

**Regular Board Meeting  
Police Accountability Board  
August 18 at 6:30 PM  
Conducted Over Zoom**

**Attendees**

Board Members: Knox, Brown, Setel, Harrison, Harvey, Nickoloff, Cadet

Staff: Pacheco-Walker, Bascoe

Guests: Melanie Anania & Miriam Lerner – ASL Interpreters

Item	Details	Vote	Time
Start of Meeting	<u>Welcome &amp; Introductions:</u> Chair Knox called the meeting to order, facilitated introductions. Board Members took the opportunity to welcome new Member Daniel Cadet. Cadet is an in-patient Social Worker at Rochester General Hospital and lives in the 19 <sup>th</sup> Ward with his wife and two children.	N/A	6:36PM
Approval of Prior Minutes	<u>Minutes:</u> Member Knox moved to approve the minutes of 8/4/22. Second by Member Harvey. Motion passed unanimously with no corrections.	7-0	6:40PM
Meeting Discussion	<p><u>Staff Report:</u> Acting Manager Duwaine Bascoe provided an update from the Investigations Division; as of last week 142 reports have been submitted. 64 have been assigned to Investigators. For 35 of the 64, 'Source of Information' (SOI) have been sent to RPD. Currently none of the requests have been fulfilled. RPD has appointed a liaison, Captain Steven Swetman, to take the lead on fulfilling PAB's requests. Bascoe has been in contact with Swetman several times and the Captain has indicated that he is working on getting caught up to speed. Swetman also indicated that PAB should be hearing from the Law Department in the next few days. Bascoe stated that he is not aware of what their interactions are or should be in regards to the requests.</p> <p>Knox stated that so far the Law Department has disagreed that PAB should have direct access to RPD information systems and that currently the plan is for PAB to get the information it needs through Captain Swetman. Asked if that is correct or if there had been any changes to that procedure.</p> <p>Bascoe confirmed that as correct and that there has been no indication that the process has changed. It was previously agreed that PAB would receive information by submitting requests and that RPD would fulfill them. Confirmed again that none of the requested information has been provided.</p>	N/A	6:41PM

