

August 30, 2022

**CONFIDENTIAL**

Candace S. Johnson, PhD  
President & CEO  
Roswell Park Comprehensive Cancer Center  
Elm & Carlton Streets  
Buffalo, NY 14263

Michael L. Joseph  
Chairman of the Board, Roswell Park Comprehensive Cancer Center  
Elm & Carlton Streets  
Buffalo, NY 14263

Re: Dissenting Opinion regarding the August 25, 2022 Special Board Meeting

Dear Mike and Candace:

We wanted to follow up in writing regarding our thoughts about the special Board meeting which took place last Thursday, August 25, 2022, during which we spent over an hour hearing about all of Roswell's DEI efforts as well as why the Cozen investigation report was defective and how a public statement that included an apology could create liability for Roswell and the individual board members.

The meeting was shortened from two hours to one and a half hours, resulting in very little time to discuss the proposed public statement, which was then almost immediately put to a vote.

Although the vote on the public statement prevailed, we want to highlight the fact that the adopted statement about race was unacceptable to all of the black members of the board, including the Commissioner of the Department of Health, and the Chair of the Diversity Committee. The significance of this fact is shocking and disappointing to us and we hope to you and the other board members as well.

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The purpose of this letter is to memorialize and explain our objection to the approved public statement as well as the process that was followed in drafting it.

We believe that the Cozen investigation and resulting report correctly conveyed the long history and sentiment of institutional racism, lack of trust inside and outside of the institution, feelings of retaliation and racial inequity.

The failure to acknowledge Roswell's racial past in a public statement about race was particularly objectionable and the refusal of doing so will never allow the efforts towards DEI to be fully realized nor will the needed efforts to re-build trust within the organization and the community ever be fully achieved in the absence of acknowledging, with humility and contrition, our past actions and inaction regarding race. The acknowledgement we believe should be made and the work we believe should be done may not be easy, but we know such efforts can result in powerful and positive transformation. We viewed taking such steps as a tremendous opportunity to make Roswell Park, an institution about which we care deeply, even better and stronger for our patients, our employees and the broader community we serve.

It was also striking that the specific actions Roswell intends to take that were outlined in the approved public statement focused largely on hiring and promotion efforts, which, while important, were not a focus of the Cozen report. In stark contrast, the statement barely referenced the need to improve significantly Roswell's processes and procedures for handling complaints about race discrimination and inappropriate behavior not in keeping with Roswell's mission – including the hiring of an investigator to handle such complaints – issues that were a central part of the Cozen report.


We believe that any concerns with the Cozen report should have been brought back to the Diversity Committee to discuss with Cozen as a group. The unilateral effort to circumvent the Committee by not sharing the objections to the Cozen report did not allow to be heard the voices of the Committee and in particular the voice of Pastor Dwane Jones, a faith leader in the Black community who was asked by the Roswell leadership to join the Diversity Committee to share his time, insight and recommendations as to how to make Roswell the best it can be. Sadly, it was also learned that Pastor Jones was specifically not invited to attend the July special board meeting in which diversity and inclusion issues were discussed even

though at least one staff member, not a member of the board but a member of the Diversity Committee, was specifically invited by leadership to attend and participate in that meeting.

Finally, we wholeheartedly object to the demand of Cozen by Roswell and by Hodgson Russ to reveal the identities of those who spoke on the condition of anonymity as well as the attorney's notes and confidential information leading to the written report. In addition, the engagement of and "investigation" by Hodgson Russ was not brought before the Legal Committee for its review and advice, as is protocol. These efforts have created an atmosphere of retaliation and lack of trust, the exact opposite of what needs to take place.

We respectfully request that our objection to the agreed upon public statement be recorded and properly noted in the board record.

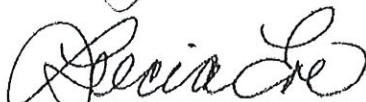
Very Truly Yours,



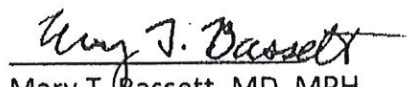
Gregory F. Daniel, MD



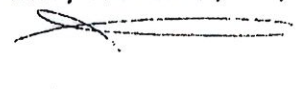
Gail Mitchell, Esq.



Leecia Eve, Esq.



Mary T. Bassett, MD, MPH



Steven Weiss, Esq.

Cc: Roswell Park Board of Directors