



Office of the Sheriff

MONROE COUNTY
"ONE TEAM"



Sheriff Todd K. Baxter

Undersheriff Corey K. Brown

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FOR IMMEDIATE RELEASE
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PENFIELD MAN WHO HELD MONROE COUNTY SHERIFF'S DEPUTIES AT BAY FOR 24 HOURS, THREATENING DEPUTIES' SAFETY, FACES MULTIPLE FELONY CHARGES

MCSO Charged Benjamin J. Smith with Arson, Multiple Counts of Attempted Assault on a Police Officer, Criminal Possession of a Weapon, and Criminal Mischief

Penfield, NY (July 1, 2020) – On today's date, July 1, 2020, Monroe County Sheriff's deputies charged Benjamin J. Smith, 51, Penfield, with multiple felony charges in relation to a 24-hour standoff with deputies that began Monday, June 29, 2020 at a home on Fairport Nine Mile Pt. Rd. (Route 250) in Penfield. Throughout the course of the standoff, Mr. Smith threatened his own safety and the lives of our deputies.

On Monday, the NYS Department of Corrections and Community Supervision (DOCCS, formerly NYS Division of Parole) requested the assistance of the Monroe County Sheriff's Office with an uncooperative parolee, Benjamin J. Smith. Mr. Smith holed himself up inside his home for the next 24 hours, threatening injury to himself and our deputies to include fire as a weapon. Mr. Smith threw multiple Molotov cocktails at our deputies from an open window inside the home and shot arrows at our deputies from a bow inside the house. He was also armed with multiple gas cans prepared as incendiary devices. The MCSO SWAT, Bomb Squad, and Hostage Negotiations Teams, with the invaluable assistance of the Monroe County Office of Mental Health, worked this delicate scene through the night and into Tuesday with continuous negotiation attempts for Mr. Smith to surrender himself. All the while the safety and protection of our deputies and community remained at the forefront of the investigation.

On Tuesday morning, conversations with Mr. Smith resumed with a less threatening tone and negotiations progressed throughout the day. On Tuesday afternoon, the situation escalated with Mr. Smith throwing another Molotov cocktail out the window. Mr. Smith then shot several more arrows at our deputies, again threatening their lives. When the opportunity presented itself, the SWAT team deployed tactics and techniques, in coordination with hostage negotiators, which resulted in the successful, peaceful resolution that we all desired.

Deputies charged Smith with Arson in the 3rd degree, (Class C – Felony), five counts of Attempted Assault on a Police Officer (Class C – Felony), Criminal Possession of a Weapon in the 3rd degree (Class D – Felony), Criminal Mischief in the 3rd degree (Class E – Felony). Smith also faces a parole violation, to be issued by DOCCS.

“Our men and women put on a uniform every day and enter the unexpected,” said Monroe County Sheriff Todd K. Baxter. “Our deputies serve to protect you and me 24/7, in hopes of returning to their families at the end of their shifts; for many those shifts are not 9 a.m. – 5 p.m. We will not tolerate threats to the fine men and women who are dedicated and committed to keeping our community out of harm’s way.”

Mr. Smith was taken by ambulance to an area hospital to receive the mental health assistance he needs. He will be arraigned on the charges at a later date, once released.

MCSO would like to thank the assistance of its partners to include: Monroe County Office of Mental Health, NYS Department of Corrections and Community Supervision (DOCCS), Rochester Police Dept., Penfield Fire Dept., Penfield EMS, Monroe County Fire Bureau, U.S. Bureau of Alcohol, Tobacco, and Firearms (ATF), Federal Bureau of Investigation (FBI), Monroe County Water Authority, Rochester Gas and Electric (RG&E), and Wickham Farms.

MCSO is also grateful to the neighbors who were asked to shelter in place for their patience and understanding and the community for its patience due to road closures in the immediate area.



Background: Mr. Smith was previously convicted of Federal Firearms Prohibitions (July 2014), Arson in the 3rd degree, Class C- Felony (December 2016), Criminal Mischief in the 4th degree, Class A – Misdemeanor (July 2012).



Smith, Benjamin J.

51 y/o
Penfield, NY

Charges:

- Arson 3rd degree (Class C – Felony)
- Five counts Attempted Assault on a Police Officer (Class C – Felony)
- Criminal Possession of a Weapon (Class D – Felony)
- Criminal Mischief in the 3rd degree (Class E – Felony)

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