



# City of Rochester Records Access Response

Communications Bureau, 30 Church St. RM 202A, Rochester, NY 14614

**TO:** Sunita Patel 05/20/2011  
Center for Constitutional Rights  
666 Broadway, Seventh Floor  
New York, NY 10012

**RE:** Your Records Access Request, **REFERENCE #:** **42082**  
Claimant: Catherine Lennon  
Received by the City on 04/19/2011  
Requesting information about:

*9 Ravenwood Ave on 3/28/11 eviction records: law enforcement personnel involved; costs; owners payments to City; advance planning; "Take Back the Land" records;*

**STATUS:** Your records access application is partially approved. Certain personal information has been deleted to prevent an unwarranted invasion of personal privacy under the Freedom of Information Law. If you wish to appeal this decision you must do so within thirty days by writing Corporation Counsel, 30 Church Street, Room 400A, Rochester, NY 14614-1295.

Enclosed are additional reports received from the Police Department.

As a result of the new records, we are re-checking for your Item B-2(d).

The charge includes the nine pages sent on May 3, 2011.

There is a \$.25 per page copying fee; therefore, please mail a check/money order for \$6.50 MADE PAYABLE TO THE CITY OF ROCHESTER, to Records Access at the above address.

**Please note Reference # 42082 on your payment of \$6.50 so your account will be properly credited.**

Yours truly,

Gary G. Walker  
Records Access Officer

Enclosures: 17

## Farina Jr., Samuel A.

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**From:** Farina Jr., Samuel A.  
**Sent:** Monday, March 28, 2011 5:08 PM  
**To:** Wood, Mike  
**Cc:** Sheppard, James; Farina Jr., Samuel A.; Zenelovic, Naser  
**Subject:** RE: Ravenwood

Chief, pursuant to a Warrant of Eviction issued by Rochester City Court on March 4, 2011, served on the home owner on March 7, 2011 with notice to vacate by March 10, 2011, the home owner of 9 Ravenwood Avenue (Catherine Lennon) refused to vacate as ordered according to the City Marshal Sande Macaluso. At the time of a subsequent visit on March 18, 2011, Sande Macaluso reported that:

- On the morning of the eviction "Take Back the Land" group members parked their personal vehicles in every available curbside spot on both sides of the street making it impossible for a moving truck to proceed to the location.
- Presumably with the squatters approval other group members parked their vehicles in the driveway and on the lawn of the property.
- One or more individuals chained themselves to the porch of the house
- Others (about 40) formed a line around the front and sides of the house.

The bank at the time opted not to execute the Warrant of Eviction. The RPD was not called nor notified of the event except by way of email from the Sheriff's Office indicating the above information. As a result of this information, I requested a meeting with the City Marshal, the Sheriff's Office and RPD to discuss a coordinated effort to execute the warrant, which occurred on Thursday, March 24, 2011.

The "Take Back the Land" group is a national movement to assist those who are victims of bank foreclosures. This was the first time this group has been active in the Rochester area. Macaluso was able to ascertain the names of some of those involved in the March 18<sup>th</sup> event. Those involved also had ties to the Students for a Democrat Society (SDS) and their spokesperson, Ryan Acuff, was one of the members noted who is also familiar to the RPD from past SDS protests.

An operational plan was published by Sgt. Boily at my request to insure that a coordinate response was employed and that the eviction was conducted in a professional, effective and efficient manner given the prior set of circumstances.

On March 28, 2011, the plan was executed at 9 Ravenwood Avenue at about 0930 hours. The home owner was very cooperative and FACIT members facilitated the removal of personal property and relocation of the homeowner to 229 Elmdorf Street without incident or issue. During the bank's effort to remove the homeowner's belongings via moving truck, the immediate area was secured by police tape and a perimeter to insure that SDS members (who were being summoned to the area by Ryan Acuff who was on-scene at the time of the warrant execution) did not interfere with the legal removal of the property from the location. At about 1030 hours on March 28, 20 to 25 members traveled to the immediate area and congregated nearby taunting the officers, videotaping the scene and protesting the eviction. At this time, 5 members of the group ran through the crime scene tape and up to the front door of 9 Ravenwood in an attempt to block the entrance and prevent the removal of the furniture. All five were immediately arrested without incident and charged with Trespass and Obstructing Governmental Administration 2<sup>nd</sup> Degree. The five arrested were:

- 1.
- 2.
- 3.
- 4.
- 5.

