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September 15, 2022

VIA EMAIL AND FEDEX

Rich John
Tompkins County Ethics Advisory Board
121 East Court Street, 2nd Floor
Ithaca, NY 14850

Re: Center for Policing Equity Response to Request for Information Related to Purported Ethics Investigation

Dear Mr. John:

We write on behalf of our client, Center for Policing Equity (“CPE”), in response to your letter dated June 21, 2022, and set forth below CPE’s responses and objections to the requests for information and documents outlined therein. Please direct all further communication regarding this matter to my attention.

PRELIMINARY STATEMENT

CPE disputes the underlying premise of the Ethics Investigation and expressly denies any allegation that any CPE employee predetermined the outcome of the Reimagining Public Safety (“RPS”) initiative. As an initial matter, the bulk of Councilperson Cynthia Brock’s allegations are premised upon failures by the City and County to abide by its own policies and procedures. None of those allegations directly bear on the propriety of CPE’s conduct.

To the extent Ms. Brock contends that the results of the RPS project were preordained prior to CPE’s official involvement in the RPS project, there is notably no support for such allegation, which defies logic when viewed in light of the hundreds of hours spent on the RPS project by CPE and its affiliates, City and County officials, members of the Working Group and other members of the community, as well as the unprecedented level of community and local government engagement on this project. In order for Ms. Brock’s allegations to have any validity at all, this Ethics Advisory Board would have to conclude that the alleged conspiracy extended to the dozens of individuals who supported the RPS project from its inception until the issuance of the report and recommendations. It cannot do so. CPE further notes that a key feature of the RPS project was a high level of transparency—both with City and County officials who were informed of the project’s progress at all stages, and with the broader community who had access to an RPS project website and were invited to participate in a highly-collaborative process. For example,

CPE advocated for and helped to launch an RPS project portal through which any citizen of the City of Ithaca and Tompkins County could provide input and ideas, comment, review the reports, and receive updates about the RPS project. Far from a grand conspiracy of secrecy, CPE's endeavored at every step of the process to promote community engagement, transparency, and rigorous and fulsome consideration and analysis of the issues.

Further, to the extent Ms. Brock contends that CPE intentionally kept the City and County in the dark about the scope of its role in helping to facilitate the RPS project, that is demonstrably false, as even she acknowledges that multiple City and County officials were directly involved in the planning and oversight of the project. *See Brock May 4, 2022 Request at 4 (item 6.c.)* (“It was accidentally discovered that there existed (until just last week) a RPS Collective Weekly Project Management Meeting made up of City (3), County (3), and CPE (5?) [sic]. Questions regarding the purpose and scope of this work, who CPE works for, and if it was approved have not been answered.”). The central allegation appears to be that, because she was not directly involved in these meetings, then this work necessarily must have been undertaken in secret. Not so. Even if it were true that Ms. Brock only recently became aware of the specifics of the years-long RPS project and the monthly management meetings concerning the same—apparently through “accidental discovery”—she must admit that at all relevant times, City and County officials were fully apprised of the scope and conduct of the project participants. None of this in any way suggest wrongdoing by CPE, or anyone else for that matter. Rather, it suggests only that Ms. Brock was not personally involved in the project.

In order to bolster the allegation that Eric Rosario and Karen Yearwood should not have been compensated in any way for their roles in the RPS project, the complaint repeats the falsehood that Mr. Rosario and Ms. Yearwood were “appointed by the Mayor to serve a City function.” As Ms. Brock must admit and this Ethics Advisory should conclude, neither Mr. Rosario nor Ms. Yearwood were “appointed by the Mayor.” Pursuant to the City of Ithaca Code of Ethics § 55-2, a City Official is “[a]ny elected official and any person, other than a city employee, appointed to any position in the city government.” Mere participation in the Working Group does not equate to a formal appointment to perform a critical government function. Mr. Rosario and Ms. Yearwood are clearly not elected officials. *See City of Ithaca Code of Ethics § 55-2* (defining “Elected Official” as “[t]he Mayor and any member of Common Council”). CPE is also not aware that Mr. Rosario or Ms. Yearwood were formally appointed and approved by the Common Council pursuant to the requirements of City of Ithaca Code of Ethics § 7-1. CPE has not seen any written notice of the proposed appointments or any indication the Common Council actually voted to approve those appointments. But more fundamentally, it is not even clear what “office, board, commission or committee” they would have even served.

