



October 9, 2020 POLICE 16

TO THE COUNCIL

Ladies and Gentlemen:

Re: Statement of Necessity

We are submitting this Statement of Necessity so that action may be taken during the October 13, 2020 Council Meeting to authorize an agreement with Wilmer Cutler Pickering Hale and Dorr LLP to provide a review of Rochester Police Department policies, procedures, and trainings.

Respectfully submitted,

Lovely A. Warren
Mayor

Loretta C. Scott
President

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CITY OF ROCHESTER
CLERK / COUNCIL OFFICE
2020 OCT -9 P 2:16





October 9, 2020

POLICE 16

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement with WilmerHale to review
critical RPD policies, procedures, and
trainings

Transmitted herewith for your approval is legislation authorizing an agreement with Wilmer Cutler Pickering Hale and Dorr LLP ("WilmerHale") for a team lead by Partner Danielle Conley, former Associate Deputy Attorney General with the U.S. Department of Justice, to conduct a deep-dive review of RPD policies, procedures, and training related to (1) use of force; (2) de-escalation of critical incidents; (3) body worn cameras; and (4) responding to mental health-related calls for assistance. WilmerHale will complete this review in approximately four months and will provide written findings and recommendations that the City may use to revise its law enforcement training, policies and procedures. There shall be a flat fee of \$250,000, which shall be paid from 2020-21 Federal Forfeiture funds.

The review to be conducted by WilmerHale will include interviews with both RPD personnel and community stakeholders to ensure that voice is given to a diversity of local concerns and perspectives. To further ensure community involvement, WilmerHale will interface with a committee comprised of two City Council representatives, two Administration representatives, and one representative each from the Commission on Racial and Structural Equity, the Police Accountability Board, and the United Christian Leadership Ministry.

Upon conclusion of the review, WilmerHale will make specific recommendations for change, including enhancements to RPD's training program on uses of force, de-escalation, and responding to those experiencing mental health issues. These recommendations will guide the RPD in developing a training curriculum, schedule, and ongoing certification program for officers to acknowledge that they have completed the training, and for RPD to ensure that the training is effectively and regularly reinforced. The findings and recommendations of the WilmerHale review will also be used to inform the City's comprehensive review of, and plan to improve, the RPD's force deployments, strategies, policies, procedures, and practices as required by Governor Cuomo's Executive Order No. 203.

Respectfully submitted,

Lovely A. Warren
Mayor

Loretta C. Scott
President



INTRODUCTORY NO.

372

Police #16

Ordinance No.

Authorizing an agreement and funding to review critical policies, procedures, and training requirements of the Rochester Police Department

BE IT ORDAINED by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to Budget of the Police Department by the amount of \$250,000, which is hereby appropriated from Federal Forfeiture funds generated by the Rochester Police Department.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Wilmer Cutler Pickering Hale and Dorr LLP ("WilmerHale") to review and provide written findings and recommendations with regard to Police Department policies, procedures and training relating to use of force, de-escalating critical incidents, body worn cameras, and responding to mental health-related calls for assistance. The term of the agreement shall be up to 6 months. The compensation for the agreement shall be \$250,000, which shall be funded from the Federal Forfeiture funds appropriated in Section 1 herein.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.