All five were not from the neighborhood. #3 and #4 have ties to the SDS.

Approximately 1055 hours, \_\_\_\_\_ ) walked up to the police tape and stopped. He was order to back away from the tape but continued forward and entered the secured area and started walking towards 9 Ravenwood. He was immediately stopped and arrested for DisCon without incident. \_\_\_\_\_ a SDS member.

Upon the arrest of \_\_\_\_\_ I ordered the pedestrians that had gathered nearby to be directed to the traffic points at Ravenwood/Post and Ravenwood/Woodbine. As Tactical Officers were ordering the crowd to move, \_\_\_\_\_, Rochester refused several orders to move to the perimeter points. In addition, \_\_\_\_\_ entered the area that was secured by police tape and refused to leave. She was arrested for DisCon. At the time of her arrest, \_\_\_\_\_ was wearing pajamas but had been out with the protest for at least 30 minutes prior to arrest.

After the crowd was relocated to the perimeter points, the bank movers were able to complete their work without further incident. At about 1200 hours, the house at 9 Ravenwood was locked by the bank and all secured.

The event was videotaped by RPD technicians.

No injuries reported during the arrests. No SRR's were filed nor was any force used.

Ryan Acuff remained the protest leader during the event.

Incident Report filed by Sgt. Boily - CR#11-089908

Please advise if any other information is needed.

**Samuel A. Farina, Jr.**  
**PDW Commander**  
**Rochester Police Department**  
185 Exchange Blvd.  
Rochester, New York 14614  
Office #(585) 428-6085  
[sf2101@cityofrochester.gov](mailto:sf2101@cityofrochester.gov)



**From:** Wood, Mike  
**Sent:** Monday, March 28, 2011 3:00 PM  
**To:** Farina Jr., Samuel A.  
**Cc:** Sheppard, James  
**Subject:** Ravenwood

Sam: We're going to need a list of those arrested today, the charges, and just a brief few words as to their actions that led to the arrest. Did we by chance arrest a neighbor woman down there who was wearing a housecoat?

DEPUTY CHIEF MICHAEL R. WOOD  
Operations Bureau  
Rochester Police Department  
(585) 428 - 7055

## Debrief

### 9 Ravenwood Av

Overview - Detail was to assist the City of Rochester Marshal with the eviction of Catherine Lennon from 9 Ravenwood Av and the prevention of interference by protesters

Date/Time March 28, 2011 0900 hours

Results - Evictions was completed successfully at 1200 hrs. Seven individuals were arrested

Participants - RPD West, Tactical, FACIT, City Marshal, Bank Representative, RPD NSC

#### Issues-

- Perimeter
- Neighbors
- Number of officers
- Use of Prisoner Transport Van
- Media

- DEPOSITIONS FROM NEIGHBORS
- WIDER AREA OF CONTROL
- NO REGIA - NO Beds, NO W/A (Set-up) CPS?
- THANK YOU to Sgt. BOILY
- UTILITIES ON
- FORECLOSURES
- ELEMENT of SURPRISE
- 30 Day EXPIRATION  
Irene Schwartz  
Storage @ Cost
- PIO - STATEMENTS

#### Review -

- Commander Farina
- Captain McMullen
- Lt Schill
- Lt Dearcop
- Sgt Diehl
- Sande Macaluso
- Sgt Boily

" TAKE BACK THE LAND "

✓ DOUBLE-UP TRUCK to  
PARK UP.

**DRAFT**  
**OPERATIONAL PLAN**  
**9 RAVENWOOD AVE**

**MISSION**

To assist the City of Rochester Marshall with the lawful eviction of the residents of this location, the removal of any property inside the residence and the securing of the property. While doing so, to prevent any type of illegal protest or interference with the lawful eviction.