The complaint also suggests that CPE is either unqualified or underqualified to have performed the work on the RPS project. As CPE has previously explained to the City of Ithaca, Ms. Brock's assertions in her complaint (which she has repeated in the local press) that CPE has an “agenda” or ulterior “motive” is entirely false. Further, her public suggestion that CPE lacked the “qualifications” to perform the work on the RPS project is nonsensical and without any factual underpinning. For the benefit of the Ethics Advisory Board, CPE outline its qualifications briefly

here: CPE consists of a multi-disciplinary group of the leading experts in data science, ethics, and policing practices. CPE’s academic researchers are well-respected, and, not only are they frequently published in peer-reviewed journals, they are among the most cited *because of* their deep expertise in their respective fields. Further, CPE is the *only* such organization that by its very design works hand-in-hand with communities *and* government stakeholders to bring to bear data-driven approaches to promote positive social, cultural, and policy change. CPE also maintains the *only* comprehensive database of data from law enforcement agencies (federal, state, municipal) drawn from every type of community (big, small, urban, suburban, rural, etc.) across the country. Not only is CPE qualified to have facilitated the RPS project, it is in fact *uniquely qualified* to have done so. To the extent CPE has any motive, it is only to use science and collaborative problem-solving to reduce harm in the City of Ithaca and Tompkins County. CPE invites the Ethics Advisory Board to review in full the reports authored by CPE and draw its own conclusions regarding the level of academic rigor applied by CPE in facilitating the RPS project.

These are just some of the examples of the meandering and misleading nature of Ms. Brock’s allegations. The fact that the Ethics Advisory Board would undertake this purported Ethics Investigation on such threadbare and internally inconsistent allegations is problematic, and the inherent unfairness of dragging a private entity into this investigation is further compounded by the Commission’s demand that CPE provide detailed written responses to allegations that amount to little more than figments of a single person’s imagination. To be clear, CPE remains in the dark as to what the Ethics Advisory Board is even investigating.

And it seems CPE is not alone in struggling to understand what questions the Ethics Advisory Board is attempting to answer. At the August 19, 2022 meeting of the Ethics Advisory Board, multiple Board members expressed confusion about the scope of the purported issues raised by Ms. Brock’s complaint. One Board member stated: “[A]s we get more and more information and more and more input . . . I think the waters begin to get muddy, so in addition to where our authority is or isn’t, it would be helpful to really have a list of what are the questions we are trying to answer—that may be a living document depending on what comes in from other parties—but what are we looking at and what are we not looking at would be helpful.” Thus, it seems the Ethics Advisory Board demands detailed responses to requests related to questions that the Board does not yet fully understand.

Finally, CPE notes that you, Mr. John, are among the numerous individuals at the City and County who were either directly involved with the RPS project or kept apprised of its progress at various points. Specifically, you attended meetings on at least September 28, 2020, October 14, 2020, October 28, 2020, November 12, 2020, and November 25, 2020. You were also involved in an “Internal Resource Working Group” meeting in Fall 2020 and were on the Community Justice Center (CJC) Advisory Committee¹ with employees of CPE. You also moved the County Legislature to adopt a resolution to accept the report based on the work of CPE and others. The fact that the

¹ The CJC was responsible for implementing the joint Reimagining Public Safety Plans passed by the City of Ithaca Common Council and Tompkins County Legislature in early 2021. See www.ithaca.com/news/tompkins_county/monalita-smiley-named-first-director-of-community-justice-center/article_5363d420-56e2-11ec-b5f8-d7bec073cb05.html.

Chairman of the Tompkins County Ethics Advisory Board was directly involved in the underlying project and subsequently has been involved in legislation concerning the RPS project outcomes further calls into question the legitimacy and integrity of this purported investigation.

