------------------|-----------------------|-----------------------------|--------------------------|-------------------------|---------------------------------------------------|------------------------|-----------------------------|
| <b>1. LAST NAME</b><br>Prude |                       | <b>FIRST NAME</b><br>Daniel |                          | <b>M.I.</b>             | <b>2. DATE</b><br>3/23/20                         | <b>3. TIME</b><br>0320 | <b>4. CR #</b><br>20-061280 |
| <b>5. DOB</b><br>[REDACTED]  | <b>6. SEX</b><br>Male | <b>7. RACE</b><br>Black     | <b>8. HEIGHT</b><br>5'10 | <b>9. WEIGHT</b><br>230 | <b>10. INCIDENT LOCATION</b><br>435 Jefferson Ave |                        | <b>BEAT</b><br>233          |

**11. ARREST?**  NO - Release approved by:  
 YES - Charges: MHA 9.41

|                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>12. SUBJECT'S ACTIONS</b><br><br>Subject resisted by (check all that apply and explain in the narrative) | <b>13. TACTIC EFFECTIVENESS</b><br><br>Check the appropriate box indicating whether the tactic was used. If the tactic was used, write the number (1, 2, 3...) indicating what order the tactics were used in column one. In column two, write <b>E</b> for <i>Effective</i> , <b>ME</b> for <i>Moderately Effective</i> and <b>NE</b> for <i>Not Effective</i> . |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Order | Effectiveness | Order                                                                                                                                                                                                                                                                                                                                                                                                                                         | Effectiveness |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <input checked="" type="checkbox"/> <b>Avoiding Custody</b><br>(May include: Non response, verbal refusal, using body as "dead weight," running/walking away, bracing/tensing body, pulling away, locking arms under body, holding onto a fixed object)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |       |               |                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |
| <input checked="" type="checkbox"/> <b>Assaultive</b><br>(May include: Fighting stance, combative approach, punching, kicking, biting, tackling)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |       |               |                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |
| <input type="checkbox"/> <b>Imminent Threat of Deadly Physical Force/Serious Physical Injury (SPI)</b><br>(May include: Using or threatening to use a firearm/edged weapon/contact weapon in close proximity or while closing the distance/dangerous instrument under circumstances in which it is readily capable of SPI or death. Air/blood choke which creates an imminent risk of SPI or death. Impacts w/o weapon which creates an imminent risk of death or other SPI)                                                                                                                                                                                                                                                                           |       |               |                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |
| <input checked="" type="checkbox"/> Verbal<br><input type="checkbox"/> Mandibular Angle<br><input type="checkbox"/> Hypoglossal Nerve<br><input type="checkbox"/> Jugular Notch<br><input type="checkbox"/> Clavical Notch<br><input type="checkbox"/> Brachial Stun<br><input type="checkbox"/> Suprascapular Stun<br><input type="checkbox"/> Jab<br><input type="checkbox"/> Front Kick<br><input type="checkbox"/> Straight Punch<br><input type="checkbox"/> Angle Kick<br><input type="checkbox"/> Forearm Strike<br><input type="checkbox"/> Knee Strike<br><input type="checkbox"/> Spear<br><input type="checkbox"/> Hooking Technique<br><input checked="" type="checkbox"/> Ground Stabilization (i.e. 3-Point Landing, joint manipulation) | 1     | NE            |                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2     | E             |                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |       |               | <input type="checkbox"/> Bi-Lateral Compression<br><input type="checkbox"/> Arm Lock w/Baton<br><input type="checkbox"/> Front Jab w/Baton<br><input type="checkbox"/> Rear Jab w/ Baton<br><input type="checkbox"/> Forward Strike<br><input type="checkbox"/> Middle Strike<br><input type="checkbox"/> Reverse Strike<br><input type="checkbox"/> Strong Side Horizontal Strike<br><input type="checkbox"/> Support Side Horizontal Strike |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |       |               | <input type="checkbox"/> OC<br><input type="checkbox"/> Taser<br><input type="checkbox"/> Bean Bag<br><input type="checkbox"/> Hand Gun<br><input type="checkbox"/> Long Gun<br><input type="checkbox"/> Other:<br><input type="checkbox"/> Other:                                                                                                                                                                                            |               |

**14. Narrative** (If officer is in plainclothes, describe own clothing. If tactic(s) used on subject were ineffective, explain reason(s) why.)

On 03/23/20 at approximately 0300 hours I responded to the area of [REDACTED] for a suicidal male that was high on PCP and left the location. The male (A) was described as black wearing a white tank top, long jons and no shoes. I searched the area for (A) from my patrol car with negative results. A call for an alarm/break in came in at 767 W. Main St a few minutes later and it was determined that there was a glass break at the location. A third call came in for a male that matched the previous description, headed s/b on Jefferson Ave. At approximately 0315 hours I located a male (A) matching the description near the intersection of Jefferson Ave/Mcree Way. (A) was handcuffed and continually tried to get up. I instructed (A) to remain on the ground while waiting for AMR to arrive on scene. (Tactic 1, NE) While (A) was handcuffed he began spitting in the direction of myself as well as stating "Gimme that gun!". (A) made a direct movement to get up in my direction after making comments about wanting my gun. I then placed my right knee on the center of (A)'s back. I then grabbed the right wrist of (A) with my right hand and the right elbow of (A) with my left hand in order to stabilize his body (Tactic 2, E). Once (A) became less resistant I relieved pressure from his back and arm. I remained in a squatting position on the left side of (A) while I monitored (A)'s inhalations by observing the movement in his back. It appeared that (A) was not breathing and then I rolled (A) over to his left side to help him recover. AMR immediately began life saving measures. While AMR was performing chest compressions, (A) was rolled over to his left side for a brief moment in order to give me access to uncuff him. AMR continued to perform life saving measures and transported (A) to Strong Hospital.

**Officer:**  Primary Officer  Assisting Officer **Name:** Officer Troy Taladay **ID#** 2794

Check if Taser was deployed

SUBJECT

|                       |                |                      |                    |                  |                                            |                 |                      |
|-----------------------|----------------|----------------------|--------------------|------------------|--------------------------------------------|-----------------|----------------------|
| 1. LAST NAME<br>Prude |                | FIRST NAME<br>Daniel |                    | M.I.             | 2. DATE<br>3/23/20                         | 3. TIME<br>0320 | 4. CR #<br>20-061280 |
| 5. DOB<br>[REDACTED]  | 6. SEX<br>Male | 7. RACE<br>Black     | 8. HEIGHT<br>5'10" | 9. WEIGHT<br>230 | 10. INCIDENT LOCATION<br>435 Jefferson Ave |                 | BEAT<br>233          |

11. ARREST?  NO - Release approved by:  
 YES - Charges: MHL 9.41

12. SUBJECT'S ACTIONS

Subject resisted by (check all that apply and explain in the narrative)

13. TACTIC EFFECTIVENESS

Check the appropriate box indicating whether the tactic was used. If the tactic was used, write the number (1, 2, 3...) indicating what order the tactics were used in column one. In column two, write E for *Effective*, ME for *Moderately Effective* and NE for *Not Effective*.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Order | Effectiveness | Order | Effectiveness |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|---------------|-------|---------------|
| <input checked="" type="checkbox"/> <b>Avoiding Custody</b><br>(May include: Non response, verbal refusal, using body as "dead weight," running/walking away, bracing/tensing body, pulling away, locking arms under body, holding onto a fixed object)<br><br><input checked="" type="checkbox"/> <b>Assaultive</b><br>(May include: Fighting stance, combative approach, punching, kicking, biting, tackling)<br><br><input type="checkbox"/> <b>Imminent Threat of Deadly Physical Force/Serious Physical Injury (SPI)</b><br>(May include: Using or threatening to use a firearm/edged weapon/contact weapon in close proximity or while closing the distance/dangerous instrument under circumstances in which it is readily capable of SPI or death. Air/blood choke which creates an imminent risk of SPI or death. Impacts w/o weapon which creates an imminent risk of death or other SPI) |       |               |       |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |       |               |       |               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |       |               |       |               |

14. Narrative (If officer is in plainclothes, describe own clothing. If tactic(s) used on subject were ineffective, explain reason(s) why.)