**TARGET**

- Address – 9 Ravenwood Ave
- Location – South side of Ravenwood Ave between Post Ave and Woodbine Ave. Third house west of Woodbine.
- Description – Single family dwelling. Two story building. Grey exterior. Enclosed front and rear porches. Front entrance on the west side of the front porch
- Occupants – Catherine Lennon, Female, Black. Unknown physical. No record in MORIS or PACER
- Possible nine (9) children ranging in ages from 2 to 14 yrs
- Unknown on any animals

229

**PLAN**

- 0700 Two(2) first platoon officers will deploy to the area to conduct surveillance prior to arrival of other staff to carry out the eviction. They will secure upon execution of the eviction unless needed
- 0900 Participants meet for briefing at HSBC Bank, intersection of Chili Av/Thurston Rd
- 0930 Traffic units blocks traffic at intersections of Ravenwood/Woodbine and Ravenwood/Post, allowing no civilian vehicles onto that block. Street will remain closed for duration of detail.
- City Marshall, RPD Staff, Bank Representative go to residence and attempt to gain voluntary compliance with the eviction. If that does not succeed, forced entry will be made by City Marshall.
- Additional resources (RFD, PTV, Tactical Unit Staff) will stage at 216 Thurston Rd

## OPERATIONAL PLAN

### 9 RAVENWOOD AVE

(cont)

#### PLAN (cont)

0930 Upon Entry, occupants will be warned of arrest if they do not voluntarily vacate the property. If occupants refuse to vacate, then the adult occupants will be placed in custody on the authority of the bank representative.

When the occupants have left the location, representatives of the bank will move any property from within the residence. RPD will remain on site in case of any issues that might arise.

Upon completion of the removal of all property and the securing of the building by representatives of the bank, RPD personnel will secure from the location and the street will be opened

\*\*\*estimated time for completion of detail is up to six (6) hours

#### STAFFING

Lawrence Magguilli, Bank representative (FannieMae) 359-2000

Sande Macaluso, City of Rochester Marshal 746-6466

RPD West Division

Sgt Steve Boily

Officer Dave Williams

Officer Mike Yazback

Officer Joe Trovato (video camera operator)

Officer Jeff Schroeder

Two (2) first platoon officers

# OPERATIONAL PLAN

## 9 RAVENWOOD AVE

(cont)

### **STAFFING** (cont)

#### RPD Traffic Unit

Four officers (two at each traffic point) incl T/Sgt Contreras

#### RPD Technicians Unit

Officer Dave Williams (video camera operator)

#### RPD Tactical Unit

1 Lt (Yost) 2 Sgts (Lee, Diehl)

8 officers in marked vehicles

2 officers in prisoner transport vehicle

#### Rochester Fire Department

One (1) rescue truck

#### RPD FACIT

One (1) counselor with second available if needed

#### RPD Animal Control

One (1) officer on stand by as needed

#### City Tow Trucks

On stand by as needed (have been advised that there is possibility of multiple vehicles being removed)

#### RPD SIS

Two (2) officers to conduct surveillance on 3/25/11

## **COMMUNICATIONS**

All RPD personnel will use the RPD Tactical channel for the duration of the detail.

## **EQUIPMENT/RESOURCES**

Video Cameras – one provided by West Division, one from Technicians Unit

Mass Arrest kit – provided by West Division and will be in Sgt Boily's car

Bone Tool – provided by West Division and will be in Sgt Boily's car

Depositions from bank representative – Sgt Boily

RTS Bus (if needed) contact RTS Mike Capadano 654-0253 or Dispatch 654-0213

Additional resources/staffing will be provided by Patrol Division West

## **STAGING AREA/MEDIA AREA**

216 Thurston Rd, 19<sup>th</sup> Ward Association Office. Permission from Roch. Presbyterian Home (property owner) has been given to utilize the parking lots.

## **EXPENSES**

Eight (8) hours overtime – Two (2) First Platoon Officers being held over for surveillance

## **DEBRIEFING**

1099 Jay St. Commander's conference room

Tuesday, 3/29/11

1400 hours



## **ATTACHMENTS**

Picture of target location

Street Map of area

Copy of deposition (unsigned)

Copies of eviction papers

Google maps

Address **4 Ravenwood Avenue**

Address is approximate

You can enter notes here.