The responses below are made solely for the purpose of, and in relation to, the purported Ethics Investigation and the allegations raised by Ms. Brock, to the very limited extent that CPE understands them. These responses are based upon its knowledge as of this date and information presently and reasonably available and located by CPE. CPE expressly reserves the right to supplement its responses and to assert additional objections to the requests deemed necessary or appropriate in light of any new allegations and false statements concerning CPE, further review of documents, or other discussions with the Ethics Advisory Board. Each response is given subject to all appropriate objections (including, but not limited to, objections concerning privilege, competency, relevancy, materiality, and propriety). All objections are reserved and may be interposed at any time.

The fact that CPE has responded to all or part of any request is not intended to be and shall not be construed to be a waiver of all or any part of any objection or privilege applicable to any request, an admission of any fact stated or assumed in the request, or an admission that any information contained therein constitutes evidence relevant to this Ethics Investigation. In furnishing the responses herein, CPE does not concede the truth of any factual assertion or implication contained in any of the requests, particularly as they purport to refer back to the May 4, 2022 Complaint by Ms. Brock.

CPE incorporates by reference each and every Specific Objection Applicable to All Requests set forth below into each and every specific response. A specific response may repeat a Specific Objection Applicable to All Requests for emphasis or some other reason. The failure to include a Specific Objection Applicable to All Requests in any specific response shall not be interpreted as a waiver of such objection.

SPECIFIC OBJECTIONS APPLICABLE TO ALL REQUESTS

1. CPE objects to the requests on the ground and to the extent that they purport to impose obligations upon CPE greater than or beyond the requirements specified in the Tompkins County Code of Ethics, any order of any Court of competent jurisdiction, or any other applicable statute, rule, or precedent, and to the extent that they seek information beyond the scope of inquiry permitted by these authorities or otherwise.

2. CPE objects to the requests on the grounds that they seek information that is confidential (including trade secret information), proprietary, and/or subject to a claim of privilege or that is otherwise protected from disclosure by, including without limitation, the attorney-client privilege, the attorney work product doctrine, the self-critical analysis privilege, and any other privilege or right of confidentiality or privacy recognized by the United States Constitution, the New York Constitution, or any other lawfully recognized privilege or immunity, whether conferred by contract or law. CPE will not divulge confidential information until the

Ethics Advisory Board agrees to suitable measures to protect such information from public disclosure. CPE and its counsel hereby assert all such privileges, rights, and protections.

3. CPE objects to the requests on the ground and to the extent that they purport to seek information that is not relevant to the subject matter involved in the purported ethics complaint.

4. CPE objects to the requests on the ground and to the extent that they are vague and ambiguous as to the specific information sought, and on the ground and to the extent that they are overbroad, compound, disjunctive, duplicative, unduly burdensome, and/or oppressive. CPE will respond to any vague or ambiguous request based on its reasonable interpretation of such request.

5. The fact that CPE has responded to all, or part, of any request is not intended to be, and shall not be construed to be, a waiver of all, or any part, of any objection or privilege applicable to any request made herein, nor an admission of any fact stated or assumed in the request. No incidental or implied admissions are intended by the responses set forth below.

6. CPE objects to the requests to the extent they seek information not within CPE's custody or control. Similarly, CPE further objects to the requests to the extent they require CPE to produce information that it cannot obtain or that is equally accessible to the Ethics Advisory Board from third parties.

7. The foregoing Specific Objections Applicable to All Requests are incorporated into each and every one of the specific objections and responses set forth below, whether or not specifically referred to in the responses, and these responses are made subject to and without waiver thereof.

SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS

REQUEST NO. 1:

What was the mission of CPE?