On 3/23/20 at approximately 0300 hours I responded to the area [REDACTED] for the report of a male wearing a white tank top and long johns that had run from the location. The male (Prude) was previously suicidal in the night and had been MHA'd previously at Strong Hospital and officers were informed that Prude had used PCP. I then relocated to 767 W. Main St. for a burglary alarm and a broken storefront window when officers received another call for a male at Jefferson Ave and W Main St. that was covered in blood and wearing blue pants. I spoke with a tow truck driver who stated that the male was running in front of cars and was stating he had the corona virus. I located the male in the area of 435 Jefferson Ave running in front of vehicles and throwing objects into the road. I ordered the male to the ground and handcuffed him as trained. I noted that he appeared to be under the influence of an unknown drug. The male asked officers for their guns several times. The male continuously spit in the direction of officers and due to the potential for contracting a virus, to include the Corona Virus I placed a spit sock on him. Prude continued to spit through the spit sock in the direction of Officer Taladay. The male then said that he was going to kill everyone. The male once again began spitting at officers and said "give me that gun" several times while attempting to get up in the direction of Officer Taladay. I moved towards the male and segmented his head while he was on his stomach.

Officer:  Primary Officer     Assisting Officer    Name: Officer Mark Vaughn    ID# 2333



| 15. Name                     | ID # | BWC Assigned | BWC Video | Height | Weight | Section | Pltn | Uniform | Injured/Treated | Cover Page |
|------------------------------|------|--------------|-----------|--------|--------|---------|------|---------|-----------------|------------|
| PRIMARY: Officer Mark Vaughn | 2333 | Yes          | Yes       | 5'10"  | 180    | Genesee | 1st  | Yes     | Yes             | Yes        |
| Officer Troy Taladay         | 2794 | Yes          | Yes       | 5'6"   | 185    | Genesee | 1st  | Yes     | No              | Yes        |
| Officer Franck Santiago      | 1723 | Yes          | Yes       | 5'9"   | 180    | SOD     | 1st  | Yes     | No              | Yes        |
|                              |      |              |           |        |        |         |      |         |                 |            |
|                              |      |              |           |        |        |         |      |         |                 |            |

WITNESSES - Conduct a neighborhood check and indicate with code: W - Witness/Deposed; NI - Not Interviewed; NO - Interviewed/No Information; WR - Witness/Refused Deposition.

| 16. NAME       | ADDRESS           | DAY PHONE | EVENING PHONE | WITNESS CODE |
|----------------|-------------------|-----------|---------------|--------------|
| Princess Sweet | [REDACTED]        |           |               | NO           |
|                | 435 Jefferson Ave |           |               | NI           |
|                | 445 Jefferson Ave |           |               | NI           |
|                | 426 Jefferson Ave |           |               | NI           |
|                | 424 Jefferson Ave |           |               | NI           |
|                | 428 Jefferson Ave |           |               | NI           |

**MEDICAL**

\*Attach and forward a copy of all depositions to PSS and PDS

17. Condition of subject:  Sober  Alcohol Influence  Intoxicated (alcohol)  Drugs

18. Subject injured prior to incident:  No  Yes, describe: Several lacerations to the body

19. Subject injured during incident:  No  Yes, describe:  
 \*TASER probe penetration or drive stun marks alone are not considered an injury for Box 19.

20. TASER probe penetration:  No  Yes TASER Drive Stun:  No  Yes

21. If subject was exposed to O.C., was subject treated:  No  Yes  At hospital  PSB Eyewash Station

22. Hospitalization:  No - Reason:  
 Yes - Transport via  RPD Vehicle #  Ambulance Co./Veh # 7989  Other

23. Hospital: Strong Hospital 24. Attending medical professional: Dr. Austin Tenney

25. Subject:  Admitted  Treated and Released  No Treatment  Refused 26. Time of treatment/refusal: 350

27. Witness to refusal:

28. Technician work performed:  No - Reason:  
 Yes by: Radell  Photos  Diagram  Other:

Photos of:  Member(s)  Subject  Other:

29. Reports completed:  Crime  Incident  Investigative Action  
 (DO NOT ATTACH)  Prisoner Data  Addendum(s)  Technician's Report  
 Other: 9.41  CR #: 20-061277

30. Commanding Officer at scene: Tordai Rank: Lieutenant Section: Genesee

**ADMINISTRATIVE REVIEW**

31. Reviewing Supervisor: SGT [Signature] Magri Date: 3/24/20 Training Requested:  Yes\*  No  
 a. BWC Compliance  Yes  No\*\*

32. Section Taser Reviewing Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_ Training Requested:  Yes\*  No

33. Platoon Commanding Officer: \_\_\_\_\_ Date: \_\_\_\_\_ Training Requested:  Yes\*  No

\* If training is requested, the Platoon Commanding Officer is responsible to ensure that Additional Training Report, RPD 1347, is attached for each member requested to receive training.  
 \*\*If not in compliance with BWC requirements, refer to Section Commanding Officer for follow-up.



## Town of Orchard Park Police Department Complaint Information

**Complaint# 20-009120    Date Received: 03/22/2020    Source:**

**Dispatch Code:** 4517    **Description:** ATTEMPT TO LOCATE    **Call Type:**

**Final Dispatch Code:** 4517    **Description:** ATTEMPT TO LOCATE

**Street:** 4295 S BUFFALO ST    **Tract:**    **Street Code:**

**Cross Street:**    **Municipality:** VOP

**Business:**    **Call Back:**

**Times:**    **Received:** 12:44:16    **Dispatched:** 12:45:01    **Arrived:** 12:45:01    **Completed:** 12:45:01

**Officers:**

**Received By:**    **Dispatcher:**

**Report (follow up):**    **Notified:**

**Action Codes**    1.    2.  
                          3.    4.

**Associated Persons:** SUB - PRUDE, DANIEL

|                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>03/22/20 12:43:56 131</p> <p>03/22/20 12:43:58 131</p><br><p>03/22/20 12:44:15 131</p> <p>03/22/20 12:44:56 131</p> <p>03/22/20 12:45:01 131</p> | <p>Entry Initiated</p> <p>DEP PSD-DZIADOSZ (12:43:28): ATL Daniel Prude black male with a red suitcase &amp; a black suit case same was asked to leave a Amtrak train in Depew earlier this morning family from Rochester area is looking for him Joe &amp; Valerie Prude [REDACTED] same state that Daniel suffers from ADHD &amp; doesnt have much or any money on him no cellphone last seen at a bus stop near train station if located contact family or Depew pd</p> <p>Sent to Dispatch - ATTEMPT TO LOCATE - 4295 S BUFFALO ST VOP (VILLAGE ZONE) Pri: 3</p> <p>CHE POL-JCHAR (12:44:24): took him to harbor house</p> <p>Archived</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**TAB 27**

## City Records Access

---

**From:** Perez-Dunham, Margarita <Margarita.Perez-Dunham@CityofRochester.Gov>  
**Sent:** Thursday, June 18, 2020 9:03 AM  
**To:** Vargas, Jose M.  
**Cc:** Collins, Justin R.  
**Subject:** FOIL fyi

|                               |                                                                                        |
|-------------------------------|----------------------------------------------------------------------------------------|
| <b>Requestor #</b>            | RR20-02514                                                                             |
| <b>Brief Request Summary:</b> | Personnel and disciplinary histories for officers in Daniel Prude death                |
| <b>Requestor Name:</b>        | Elliot Shields                                                                         |
| <b>Organization/Firm:</b>     | Roth & Roth LLP                                                                        |
| <b>Email Address:</b>         | <a href="mailto:eshields@rothandrothlaw.com">eshields@rothandrothlaw.com</a>           |
| <b>Address:</b>               | Roth & Roth, LLP, 192 Lexington Avenue, Suite 802<br>New York, NY, 10016 United States |
| <b>Phone Number(s):</b>       | Home:                                                                                  |
|                               | Work:                                                                                  |
|                               | Mobile:                                                                                |
|                               | Fax:                                                                                   |
| <b>Request Type:</b>          | Police                                                                                 |
| <b>Incident Date(s):</b>      | -                                                                                      |
|                               | -                                                                                      |

**Description of Request:**

In light of the repeal of Civil Rights Law Section 50-a, produce the complete personnel and disciplinary file of Police Officer Mark Vaughn, Troy Taladay, Franck Santiago, Michael Magri, Flamur Zenelovic, Michael Houlihan, and Randall K. Benjamin; Specifically, produce:1. The Complete Professional Standards Section Files; 2. The Complete Personnel files;3. The Complete Professional Development Section Files;4. Copies of every citizen complaint referencing the officers in any way;5. Every subject resistance report ever created by any of the officers, or referencing them in any way;6. Every command discipline report form, RPD 1334;7. All notices of Claim, complaints, judgments, and settlement paperwork from any incident involving any of the officers.8. Concise Officer History Reports.9. Produce copies of any documentation of meetings regarding patters of unsatisfactory performance identified by the subject officersInvalid Emoji evaluating supervisors, including any Invalid Emojiaction plans.Invalid Emoji (See GO 207 V. E. 7.).

