Policing Advisory Commission
Monday, September 13, 2021
Virtual Meeting
6:30 – 8:00 pm
Meeting Minutes

Commission Members Present: Alicia Hudson, Jenn Lynn, Vernon Ricks, Caroline Fredrickson, Robin Gaster, Shabab Ahmed Mirza, Justice Reid, Cherri Branson, Nadia Salazar Sandi, Eric Sterling

Ex-officio Members Present: Dinesh Patil

Commission Members Absent: Dalbin Osorio, Jasmine Williams, Jerome Price

Support Staff: Susan Farag, Carlos Camacho

Guests: Peter Francis (petergfrancis13@gmail.com), Robert Landau

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Meeting was called to order at 6:37pm

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. **Administrative Items**
   - Approval of minutes from August 23 meeting
     - Minutes were approved unanimously.
   - Ethics Training - Wednesday, September 22 from 7:00pm to 8:30pm for those who have not yet attended an Ethics Training.
   - The organization DoTheMostGood will be holding a forum on Monday, September 27 at 7pm to discuss police reform in the state and County. Mr. Osorio and Ms. Salazar will be speaking at the event.

3. **Subcommittee Updates**
   - **Discretionary Policing –** Continuing to do work on traffic stops**.** Hopefully can ask OLO to come speak to the PAC about their report.
     - Ms. Branson urged Commissioners to read the OLO report.
   - **Emergency Response** – Progress is being made in staffing the three Emergency Response hubs in Silver Spring, Germantown and Rockville (Piccard Drive). The training is underway and they will reach full 24/7 staffing in the coming months.
     - Sheppard Pratt is pushing into Montgomery County hospitals. They are placing 16 residential crisis beds in Shady Grove, Suburban, and both Holy Cross hospitals. Currently, 6 of them are staffed.

- Work underway to streamline the 911 call center so call takers are trained in triaging all calls, assigning the correct "tier" and finding the proper responders.
- Many pieces are falling into place, but change doesn't happen overnight. We are making significant progress on the planning of a new restoration center as well.

- **Hiring and Discipline Subcommittee** – Have been working on putting together responses to the ELE4A audit recommendations.
  - Also, looking into who will be the Subcommittee's next guest speaker. Interested in hearing from black law enforcement officers.
  - Ms. Hudson attended the CAHOOTS training and heard that staffing for mobile crisis teams was not where folks wanted it to be.
    - Ms. Lynn – it is very difficult to find people who want these jobs. There is an element of danger so are getting younger applicants with less experience but they are receiving intensive training.
  - Ms. Branson - NAACP met with Dr. Crowell about the mobile crisis teams jobs. He said that five out of the six social worker positions have been filled. Training was ongoing. Dr. Crowell seemed very optimistic about putting these folks in place.

4. Gathering Public Input on Traffic Stop/Enforcement Briefing

- Ms. Salazar – MCPD stated that they will not be able to respond to the PAC's request nor brief the PAC on the request/traffic enforcement until the October 11 meeting. How do Commissioners think we should collect public comment on this?
- Dr. Gaster – Have read the OLO report and thinks it is very valuable. Would really like OLO to come brief the PAC before MCPD briefs the PAC.
  - Ms. Salazar – OLO must brief the PS Committee first before they can discuss the report with any outside group and that briefing is set for October 14.
- Ms. Branson – It would make sense to have OLO brief us before we meet with MCPD to discuss the data request. OLO may be able to address some of the underlying questions we have about the data. A public hearing doesn't have to be the PAC talking. It could be a format that invites OLO, MCPD with some guided questions provided by the PAC. Let them explain to the public what this information means.
  - Dr. Gaster – Don't think it would be a good idea to have MCPD and OLO at the same meeting. Definitely agree on receiving an OLO briefing prior to speaking with MCPD. Why not push the October meeting back until OLO can come brief us and then have MCPD come in November? Could also use this time to gather public testimony.
- Ms. Salazar – So we could use the second Oct meeting on October 25 to have OLO come brief the PAC.
  - Ms. Fredrickson – Agree with this sequencing of meetings.
- Ms. Salazar moved to have OLO brief the PAC at the October 25 meeting and then have MCPD come speak with the PAC on November 8. Ms. Branson seconded the motion.
  - Aye – Shabab, Nadia, Robin, Cherri, Caroline, Justice, Vernon, Alicia, Jenn
  - Nay – None
  - The motion passed unanimously 9 to 0.
- Ms. Salazar – Getting back to the topic of public outreach. We would ideally want to have input from the public by the November 8 meeting. How should we go about getting this input?
- Ms. Branson wanted to clarify the basis, form, and purpose of the public comments the PAC is seeking.
- Dr. Gaster – Would like to receive public comment by November 8. The idea would be to tap into the community to do more coherent outreach. Seek stories, data, questions, concerns from the community. Imagining that after being briefed by the police that the PAC will be able to make recommendations on traffic enforcement.
  - Ms. Branson – Is the goal of the public comments that we could then take those concerns and present those to the police? Or is this separate from our meeting with the police?
  - Dr. Gaster – After the meeting with the police, we will have done community outreach, we will have spoken with OLO, received information from MCPD and would be ready at that point to