RESPONSE TO REQUEST NO. 1:

CPE incorporates the general objections set forth above. In addition, CPE specifically objects to this request to the extent it seeks information that is already publicly available or in the possession of the City and County. Additionally, CPE specifically objects to this request because it is vague and ambiguous.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE is a Black-led organization that uses data to pursue justice. CPE translates field-leading science into actionable approaches that law enforcement, government officials, and communities can take to reduce racial disparities in policing and promote public safety. CPE works with communities and inside of public safety systems to use

data-driven approaches to social justice and use science to create levers for social, cultural, and policy change. CPE empowers vulnerable communities to engage with and shape their public safety systems. By facilitating the collection of information and data and analysis of the same, CPE assists communities in right-sizing and right-purposing policing, through which CPE seeks to build public safety systems that are just, equitable, and non-racist. With respect to the RPS project, as Tompkins County Resolution No. 2021-63 (“A Resolution Stating Tompkins County’s Reimagining Public Safety Plan to be Submitted in Response to New York State Executive Order 203”) and its City of Ithaca corollary accurately state, CPE was engaged as a consultant “to assist with the administration and organization of the study of these policing issues, including examination of police force deployments, strategies, policies, procedures, and practices, and to provide information resources to the Working Group.”

REQUEST NO. 2:

Any applications, bids, estimates, proposals, quotes or submission to the City of Ithaca for goods, services or work.

RESPONSE TO REQUEST NO. 2:

CPE incorporates the general objections set forth above. In addition, CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE also objects to this request to the extent it seeks information protected by the attorney-client privilege or work product doctrine. CPE further objects to the extent this request seeks information outside the scope of the investigation.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE is not aware of any requests for proposal by the City of Ithaca or any application, bid, estimate, proposal, quote, or submission that would have been responsive to such request, prior to the City of Ithaca and Tompkins County’s engagement of CPE’s services to perform Phase I of the RPS project, which culminated in the submission of the report entitled, “Public Safety, reimagined. A collaborative between the City of Ithaca & Tompkins County, N.Y.,” which the City of Ithaca and Tompkins County resolved to accept in March 2021. In 2022, CPE proposed a budget for Phase II of the RPS project, which CPE understands would have taken place in 2022-2023; however, the City of Ithaca declined to proceed with that work at all and terminated its relationship with CPE.

REQUEST NO. 3:

Any contracts or agreements between CPE and the City.

RESPONSE TO REQUEST NO. 3:

CPE incorporates the general objections set forth above. In addition, CPE specifically objects to this request to the extent it seeks information that is already in the possession of the

City and County. CPE further objects to the extent this request seeks information outside the scope of the investigation.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE is aware of several agreements between it and the City of Ithaca and Tompkins County related to the RPS project, including: (1) Shared Data Protocol Reimagining Public Safety Project: A Collaboration between the City of Ithaca and Tompkins County, executed as of December 4, 2020, by Jason Molino, County Administrator and Chief Executive Officer of Tompkins County, Svante Myrick, Mayor and Chief Executive Officer of the City of Ithaca, and Tracie Keesee, Ph.D., Senior Vice President of Justice Initiatives at CPE; (2) Center for Policing Equity's Scope of Work for the City of Ithaca Public Safety Redesign, executed as of June 7, 2021, by Svante Myrick, Mayor of the City of Ithaca and Tracie Keesee, Ph.D., Senior Vice President of Justice Initiatives at CPE; and (3) Mutual Non-Disclosure and Confidentiality Agreement, executed as of March 8, 2022, by Lisa A. Holmes, Interim County Administrator of Tompkins County, Laura Lewis, Acting Mayor of City of Ithaca, and Betsabe Castro, Senior Vice President of Operations at CPE. CPE agrees to produce copies of these agreements.

REQUEST NO. 4

The proposed contract for services to be performed by CPE in 2022-2023 for the City for an approximate value of \$700,000.00.

RESPONSE TO REQUEST NO. 4

CPE incorporates the general objections set forth above. In addition, CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE further objects to this request because it assumes facts, including the existence of a "proposed contract for services."

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE did not propose any contract for services. Rather, CPE submitted a proposal to be compensated for its continued work on the RPS project through Phase II, which was originally scheduled to take place in 2022-2023. The City of Ithaca elected not to proceed with further work on the RPS project, did not accept CPE's proposal regarding Phase II, and ultimately terminated their engagement with CPE altogether. Although the City is already in possession of documents reflecting CPE's Phase II proposal, CPE agrees to produce a copy of the proposal.