**Addresses:**

**Reference Numbers:**

**Margarita Perez-Dunham**  
Rochester Police Department  
FOIL Coordinator  
185 Exchange Blvd  
Rochester New York 14614  
phone 585-428-7504  
fax 585-428-7878



**TAB 28**

## City Records Access

---

**From:** Mitchell, Shani C. <Shani.Mitchell@CityofRochester.Gov>  
**Sent:** Wednesday, June 24, 2020 12:55 PM  
**To:** Smith, Mark D.  
**Cc:** Bellucci, Amalia; Fratta, JosephC.; Newton, Trevor; Prince, Stephanie A.; Beath, Patrick; Zollars, Sandra  
**Subject:** Extensions Requested for FOILs relating Discipline Records  
**Attachments:** Extension List of Requests.xlsx

Mark:

I have requested extensions for the existing requests, that I have knowledge of, and we should address them relative to their due dates. If you have any questions, please feel free to contact me. See attachment.

Best,



Shani C. Mitchell  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6858 / f: (585) 428-6950  
[Shani.Mitchell@CityofRochester.Gov](mailto:Shani.Mitchell@CityofRochester.Gov)

**TAB 29**

## City Records Access

---

**From:** Elliot Shields <eshields@rothandrothlaw.com>  
**Sent:** Thursday, July 23, 2020 5:02 PM  
**To:** Prince, Stephanie A.  
**Cc:** Donald Thompson; David Roth; Roj, Justin C.; 'O'Neill, Kristin (DOS)'; Mitchell, Shani C.  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

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

Stephanie,

I watched most of the videos the other day at the attorney general's office. I didn't see anything that could be redacted under any FOIL exemption. I didn't watch any videos at the hospital, just the surveillance videos and the body camera videos from the scene where Daniel Prude was handcuffed and force was used on him.

Please send me all the body worn camera videos at the scene. None of these have anything that can be redacted. They only show the officers, the paramedics, and the decedent.

Please also email me the remainder of the paperwork that wasn't originally sent – and if it's too large, send it via file share.

Thank you,

Elliot

---

**From:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Sent:** Thursday, June 11, 2020 4:56 PM  
**To:** Elliot Shields <eshields@rothandrothlaw.com>  
**Cc:** Donald Thompson <dmthompson@etksdefense.com>; David Roth <droth@rothandrothlaw.com>; Roj, Justin C. <Justin.Roj@CityofRochester.Gov>; 'O'Neill, Kristin (DOS)' <Kristin.ONeill@dos.ny.gov>; Mitchell, Shani C. <Shani.Mitchell@CityofRochester.Gov>  
**Subject:** RE: Appeal of Constructive Denial of RR20-01479

Elliot:

In response to your FOIL appeal, we have performed a diligent search and review for the categories of records referenced in your request related to the March 23, 2020 incident involving Daniel Prude. Attached hereto are all police reports and SRRs with redactions made pursuant to Public Officers Law 87(2)(b). These redactions have been made to prevent an unwarranted invasion of personal privacy and they include dates of birth, personal phone numbers, and residential street addresses. Two Mental Health Transport forms dated March 22, 2020 and March 23, 2020, respectively, are withheld pursuant to Mental Hygiene Law 33.13.

In addition to police reports, there are other records which will be sent to you via mail as everything is too large to send via email. As I am aware that you are working remotely, please provide an address for the City to mail records.

Regarding BWC footage, it is my understanding that you represent the Estate of Daniel Prude. The footage contains video of medical treatment by EMTs and later in a hospital. If you can provide an appropriate HIPAA release form so that



we can release that footage without HIPAA-related redactions, please provide a signed, notarized form. If not, please advise so that we can instruct our digital media specialist to properly prepare the video.

An item-by-item response to your request is below, to avoid confusion.

- 1 - All BWC recordings – please see above.
- 2 - All 911 call recordings and transcripts: New York County Law 308(4), the City is prohibited from releasing any records of 911 calls, in whatever form they are kept.
- 3 - all communications by any RPD Officers and/or City employees related to this incident, including communications made via their vehicles' Mobile Data Computer (MDC) and/or the Computer Aided Dispatch (CAD) system: Please consider this a certification that, following a diligent search, no such records could be located.
- 4 - Copies of all CAD reports / print-outs related to the incident: Please consider this a certification that, following a diligent search, no such records could be located.
- 5 - all arrest reports: Two Mental Health Transport forms are withheld pursuant to Mental Hygiene Law 33.13. Please consider this a certification that, following a diligent search, no further records could be located.
- 6 - all subject resistance reports: all available reports are attached to this email.
- 7 - All "Rough Notes" or any other handwritten notes related to the incident: will be sent via mail, containing redactions pursuant to Public Officers Law 87(2)(b) to prevent an unwarranted invasion of personal privacy.
- 8 - All records related to Mr. Prude's death: all available reports are attached to this email. Otherwise, this request is unreasonably described as it does not specify a specific kind of document.
- 9 - Color copies of any photographs related to this incident: photos will be sent via mail.
- 10 - All witness statements / Supporting Depositions: will be sent via mail.
- 11 - All incident reports: all available reports are attached to this email.
- 12 - All other records containing factual data related to the incident: this request is unreasonably described as it does not specify a specific kind of document.

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

Sincerely,

Timothy R. Curtin  
Corporation Counsel

Via:



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950  
[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>

**Sent:** Wednesday, June 10, 2020 3:39 PM

To: Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>  
Cc: Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>; David Roth <[droth@rothandrothlaw.com](mailto:droth@rothandrothlaw.com)>  
Subject: RE: Appeal of Constructive Denial of RR20-01479

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

Stephanie,

It was nice speaking with you on the phone yesterday. Thank you for agreeing to produce all the documents and reports requested in our FOIL request.

We do not consent to the City withholding the BWC videos until the Attorney General concludes its investigation. However, we do consent to the limited redaction of the video, solely for the purposes of redacting Mr. Prude's genitals. Even though you stated on the phone that any redactions would not take more than two hours, we do not consent to paying any money for the RPD to apply any redactions to the video.

Thus, please produce all the reports, documents and BWC videos requested in the FOIL request by tomorrow so we can avoid filing an Article 78.

Thank you,

Elliot

---

From: Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>  
Sent: Tuesday, June 9, 2020 12:28 PM  
To: Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
Cc: Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>  
Subject: RE: Appeal of Constructive Denial of RR20-01479

Sounds good – I'm working remotely today, so I'll call you from my cell phone – it's a 469 area code.



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950  
[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

From: Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
Sent: Tuesday, June 9, 2020 12:26 PM  
To: Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>  
Cc: Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>  
Subject: RE: Appeal of Constructive Denial of RR20-01479

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

Around 2:30-3:00 pm should be good. I've got my office phone hooked up at home, you can call that or my cell

On Jun 9, 2020, 12:13 PM -0400, Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>, wrote:

Elliot,

Do you have time today to discuss this? I have additional information related to an ongoing investigation by the AG's office, who I understand has reached out to Don Thompson.

If you are free today let me know how to reach you and I'll give you a call.

Thanks,



**Stephanie A. Prince**

Municipal Attorney

City of Rochester, New York - Law Department

City Hall - Room 400A

30 Church Street

Rochester, New York 14614

p: (585) 428-6752 / f: (585) 428-6950

[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Sent:** Thursday, May 28, 2020 9:06 PM  
**To:** Prince, Stephanie A. <[Stephanie.Prince@CityofRochester.Gov](mailto:Stephanie.Prince@CityofRochester.Gov)>; Mitchell, Shani C. <[Shani.Mitchell@CityofRochester.Gov](mailto:Shani.Mitchell@CityofRochester.Gov)>  
**Cc:** David Roth <[droth@rothandrothlaw.com](mailto:droth@rothandrothlaw.com)>; Donald Thompson <[dmthompson@etksdefense.com](mailto:dmthompson@etksdefense.com)>; Audra Roth <[aroth@rothandrothlaw.com](mailto:aroth@rothandrothlaw.com)>  
**Subject:** Appeal of Constructive Denial of RR20-01479

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

Dear Stephanie and Shani,

I hope you are staying safe and healthy. I am writing to appeal the constructive denial of the attached FOIL request. It has been nearly two months and I have not received any communications related to this request.

