



To: Chief Herriott-Sullivan, City of Rochester Police Department
From: City Councilmembers
Date: February 23, 2021
Subject: Response to Protests

We appreciate your efforts to create a protest plan for our community. This plan is already an improvement over how RPD responded to protests in September 2020. However, the plan requires more specifics in order to both honor the right to peacefully protest and effectively deescalate any threatening situations. The following recommendations will protect citizens and officers, and improve police/community relations as it pertains to transparency and the right to peacefully assemble:

- 1.) Ban the use of chemical agents, such as tear gas, and flashbangs on protesters.
- 2.) Establish clear “**Rules of Engagement**” for all peaceful protests that will act as a memorandum of understanding between RPD and the community at-large. The rules will transparently answer critical questions like:
 - a. Under what circumstances would “rubber bullets,” LRAD, or any other device be utilized by RPD?
 - b. Under what circumstances is a gathering considered “unlawful assembly?”
- 3.) Establish a RPD “**Posturing Protocol**” for crowd control scenarios.
 - a. This protocol should consider when officers should present publicly during peaceful protests, what equipment is necessary during a peaceful assembly (i.e. armed with “riot gear”), and where is the best place to position officers to respond or protect assets.
 1. *Ultimately, we believe that RPD does not deescalate situations when they stand outside in riot gear in order to protect a building. For example, we prefer to see the public safety building protected from inside rather than outside. This protocol can make the decision to come outside clear and transparent.*


These are short-term measures we ask you to implement immediately. We also know there are long-term measures that will benefit both the community and RPD. We expect to continue this conversation and explore the establishment of a “Protest Monitor” volunteer system and the creation of more detailed protocols.

We appreciate your leadership in these difficult times, and look forward to working with you on both the short-term and long-term solutions that will both keep our community safe and protect the right to peacefully protest.

Sincerely,



Loretta C. Scott
President



Willie J. Lightfoot
Vice President



Malik Evans
At-Large Member



Mitch Gruber
At-Large Member



LaShay D. Harris
South District



Mary Lupien
East District



Miguel Meléndez
At-Large Member



Michael A. Patterson
Northeast District

CC:

Mayor Lovely A. Warren
Deputy Mayor James Smith
Executive Deputy Chief Andre Anderson, RPD
City Council Staff