REQUEST NO. 5:

Any proposed contracts or agreements between CPE and the City.

RESPONSE TO REQUEST NO. 5:

CPE incorporates the general objections set forth above. In addition, CPE specifically objects to this request to the extent it seeks information that is already in the possession of the

City and County. CPE further objects to this request on the ground that the phrase “proposed contracts or agreements” is vague and ambiguous. CPE further objects to the extent this request seeks information outside the scope of the investigation.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE is not aware of any proposed contracts or agreements, as CPE understands that phrase, other than those agreements referenced in its response to Request No. 3 above.

REQUEST NO. 6:

Any bids, estimates, proposals, quotes, or submissions to County of Tompkins for goods, services or work.

RESPONSE TO REQUEST NO. 6:

CPE incorporates the general objections set forth above. In addition, CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE also objects to this request to the extent it seeks information protected by the attorney-client privilege or work product doctrine. CPE further objects to the extent this request seeks information outside the scope of the investigation.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE is not aware of any requests for proposal by Tompkins County or any application, bid, estimate, proposal, quote, or submission that would have been responsive to such request, prior to the City of Ithaca and Tompkins County’s engagement of CPE’s services to perform Phase I of the RPS project, which culminated in the submission of the report entitled, “Public Safety, reimagined. A collaborative between the City of Ithaca & Tompkins County, N.Y.,” which the City of Ithaca and Tompkins County resolved to accept in March 2021. In 2022, CPE proposed a budget for Phase II of the RPS project, which CPE understands would have taken place in 2022-2023; however, the City of Ithaca declined to proceed with that work at all and terminated its relationship with CPE.

REQUEST NO. 7:

Any contracts between CPE and the County.

RESPONSE TO REQUEST NO. 7:

CPE incorporates the general objections set forth above. In addition, CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE further objects to the extent this request seeks information outside the scope of the investigation.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE is aware of several agreements between it and the City

of Ithaca and Tompkins County related to the RPS project, including: (1) Shared Data Protocol Reimagining Public Safety Project: A Collaboration between the City of Ithaca and Tompkins County, executed as of December 4, 2020, by Jason Molino, County Administrator and Chief Executive Officer of Tompkins County, Svante Myrick, Mayor and Chief Executive Officer of the City of Ithaca, and Tracie Keesee, Ph.D., Senior Vice President of Justice Initiatives at CPE; (2) Center for Policing Equity’s Scope of Work for the City of Ithaca Public Safety Redesign, executed as of June 7, 2021, by Svante Myrick, Mayor of the City of Ithaca and Tracie Keesee, Ph.D., Senior Vice President of Justice Initiatives at CPE; and (3) Mutual Non-Disclosure and Confidentiality Agreement, executed as of March 8, 2022, by Lisa A. Holmes, Interim County Administrator of Tompkins County, Laura Lewis, Acting Mayor of City of Ithaca, and Betsabe Castro, Senior Vice President of Operations at CPE. CPE agrees to produce copies of these agreements.

REQUEST NO. 8:

Any proposed contracts or agreements between CPE and the County.

RESPONSE TO REQUEST NO. 8:

CPE incorporates the general objections set forth above. In addition, CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE further objects to this request on the ground that the phrase “proposed contracts or agreements” is vague and ambiguous. CPE further objects to the extent this request seeks information outside the scope of the investigation.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE is not aware of any proposed contracts or agreements, as CPE understands that phrase, other than those agreements referenced in its response to Request No. 7 above.

REQUEST NO. 9:

Any documents which set forth the scope of services or work to be performed by CPE on behalf of the City and/or County.

RESPONSE TO REQUEST NO. 9:

CPE incorporates the general objections set forth above. In addition, CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: In addition to those agreements referenced in its response to Request Nos. 3 and 7 above, the report entitled, “Public Safety, reimagined. A collaborative between the City of Ithaca & Tompkins County, N.Y.,” which the City of Ithaca and Tompkins County resolved to accept in March 2021, and the subsequent report entitled, “Implementing the City of Ithaca’s New Public Safety Agency: Suggestions from the City of Ithaca’s Reimagining

Public Safety Working Group,” sets forth the RPS project protocol and outlines CPE’s role in facilitating the project.