Please immediately provide all the requested body worn camera recordings and other records requested.

Thank you,

Elliot

**From:** [requestnoreply@cityofrochester.gov](mailto:requestnoreply@cityofrochester.gov) <[requestnoreply@cityofrochester.gov](mailto:requestnoreply@cityofrochester.gov)>  
**Sent:** Friday, April 3, 2020 10:30 AM  
**To:** Elliot Shields <[eshields@rothandrothlaw.com](mailto:eshields@rothandrothlaw.com)>  
**Subject:** City of Rochester FOIL Request Submission - RR20-01479

Dear Elliot Shields,

Your Freedom of Information Law (FOIL) request for "BWC recording and all documentation of incident involving Daniel Prude" has been received by the City of Rochester.

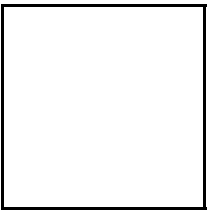
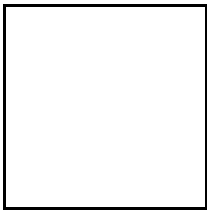
Your request is currently being processed. The City will supply either the requested material or an updated response within approximately 20 business days. We will notify you in writing should additional time be needed.

This request has been assigned FOIL #RR20-01479. Please refer to this number when making any inquiries regarding this request.

[Click here](#) to check on the status of your request.

Sincerely,

Justin Roj  
Records Access Officer



**TAB 30**



| Entry Number         | Start Time (hh:mm:ss) | End Time (hh:mm:ss) | Total Time (Seconds) | Total Video Frames | Content Description         | Media Redaction Type |
|----------------------|-----------------------|---------------------|----------------------|--------------------|-----------------------------|----------------------|
| <b>Specksgoor, A</b> |                       |                     |                      |                    |                             |                      |
| 1                    | 00:04:28              | 00:04:29            | 01                   | 30                 | Personal Information        | Audio & Video        |
| 2                    | 00:04:35              | 00:04:40            | 05                   | 150                | Personal Information        | Audio & Video        |
| 3                    | 00:05:31              | 00:05:33            | 02                   | 60                 | Personal Information        | Audio & Video        |
| 4                    | 00:15:56              | 00:16:18            | 22                   | 660                | Personal Information        | Audio & Video        |
| 5                    | 00:21:50              | 00:21:55            | 05                   | 150                | Personal Information        | Video                |
| <b>Ricotta, P</b>    |                       |                     |                      |                    |                             |                      |
| 6                    | 00:21:56              | 00:22:27            | 31                   | 930                | Personal Information        | Video                |
| <b>Vaughn, M</b>     |                       |                     |                      |                    |                             |                      |
| 7                    | 00:24:53              | 00:25:20            | 27                   | 810                | Personal Information        | Video                |
| 8                    | 00:27:59              | 00:28:05            | 06                   | 180                | Nudity                      | Video                |
| 9                    | 00:28:09              | 00:28:18            | 09                   | 270                | Nudity                      | Video                |
| 10                   | 00:29:11              | 00:29:39            | 28                   | 840                | Nudity                      | Video                |
| 11                   | 00:29:48              | 00:29:52            | 04                   | 120                | Nudity                      | Video                |
| 12                   | 00:29:54              | 00:30:03            | 09                   | 270                | Nudity                      | Video                |
| 13                   | 00:30:10              | 00:30:27            | 17                   | 510                | Nudity                      | Video                |
| 14                   | 00:30:34              | 00:30:40            | 06                   | 180                | Nudity                      | Video                |
| 15                   | 00:31:09              | 00:31:10            | 01                   | 30                 | Nudity                      | Video                |
| 16                   | 00:31:17              | 00:31:18            | 01                   | 30                 | Nudity                      | Video                |
| 17                   | 00:35:54              | 00:35:55            | 01                   | 30                 | Nudity                      | Video                |
| 18                   | 00:35:56              | 00:36:15            | 19                   | 570                | Medical information (HIPAA) | Audio                |
| 19                   | 00:36:35              | 00:36:52            | 17                   | 510                | Medical information (HIPAA) | Video                |
| 20                   | 00:36:55              | 00:37:18            | 23                   | 690                | Medical information (HIPAA) | Audio                |
| 21                   | 00:37:29              | 00:37:31            | 02                   | 60                 | Medical information (HIPAA) | Audio                |
| 22                   | 00:37:49              | 00:37:51            | 02                   | 60                 | Medical information (HIPAA) | Video                |
| 23                   | 00:37:51              | 00:38:46            | 55                   | 1650               | Medical information (HIPAA) | Audio & Video        |
| <b>Harris, J</b>     |                       |                     |                      |                    |                             |                      |
| 24                   | 00:40:04              | 00:42:59            | 175                  | 5250               | Personal Information        | Video                |
| 25                   | 00:43:04              | 00:43:14            | 10                   | 300                | Nudity                      | Video                |
| 26                   | 00:43:34              | 00:43:37            | 03                   | 90                 | Nudity                      | Video                |
| 27                   | 00:43:46              | 00:44:09            | 23                   | 690                | Nudity                      | Video                |
| 28                   | 00:44:49              | 00:45:04            | 15                   | 450                | Nudity                      | Video                |
| 29                   | 00:45:51              | 00:46:06            | 15                   | 450                | Nudity                      | Video                |
| 30                   | 00:46:22              | 00:46:25            | 03                   | 90                 | Nudity                      | Video                |
| 31                   | 00:46:36              | 00:46:40            | 04                   | 120                | Nudity                      | Video                |
| 32                   | 00:48:24              | 00:48:35            | 11                   | 330                | Medical information (HIPAA) | Audio                |
| 33                   | 00:48:41              | 00:48:45            | 04                   | 120                | Medical information (HIPAA) | Audio                |
| 34                   | 00:49:23              | 00:50:13            | 50                   | 1500               | Medical information (HIPAA) | Video                |
| <b>Taladay, T</b>    |                       |                     |                      |                    |                             |                      |
| 35                   | 00:50:14              | 00:50:34            | 20                   | 600                | Personal Information        | Video                |
| 36                   | 00:50:36              | 00:50:47            | 11                   | 330                | Nudity                      | Video                |
| 37                   | 00:50:51              | 00:50:54            | 03                   | 90                 | Nudity                      | Video                |
| 38                   | 00:52:30              | 00:52:32            | 02                   | 60                 | Nudity                      | Video                |
| 39                   | 00:52:38              | 00:52:52            | 14                   | 420                | Nudity                      | Video                |
| 40                   | 00:52:56              | 00:53:24            | 28                   | 840                | Nudity                      | Video                |
| 41                   | 00:53:55              | 00:54:18            | 23                   | 690                | Nudity                      | Video                |
| 42                   | 00:54:48              | 00:54:56            | 08                   | 240                | Nudity                      | Video                |







## City Records Access

---

**From:** Ehlers, Matthew <Matthew.Ehlers@CityofRochester.Gov>  
**Sent:** Wednesday, July 29, 2020 2:32 PM  
**To:** Correia, Elena A.  
**Cc:** BWC Support; Prince, Stephanie A.  
**Subject:** FW: RR20-01479  
**Attachments:** 7.28.2020 RR20-01479 RR20-01932 RR20-02163 redo.pdf

Commander Correia,

This email is to notify you of that the video for RR20-01479 will be send to the requestor in 72 hours. The video will not be posted on YouTube but can be seen here:  
<https://cityofrochester.sharefile.com/d-s14dfeecc7174e7fb>

I could not identify any additional Officers that appear in the FOIL beyond the eight (8) listed in the attached Redaction Log.