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	<p>Bascoe explained that he and Captain Swetman discussed training and that Ride-alongs would be scheduled beginning next week. Bascoe noted that the Board is obligated to go on Ride-Alongs pursuant to the Charter and if they had not already gotten their waiver in to please do so. Stated that an additional 4-5 hour training will be scheduled sometime in late September to early October for all Staff. The training will cover RPD courses that have been previously discussed.</p> <p>With regard to training materials, PAB leadership submitted a request for the training materials provided to the CRB in a July 27 meeting. Lieutenant Ince has recently provided a list of General Orders but has not provided the requested training materials in full.</p> <p>With regards to Public Affairs, the Division is currently working on a Community Engagement strategic plan. The plan will encompass a year and will be submitted to Bascoe by September 19 for his review and comments. The plan will then be revised and submitted to the Board for review. As a part of the Community Engagement plan, Chief of Public Affairs Natalie Banks and Bascoe have held approximately 10 meetings with different community groups to provide an update and to inform them on how they can partner with PAB. One such partnership that has been recently established is with the Library, where PAB is now allowed to table and stock our complaint forms.</p> <p>Knox noted that establishing the Library partnership was an obstacle before so he is glad that they are able to cooperate with PAB.</p> <p>Bascoe agreed noting that the Library had a previous stance of not engaging with PAB, but now it is looking to be a great partnership. Bascoe explained that of the other organizations that he and Banks spoke with, all are willing to partner with PAB in different capacities. Some noted that they are willing to provide information on police interactions that they witness so that PAB may better understand the challenges facing different areas of the Community.</p> <p>With regard to Policy and Oversight, Bascoe explained that the Board is currently working to establish the Division's priorities. The Policy Committee that was established in early June has not yet come together and the Division is still in need of direction. Policy and Oversight is currently working on the draft of the Disciplinary</p>		
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	<p>Matrix. Staff plans to publish the draft on September 19. Bascoe asked that if the Board has comments on the Matrix to please send them to the Chief of Policy and oversight Michael Higgins. Bascoe added that there are plans to host a series of internal and external workshops to gather feedback on the draft.</p> <p>Policy and Oversight will also be publishing a review of RPD's data transparency by October 1.</p> <p>Wither regards to Investigations, and overlapping into Operations, Bascoe encouraged the Board Members to attend SharePoint training. Bascoe explained that there are several cases that are ready for Board review but he cannot get those materials to the Board unless they are able to access SharePoint. Asked the Board to schedule that training ASAP.</p> <p>Knox asked Pacheco-Walker if she could speak to the SharePoint training. Pacheco-Walker explained that it is a "crash-course" introduction to the program and that she is available at any time of the day if Board members have some free time to go through it. Noted that there is also an evening training scheduled for next month and a training scheduled for next Friday.</p> <p>Setel noted that the evening training was scheduled for September 8. Asked Pacheco-Walker if she could ensure that all Board members have the links and needed materials for the training. Pacheco-Walker confirmed.</p> <p>Knox also encouraged Board Members to complete the training.</p> <p>Bascoe noted that the Board must also complete Limited English Proficiency (LEP) training as well pursuant to the Language Access Plan. Staff is working with Empire Justice to schedule a 2 session training.</p> <p>Setel asked if the LEP training was mandated by the Charter or related to reviewing cases. Bascoe replied that it is related to reviewing cases. Bascoe further noted that Staff is still working with the City to get the LAP approved. Bascoe and the Chief of Operations Rosabel Antonetti will be working with City Council President Miguel Meléndez to address the road blocks and get the plan approved.</p>		
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	<p>Bascoe stated that he had matters to discuss with the Board in Executive Session with regard to continuance of the discussion around potential litigation.</p> <p><u>Chair Report:</u> Knox noted that he was very happy to welcome PAB's new Board Member Daniel Cadet and thanked the Alliance for his nomination and City Council for holding the vote to appoint him. Stated that there is now only 1 vacant seat on the Board. The vacancy is still within 60 days and he is hoping to have it taken care of soon. Knox added that Cadet was a part of the PABA and very engaged in the work to get PAB's legislation passed.</p> <p>With regards to RPD information access, a process has been established but the Board still believes that the PAB should have direct access to RPD databases. Knox noted that there was a big push for PAB to open before the end of June, yet now that the agency is taking cases it is no closer to getting the access that is needed.</p> <p>Nickoloff noted that the Board has tried some different tactics and conveyed concerns that the issue will breed a breakdown in civic trust. Noted that the more that people resist following the law, the less likely people will be to invest in government projects and programs in the future. Added that there will be bigger ramifications beyond PAB and hopes that the City government and Mayor will act.</p> <p>Harrison commented that he is reminded of High School and College sports in that the first thing that he was taught was how to cheat. Stated that to expect the law to be scrupulously followed is asking for more than what human nature provides. Noted that PAB needs to get a "referee involved in this game".</p> <p>Harvey agreed with Harrison's analogy. Added that he has received phone calls from citizens where they have shared incidents with them and asked I Bascoe could review the more appropriate way to submit reports to the PAB.</p> <p>Bascoe explained that the correct procedure to submit a complaint is to contact PAB staff either online, by phone, or by walking into PAB headquarters. A member of Staff will explain the complaint process and provide additional resources that the Reporter may utilize.</p>	<p>N/A</p>	<p>6:59PM</p>
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	<p>Harvey noted that the Board is the face of the PAB and that some members of the public may be under the impression that they can submit their complaints directly to Board Members. Asked if Bascoe can clarify if the public is meant to approach PAB Board or Staff with their complaints.</p> <p>Bascoe replied that Reporters are meant to submit their complaints to PAB staff and my do so by visiting PAB’s website, RocPAB.org, by email at <a href="mailto:PAB@CityofRochester.gov">PAB@CityofRochester.gov</a>, by phone at 585-557-2494, or by walking into PAB headquarters at 245 E. Main Street.</p> <p>Cadet asked Bascoe if he could provide a brief description of the Complaint process.</p> <p>Bascoe replied that when a misconduct occurs, members of the public may contact the PAB staff to complete their complaint form. The form is then reviewed by a Case Manager and the Reporter is contacted for follow up within 48 hours. The Investigations Division will then receive the complaint from Case Managers and a team comprised of 1 Staff Attorney and 1 Investigator is assigned to the case. The team creates a report summarizing their findings and use the Disciplinary Matrix to make a recommendation on an appropriate response. The report is signed off by Bascoe and presented to the Board for its review and approval. Once the Board review is complete the report and recommendation is sent to the Chief of RPD, who must respond to it within 30 days.</p> <p>Harvey asked if Bascoe was reviewing cases in the capacity of the Executive Director or in his capacity as Chief of investigations. Bascoe responded that he reviews matters from both capacities.</p> <p><u>Committee Report:</u> Setel noted that there will be Media training for the Board early next week as well as a training to review the Open Meetings Law. SharePoint training is scheduled for the first week of September.</p> <p><u>Old Business:</u> Knox once again encouraged members of the Public to reach out to the Mayor and City Councilmembers to ask that PAB have the proper access it needs.</p> <p>With regard to previous discussion on the Public Comment period, Knox noted that the Staff has not fully figured out the proper process yet. Noted that at some point the meetings will return to being in-person and that due to security concerns a secure meeting spot would need to be determined. Knox noted that the</p>		
		N/A	7:17PM
		N/A	7:18PM

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	<p>public can always reach out to the Board or Staff with their ideas, thoughts and concerns.</p> <p>Harrison stated that while it might not be the appropriate time for the discussion, he would like to talk about how the Board recognizes losses of life in the community. Suggested that time be set aside to acknowledge when everyday citizens lose their lives to violence.</p> <p>Knox replied that it is something to think about. Noted that the nature of PAB's work is to address that exact issue.</p> <p>Brown stated that she acknowledges it is a matter of great concern to Harrison and asked if she could sit down with him to fully understand what he is proposing and come up with a way to present it to the Board.</p> <p><u>New Business:</u> With regard to case closures, Bascoe explained that he had one case to bring forth to the Board for closure but is unable to do so as he did not have the Case number on hand. Knox stated that it can be handled at the next regular meeting. Knox asked if an Executive Session was needed and if Bascoe could explain the reason for the session to the public.</p> <p>Bascoe explained that there are issues that the Board must discuss involving potential litigation. That discussion will include strategizing and placing parties on notice of PAB's intent. For those reasons Bascoe asked for the discussion to be held in Executive Session.</p> <p>Harrison added that he would like to discuss litigation that the Board is presently involved in as well.</p>	N/A	7:25PM
Executive Session	Motion by Knox to enter into Executive Session. Second by Brown. Motion carried unanimously.	7-0	7:30PM
End of meeting	Member Knox moved to adjourn meeting. All members in favor. Meeting adjourned.	7-0	8:15PM

Recording Clerk: Marina Pacheco-Walker