REQUEST NO. 10:

If CPE donated any goods or services to the City, please identify those goods and services and the dates provided.

RESPONSE TO REQUEST NO. 10:

CPE incorporates the general objections set forth above. CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE further objects to the extent this request seeks information outside the scope of the investigation. CPE also objects because the terms “donated,” “goods,” and “services” are not defined and therefore vague and ambiguous. CPE further objects on the ground that it calls for a legal conclusion regarding what constitutes a “donation” of goods or services. CPE further objects to this request because it assumes facts that have not been established.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE did not receive remuneration for the services it provided from September 2020 through approximately April 2022. Nor has CPE received remuneration from any of the over 100 other sites across the United States in which it has contracted to provide services related to the collection and analysis of data related to public safety systems. CPE is a non-profit organization that receives funding primarily through philanthropic donations and grant funding. The scope of CPE’s work on the RPS project is set forth in those agreements referenced in its response to Request No. 3 above, the report entitled, “Public Safety, reimagined. A collaborative between the City of Ithaca & Tompkins County, N.Y.,” which the City of Ithaca and Tompkins County resolved to accept in March 2021, and the subsequent report entitled, “Implementing the City of Ithaca’s New Public Safety Agency: Suggestions from the City of Ithaca’s Reimagining Public Safety Working Group.”

REQUEST NO. 11:

The reason(s) CPE donated goods and services to the City.

RESPONSE TO REQUEST NO. 11:

CPE incorporates the general objections set forth above. CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE further objects to the extent this request seeks information outside the scope of the investigation. CPE also objects because the terms “donated,” “goods,” and “services” are not defined and therefore vague and ambiguous. CPE further objects on the ground that it calls for a legal conclusion regarding what constitutes a “donation” of goods or services. CPE further objects to this request because it assumes facts that have not been established.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE did not receive remuneration for the services it provided from September 2020 through approximately April 2022. Nor has CPE received remuneration from any of the over 100 other sites in which it has contracted to provide services related to the collection and analysis of data related to public safety systems. CPE is a non-profit organization that receives funding primarily through philanthropic donations and grant funding. As of the date of its initial engagement with the City of Ithaca and Tompkins County, CPE had not sought or received compensation for any of its services.

REQUEST NO. 12:

A description of the goods, services or work provided by CPE to the City.

RESPONSE TO REQUEST NO. 12:

CPE incorporates the general objections set forth above. CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE further objects to the extent this request seeks information outside the scope of the investigation. CPE also objects because the terms “donated,” “goods,” and “services” are not defined and therefore vague and ambiguous. CPE further objects on the ground that it calls for a legal conclusion regarding what constitutes a “donation” of goods or services.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: The scope of CPE’s work on the RPS project is set forth in those agreements referenced in its response to Request No. 3 above, the report entitled, “Public Safety, reimagined. A collaborative between the City of Ithaca & Tompkins County, N.Y.,” which the City of Ithaca and Tompkins County resolved to accept in March 2021, and the subsequent report entitled, “Implementing the City of Ithaca’s New Public Safety Agency: Suggestions from the City of Ithaca’s Reimagining Public Safety Working Group.” CPE directs the Ethics Advisory Board to those materials; which CPE agrees to produce.

REQUEST NO. 13:

The estimated value of goods and services donated to the City.

RESPONSE TO REQUEST NO. 13:

CPE incorporates the general objections set forth above. CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE further objects to the extent this request seeks information outside the scope of the investigation. CPE also objects because the terms “donated,” “goods,” and “services” are not defined and therefore vague and ambiguous. CPE further objects on the ground that it calls for a legal conclusion regarding what constitutes a “donation” of goods or services. CPE further objects to this request because it assumes facts that have not been established.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: As of this time, because CPE is a non-profit and conducts its work without expectation of payment, CPE does not track or place any monetary value on the services it provides. It has no way to measure the monetary value of the services it provided in helping to facilitate the RPS project and declines to speculate as to a value.