Thank you,  
Matt

---

**From:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Sent:** Monday, July 27, 2020 5:02 PM  
**To:** Ehlers, Matthew <Matthew.Ehlers@CityofRochester.Gov>  
**Subject:** RR20-01479

Matt,

This is the Daniel Prude matter. The requester (Elliot Shields) is the attorney for Mr. Prude's family and we've received a HIPAA release, so we do not need to redact any medical treatment (including the hospital), and we also do not need to redact any nudity.

As we discussed, we cannot post this on youtube, so if you could send this to me via sharefile when it's ready that would be great.

I know you're out of the office Thursday and Friday, but if you could prioritize this request and RR18-01253 for early next week, I would greatly appreciate it.

Thanks,



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950



**TAB 31**

**NOTICE OF CLAIM**

-----  
In the Matter of the Claim of

TAMESHAY PRUDE, as proposed administrator of the estate of DANIEL PRUDE,

Claimant,

-against-

CITY OF ROCHESTER, TROY TALLADAY, MARK VAUGHN, FRANK  
SANTIAGO, JOSIAH HARRIS and SERGEANT MICHAEL MAGRI.

Respondents.  
-----

TO: Corporation Counsel  
City of Rochester  
30 Church Street  
Rochester, New York 14614

PLEASE TAKE NOTICE that the undersigned claimant(s) hereby make(s) claim  
and demand against you, as follows:

**1. The name and post office address of each claimant and claimant's  
attorneys is:**

Tameshay Prude, proposed  
administrator of the Estate of Daniel  
Terrell Prude,  
*Claimant*  
8102 South Loomis Blv., Apt. 1,  
Chicago, IL 60620

ROTH & ROTH, LLP  
*Co-Counsel for the Claimant*  
192 Lexington Avenue, Suite 802  
New York, New York 10016  
(212) 425-1020  
eshields@rothandrothlaw.com

EASTON THOMPSON KASPEREK  
SHIFFRIN LLP  
*Co-Counsel for the Claimant*  
16 West Main Street, Suite 243  
Rochester, New York 14614  
Ph: (585) 423-8290  
dmthompson@etksdefense.com

RECEIVED  
2020 JUL 30 P 3:28  
CITY OF ROCHESTER  
CORPORATION COUNSEL

**\*\*\*RIDER\*\*\***

**2 The nature of the claim:**

Claim by TAMESHAY PRUDE, proposed administrator of the Estate of Daniel Terrell Prude, for injuries sustained by Daniel Terrel Prude (“decedent”) as a result of intentional, reckless and negligent conduct of Respondents and agents, servants and employees of the City of Rochester (“City”), and by the Rochester Police Department (“RPD”). Claimant brings this claim for: wrongful death; pre-death pain and suffering, and conscious pain and suffering; assault; battery; negligent hiring; negligent training; negligent supervision, including failure to adequately discipline; negligent retention and hiring; interference with family relationship; respondeat superior; violation of civil rights; violation of the Federal and New York State Constitution, wrongful arrest and imprisonment. Claimant also alleges that RPD police officers failed to intervene to prevent the deprivation of claimant’s constitutional, civil and common law rights.

**3. The time when, the place where and the manner in which the claim arose:**

On March 23, 2020, at approximately 3:00 a.m., in the vicinity of the street in front of 435 Jefferson Avenue, Rochester New York, decedent was stopped and arrested by RPD officer Mark Vaughn. Officer Vaughn ordered decedent to lay face down on the ground, and he complied. Vaughn ordered decedent to put his hands behind his back, and he complied. Vaughn then applied handcuffs to decedent’s wrists, and he complied, and he did not resist.

Officers Santiago and Talladay then arrived at the scene. Vaughn placed a spit hood over decedent’s head. Thereafter, without justification and in violation of good and accepted police practices, Vaughn, Tallady and Santiago pushed decedent from a seated position to a face-down position on the ground and applied force to his neck and back that prevented him from breathing, failed to take off the spit hood, failed to make any attempt to help him when he was in obvious respiratory distress and caused his death. Vaughn, Tallady and Santiago collectively used deadly force against the decedent when he was naked, handcuffed, and blinded by the spit hood; he obviously posed no danger of escaping custody and was clearly no danger to the officers or anyone else.

Specifically, Vaughn negligently, recklessly and/or intentionally forcibly pushed and held the side of decedent’s head on the ground and placed one of his hands around decedent’s neck and negligently applied a pressure in a failed attempt at a “hypoglossal nerve technique” to the left side of his jaw. Talladay negligently, recklessly and/or intentionally kneeled on decedent’s back with his full body weight. Santiago negligently, recklessly and/or intentionally held and sat on decedent’s legs. Vaughn, Talladay and Santiago negligently, recklessly and/or intentionally continued to choke decedent and place pressure about his body causing him to be unable to breathe, resulting in the decedent’s death. The decedent was a victim of a homicide due to the conduct of the Respondents. Allegedly according to the final diagnosis of the Office of Chief Medical Examiner of Monroe County, the cause of decedent’s death included findings that the death was caused by compression of the chest and the prone positioning of the decedent during physical restraint by the police; profound global hypoxic ischemic injury; cerebral edema; and subfalcine and transtentorial herniation all caused by Respondents.

Vaughn, Talladay and Santiago—after Decedent was cuffed and being held down on his stomach by the three officers with a spit hood over his head—negligently, recklessly and/or intentionally continued to choke decedent and place pressure about his body for approximately one to two minutes after he had stopped talking and/or stopped breathing, causing him to die from complications of asphyxia in the setting of physical restraint. According to the Monroe County Medical Examiner, the manner of death was Homicide.

At approximately the time that Vaughn, Talladay and Santiago pushed decedent from a seated position to a laying position, Officer Harris and Sergeant Migri arrived on the scene. Harris and Migri failed to intervene to stop and or prevent the unjustified use of force by the other officers against decedent.

The City was aware prior to the aforesaid incident that the officers who violated decedent's rights were insufficiently trained and incompetent concerning police tactics and procedures. Nevertheless, the City declined to take remedial action. Claimant makes this claim for personal, physical, and emotional injuries sustained by decedent as a result of intentional, reckless, and/or negligent conduct by agents, servants and employees of the City of Rochester ("City"), and by the City of Rochester Police Department ("RPD").

The aforesaid is a direct result of the negligence, recklessness and carelessness of the Respondents, their agents, servants, and/or employees. The aforesaid was a violation of civil rights under 42 U.S.C. § 1983 in that decedent was deprived of his rights, privileges and immunities secured by the Constitution and laws of the United States under color of state law by the agents, servants and employees of the City of Rochester. Respondents failed to use such care in the performance of police duties as reasonably prudent and careful police officers would have used under similar circumstances. Said respondents failed to use proper police procedure and tactics as reasonably prudent and careful police officers would have use under similar circumstances. Rather, the Respondent police officers herein negligently, recklessly and/or intentionally used deadly force against decedent by choking him and sitting on his back, restricting his airway and preventing him from having the ability to breathe when he was handcuffed and wearing a spit hood and was no danger to the officers or anyone else. The officers involved failed to properly report the use of deadly force to superiors, so as to attempt to create a cover up. In addition, the RPD officers present when force was used against decedent failed to stop the use of deadly force against decedent, when they had a duty to do so, because no use of force was justified under the circumstances.

Claimant also alleges that RPD police officers assaulted, battered, and used excessive force against him; and failed to intervene to prevent the deprivation of claimant's constitutional, civil and common law rights. Claimant also alleges negligence in the hiring and retention of incompetent and unfit police employees, negligence in the supervision, training and instruction of such employees, and respondeat superior liability. Respondent City was specifically negligent in its training as to dealing with "emotionally disturbed persons" and/or in making mental health law arrests and/or in dealing with individuals suffering from mental health disorders and/or acute mental health crises, and as to the proper use of



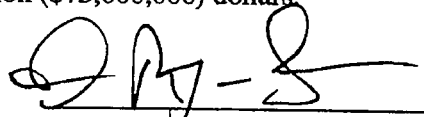
force against individuals in such situations, especially where, as here, the individual was handcuffed before any force was used against him. Further, it is claimed that respondent City of Rochester has continued to improperly supervise officers in the field, including the police officers herein, which allowed decedent to be subjected to force on March 23, 2020 which caused his death; as well as the fact that respondent City of Rochester failed to respond appropriately to past complaints of police misconduct, not only by their own Professional Standards Section, but also the Civilian Review Board, internal complaints, and other public complaints and reports.

