



**Policing Advisory Commission**  
**Monday, February 8, 2021**  
**Virtual Meeting**  
**6:30 – 8:00 pm**  
**Meeting Minutes**

**Commission Members Present:** Alicia Hudson, Dalbin Osorio, Shabab Mirza, Jenn Lynn, Vernon Ricks, Nadia Salazar Sandi, Jasmine Williams, Jerome Price, Robin Gaster, Cherri Branson, Eric Sterling, Caroline Fredrickson, Justice Reid

**Commission Members Absent:** None

**Ex Officio Members Present:** Sergeant Cate Brewer (FOP representative), Chief Jones

**Support Staff:** Carlos Camacho, Susan Farag

**Guests:** Pam Stuckey (SURJ MoCo), Tino Fragale (Young People for Progress), Danielle Blocker (Young People for Progress), Emmy Shacter, Kit Bonson (Silver Spring Justice Coalition), Melissa Goemann (Jews United for Justice, Hiedi Rhodes (JUFJ), Laura Wallace (JUFJ), Daniella Mehlek-Dawveed, Autumn Washington (YPP), Lauren Paine (YPP), Alix Swann (Hear our Voices Montgomery County), Katie Stauss (SSJC), Neha Signal (YPP), Avery Smedley, Rachel Sierdzki (YPP), Lauren Hurley (YPP), Bob Veiga, David Atkinson, Leslie Reiffen, Michelle Ingram, Amari Mbongwo (MoCo STEPS), Catherine Miller.

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**Meeting was called to order** at 6:36 pm

**Agenda:**

- 1. Attendance and Recording of Meeting:** Mr. Camacho took attendance and began recording the meeting. All guests were asked to enter their name and any organizational affiliation into the chat. Guests were invited to share their thoughts and comments in the chat with the understanding that Commissioners may keep these for their own records and that comments may be made public in the event of an MPIA request.
- 2. Legislative Review Process: Administrative/Procedural Items**
  - **Approval of Minutes**
    - Commissioners voted to approve the minutes from the January 11 and January 25 PAC meetings.
      - **Mr. Sterling moved to adopt both sets of minutes. Ms. Lynn seconded the motion. Both sets of minutes were adopted unanimously.**

- **Letter to County Council on Bill 34-20 – Police – Disciplinary Procedures**
  - Ms. Mirza and Mr. Osorio have not had a chance to draft the letter to the Council with the PAC’s recommendation on Bill 34-20. Once they have a draft they will share with Commissioners prior to sending it to the Council.
  
- **Bill 7-21 – Police – SROs – Building Positive Law Enforcement Relationships Within Schools**
  - Ms. Mirza spoke briefly about the new bill that was introduced by the Council - Bill 7-21 that deals with police and SROs. This bill will be treated separately from the other SRO bill - Bill 46-20 – and it will go through the same legislative review process as the other bills the Commission has reviewed.
  - Ms. Mirza and Mr. Osorio plan to refer the bill to the Policing and School Subcommittee, formerly the SRO Subcommittee.
  - Dr. Gaster asked whether this bill was referred to the PAC specifically by the Council?
    - Mr. Camacho stated that it was not referred to the PAC by the Council.
    - Dr. Gaster stated that he does not believe that the Commission should spend all of its time reviewing bills that are introduced by the Council. Is fine with considering bills that are referred to the PAC but does not believe the PAC should proactively seek out bills to comment on.
    - Mr. Ricks commented that he believes the PAC should review this bill because it is a bill that deals with a similar issue that is already being considered by the Commission.
    - Ms. Mirza believes that the understanding is that the PAC will look at bills that are referred to it and also any bill that involves policing.
    - Mr. Sterling stated his belief that the PAC should anticipate that when bills regarding policing are introduced that the Commission’s opinion may be asked and that the PAC should begin considering them.
    - Ms. Sandi expressed that she thinks it is important for the Commission to look at bills on policing and specifically in this case the PAC should review this bill as the PAC is already reviewing an SRO bill.
    - Ms. Mirza stated that there is also the possibility that once the bill is referred to the subcommittee, the subcommittee could make the recommendation that the bill should not be review or commented on by the PAC.
  - Ms. Mirza formally referred the bill to the Policing and School Subcommittee.