write recommendations about what we want in terms of traffic enforcement. The testimony would help bolster and frame the data from OLO and MCPD.

- Mr. Ricks – When we present what we have gathered to the police, what do we expect will happen? There may be some union implications. Also, will we be providing something unique or different than what is presented in the OLO report or information that MCPD already has?
    - Dr. Gaster – Think we will have newer data than what is in the OLO report. Both on incidents of traffic stops and accidents, as well as data on follow-up from the courts as to what happens as a result of traffic stops, which wasn't addressed by OLO because there is no connection between court data and MCPD data.
- Ms. Salazar – Also, I think we are escalating the issue and will also have the backing of the community.
- Ms. Lynn – Can we start collecting comments now? Should use the comment form that is currently available online on the PAC website. Are we looking for comments just on traffic enforcement or on every police issue. Need to have a targeted way to ask questions.
    - Ms. Salazar – think the questions/comments focus on traffic enforcement.
- Ms. Branson – When we are seeking this information from the public, I think we should develop 3 or 4 specific questions for people to respond to, otherwise we may get responses from people that may not relate to the issue of traffic enforcement.
    - Mr. Fredrickson – Should focus on the data and the issue at hand now.
- Dr. Gaster – imagining that we start outreach immediately until November 8. Think Ms. Branson is right so maybe the Discretionary Policing Subcommittee can come up with questions to circulate to the PAC. Finally, has MCPD finished its procurement process for its new data system?
    - Asst. Chief Patil – MCPD is currently in contract negotiations with a vendor. The system they are procuring is a NIBRS system to comply with federal reporting standards. Will still have some latitude in how we implement or require certain reports for certain things and that will be known in the development phase. Hoping to be under contract by December and then implementation will take 18-24 months. During the implementation phase is when the business processes will be built out and tailored to the needs of the dept. Things like traffic stops, for example, is collected by the MD state Delta system so don't have control over that reporting.
- Ms. Salazar - so we have agreed that we will be gathering input from now until Nov 8. Also, the Discretionary Policing Subcommittee will put together a set of questions to elicit public input.
- Ms. Hudson – what means do we currently have in terms of getting the word out?
- Mr. Camacho spoke about what was done for outreach for the last PAC public hearing:
    - Put all the info on the PAC website
    - Council put out a press release
    - Reached out to staff at the Council to share within their networks
    - Reached out the Street Outreach Network and MCPD Hispanic Citizen Academy
- Ms. Branson suggest that outreach should not be ad hoc. Suggest that a list be made of those who have attended past meetings and shown interest. Should also create a list of organizations in the County focused on civil rights, police reform, human rights, etc. Sonya Healy and Jenn Gaebl who works in the Council's Legislative Information Service may have this information. The County Executive's press team should also send out a notification.
- Ms. Salazar – can staff compile a list of previous PAC meeting attendees so that everyone has it and can continuously add to the list to build an outreach database?
- Ms. Lynn – There may be people who are interested in the work being done by the PAC but cannot attend the meetings for some reason so do not want to forget those folks.
    - Ms. Salazar – This list would just be a starting point.
- Dr. Gaster – what about using local list serves like NextDoor? I could reach out my local list serves and also provide a sign-up for those who are interested in the PAC and this would add to the PAC's list of contacts.
- Ms. Salazar – can staff create a Google Form as a mechanism for gathering people's information? Can check-in at the next meeting regarding where we are with the contact list and sign-up.