**4. The items of damage or injuries that will be claimed:**

Severe physical injuries and pain and suffering leading to death; injuries reported in the Monroe County Medical Examiner's report; conscious pain and suffering; pre-death pain and suffering; emotional and psychological distress and the horror decedent suffered leading up to and during the assault as described above; loss of future earnings; loss of support; other pecuniary loss; loss of civil rights; loss of life, and interference with the familial relationship. Punitive damages and attorney's fees are also claimed. Due to the actions and/or negligence of the Respondents as aforesaid, the claimant has been damaged by reason of the aforesaid. Said claim and demand is hereby presented for adjustment and payment. You are hereby notified that unless the claim is adjusted and paid within the time provided by law from the date of presentation to you, the claimant intends to commence an action on these claims.

**SPOILIATION NOTICE:** The public entity to which this claim is addressed may have records, physical evidence, documents, recordings, or other evidence relevant to a civil claim. This shall serve as notice that all such documents, items, and records should be preserved, regardless of purge schedules, as evidence in a prospective legal action.

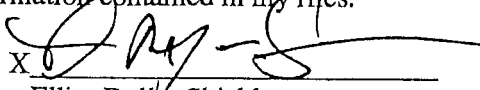
Claimants injuries amount to Seventy-Five Million (\$75,000,000) dollars

  
Elliot Dolby Shields

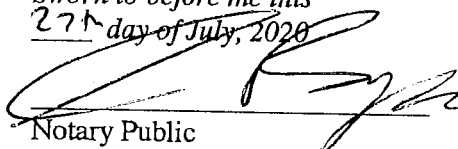
**INDIVIDUAL VERIFICATION**

State of New York, County of New York ss.:

Elliot Dolby Shields, being duly sworn, deposes and says that I am associated with Roth & Roth, LLP, attorneys representing the Claimant in the within action; I have read the foregoing Notice of Claim and know the contents thereof; and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my files.

X   
Elliot Dolby Shields

Sworn to before me this  
27<sup>th</sup> day of July, 2020

  
Notary Public

**IAN BIGGS**  
Notary Public, State of New York  
Qualified in Bronx County  
No. 01B16255722  
My Commission Expires 02-06-2024

-----  
*In the Matter of the Claim of*

TAMESHAY PRUDE, as proposed administrator of the estate of DANIEL PRUDE,

-against-

CITY OF ROCHESTER, TROY TALLADAY, MARK VAUGHN, FRANK  
SANTIAGO, JOSIAH HARRIS and SERGEANT MICHAEL MAGRI.

-----  
**NOTICE OF CLAIM**  
-----

ROTH & ROTH, LLP  
*Co-Counsel for the Claimant*  
192 Lexington Avenue, Suite 802  
New York, New York 10016  
(212) 425-1020

EASTON THOMPSON KASPEREK SHIFFRIN LLP  
*Co-Counsel for the Claimant*  
16 West Main Street, Suite 243  
Rochester, New York 14614  
Ph: (585) 423-8290

**TAB 31a**

## City Records Access

---

**From:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Sent:** Wednesday, August 5, 2020 9:12 AM  
**To:** 'Sommers, Jennifer'  
**Subject:** RE: Daniel Prude

Jennifer,

Thank you for getting back to me so quickly – it's very much appreciated.



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950  
[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Sommers, Jennifer <Jennifer.Sommers@ag.ny.gov>  
**Sent:** Tuesday, August 4, 2020 7:13 PM  
**To:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Subject:** Re: Daniel Prude

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

Hi Stephanie.

Yes - our matter is still continuing.

FYI - in an effort to be fully transparent I have met w and showed the civil attorneys (Eliot Shields and Don Thompson) the video.

I did not give a copy.

Thank you

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---

**From:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Sent:** Tuesday, August 4, 2020 6:08:08 PM  
**To:** Sommers, Jennifer <Jennifer.Sommers@ag.ny.gov>  
**Subject:** RE: Daniel Prude

Jennifer,

I wanted to follow up regarding the Daniel Prude matter and the status of your investigation.

Is it still ongoing?

Thank you,



**Stephanie A. Prince**  
Municipal Attorney  
City of Rochester, New York - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6752 / f: (585) 428-6950  
[Stephanie.Prince@CityofRochester.gov](mailto:Stephanie.Prince@CityofRochester.gov)

---

**From:** Sommers, Jennifer <Jennifer.Sommers@ag.ny.gov>  
**Sent:** Wednesday, June 10, 2020 2:36 PM  
**To:** Prince, Stephanie A. <Stephanie.Prince@CityofRochester.Gov>  
**Subject:** Daniel Prude

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

Stephanie – You previously contacted me regarding a FOI request you had received relative to this case. I indicated that I was meeting with Donald Thompson in order to allow him to review our materials but did not yet know when that would happen.

Please be advised that I spoke with Mr. Thompson today and we are meeting on Friday – June 12.

Thank you very much...

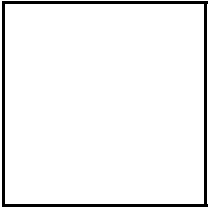


Jennifer M. Sommers  
Deputy Chief – Special Investigations and Prosecutions  
New York State Attorney General's Office  
144 Exchange Boulevard  
Rochester New York 14614

**IMPORTANT NOTICE:** This e-mail, including any attachments, may be confidential, privileged or otherwise legally protected. It is intended only for the addressee. If you received this e-mail in error or from someone who

was not authorized to send it to you, do not disseminate, copy or otherwise use this e-mail or its attachments. Please notify the sender immediately by reply e-mail and delete the e-mail from your system.

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**TAB 32**

## City Records Access

---

**From:** Beath, Patrick <Patrick.Beath@CityofRochester.Gov>  
**Sent:** Tuesday, August 4, 2020 10:14 AM  
**To:** Curtin, Tim  
**Subject:** Prude

Here is the body cam video: <G:\~\Litigation Files\~Claims\ Open\Prude, Tameshay as adm of Estate of Daniel Prude\RR20-01479\BWC> Of all the files there, the best two are Vaughn <G:\~\Litigation Files\~Claims\ Open\Prude, Tameshay as adm of Estate of Daniel Prude\RR20-01479\BWC\Vaughn Mark MV2333\01117 MV233320200323031608 0006.MP4> and Taladay <G:\~\Litigation Files\~Claims\ Open\Prude, Tameshay as adm of Estate of Daniel Prude\RR20-01479\BWC\Taladay Troy 817370\01258 81737020200323031619 0004.MP4>

Here's the ME's findings: <G:\~\Litigation Files\~Claims\ Open\Prude, Tameshay as adm of Estate of Daniel Prude\RR20-01479\RPD Case File\3-23-20 435 Jefferson Ave\Medical Examiner Report>

Patrick



### **Patrick Beath**

Deputy Corporation Counsel  
City of Rochester - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6812 / f: (585) 428-6950  
[Patrick.Beath@CityofRochester.gov](mailto:Patrick.Beath@CityofRochester.gov)

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## City Records Access

---

**From:** Curtin, Tim <Tim.Curtin@CityofRochester.Gov>  
**Sent:** Tuesday, August 4, 2020 12:33 PM  
**To:** Warren, Lovely A.  
**Subject:** CONFIDENTIAL -- ATTORNEY/CLIENT PRIVILEGED  
**Attachments:** Attachments.html

Daniel Prude video.

 Believe.

Timothy R. Curtin  
Corporation Counsel  
City of Rochester  
30 Church Street, Room 400  
Rochester, NY 14614  
(585) 428-7741  
[Tim.Curtin@CityofRochester.Gov](mailto:Tim.Curtin@CityofRochester.Gov)

| City of Rochester ShareFile Attachments |          | Expires September 3, 2020 |
|-----------------------------------------|----------|---------------------------|
| 01117_MV233320200323031608_0006.MP4     | 300.6 MB |                           |
| 01258_81737020200323031619_0004.MP4     | 280.6 MB |                           |
| ME Report.pdf                           | 9.3 KB   |                           |

[Download Attachments](#)

Files are sent and received securely. Files sent with ShareFile will be available for up to 31 days from the time they are sent.



**Patrick Beath**  
Deputy Corporation Counsel  
City of Rochester - Law Department  
City Hall - Room 400A  
30 Church Street  
Rochester, New York 14614  
p: (585) 428-6812 / f: (585) 428-6950  
[Patrick.Beath@CityofRochester.gov](mailto:Patrick.Beath@CityofRochester.gov)

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recipient, you may not use, disclose, copy or disseminate this information. If you are not the intended recipient, please contact the sender immediately by reply email and destroy all copies of the original message, including attachments.