**Save trees. Go green!**

Download Google Maps on your phone at [google.com/gmm](http://google.com/gmm)

**Save trees. Go green!**

Download Google Maps on your phone at [google.com/gmm](http://google.com/gmm)


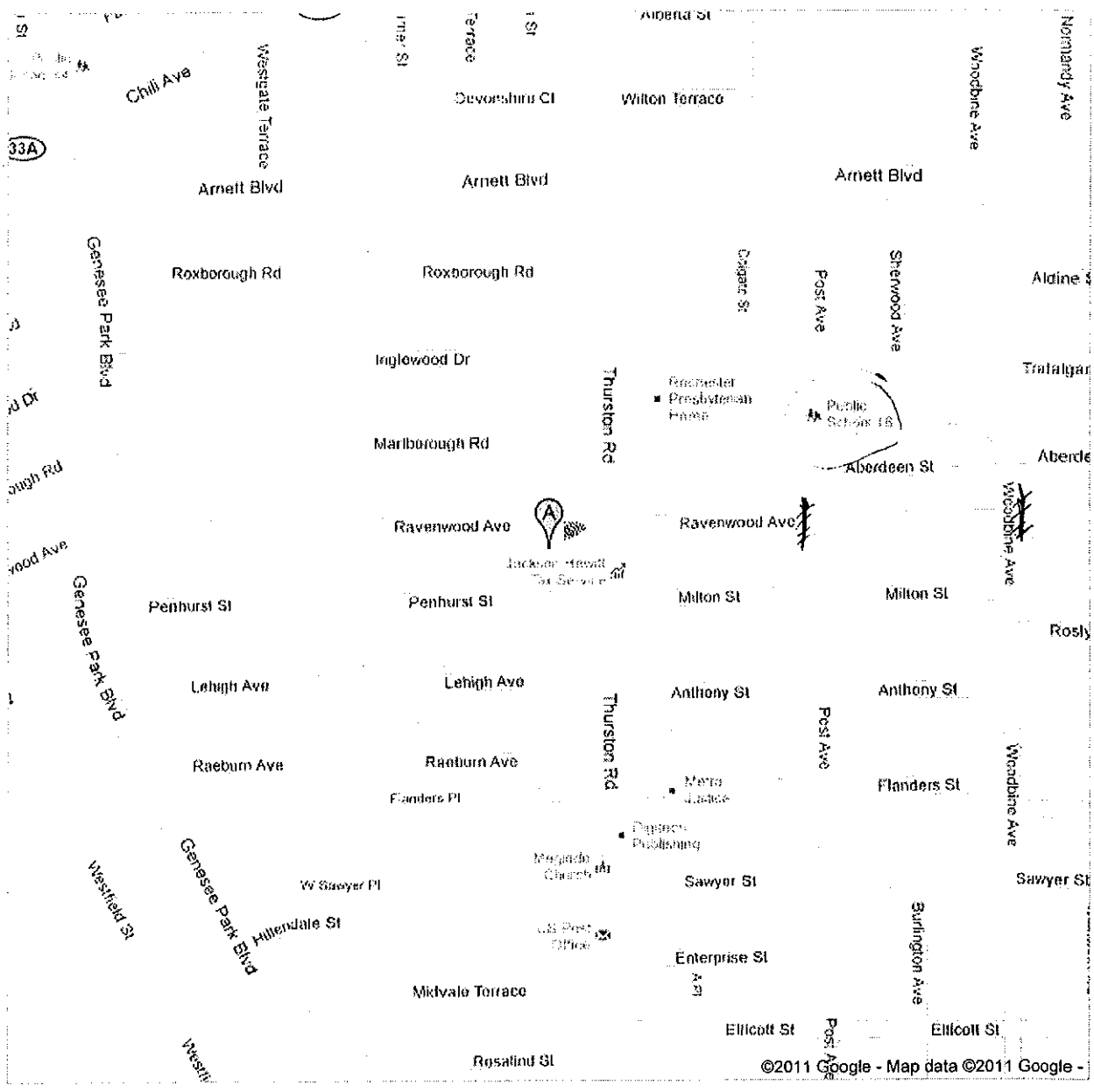


© 2011 Google

Google maps

Address ~~209~~ <sup>7</sup> Ravenwood Ave  
Rochester, NY 14619

Get Google Maps on your phone  
Text the word "GMAPS" to 466453

©2011 Google - Map data ©2011 Google -

copy of 6000  
CANNERS & SIGNS

**Farina Jr., Samuel A.**

**From:** Tydings, Terence  
**Sent:** Tuesday, March 22, 2011 12:43 PM  
**To:** Schroeder, Jeffrey N.  
**Cc:** McMullen, Anthony J.; Farina Jr., Samuel A.  
**Subject:** RE: City Evictions (emerging issue)

DATE: 3/22/11  
BDS  
B/F  
Catherine Leonard  
→ Congressman  
Slaughter's  
office.  
→ Court order

Jeff, I will pass this on, if Lt. Dearcop is out for the week, I suggest you speak w/Capt. McMullen tomorrow morning and we figure out a plan.