### 3. Subcommittee Updates:

- **Emergency Response Subcommittee**
  - Ms. Lynn acknowledged and appreciated the public participation at the meeting. On Jan 28 the Subcommittee held a collaboration meeting with many decision makers that have a hand in emergency response/mental health crisis – DHHS, Behavior and Mental Health, Fire Rescue and EMS, etc. The group discussed progress on what is happening in the County. Folks shared what their organization is doing and what initiatives would work best in the County. The group will meet again in the future, probably quarterly. Did learn that many things are already happening like a proposed restoration center, however, did notice that the strategic plan for the center did not include services for individuals with IDD/Autism, which is concerning but is confident that this population will be included now that the group has been made aware of the omission. A Microsoft Teams group has even been set up for this group to keep the

discussions going.

- Ms. Lynn mentioned a CAHOOTS training that is being arranged by Dr. Roland Santiago, Chief Behavioral Health and Crisis Services for DHHS, for the spring.
  - CAHOOTS is a training program whereby people are trained to respond to mental health crisis situations; they do not have to be police officers or certified therapists/clinicians.
  - Ms. Lynn will let the PAC know more details about the CAHOOTS training
- Ms. Mirza added that this group pulled together by Ms. Lynn allows everyone to be aware of what is already happening in this space and prevents folks from recommending programs that are already underway.
- Mr. Ricks suggested that someone from CAHOOTS come and speak with the Commission and proposed that when gatherings can commence again that the PAC go through defibrillator/first-aid training.
  - Ms. Brewer is a certified AED/CPR trainer so could set this up for the PAC.
- The standing meeting for the subcommittee is the first Tuesday of the month at 5pm.
- **Hiring and Discipline Subcommittee**
  - Ms. Sandi notified the PAC that the subcommittee will be meeting with Young People for Progress (YPP) this upcoming Friday. Will be talking with them about LEOBR.
  - Will also be meeting with Cpt. Cokinon on Feb 22 to discuss the training given to plain clothed officers, as a follow up to the incident with Kwamena Ocran.
  - The subcommittee has a standing meeting now the second Friday of each month at 5:15pm.

#### **4. Bill 46-20 – Police – SROs – Prohibited**

- Ms. Mirza provided a recap of what the subcommittee and the PAC has done so far with regards to reviewing the bill. The subcommittee met with different stakeholders (e.g. students, teachers, community members, etc.) to get their input on the bill. They also prepared a statement in favor of the bill. The subcommittee shared testimony from other community stakeholders, info from the media, as well as other similar initiatives that have been implemented in other places (e.g. removal of SROs in Toronto). Based on the legislative review process approved by the PAC, the Commission will not be voting on any recommendation regarding a bill until there is a public hearing. The public hearing on Bill 46-20 was held last week. The PAC has already discussed this bill a bit but will continue this discussion before voting on the subcommittee's recommendation.
- Ms. Williams commented on the public hearing in which testimony from students, parents, educators, and other community members was heard. The testimony was moving and provided a good summary of the issue. The subcommittee met with YPP as well as heard from many students in support for the bill.
- Mr. Osorio mentioned that the subcommittee also met with the group from the Reimagining Public Safety Task Force that wrote the recommendation on the SRO program. The group clearly stated their support for this bill as well. It was important to not only speak with students but to also speak with teachers and parents (i.e. MCCPTA) who have different perspectives and concerns. With all this information, feels very comfortable in the subcommittee's recommendation to support the bill.
- Ms. Fredrickson commend the subcommittee on their work. All of the materials that have been shared have been very informative and feels that there is a strong consensus that this program could be done in a better way and that other interventions where resources are directed

toward mental health counselors could have better outcomes. Wanted to state her strong belief that the PAC should support this bill.