**TAB 33**

## City Records Access

---

**From:** Curtin, Tim <Tim.Curtin@CityofRochester.Gov>  
**Sent:** Tuesday, August 4, 2020 9:29 PM  
**To:** James Smith  
**Subject:** CONFIDENTIAL Attorney/Client Privileged

I'm not sure who's version is below. My comments are in red. I think it is good. Thanks, Tim

---

**From:** James Smith [REDACTED]  
**Sent:** Tuesday, August 4, 2020 9:08 PM  
**To:** Curtin, Tim  
**Subject:** Fwd: Draft letter for your consideration

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

Sent from my iPhone

Begin forwarded message:

**From:** Lovely Warren [REDACTED]  
**Date:** August 4, 2020 at 7:06:03 PM EDT  
**To:** James Smith [REDACTED]  
**Subject:** Re: Draft letter for your consideration

Get [Outlook for iOS](#)

---

**From:** James Smith [REDACTED]  
**Sent:** Tuesday, August 4, 2020 6:40 PM  
**To:** lovelywarren [REDACTED]  
**Subject:** Draft letter for your consideration

Chief Singletary:

After meeting with you, the Deputy Mayor and Corporation Counsel this afternoon regarding the case of Mr. Prude.

I am outraged at the conduct and the attitude of Officer Vaughn during this mental hygiene arrest. His demeanor and his disregard for a citizen in distress can not be explained. The joking, antagonizing and laughing was outrageous.

I understand that this arrest was a 'mental hygiene matter' involving a man under the influence of the drug PCP who ultimately succumbed to the actions **sometime after he was taken to the hospital.**

I understand that under normal circumstances and in keeping with departmental policy we do not initiate an internal disciplinary investigation into such matters until the criminal investigation is complete, however, I am not satisfied that this continues to makes sense in these types of cases. This incident took place in March it is now August. The **District Attorney's Office has completed its investigation** and the Attorney General's Office must be near completion of their criminal review of the matter by now. I do not see a reason for any further delay as to why the department cannot initiate a disciplinary investigation immediately.

I strongly believe that Officer Vaughn actions should be reviewed immediately his actions and attitude are unacceptable. Had I been made aware of or seen the video footage of his actions, by you or your Command Staff, I would have asked for this to be immediately reviewed.

I am greatly concerned that these body worn cameras are not just viewed through the lens of the badge but through the eyes of the people we serve. I was not given a clearer picture of the nature of this arrest until today, when the Corporation Counsel showed me the body-worn camera video from officers at the scene and also from Officer Vaughn.

Going forward, I insist that it be the official policy of the Rochester Police Department and the City of Rochester that any body-worn or other camera footage from an arrest or altercation with police that results in use of force be reviewed with the Mayor or my designee within 48 hours.

I want to be very clear that Officer Vaughn's conduct is unacceptable. I also ask for the continued full and complete cooperation of the entire Rochester Police Department with the criminal investigation being conducted by the New York State Attorney General's Office. I expect to be updated on this matter.

Sent from my iPad



## City Records Access

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**From:** James Smith [REDACTED]  
**Sent:** Tuesday, August 4, 2020 9:09 PM  
**To:** tim.curtin@cityofrochester.gov  
**Subject:** Fwd: Draft letter for your consideration

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

Sent from my iPhone

Begin forwarded message:

**From:** Lovely Warren [REDACTED]  
**Date:** August 4, 2020 at 7:06:03 PM EDT  
**To:** James Smith [REDACTED]  
**Subject:** Re: Draft letter for your consideration

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**From:** James Smith [REDACTED]  
**Sent:** Tuesday, August 4, 2020 6:40 PM  
**To:** lovelywarren [REDACTED]  
**Subject:** Draft letter for your consideration

Chief Singletary:

After meeting with you, the Deputy Mayor and Corporation Counsel this afternoon regarding the case of Mr. Prude.

I am outraged at the conduct and the attitude of Officer Vaughn during this mental hygiene arrest. His demeanor and his disregard for a citizen in distress can not be explained. The joking, antagonizing and laughing was outrageous.

I understand that this arrest was a 'mental hygiene matter' involving a man under the influence of the drug PCP who ultimately succumbed to the actions on the night of the arrest.

I understand that under normal circumstances and in keeping with departmental policy we do not initiate an internal disciplinary investigation into such matters until the criminal investigation is complete, however, I am not satisfied that this continues to makes sense in these types of cases. This incident took place in March it is now August. The Attorney General's Office and District Attorney's Office must be near completion of their criminal review of the matter by now. I do not see a reason for any further delay as to why the department cannot initiate a disciplinary investigation immediately.

I strongly believe that Officer Vaughn actions should be reviewed immediately his actions and attitude are unacceptable. Had I been made aware of or seen the video footage of his actions, by you or your Command Staff, I would have asked for this to be immediately reviewed.

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Going forward, I insist that it be the official policy of the Rochester Police Department and the City of Rochester that any body-worn or other camera footage from an arrest or altercation with police that results in use of force be reviewed with the Mayor or my designee within 48 hours.

I want to be very clear that Officer Vaughn's conduct is unacceptable. I also ask for the continued full and complete cooperation of the entire Rochester Police Department with the criminal investigation being conducted by the New York State Attorney General's Office. I expect to be updated on this matter.

Sent from my iPad

**TAB 34**



## City Records Access

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**From:** Singletary, La'Ron D. <LaRon.Singletary@CityofRochester.Gov>  
**Sent:** Thursday, August 6, 2020 7:08 PM  
**To:** Warren, Lovely A.  
**Subject:** RE: Confidential Correspondence re: Prude Legal Matter

Mayor Warren,

I am in receipt of your email and will adhere to the expectations set forth within. I understand the frustration of the current criminal review and internal investigation process the Rochester Police Department has in place for in-custody deaths and officer-involved shootings. Upon any force complaint coming into the office of the Professional Standards Section, the current policy is they provide me with a summary after looking at all the video within 2 business days unless directed by the chief, to do so sooner. Typically, the summary and initial review is done within the day depending on the time received. As you request, I will look into the means of possibly improving/revising the procedure for criminal/internal reviews.

For clarification, the following is a list of steps that were directed by me upon notification of the March 23<sup>rd</sup>, 2020 Mental Hygiene Arrest of Mr. Prude and Mr. Prude being listed in critical condition at the University of Rochester Medical Center (URMC), and him being pronounced at URMC on March 30<sup>th</sup>, 2020. I immediately ordered an internal investigation and criminal review of the matter. I contacted District Attorney Sandra Doorley and advised her of the event and requested that she conduct an independent criminal review of the matter, based on the evidence collected by the Major Crimes Unit (i.e., witness statements, video evidence, M.E. report, etc.).

The criminal review consisted of the following:

- The Major Crimes Unit responded to the scene that night (as they were investigating another incident the morning of March 23, 2020). Mr. Prude at this point and time was not deceased, and was admitted into the intensive care unit, where he remained until he was pronounced on March 30, 2020.
- As part of the criminal review, investigators from the Major Crimes Unit took statements from Officer Vaughn on April 13, 2020. Officer Talladay on April 13, 2020. Officer Santiago on April 14, 2020. The scheduling of the interviews were difficult as scheduling issues needed to be worked out with the officers' attorneys and such was during the COVID period.
- Investigators from the Major Crimes Unit sent subpoenas for medical/metro records via First Assistant District Attorney Perry Duckles on March 23, 2020.
- The investigative summary was sent over to Perry Duckles on March 25<sup>th</sup>, 2020. Additional reports were sent over to First Assistant District Attorney Perry Duckles on March 25, 2020.
- On April 16, 2020 the Rochester Police Department was advised by First Assistant District Attorney Duckles that the New York State Attorney General's Office took over jurisdiction of the case under Executive Order Number 147.
- On April 16, 2020 Jen Summers (AG Office) advised that she would be assigning an investigator and all the reports were sent via email to the New York State Attorney General's Office.
- On April 17, 2020 investigators sent Jen Summers additional items to include all documents (depositions of ambulance personnel, neighborhood checks, video, and pictures on a hard drive).