- Ms. Hudson – Should also make it clear that we just want to hear from people and that they don't necessarily need to be present at a meeting.
- Ms. Salazar – Do we only want to collect written input or hold a public hearing as well?
- Mr. Ricks – Definitely want to focus on traffic stops only so we don't get comments that are off topic. Also, are we going to be able to focus comments only from Montgomery County?
    - Ms. Salazar – Can we add a zip code/city/other geographic identifier to the google form to ensure we are only getting comments from people in MoCo?
- Mr. Ricks – When people get stopped by the police they don't care which department they belong to they just care that it's the police, so how do we differentiate among them?
- Ms. Salazar – this is part of a larger issue that I think we should circle back to it.
- Ms. Hudson – How do we ensure that people can submit testimony and not fear reprisal?
    - Mr. Camacho stated that the public testimony form that was previously used allowed people to submit testimony anonymously.

5. Review Government Alliance on Race and Equity (GARE) Racial Equity Toolkit

- Ms. Hudson – Did we ever receive the final audit from ELE4A?
    - Ms. Farag – No, it is supposed to come out in October 2021.
- Ms. Mirza – can you contextualize the Racial Equity tool – is this something we would recommend to others or something that we would use ourselves.
    - Ms. Salazar – We discussed using a racial equity lens to operate as a body and ensure that our recommendations are in line with this racial equity lens. Wanted to get the PAC's feedback on whether we want to use this racial equity lens and this particular tool. This would set a precedent for future commissions and also align with what the Council already does.
- Ms. Branson – Not sure we should address this at this point. Understand the importance and that the Council and CE are already doing this. Not sure this is something that would help our analysis or think that this is necessarily something we have to do too, in terms of looking at if a policy, procedure, or budgetary decision negatively impacts a particular race or ethnic group. Namely, because I don't think it helps our work.
- Mr. Fredrickson – I think this was interesting and useful but think that this is perhaps premature and could revisit this when we are closer to making recommendations. Think we should get to the substantive issues but because we have some much to tackle before making recommendations that we could come back to this.
- Ms. Mirza – I have a different perspective about what is done by the Council – understanding the net impact on racial equity of a policy – versus what this toolkit is, which is more of an approach because even anti-racist people can create policy that is not anti-racist. For example, the toolkit explains how to incorporate stakeholders while analyzing data, how to determine benefits or burdens – things we may already be doing but could make more explicit. The question is whether the PAC should incorporate a racial equity analysis in the approach to our work?
- Ms. Salazar – Yes and we all come here representing different communities and racial equity is one of the reasons this Commission was put together so this would legitimize this and hold the PAC accountable to this racial equity lens. I think we all have that understanding and use that lens but it is not a formalized process or approach.
- Ms. Branson – I don't think this would be helpful. If people want to use it in their personal analysis then it might be helpful to some, but to add another layer of analysis would undermine the timeliness of what we're doing and don't see this as a critical step in the PAC's work. Think this is already incorporated in what we are doing.
    - Ms. Hudson – Thought that we were already doing this racial equity work in all of our analysis, learning, and outreach. Think we are in line with the toolkit.
- Ms. Salazar – Agree with Mr. Sterling's comment in the chat that this may involve more training for Commissioners, and it would create extra work. So maybe this is something that we do revisit.
- Mr. Ricks – This Commissioners were probably chosen with an equity lens.