- Mr. Ricks pointed out an SRO bill at the state level has still not been heard and that bill would supersede any bill the PAC would review. Is still not convinced that the problem is the SROs in Montgomery County, not to say that other jurisdictions don't have issues or that there are no issues here with the program. Still thinks more needs to be looked at and that the other bill introduced by the Council needs to be considered.
- Dr. Gaster was not convinced of the bill when this conversation first started but thinks the subcommittee has done a great job laying out the issue and showing the reasons to support it. This bill has gotten momentum partially because there has been no response from the police on what changes it would be interested in making to improve the SRO program. Also, the only real data available on SROs shows very serious disparate impacts. Has not seen any statement from MCPD on why we are seeing these patterns or anything addressing these disparities or how they plan to move forward with their training. Aside from arrest data we have not seen any other data on SRO activity in schools. There is nothing showing what SROs are actually doing in schools other than arresting people. Dr. Gaster was strongly influenced by the report on school principals in support of SROs but it's also true that for principals, SROs are an easy out in that it's easy for principals to push responsibilities on to the police. In light of that, Dr. Gaster expressed his support of the recommendation from the subcommittee.
- Ms. Sandi stated that this issue is clear. One thing that even Sgt. Brewer agreed with is that it is not the role of SROs to do what they are doing in schools. Wants the Commission to be mindful that the other bill that was introduced is in a way counteracting what we are trying to do here with this bill. Very concerned about waiting for the state when we should only concern ourselves with what the County can do. Would push back and say that it is our duty to take action at the County level. We have heard from a variety of stakeholders and think that it has been echoed that we need to support this bill. Also, want to talk about the principals voting process because at the time their deliberations were not complete as they had not yet spoken with students. We know that some principals and administrators are opposed to SROs as well. These decisions will be made for our young people and the future of this County. Ms. Sandi reiterated her support for the bill.
- Mr. Sterling stated that the goal of having SROs is to protect students and to create a perception that students are safe. The third goal is that the presence of officers in schools improves police-community relations. It is assumed that an officer's presence accomplishes these things but there doesn't seem to be any evidence that shows that the program is accomplishing these goals. It seems like security theatre, similar to what we saw after 9/11, but in this case SROs have been a response to the tragic school shootings we have seen. But again there is no evidence that shows that the safety we are aiming for is accomplished by having uniformed, armed officers patrolling in schools and this has to be balanced with the feeling that many students have, which is fear of the presence of police by those who have seen or experienced trauma by the police. Will be voting in favor of the bill.
- Ms. Lynn - Very torn. Do not think there is an easy answer to this. There is no black and white. Don't think it is an all or nothing situation. Understand the traumatic stress and the re-triggering. Would like to consider the other bill as an alternative to this. Have seen the arrest statistics from MCPS and law enforcement and thinks there needs to be a differentiation between paper arrests and physical arrests because there is a big difference. Thinks there is a misperception of what SROs do. Ms. Lynn stated that the PAC needs to look at all sides of this bill and should consider Bill 7-21.
- Mr. Sterling stressed that he did not think the disparate arrest data is a strong argument against

the SRO program because the data doesn't show where the arrests took place, who was arrested, under what circumstance, etc. Think the argument against SROs is in the fear, trauma, and lack of proof that they are valuable. There needs to be an analysis of the disparate arrests because there are many instances of racially-based, disparate outcomes in policing, discipline, etc.