I will advise the Commander also *forced entry*

→ VIDEO -  
9 Ravenwood  
week #1  
→ per check  
Dinner  
Friday  
→ Sunrise +  
Sunset

Thanks Terry

**From:** Schroeder, Jeffrey N.  
**Sent:** Tuesday, March 22, 2011 12:39 PM  
**To:** Tydings, Terence  
**Cc:** Dearcop, Raymond W.; Trovato, Joseph J.; Dickerson, Carl E.; Agnone, Vincent L; Runyon, Kristin M.  
**Subject:** FW: City Evictions (emerging issue)

Garage -  
1400  
furniture

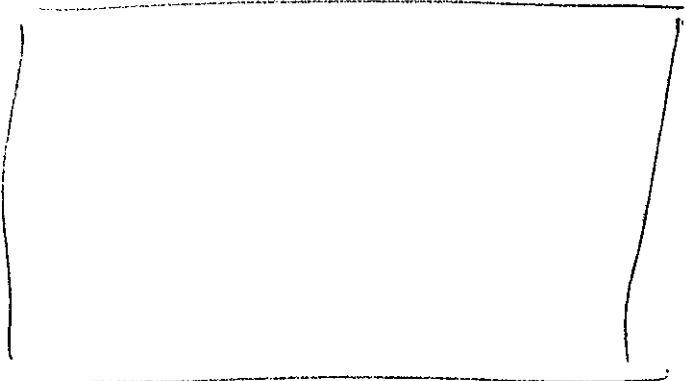
ASBC Parking lot

Terry,

Lt. Dearcop is at SDO training and asked me to forward some additional information for you to disseminate to the appropriate personnel. I spoke with Marshall Sandy Macaluso, 746-6466, who stated Fanny Mae is going forward with the eviction process at 9 Ravenwood. He understands it will most likely become an issue and is trying to coordinate sources to manage the process. Tentatively, the plan is for Monday, 3/28/11, @ 0730 to be at this location and proceed with the eviction and moving process.

Macaluso said that there are people from "take back the land" staying in the yard/area who act as look outs. He suggests blocking the street and keeping any of their vehicles from interfering and having a uniform contingent to make trespass arrests for those who refuse to leave the property. Fannie Mae owns the property, but 1<sup>st</sup> Team Realty management (local) will be the management company taking possession during the eviction process.

**From:** Dearcop, Raymond W.  
**Sent:** Monday, March 21, 2011 12:43 PM  
**To:** Schroeder, Jeffrey N.  
**Subject:** FW: City Evictions (emerging issue)



**From:** Tydings, Terence  
**Sent:** Monday, March 21, 2011 12:39 PM  
**To:** Alberto, Edward A; Anzalone, Jeremy J.; Berg, Karl; Boily, Stephen R.; Brown, Herbert H.; Collins, Justin R.; Correia, Elena A.; Dearcop, Raymond W.; Dinicola, Robert M; Diprimo II, Francis A; Disalvo, Brian P; Elwood, Jason A.; Everson, Herbert G.; Favor Jr., Henry C.; Gebhardt, David E.; Grande, Laura Beth; Grande, Paul A.; Hayes, Joseph P.; Hill, Robert B.; Jones, Michael P.; Joseph III, Albert; Joseph, David A.; Koehn, Kevin D.; Lindauer, Jeremy E.; Mahoney, William P.; McMullen, Anthony J.; Mura, Mark S.; Nicholls, Michael D.; Perkowski, Michael E.; Peters, Scott L.; Rivera, Fabian; Rodriguez, Juan M.; Simmons, Mark L.; Singletary, Laron D.; Smith, David M.; Waldo Jr., Richard E.; Wiater, Geoffrey R.; Wilson IV, Robert J.; Zimmerman, Dan  
**Subject:** FW: City Evictions (emerging issue)

**Any new information should be noted and forwarded to Com. Farina.....**

**Thank You**

**Terry**

**From:** Wood, Mike  
**Sent:** Monday, March 21, 2011 8:30 AM  
**To:** List, Tim; Ciminelli, Michael L.; Farina Jr., Samuel A.  
**Cc:** Nichols, Amy H.; Petitti, Nicholas J.; Sheppard, James  
**Subject:** FW: City Evictions (emerging issue)

FYI. I'm not aware of the specific incident and there is no indication if RPD was even called to the scene. Regardless, for future reference...

