

MINUTES

**Regular Board Meeting
Police Accountability Board
December 1, 2022 at 6:30 PM
Conducted Over Zoom & In-Person at
245 E. Main St., Rochester, NY 14604**

Attendees

Board Members: Knox, Brown, Harvey, Cadet, Setel, Harrison, Tucker (@ 6:46),
Nickoloff (@ 6:55)

Staff: Pacheco-Walker

Guests: Wendy DiMatteo & Wanya Jefferson - ASL Interpreters

Item	Details	Vote	Time
Start of Meeting	<u>Welcome & Introductions:</u> Chair Knox called the meeting to order and facilitated introductions.	N/A	6:36PM
Approval of Prior Minutes	<p><u>Minutes:</u> Knox noted that pursuant to the Executive Session that the Board held on 11/17/22 he would like to amend the minutes to reflect the following votes that occurred:</p> <p>A motion was made to officially act upon the recommendation outlined in the investigative report and terminate the Executive Director. The Motion passed 5-1-2A with a vote of No from Harrison. Setel and Nickoloff abstained.</p> <p>A motion was made to begin the process of hiring an interim Executive Director, and once the interim is found the current Acting Manager would revert to their previous position of employment. Once the Interim is in place the Board will also begin a search for a permanent Executive Director. The motion passed unanimously 7-0.</p> <p>Member Setel moved to approve the minutes of 11/17/22. Second by Member Knox. Motion passed unanimously with corrections as detailed above.</p>	7-0	6:40PM
Meeting Discussion	<u>Staff Report:</u> Chair Knox provided an update from the Investigations Division; 232 reports filed to date. 211 reports potentially investigable. 5 cases have been received from RPD's Professional Standards Section (PSS). 111 cases have been assigned to Investigators. 19 cases were closed last meeting due to being non-investigable. An additional 31 cases are in the process of closing. 49 Source of Information (SOI) requests were submitted to RPD today and Staff will be tracking the timeline of the fulfillment of those requests. 14 of the 49 requests are 2 nd requests for additional information.	N/A	6:40PM