- Ms. Mirza – I agree with Mr. Ricks, we were selected with our expertise in equity issues and on policing issues, which we received extensive training on. Do want to think about the value of taking intentional time to think about this and, this may not be that time, but we could also think about if it would be worth making racial equity training a statutory requirement for future commissions.
    - Ms. Salazar – I agree with Ms. Mirza and even though I have received training on racial equity and learned about my implicit bias it would be good to revisit this later and receive training when we are back to meeting in person.

6. PAC Public Safety Committee Briefing (Nov. 8, 2021) and Recommendations to Council

- Ms. Salazar – The PAC will be meeting with MCPD on Nov 8 after the OLO briefing. Also, are folks going to be able to view the OLO briefing to the PS/T&E Committee on October 14 via zoom? Council Staff will be sure to send out more information on the briefing.
- Ms. Salazar – We have also been speaking with Council staff on the process for sharing policy recommendations with Council. We have already created a process through our work in the subcommittees (e.g. traffic enforcement). Does anyone have any other ideas on a clear process for recommending policies to the Council?
- Ms. Hudson – Thought that Mr. Sterling came up with an effective process with the public hearing on drug enforcement and thought that was a good model going forward.
    - Ms. Salazar – the next step after getting community input would be to craft policy recommendations, so how do we want to do that?
    - Ms. Hudson – right, we were somewhat disappointed in the turnout we received for the drug enforcement hearing, particularly not hearing from those most impacted.
        - Ms. Salazar – We are going to try to address the outreach piece going forward but need to focus on taking the next step after that.
    - Dr. Gaster – Think Mr. Sterling's process is good and the Subcommittee should be able to craft recommendations with the data collected through the process, then present it to the PAC, which would then discuss it, amend it as needed, and then vote on it. That would then be sent to the Council.
- Ms. Salazar – We've noticed the response we have gotten from the Council, so how do we want to create pressure so once we have policy recommendations we know how they are going to be used (e.g. introduced, discussed, etc.)
        - Dr. Gaster – each of us was explicitly recommended and appointed by a Councilmember (CM) so we should each take on the job of talking to our CM or the CE about what the PAC is working on.
        - Ms. Mirza – Wonder if in addition it would make sense for the PAC to present in front of one of the Council's Committees?
        - Ms. Hudson – Was wondering if we could get any CM to come to a PAC meeting to discuss?
            a. Ms. Salazar – the response we have received is that CM staff could meet with us.
        - Ms. Branson – What the Council does and doesn't do depends on our recommendations and how we recommend it. It's up to the Council whether they take up legislation or not because that is in their power but if the PAC recommends policy changes, that may not be up to them to consider or implement, that would rest with the Executive branch. It really depends on the recommendation and what action the PAC seeks. No legislative body is going to take up anything that is not directed, specific, and within their charge. There is no one answer to the question, it all depends on the PAC's recommendation(s). Depending on the individual recommendation, we can determine the appropriate path most likely to succeed.
        - Ms. Salazar – If the PAC was created to make policy recommendation then there has to be a space created to give those recommendations – when do we have the conversation with the Council and County Executive? Once we do have a recommendation on traffic enforcement, we can create a model going forward.

    - Ms. Farag – Council staff spoke with Council President Hucker about this and his suggestion was for the PAC to have discussions with each CM's Public Safety Analyst but if the PAC has something specific in mind, then we can reach out to the Council President directly to set up a discussion.
    - Ms. Mirza – Do believe that having a public meeting with the Council or with a Committee would be very effective (don't know what the equivalent would be on the Executive side). Agree with Ms. Branson that there is no one size fits all approach. We can recommend specific legislation to the Council or recommend executive action to the CE but there are many policy tools at the disposal of the Council outside of legislation. Regardless of the policy tool, if we can get public facing time, this could be very valuable in raising our profile and also brining attention to our recommendations.
- Ms. Salazar – for now we will decide a course of action on communicating with the Council depending on the recommendation we have and will use this process for traffic enforcement and mirror it going forward.

7. **New Business**
    - Ms. Salazar – Do want to circle back to the issue of differentiating between MCPD and other police departments.
    - Mr. Ricks asked how many Commissioners were present at the meeting.
        - Mr. Camacho – there were 10 members present.

8. **Meeting Adjourned** at 7:55pm