**From:** GCarpino@monroecounty.gov [mailto:GCarpino@monroecounty.gov]  
**Sent:** Friday, March 18, 2011 4:50 PM  
**To:** WSanborn@monroecounty.gov  
**Cc:** JohnHelfer@monroecounty.gov; PO'Flynn@monroecounty.gov; PDelella@monroecounty.gov; Wood, Mike; PGombatto@monroecounty.gov; SScott@monroecounty.gov  
**Subject:** Re: City Evictions (emerging issue)

Undersheriff,

met with Sandy Macaluso this morning regarding the eviction @ 9 Ravenwood, City of Rochester. Here are a few new details that emerged from that meeting;

- On the morning of the eviction "Take Back the Land" group members parked their personal vehicles in every available curbside spot on both sides of the street making it impossible for a moving truck to proceed to the location.
- Presumably with the squatters approval other group members parked their vehicles in the driveway and on the lawn of the property.
- One or more individuals chained themselves to the porch of the house
- Others formed a line around the front and sides of the house.
- The bank placed a temporary hold on the eviction and has not established a new date.

Depending on the bank's willingness to continue the action Macaluso plans on perfecting the eviction when requested to do so. Since the City Police will most certainly be involved, I have shared all detailed information about the protestors and their actions with RPD Chief Wood. A Chief Scott has also been informed of the situation, I will maintain open communications with him if we receive any County based foreclosure evictions.

Macaluso did not express any intention on his part to discontinue handling evictions in the future.

The Take Back the Land Web Site Link is : <http://takebacktheland.org> (the site provides quite a bit of information)

GC

William Sanborn/SHF/Monroe

To Patrick O'Flynn/SHF/Monroe@Monroe, Gary Carpino/SHF/Monroe@Monroe, John Helfer/SHF/Monroe, Paul Delella/SHF/Monroe@Monroe

3/16/11 06:06 PM

cc

Subject City Evictions (emerging issue)

Sheriff,

Chief Carpino will be providing a more detailed summary in the next day or so, but he shared this information which could be an emerging issue involving the civil bureau.

The City Marshal's were going to serve an eviction in the city when learned that about 75 protestors were at location claiming association with group called "Take back the land". They are actually an organized group with association to other area(s) of the country. Website is [takebacktheland.org](http://takebacktheland.org).

protestors had media involved and also had their own video cameras. There belief is that it is a freedom to own a house and live unrestricted. The issuing judge for eviction would not honor a stay order made by the group. Sandy macaluso reports receiving several phone call from the group too.

They are not sure what they are going to do at this time but believe the group will become active at other eviction sites.

Chief carpino wanted to share this preliminary info as it could effect MCSO at some time, particularly if the City decides to stop doing evictions and the responsibility is turned to us.

He is to continue gathering info on this and will put something together in writing that is more detailed. this is just preliminary info that he had.

Thanks

Bill

xc: Chief Carpino, Cpl helper, Lt Delella

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Rochester City Court  
LANDLORD TENANT

*COPY*

Index Number: LT-001694-11/RO

Federal National Mortgage Association  
Petitioner(s)

Attorney for Petitioner: Steven Jay Baum (A-P)

-against-

Catherine Lennon Heir the The Estate of Jashca R.  
Lennon; Unique Griffin; John Doe  
Respondent(s)

Warrant of Eviction

TO THE MARSHAL OF THE CITY OF ROCHESTER

Rochester City Court Marshal  
Sande Macaluso, Marshal  
99 Exchange Boulevard  
Room 6  
Hall of Justice  
Rochester, NY 14614-

Final decision in favor of the petitioner(s) has been granted based on the judgment of possession entered in the Rochester City Court on February 14, 2011, which awarded the petitioner(s) the delivery of the premises:

null, at UNKNOWN ADDRESS

Therefore, you are commanded to remove the respondent(s) listed below:

Catherine Lennon Heir the The Estate of Jashca R. Lennon, Unique Griffin and John Doe