- Mr. Reid – Believes the PAC can either look at this issue in terms of black and white (yes or no) or look at it through the lens of programmatic change, which is his preference. Does not want to set a precedent where because we feel something is wrong or disagree with something then it should be eliminated. Has a view that SROs should not be in schools but also has view that we should make data-driven decisions. Concern with the data is that we are seeing some data but not all the data. There are other questions that need to be answered before he can say that what someone did is wrong or is right. Need to look at all perspectives, particularly when another bill is available as an alternative.
- Ms. Sandi – Of course we don't want to look at anything in black and white but the data that we have seen on arrests, particularly in predominately white neighborhoods like Bethesda-Chevy Chase High School mirror the arrests of those communities, which tells me that what is happening in schools is mirroring what is happening in the community. We have to look at data but also keeping in mind that those numbers are people. Have worked with students across the nation and the situation is the same everywhere. There is a role for officers to volunteer and work with schools but outside of being a uniformed, armed officer because the uniform itself can be a trigger for some students. Yes we have to have a balanced perspective, but we also must be critical of the issue before us. Does not think Montgomery County is the exception, we do not live in an oasis. We cannot stand in the way of progress. There are places for mentors but not for armed officers.
- Ms. Mirza – Implore everyone to be critical of the data, particularly because studies on populations under 18 years old is difficult to do. Most professional psychological studies are based on white, college-aged men because those are the people that are most available to be studied. Would like to invite some critical analysis on the data and that this data is not available because this type of research is difficult.
- Mr. Osorio – Even if we ignore the arrest data, we still have specific trauma to black and brown youth and there is no way we can say as a County that we are focusing on equity and then dismiss this trauma. We had white and black students, parents, and teachers sharing their experience not about arrests but of SROs making remarks rooted in bias or issues of SROs making comments, for example to a 17-year-old pregnant girl, which was not appropriate for youth development. This is not an attack on MCPD. MCPS tends to lean on SROs in situations that are inappropriate and that is not acceptable to the police. In terms of changing the program, the bill states that there will be an accompanying appropriation to do things that are missing in our schools. In considering the other SRO bill, the subcommittee is not recommending going forward with that bill because that bill runs counter to this bill. It still allows those who are misusing their power to assign SROs.
- Ms. Branson – We need to get back to why children are in school. Children are in school to be educated, socialized, and be helped in their development as human beings. Really not sure that having a law enforcement presence aids in that development. We have to stop treating children with issues as if they are children with problems. These are children who do not have the people in their lives to help them figure out the direction they need to go in and to proposer and grow into human beings. Encouraged by the fact that this bill has the counseling and other supports built in. It's not enough but it's a good start. Will support the position we have taken on this bill. Even if we see that a year from now taking SROs out of schools was a mistake then

we can put them back. We cannot separate ourselves from the core question of education, it is not to control behavior it is to develop human beings.

- Mr. Ricks – Afraid that we have labeled SROs as a concern and a problem. We have a lot of social problems. I support having psychiatrists to work with children and the community but don't think that taking the SROs out of schools will solve these issues. Bring other professionals in to collaborate with SROs and also make sure that they are properly trained. I am not convinced that we need to remove SROs from schools.
- Ms. Hudson – Grateful for Ms. Sandi, Mr. Osorio, and Ms. Branson's comments. Children deserve the opportunity to be students. Cannot fathom having an officer walking down the halls while I was teaching. Students need to room to make mistakes. Young people's brain (frontal lobe that controls decision making) is not fully developed until 25 years of age. Police are there to enforce the law and they are not part of the educational process. Floored by OLO's report showing that black students made up 22% of student enrollment but comprised 47% of school arrests from 2015-2019. They deserve not to be re-traumatized. It is not fair to their development and growth. We need to defer to students on this issue and I think we've heard overwhelmingly that they do not support SROs in schools.
- Mr. Price – Recently lost a former student to gun violence. Life is precious. As a teacher, you hear and see students and I can't separate myself from their experiences. Overall, it comes to what is in the best interest of my students? What is in the best interest of my future son who will go to MCPS schools. We need more psychologists in schools. We need more counselors. The data is clear – black students are 275% more likely to be arrested than their white peers, Latinx students 86% more likely to be arrested in schools than their white peers – there is a problem. Will do anything in my power to take away the fear that students may have when walking into a school and trying to get to my class. I do not believe SROs should be in schools.
- Ms. Mirza moved to vote on the recommendation from the SRO subcommittee to support the bill.
  - Vote
    - For – Ms. Hudson, Mr. Osorio, Dr. Gaster, Ms. Sandi, Mr. Sterling, Ms. Fredrickson, Ms. Mirza, Mr. Price, Mr. Reid, Ms. Williams, Ms. Branson.
    - Against – Ms. Lynn, Mr. Ricks
    - **The PAC voted 11-2 in favor of the subcommittee recommendation that was in support of Bill 46-20.**
  - The PAC will now draft a letter to the Council stating that the PAC is recommending approval of the bill to remove SROs from school.
- Ms. Mirza reiterated that the other SRO bill, Bill 7-21 was referred to the Policing and School Subcommittee for review and for PAC members to send their questions or comments regarding that bill to the Subcommittee by the meeting on March 8.
  - Mr. Ricks asked why even refer that bill when it would be in opposition to the vote the PAC just took?
  - Ms. Mirza stated that the subcommittee could say that the PAC should not review the bill or should vote against the bill but procedurally would like the bill to go through the formal subcommittee process and to also give all Commissioners the chance to read the bill.