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	<p>Ride alongs for the Board are currently postponed and Staff is working with RPD leadership to determine alternative dates.</p> <p>Harrison stated that he does not understand why the Board has not reviewed cases that are investigable yet.</p> <p>Knox replied that many of the cases are awaiting further information before the investigations can be completed.</p> <p>Brown added that the Deputy Chief of Case Management sent a report today which showed where each case was in the investigations pipeline.</p> <p>Harrison noted that the Board still does not know when they will review the first investigable case and asked if the reason was because Staff was not getting enough information.</p> <p>Brown replied that it was a possibility or there could be bottlenecks elsewhere in the process.</p> <p>Knox added that Harrison can put his question in writing for the Staff and that they would follow up with a timeline.</p> <p>With regard to the Policy and Oversight Division, Policy and Data Analyst Sara Jenks gave an update on the status of the Data Transparency Community Input Sessions. Jenks noted that the Division is currently engaged in two Proposals for Change, last week Policy and Data Analyst Jonathan Khoury presented an update on the status of the Disciplinary Matrix Community Input sessions, and added that both are community and data driven projects.</p> <p>Jenks explained that the Data Transparency Report is available on the PAB's website and that it makes formal recommendations about the information that RPD collects and reports ad publicly available, adding that the data that RPD reports should be representative of the needs of the community.</p> <p>In the drafting of the Report Jenks utilized the framework of the Vera Institute of Justice Police Data Transparency Index which measures the availability and accessibility of information reported by Law Enforcement Agencies in 10 categories; complaints of police misconduct, instances of firearms use, use of force, arrest data, traffic stops, calls for service, and crime reports. It was found</p>		
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	<p>that the quality of RPD’s data varies and that overall Rochester’s score lands in the middle of the 94 locations that the Vera Institute analyzed.</p> <p>Community members may read the draft and submit feedback online through December 31. The Policy team is available to host feedback sessions with community groups in-person or virtually and anyone interested in doing so may contact the Division at PAB@CityofRochester.gov or by phone at 585-428-9628. Jenks will be meeting with the Board for a training and input session on January 12.</p> <p>Board Members asked questions and discussed portions of the report with Jenks.</p> <p><u>Chair Report:</u> Knox began by encouraging members of the public to contact PAB if they are interested in hosting presentations of either the Disciplinary Matrix or the Data Transparency reports.</p> <p>With regard to the Union effort, Knox explained that the Board has voiced its support of the Union and has asked Mayor Malik Evans and City Council to recognize it. Further encouraged those parties to recognize the Union so that employees can unionize now rather than undergoing the election process.</p> <p>With regard to the search for the interim Executive Director, Knox explained that the Board hopes to have an interim determined by the end of the month. They have asked for and received input on the qualities that stakeholders would want to see in an Executive Director and they have gotten some recommendations as well.</p> <p>Harrison asked if there was any kind of structure around how to identify the interim and permanent Executive Director and if a hiring committee was being used.</p> <p>Knox responded that the Board at large would be the hiring committee and that they are working out different processes to identify the interim versus the permanent Executive Director.</p> <p><u>Committee Report:</u> Setel stated that a schedule for training has been determined through the beginning of February. (A copy of the schedule can be found at the end of these minutes.) Next week the Board will have a training with Staff on the Disciplinary Matrix and on January 12 they will hold a final discussion on the matrix. No</p>	<p>N/A</p> <p>N/A</p>	<p>7:21PM</p> <p>7:27PM</p>
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	<p>training was scheduled for December 22 due to proximity to the holiday. On January 26 they will have a training on how to evaluate closing reports. Along with training, the Board will meet to discuss Policy Division research priorities for the new year.</p> <p>Knox noted that with all the training the that Board must complete it is important that it is done in a sustainable way so that oncoming Board Members are able to get up to speed quickly. Knox asked what the training priorities were after December 9.</p> <p>Setel replied that they will continue to work through the trainings that are mandated by the Charter. The Board will be working with CCSI through March and are also working to determine instructors for the remaining training topics. Setel explained that there are 15 areas of training that are mandated in the Charter and many topics will likely require multiple sessions to complete. There must be a combination of in-person and self-study for the training so that they can complete all the topics.</p> <p>Knox noted that one of the recommendations from the report was that the Board receive some specific governance trainings and that he hopes to work with the interim Executive Director to complete those trainings.</p> <p>Brown agreed adding that the report recommended several additional trainings and that they must incorporate and prioritize those recommendations as well so that they are fulfilled.</p> <p>Setel clarified what seemed to be a misunderstanding that the Board has not begun their mandated training. They have been doing trainings all along but should prioritize things like the City's Code of Conduct and other key areas that were brought up in the report.</p> <p>Knox added that the Board has completed Open Meetings Law Training as previously required. Brown noted that she felt blindsided by some of the contents of the report and also has suggestions on how to prioritize trainings.</p> <p>With regard to investigations, Harrison noted again that he was concerned about that the Division is not operating correctly. Noted that there are policies in the Division that the Board should examine. Brown replied that Harrison could be involved in that discussion at the next sub-committee meeting.</p>		
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Executive Session	Motion by Knox to enter into Executive Session to discuss personnel matters as they relate to discipline, termination or promotion, and potential litigation. Second by Harvey. Motion carried unanimously.	7-0	7:42PM
End of Meeting	Harrison moved to adjourn the meeting. All members in favor. Meeting adjourned.	7-0	8:31PM

Recording Clerk: Marina Pacheco-Walker

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PAB TRAINING SCHEDULE 12/22-3/23

All trainings are in person at the PAB offices. Please arrive by 6:15 pm so that we can begin at 6:30.

December 8 - Disciplinary Matrix review

(December 22 - no training)

January 12 - Staff presentation on Data Transparency Proposal for Change
Review of policy and oversight research topics

Draft Agenda:

1. Presentation on Data Transparency Proposal (30 min.) - Sara Jenkins
2. Review of Charter Language on policy and oversight responsibilities - Chenoa Maye (15 min)
3. Staff presentation of current and proposed policy and oversight topics - Policy staff (30 min)
4. Board presentations of proposed policy and oversight topics - Board members (20 min)
5. Discussion of how to evaluate priorities (20 min)

January 26 - Training on closing cases with SMK Consultants

February 9 - Public meeting to set priorities for policy and oversight research