And all other persons from the following described premises, located in the County of Monroe and to put said petitioner(s) in full possession thereof:

9 Ravenwood Ave, Rochester, NY 14619-

Dated: 03/04/2011

*Margie Coons*

Judge/Clerk

Rochester City Court Civil Division

*Award 3/7  
out 3/10*

Mailing Address  
P.O. Box 1291  
Buffalo, NY 14240-1291

Overnight Mail  
220 Northpointe Parkway  
Suite G  
Amherst, NY 14228



STEVEN J. BAUM, P.C.  
ATTORNEYS AT LAW

Phone Number  
716-204-2400

Fax Number  
716-204-4600

Web Site  
WWW.MBAUM.COM

March 22, 2011

Marshal Sande Macaluso  
County of MONROE

Re: 9 Ravenwood Avenue, Rochester, NY

Dear Sir/Madam:

Regarding the above referenced premises, in which this office is seeking to have an eviction lockout date scheduled, please note that before any arrests are to be made, ample warnings must be given to the occupants and, in addition, that the occupants be given an opportunity to remove themselves from the premises voluntarily. However, if after ample warning has been given, that the occupants have refused to vacate and have been given an opportunity to remove themselves but refuse, then please proceed forward, even if arrest becomes a necessity.

Please notify this office immediately if you should observe any trouble or disturbances, or if there is any media presence at the subject premises.

Very truly yours,

STEVEN J. BAUM, P.C.

A handwritten signature in black ink, appearing to read 'William C. Bode', written over the typed name.

William C. Bode, Esq.





MARSHAL  
 SANDE L. MACALUSO  
 OFFICE (585) 544-4888



72 Hours  
 NOTICE

Room No. 6  
 Hall of Justice  
 Rochester, NY 14614

Constable  
 P.O. Box 67164  
 Rochester, NY 14617

3-7-11  
 AME SERVED  
 EVICTION -  
 3-15-11  
 10 AM

To CATHERINE HENNON & all other Parties  
9 RAVENWOOD AVE  
14619

Sample  
 Only

A WARRANT WAS ISSUED OUT OF Rochester City COURT TO  
 EVICT YOU FROM THE PREMISES OF 9- Ravenwood Ave

**YOU HAVE 72 HOURS IN WHICH TO VACATE THESE PREMISES**

UNLESS YOU VACATE BY 3-10 2011, YOU WILL BE MOVED OUT  
 ON 3-10 2011, OR AS SOON AS A TRUCK IS AVAILABLE,  
 (LANDLORDS OPTION) --- YOUR BELONGINGS WILL BE PLACED IN STORAGE.  
 HOWEVER, THE LANDLORD WILL STORE YOUR BELONGINGS AT ANOTHER  
 LOCATION OF HIS/HER CHOOSING.

**BY NOT COMPLYING WITH THE COURT ORDER, AND NOT VACATING THE  
 PREMISE ON THE DATE SPECIFIED - CAN LEAD TO YOUR ARREST.**

SANDE L. MACALUSO  
 MARSHAL/CONSTABLE

Case Number: 096425

Entered 03/28/11 10:39:29 BY 8824 810188  
 Dispatched 03/28/11 10:39:29 BY 8824 810188  
 Onscene 03/28/11 10:39:29  
 Closed 03/28/11 10:40:25

Initial Type: ARSTA Final Type: ARSTA (ARREST)  
 Initial Priority: 2 Final Priority: 2  
 Disposition: 35 52 Source: 4 Primary Unit: 8824  
 Police BLK: 096425 Fire BLK: 002787 EMS BLK: 048002  
 Group: RP8 (RP2 ) Beat: RP53 Wrecker Zone: 1200 Map Page: 1200 Node: 43044  
 Loc: 9 RAVENWOOD AV ,ROC btwn WOODBINE AV & POST AV <000> (V)  
 Loc Info:  
 Name: Addr: Phone1:  
 Phone2:

Wireless Latitude: Longitude: Confidence:

/1039 (810188) \$OUTSRV ,NO MORE INFORMATION  
 /1039 \*DISPOS 8824 #810188 ROMANO, PAUL  
 /1039 \$ASNCAS 8824 \$CTYP11089909  
 /1040 \*CLEAR 8824 DSP: 35 52  
 /1040 CLOSE 8824