REQUEST NO. 14:

If CPE donated any goods or services to the County, please identify those goods and services and dates provided.

RESPONSE TO REQUEST NO. 14:

CPE incorporates the general objections set forth above. CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE further objects to the extent this request seeks information outside the scope of the investigation. CPE also objects because the terms “donated,” “goods,” and “services” are not defined and therefore vague and ambiguous. CPE further objects on the ground that it calls for a legal conclusion regarding what constitutes a “donation” of goods or services. CPE further objects to this request because it assumes facts that have not been established.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE did not receive remuneration for the services it provided from September 2020 through approximately April 2022. Nor has CPE received remuneration from any of the over 100 other sites across the United States in which it has contracted to provide services related to the collection and analysis of data related to public safety systems. CPE is a non-profit organization that receives funding primarily through philanthropic donations and grant funding. The scope of CPE’s work on the RPS project is set forth in those agreements referenced in its response to Request No. 3 above, the report entitled, “Public Safety, reimagined. A collaborative between the City of Ithaca & Tompkins County, N.Y.,” which the City of Ithaca and Tompkins County resolved to accept in March 2021, and the subsequent report entitled, “Implementing the City of Ithaca’s New Public Safety Agency: Suggestions from the City of Ithaca’s Reimagining Public Safety Working Group.”

REQUEST NO. 15:

The reason(s) CPE donated any goods or services to the County.

RESPONSE TO REQUEST NO. 15:

CPE incorporates the general objections set forth above. CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE further objects to the extent this request seeks information outside the scope of the investigation. CPE also objects because the terms “donated,” “goods,” and “services” are not defined and therefore vague and ambiguous. CPE further objects on the ground that it calls for a

legal conclusion regarding what constitutes a “donation” of goods or services. CPE further objects to this request because it assumes facts that have not been established.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE did not receive remuneration for the services it provided from September 2020 through approximately April 2022. Nor has CPE received remuneration from any of the over 100 other sites in which it has contracted to provide services related to the collection and analysis of data related to public safety systems. CPE is a non-profit organization that receives funding primarily through philanthropic donations and grant funding. As of the date of its initial engagement with the City of Ithaca and Tompkins County, CPE had not sought or received compensation for any of its services.

REQUEST NO. 16:

A description of the goods, services or work provided by CPE to County.

RESPONSE TO REQUEST NO. 16:

CPE incorporates the general objections set forth above. CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE further objects to the extent this request seeks information outside the scope of the investigation. CPE also objects because the terms “donated,” “goods,” and “services” are not defined and therefore vague and ambiguous. CPE further objects on the ground that it calls for a legal conclusion regarding what constitutes a “donation” of goods or services.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: The scope of CPE’s work on the RPS project is set forth in those agreements referenced in its response to Request No. 7 above, the report entitled, “Public Safety, reimagined. A collaborative between the City of Ithaca & Tompkins County, N.Y.,” which the City of Ithaca and Tompkins County resolved to accept in March 2021, and the subsequent report entitled, “Implementing the City of Ithaca’s New Public Safety Agency: Suggestions from the City of Ithaca’s Reimagining Public Safety Working Group.” CPE directs the Ethics Advisory Board to those materials, which CPE agrees to produce.

REQUEST NO. 17:

The estimated value of goods or services donated to the County.

RESPONSE TO REQUEST NO. 17:

CPE incorporates the general objections set forth above. CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE further objects to the extent this request seeks information outside the scope of the investigation. CPE also objects because the terms “donated,” “goods,” and “services” are not defined and therefore vague and ambiguous. CPE further objects on the ground that it calls for a

legal conclusion regarding what constitutes a “donation” of goods or services. CPE further objects to this request because it assumes facts that have not been established.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: As of this time, because CPE is a non-profit and conducts its work without expectation of payment, CPE does not track or place any monetary value on the services it provides. It has no way to measure the monetary value of the services it provided in helping to facilitate the RPS project and declines to speculate as to a value.

REQUEST NO. 18:

Any statement signed or acknowledged by CPE that it was donating goods, services or work to the City.