## 5. Bill 45-20 – Police – Community Policing – Data

- Ms. Fredrickson wanted to register her vote in favor of the subcommittee's recommendation with the proposed amendments and wanted to ensure the PAC had ample time to discuss this

bill.

- Dr. Gaster – Don't think the draft bill is particularly controversial. It calls for an improvement in data and the subcommittee is in favor of all of that but is also recommending an expansion of the bill, particularly that MCPD assign one central data point of contact (POC) that responds to all data requests, inquiries, complaints, etc. Second, is a recommendation in favor of expanding upon data with regards to Internal Affairs. There is a white paper attached to the subcommittee's recommendation explaining why the data reporting is inadequate. The purpose of the Internal Affairs Division (IAD) is to enhance community trust and assure that when things go wrong in the police department the situation is handled accordingly. The current data provided by IAD does not clearly demonstrate what happens as a result of complaints. You cannot tell from the data the outcome of the complaints. The police must do a better job on reporting out on the result of disciplinary processes. LEOBR may not allow discussion of particular cases of misconduct but it does allow for discussion of aggregate data. The white paper goes into greater detail on the specific data points that should be reported. If they want our trust then they need to report better.
- Ms. Branson – First recommendation is for there to be a notation on the MCPD website on who to contact with data requests. In MoCo there is already a state requirement where all agencies/depts need a POC for MPIA requests. This recommendation is modeled after what currently exists and the purpose is to encourage accountability. The second amendment is also about accountability and transparency in terms of IAD. We don't want info on individual outcomes and the information may already be collected but no one can find it. This bill basically codifies the recommendation made by OLO. We are just asking to go a little bit further.
  - Dr. Gaster – I really don't believe the data is being collected and feel that the data collection design is poor, which doesn't allow IAD to answer basic questions. This is part of another problem of having poor outward-facing management and failing to accomplish one of their primary goals of reassuring the community. I don't think that MCPD has any data analysts on staff.
- Ms. Brewer – Not aware that there is anyone on MCPD whose sole duty is to collect, analyze, and report out on data. Believe this data collection and reporting process has been put together piecemeal over the years. It is an issue. MCPD collects so much data already but not sure how it is maintained or reproduced. Data without interpretation can be dangerous. Also, agree with Ms. Sandi's comments that this isn't just data, it is people and we need to think about the victims as well.
- Mr. Osorio – Thank you to the subcommittee for their work. When we had the Citizen Academy session Cpt. Cokinos spoke about an issue that MCPD found regarding the database they use. I think the subcommittee's work is very important as we need to help MCPD craft a system to better help them collect and report out on data.
- Mr. Sterling – We have focused on the community need in terms of data collection but I also think MCPD needs better data to make important management decisions and thinks this is a step in that direction. Ten years ago when the Alcohol and Other Drug Abuse Advisory Council asked MCPD about what parts of the County they were making drug arrests and where the DUIs were taking place they could not provide an answer as they were not tracking that information. How then do you competently deploy personnel? Still not sure if they are making management decisions using data. Think this is an important bill and will vote for it.
- Dr. Gaster – We have an organization of more than a thousand sworn officers, additional civilian personnel, and many different activities that need to be tracked and managed but there is no CIO within MCPD. There needs to be someone who is charge of the flow of

information. May want to seriously revisit this issue at a later date or when the Commission speaks about the budget because this position is needed.

- Ms. Mirza – Ms. Farag noted in the chat that there will be a PS Committee worksession on MCPD staffing on February 25 at 9:30pm. Staffing for data needs will be a priority area for the budget in FY22.
- Vote to endorse the subcommittee recommendation with amendments
  - For – Unanimous
  - Against – None
  - **The PAC voted unanimously in favor of the subcommittee recommendation with amendments in support of Bill 45-20.**

## 6. New Business

- Mr. Sterling – would like to suggest that between now and our next meeting the Commission consider adopting some rules of parliamentary procedure and will suggest some language to Dalbin and Shabab.
- Next meeting will be Monday, March 8.

## 7. Meeting Adjourned at 8:00pm