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RECEIVED

AUG 30 2022

Tompkins County
Legislature

August 29, 2022

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

Re: Tompkins County Ethics Investigation (Complaint of Cynthia Brock)

Dear Mr. John:

Thank you for kindly extending time to respond to the questions posed in your letter of June 21, 2022, and forwarded to respondents on July 11, 2022.

The following is submitted in response on behalf of both Eric Rosario and Karen Yearwood, Co-Leaders of the Reimagine Public Safety Working Group.

On or about March 31, 2021, Ithaca Common Council unanimously voted to accept the Draft Report entitled "Public Safety Reimagined, a collaboration between the City of Ithaca and Tompkins County, NY", and to adopt specific recommendations of that report, which led in turn to the creation of the Reimagining Public Safety Working Group.

Eric Rosario recalls it was in April 2021 that he first received a call from Ithaca Mayor Svante Myrick, asking that he agree to serve as project manager for the task force.

Because Mr. Rosario had only recently started in a new job, he expressed some initial concern about the time he could devote to this new project. When it was agreed that a Co-Lead would be named to share the duties, Rosario agreed to accept the position. During these early discussions the Mayor advised it was his intent that the positions would be compensated. At no

time did Mr. Rosario solicit compensation.

Formation of the working group was publicly announced by City of Ithaca press release issued June 24, 2021. That release names Rosario as Project Lead, and refers to his leadership in CLOC (Community Leaders of Color), his co-founding the Latino Civic Association of Tompkins County, his experience on Common Council, and service on the Ithaca Urban Renewal Agency, along with his “deliberative and collaborative approach to problem solving”.

Prior to being invited to serve as Co-Lead, Rosario had only known the Mayor from their service on Common Council, 2008 to 2011. When the Mayor initially proposed that Rosario accept the position of Co-Lead, he commented that he had the respect of a number of stakeholders in the project. Rosario is otherwise not aware of any specific basis on which he was asked to serve as Project Lead.

The June 24, 2021 press release also announced that a Co-Lead from within the working group was to be appointed. In July 2021, Rosario proposed to the Mayor that Karen Yearwood be invited to serve as Co-Lead. Rosario felt that Yearwood would be an excellent Co-Lead on the basis of her experience, including formerly Executive Director of Village at Ithaca (a 501(c)(3) advocating for educational equity and excellence), and her reputation in the community. When the Mayor agreed to name Yearwood Co-Lead, Rosario called her to relay the invitation.

Having already considered the time she could devote to the project as a volunteer member of the working group, Yearwood agreed to accept the position of Co-Lead when it was offered. She was then appointed as Co-Lead by the Mayor. Rosario and Yearwood are not aware if others were considered for Co-Lead.

Eric Rosario did not personally select other members appointed to the working group. He was not a participant in the formal selection process, and is thus unable to comment on the specifics of the selection process. He recalls that some names were mentioned to him, but he was never asked to agree to accept anyone. It was not his role to name members to the working group. It remains his impression that working group composition was guided by Common Council’s broad directive that “this task force shall include some combination of IPD staff, other City staff, Alderpersons, interested City residents and outside experts or consultants”, and that composition be determined in an effort to ensure representation of the broad community, with inclusion of the most vulnerable and too often overlooked sectors of the community.

Rosario recalls that when interest was expressed in naming a student to represent community youth on the working group, he relayed to either the Mayor or Shelly Michelle-Nunn, City Director of Human Resources, the name of a local high school student for consideration. This student was subsequently named to the group by the Mayor, and served until she graduated high school and prepared to attend college. Rosario had no other direct participation in the selection of working group members.

Karen Yearwood had no part in considering or naming members to the working group. She recalls that the Mayor named those selected. She has no insight into who the Mayor may have consulted in making his selections and appointments, or the basis on which those decisions were made.

The June 24, 2021 press release announcing the working group refers to the Center for Policing Equity (CPE), as an “ongoing collaborator”. Neither Eric Rosario nor Karen Yearwood had worked with CPE prior to serving as Co-Leads of the working group. They were not personally involved in any collaborative work between the City of Ithaca and CPE prior to the formation of the RPS working group. Rosario recalls only that he was copied at one point as Co-Lead on an email with a CPE Scope of Work and budget proposal.

It is the shared impression of both Rosario and Yearwood that throughout the tenure of the working group, CPE acted in good faith, on a collaborative and supportive basis. At no time did CPE dictate agenda, or in any way attempt to impose control on the process. Both Rosario and Yearwood felt that at all times CPE served as a resource to assist the working group, while never attempting to exert undue influence on the work of the group.

The duties of the Co-Leads were many, including preparing weekly agendas; convening and chairing weekly working group meetings; attending sub-committee meetings with larger community participation; reviewing materials from other communities around the country engaged in similar efforts; keeping the working group focus on the task at hand; working efficiently to comply with the reporting calendar; maintaining ongoing communication with the public, the press, Common Council, and the Mayor, and more.

The time investment required by Co-Leads in the RPS project varied from three to ten hours a week. The first working group sessions began July 15, 2021, with presentations to Common Council and community groups extending into June 27, 2022.

It was several months into the project when Rosario and Yearwood first received written agreements regarding appointment as Co-Leads, but neither of them ever received a signed agreement from the City formalizing the appointment. Certainly, no one ever indicated that by agreeing to serve as Co-Leads of the working group they would be considered “City Officials”.

All community members of the working group, including Karen Yearwood, initially agreed to participate as volunteers with no promise or expectation of compensation. Yearwood was not aware of any potential for compensation when she initially agreed to serve as Co-Lead. It was well after formation of the working group, on or about October 2021, that community group members were informed they would be eligible for stipends.

At no time did Rosario or Yearwood solicit compensation from the City. At no time did Rosario or Yearwood approach or solicit any third party entity seeking compensation. At no time did the City or any third party entity propose anything inferring a “quid pro quo” in return for

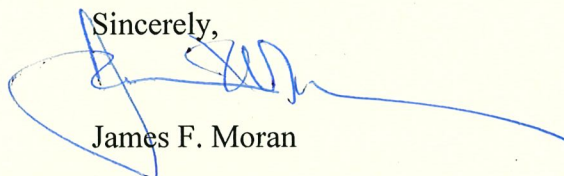
compensation.

On or about July 2021, Director of Human Resources Schelley Michell-Nunn shared with the Mayor and Eric Rosario a draft proposal by the Dorothy Cotton Institute, project of the Center for Transformative Action, for submission to the Park Foundation for funding compensation for the two Co-Leads, and to provide stipends for community group members of the working group and subcommittees. Although he was listed as a principal on the application, Eric Rosario had no personal communication with the Dorothy Cotton Institute, the Center for Transformative Action, or the Park Foundation.

Co-Leads Rosario and Yearwood were informed that they would each be compensated \$10,000 from the Dorothy Cotton Institute, a project of Center for Transformative Action, and \$10,000 from the City ("discretionary funds", apparently from the Mayor's expenditure authority under a certain dollar threshold requiring approval of the Chair of Common Council's City Administration Committee and the City Controller).

Rosario and Yearwood have not received any payment from the City. Neither Rosario nor Yearwood were involved in arranging financing of the proposed compensation package. Eric Rosario recalls there was mention at one point that he and the Mayor might together approach the Park Foundation regarding funding the work. In the end, Eric Rosario never did in fact meet with or otherwise solicit the Park Foundation, or any other third party entity, regarding compensation, stipends or other funding.

Sincerely,

A handwritten signature in blue ink, appearing to read "James F. Moran", with a long horizontal flourish extending to the right.

James F. Moran

JFM/js