Once the New York State Attorney General's Office took jurisdiction over the case, the District Attorney's Office relinquished authority over the investigation. I personally reached out to District Attorney Sandra Doorley to advise her of the criminal review I was conducting in relation to the Prude case and that I would like her office to review such. As such, two independent outside agencies (DA's Office and AG's Office) were afforded an opportunity to conduct a criminal review in this matter, and were provided all the collected evidence.

In this instance, RPD did not deviate from the same process we follow for all in-custody deaths and/or officer-involved shooting investigations, namely a criminal review and an internal review. Both processes were initiated immediately at

my direction. The Major Crimes Unit began the criminal review and proceeded to turn such over to the District Attorney's Office, and the Professional Standards Section began the initiation of the internal review, short of calling officers in for statements and conducting a review of their actions. Officer Vaughn's actions were never meant to be ignored and would be handled as part of the internal investigation. In every case, the criminal review takes precedent over the internal review as to not jeopardize the criminal review due to the potential of criminal charges being filed against the officers involved.

Directing officers to give a compelled statement during the internal investigation prior to the officers giving a criminal statement may jeopardize the case. The defense attorney could use any compelled statement to call into question the admissibility of evidence collected, based on the pretext that found evidence should be viewed as "fruits of the poisonous tree" specially derived from the compelled statement. As a result of this potential misapplication of the exclusionary rule, the criminal review takes precedence over the internal investigation. As mentioned earlier, I will look into this process to see how it can be refined, while protecting our ability to successfully prosecute officers for criminal misconduct. Additionally, it should be noted that part of the delay, I presume, was due to the pandemic and the AG's Office adjusting to such.

The Attorney General's Office did reach out to the union last week to have the involved officers come in for a statement. It is the union's position to not have the officers go in without legal representation for a statement during a criminal review.

Mayor, please advise if you have any questions.

Upon my return from vacation, I would like to respectfully request a meeting with you to discuss further. I can reach out to Jessica to schedule.

Thank you Mayor.

*La'Ron D. Singletary, Chief of Police*  
*Rochester Police Department*

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**From:** Warren, Lovely A.  
**Sent:** Thursday, August 6, 2020 12:11 AM  
**To:** Singletary, La'Ron D. <LaRon.Singletary@CityofRochester.Gov>  
**Subject:** Confidential Correspondence re: Prude Legal Matter

Chief Singletary:

After meeting with you, the Deputy Mayor and Corporation Counsel this afternoon regarding the case of Mr. Prude.

I am outraged at the conduct and the attitude of Officer Vaughn during this mental hygiene arrest. His demeanor and his disregard for a citizen in distress can not be explained. The joking, antagonizing and laughing was outrageous.

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actions sometime after he was taken to the hospital.

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Going forward, I insist that it be the official policy of the Rochester Police Department and the City of Rochester that any body-worn or other camera footage from an arrest or altercation with police that results in use of force be reviewed with the Mayor or my designee within 48 hours.

I want to be very clear that Officer Vaughn's conduct is unacceptable. I also ask for the continued full and complete cooperation of the entire Rochester Police Department with the criminal investigation being conducted by the New York State Attorney General's Office. I expect to be updated on this matter.

Lovely A. Warren, Mayor  
City of Rochester  
30 Church Street  
Rochester, NY 14614  
[lovely.warren@cityofrochester.gov](mailto:lovely.warren@cityofrochester.gov)  
(585) 428-7045 phone  
(585) 428-6347 fax

## City Records Access

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**From:** Warren, Lovely A. <Lovely.Warren@CityofRochester.Gov>  
**Sent:** Thursday, August 6, 2020 12:11 AM  
**To:** Singletary, La'Ron D.  
**Subject:** Confidential Correspondence re: Prude Legal Matter

Chief Singletary:

After meeting with you, the Deputy Mayor and Corporation Counsel this afternoon regarding the case of Mr. Prude.

I am outraged at the conduct and the attitude of Officer Vaughn during this mental hygiene arrest. His demeanor and his disregard for a citizen in distress can not be explained. The joking, antagonizing and laughing was outrageous.

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Lovely A. Warren, Mayor  
City of Rochester  
30 Church Street  
Rochester, NY 14614  
lovely.warren@cityofrochester.gov  
(585) 428-7045 phone  
(585) 428-6347 fax

**TAB 35**

## City Records Access

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**From:** Singletary, La'Ron D. <LaRon.Singletary@CityofRochester.Gov>  
**Sent:** Thursday, August 6, 2020 7:09 PM  
**To:** Simmons, Mark L.  
**Subject:** FW: Prude questions for Chief

**Importance:** High

*La'Ron D. Singletary, Chief of Police*  
*Rochester Police Department*

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**From:** Favor Jr., Henry C.  
**Sent:** Thursday, August 6, 2020 3:45 PM  
**To:** Singletary, La'Ron D. <LaRon.Singletary@CityofRochester.Gov>  
**Subject:** FW: Prude questions for Chief  
**Importance:** High

[Per your request...](#)

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**From:** Umbrino, Frank  
**Sent:** Thursday, August 6, 2020 3:42 PM  
**To:** Favor Jr., Henry C. <[Henry.FavorJr@CityofRochester.Gov](mailto:Henry.FavorJr@CityofRochester.Gov)>  
**Subject:** FW: Prude questions for Chief  
**Importance:** High

The officers reports were all completed that night 03/23/20. Based on the directive that we were not going to interview officers the reports were approved on 03/24/20. SRR's were reviewed through Genesee 1<sup>st</sup> command and We were given copies.

Need the following ASAP:

Date we began investigation of the case:

Mike and I swung by the scene on 3/23/20 only because we were on another job. After consultation with the DCO decision was made to not activate a team because the suspect was not dead. At 0930 Sgt. Zenelovic was briefed and started to coordinate the investigation because victims condition did not look good.

Date Officers reports completed:

Officers reports were completed that night. We interviewed Vaughn and Talladay on 4/13 and on 4/14 we interviewed Santiago

I recall these not being easy to schedule because of Debolt, and I think we actually did the first two with Debolt on Zoom

Date sent to the ADA:

I requested Subpoenas for medical/metro records via P. Duckles on 03/23/20.

Investigative summary sent over on 03/25.

Reports to date were sent over to Perry on 03/31.



On 4/16 we were advised by ADA Duckles the AG Office was had jurisdiction of the case under executive order No 147 and

Date sent to AG Office:

On 4/16 Jen Summers (AG Office) advised she would be assigning an investigator. She was sent all reports on that day via email. On 4/17 she was sent additional items to include all documents, video and pictures on a hard drive .

Contact # for Jen Summer:



***Commander Henry Favor***

*Rochester Police Department*

*Special Operations Division*

*185 Exchange Blvd*

*Rochester, New York 14614*

*Office 585-428-7605*

[Henry.FavorJr@CityofRochester.gov](mailto:Henry.FavorJr@CityofRochester.gov)

**TAB 36**



August 12, 2020

VIA CERTIFIED MAIL  
Elliot Dolby Shields, Esq.  
Roth & Roth, LLP  
192 Lexington Avenue, Suite 802  
New York, New York 10016  
eshields@rothandrothlaw.com

Re: RR20-01479

Dear Mr. Shields:

Enclosed herewith, please find the remaining records sought in FOIL RR20-01479, including:

1. All "Rough Notes" – Rough/handwritten notes are enclosed, with redactions made pursuant to Public Officers Law 87(2)(b) to prevent an unwarranted invasion of personal privacy and Public Officers Law 87(2)(g) as inter/intra-agency materials which are not: i. statistical or factual tabulations or data; ii. instructions to staff that affect the public; iii. final agency policy or determinations; or iv. external audits, including but not limited to audits performed by the comptroller and the federal government, and which also contain opinion, advice and/or ideas.
2. Depositions
3. Color copies of any photographs
4. BWC Recordings – Please see the enclosed redaction log.
5. Surveillance compilation video
6. Blue light camera video

We understand that you represent members of the family of Mr. Prude and the proposed administrator of his estate. It is with that understanding and the HIPAA release submitted by your client, that the enclosed video footage is released to you as-is. The video footage contains nudity and medical treatment that the City would not otherwise release to the public in response to a FOIL request.

We appreciate your cooperation in this matter.

Very truly yours,

Stephanie A. Prince  
Municipal Attorney

SAP/em  
Encl.