RESPONSE TO REQUEST NO. 18:

CPE incorporates the general objections set forth above. CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE further objects to the extent this request seeks information outside the scope of the investigation. CPE also objects because the terms “donated,” “goods,” and “services” are not defined and therefore vague and ambiguous. CPE further objects on the ground that it calls for a legal conclusion regarding what constitutes a “donation” of goods or services. CPE further objects to this request because it assumes facts that have not been established.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE is not aware of any signed statement or acknowledgment concerning the donation of goods and/or services.

REQUEST NO. 19:

Any agendas, meeting minutes, memoranda, notes, reports, interim reports, findings, recommendations, studies, evaluation, analysis, proposals or other writings provided by CPE to the City, its officials, employees, servants, members of advisory boards and members of working groups.

RESPONSE TO REQUEST NO. 19:

CPE incorporates the general objections set forth above. CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE also objects to this request to the extent it seeks information protected by the attorney-client privilege or work product doctrine. CPE further objects to the extent this request seeks information outside the scope of the investigation. CPE also objects because the terms “agendas,” “meeting minutes,” “memoranda,” “notes,” “reports,” “interim reports,” “findings,” “recommendations,” “studies,” “evaluations,” “analysis,” “proposals,” “summaries,” and “other writings” are not defined and therefore vague and ambiguous. Additionally, CPE objects to this request to the extent it infringes on the personal privacy interests of any individuals.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE directs the Ethics Advisory Board to the Reimagining Public Safety websites and portals which outline the work conducted by CPE others related to the RPS project: <http://www.publicsafetyreimagined.org/> and <https://us.gmarkets.cloud/live/tompkins/?gmzn=eTtJNB>. In addition, CPE will produce responsive, non-privileged documents sufficient to show the scope and nature of CPE's work to facilitate the RPS project to the extent they exist in CPE's possession, custody, or control and can be located after a reasonable search.

REQUEST NO. 20:

Any agendas, meeting minutes, memoranda, notes, reports, interim reports, findings, recommendations, studies, evaluations, analysis, proposals, summaries, or other writings provided by CPE to the County, its officials, employees, servants, members of advisory boards and members of working groups.

RESPONSE TO REQUEST NO. 20:

CPE incorporates the general objections set forth above. CPE specifically objects to this request to the extent it seeks information that is already in the possession of the City and County. CPE also objects to this request to the extent it seeks information protected by the attorney-client privilege or work product doctrine. CPE further objects to the extent this request seeks information outside the scope of the investigation. CPE also objects because the terms "agendas," "meeting minutes," "memoranda," "notes," "reports," "interim reports," "findings," "recommendations," "studies," "evaluations," "analysis," "proposals," "summaries," and "other writings" are not defined and therefore vague and ambiguous. Additionally, CPE objects to this request to the extent it infringes on the personal privacy interests of any individuals.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE directs the Ethics Advisory Board to the Reimagining Public Safety websites and portals which outline the work conducted by CPE others related to the RPS project: <http://www.publicsafetyreimagined.org/> and <https://us.gmarkets.cloud/live/tompkins/?gmzn=eTtJNB>. In addition, CPE will produce responsive, non-privileged documents sufficient to show the scope and nature of CPE's work to facilitate the RPS project to the extent they exist in CPE's possession, custody, or control and can be located after a reasonable search.

REQUEST NO. 21:

Any other information or materials which you believe would assist the Board with its investigation.

RESPONSE TO REQUEST NO. 21:

CPE incorporates the general objections set forth above. CPE objects to this request as vague, ambiguous, overly broad, and unduly burdensome.

Subject to, as limited by, and without waiver of the foregoing general and specific objections, CPE responds as follows: CPE expressly reserves the right to provide further responses to these requests and/or produce additional documents, including in response to any changes in the scope of the Ethics Advisory Board's investigation of this matter.

Sincerely,



Molly A. Jones

Cc: Gabriel M. Ramsey, Esq.
Joachim Steinberg, Esq.
Diane Aguirre-Dominguez, Esq.

Encl.