



Policing Advisory Commission
Monday, Nov 22, 2021
Virtual Meeting
6:30 – 8:00 pm
Meeting Minutes

Commission Members Present: Robin Gaster, Nadia Salazar, Caroline Fredrickson, Dalbin Osorio, Alicia Hudson, Vernon Ricks, Cherri Branson

Ex-officio Members Present: Cate Brewer, Carmen Facciolo

Commission Members Absent: Jerome Price, Shabab Mirza, Eric Sterling (excused), Jenn Lynn

Support Staff: Susan Farag, Carlos Camacho

Guests: Heidi Rhodes (JUFJ), Robert Landau (SSJC), Peter Francis, Lillian Cruz (CM Albornoz' Office), Cheryl McLeod

Meeting was called to order at 6:33pm

Agenda:

1. Attendance/Recording of Meeting/Administrative Items

- Mr. Camacho took attendance and began recording the meeting. All guests were asked to enter their name, any organizational affiliation, and contact info 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.
- PAC voted to approve the minutes from the 10/11/21 and 10/25/21 meetings
 - Ms. Fredrickson motioned and Ms. Salazar seconded.
 - Both sets of minutes were approved 6-0.

2. Subcommittee Updates

- Safety in Schools Subcommittee
 - Ms. Williams and Mr. Reid have resigned from the Commission. A letter was sent to the Council and County Executive (CE) notifying them of her resignation.
 - The Safety in Schools Subcommittee now only has one member. There are no other updates at this time.
- Hiring and Discipline (H&D) Subcommittee
 - Will be meeting on Dec 1 and will be partnering with other organizations. Will start by meeting with the Silver Spring Justice Coalition (SSJC).
 - Ms. Fredrickson will be taking on the role as the new Chair for the H&D Subcommittee.
 - Mr. Ricks – Concerned that SSJC will have privilege over other groups who may want to provide information or engage with the PAC.
 - Ms. Fredrickson – We didn't mean partner in an established or formal way. We would like to get input form a variety of groups and they are one of them. We want to ensure

that by engaging with different organizations our work is more informed and that we reach more members of the community.

- a. Mr. Ricks – Just want to ensure that their input does not overpower the input we receive from staff members and that we will monitor that input just as we do any other input.
 - b. Ms. Hudson – We have already heard and met from a number of stakeholders such as NOBLE, MCPD, etc.
 - c. Mr. Osorio – It is part of our charge to hear from as many stakeholders as possible and we have been doing so.
- Emergency Response Subcommittee
 - Nothing to report
 - Discretionary Policing Subcommittee
 - Mr. Reid was on the Discretionary Policing Subcommittee so now it is just Ms. Branson and Dr. Gaster.
 - The subcommittee has continued to work on traffic enforcement. Expect to have a draft set of recommendations and findings for the PAC to consider by the end of the month. Would like to publish these so that the community can provide further input. Hope to finalize these findings and recommendations in the beginning of January. We will then send these to the CE, MCPD, and the Council.
 - Mr. Osorio – Commend the subcommittee on the great work they have done on this issue.
 - Ms. Branson – Would like to acknowledge Dr. Gaster’s work on the statistical analysis. Kudos to Dr. Gaster.

3. Meeting Frequency

- Ms. Fredrickson – Am concerned that our meeting twice as often seems to result in half as many people participating. Do not think it makes sense and do not think we are accomplishing more. I suggest that we do more work in the subcommittees. Don’t think we need two meetings a month and think we may lose more members. Would like to make a motion to return to meeting once a month and make them really meaningful. Think we are going to just start losing members and interest from the public.
 - Mr. Ricks seconded the motion.
- Ms. Hudson – Before we take a vote, would like to have a discussion. I think this is much more about the work than Commissioners resigning because I don’t think two meetings a month is all that much of a commitment given the importance of this issue. Was hoping that at one of the monthly meetings, the PAC could hear from presenters and guests.
 - Ms. Fredrickson – Would be open to the idea of having one meeting be a presentation and one be for discussion. I agree that this is incredibly important work but do not think that we are using our time as effectively as possible.
- Mr. Osorio – Want to clarify that the two resignations were not related to our meeting twice a month. If we do move back to one meeting a month then I would move that the attendance policy for full meetings apply to subcommittee meetings so that work can get done in subcommittees.
 - Ms. Fredrickson – would accept that as a friendly amendment
- Mr. Ricks – Subcommittee meetings were not part of the original charge of the Commission. The legislation states that the Commission must meet at least six times per year. Now we are talking about 24 meetings a year. I agree it is important to attend subcommittee meetings. I think those who left did so because they could not meet this commitment.
- Dr. Gaster – I agree with Mr. Ricks that going from six meetings, to 12 meetings, and then 24 was a big push. The issue with making subcommittee meetings mandatory is that it makes the problem worse and then there is the problem with tracking everything. What I am hearing is that people need to be reminded that they should be attending their subcommittee meetings and that going forward we could have one formal meeting a month and one presentation a month that may not be part of the formal requirement. Think it would be good to have presentations and get different perspectives.
- Ms. Hudson – Ms. Farag stated in that chat that the Commission must meet as often as necessary to

perform its duties, but not less than six times each year. I think we have been struggling - we are not taken seriously by MCPD and the Council. We need stakeholders here working with us. We have not gotten everything we need to get our work done. Don't know if it helps to reduce the meeting frequency when we are not getting anything done in the subcommittees and not all people are attending. All of us were appointed and everyone's time and perspectives are important. Either we are here and dedicated to do this work or we are not.

- Mr. Osorio – We moved to two meetings a month because we weren't getting anywhere and it was taking a long time to get going so we made that change during the summer. Feel like we have gotten more done in the past three/four months than we had in the previous year. If we do go back to one meeting a month we cannot go back to not accomplishing our objectives.
- Asst. Chief Facciolo – Want to apologize for missing the last meeting, I had some health issues and could not attend. You will see me at every meeting unless there are extenuating circumstances. Would offer my perspective from my experience serving on different Commissions and Boards, I like the idea of having one meeting being dedicated to an outside presenter. I was a bit shocked to see that the Commission was meeting more than once a month so perhaps it is the subcommittees that need a bit of a kickstart. I am happy to participate on any of those subcommittees in any capacity needed.
- Ms. Branson - I think this is the third meeting we have discussed attendance so it seems these discussions are not very fruitful, as nothing much as changed. Would like to offer a compromise that we take the suggestion that for the upcoming meetings we have one that is information gathering, where we have a speaker and it could be abbreviated (not two hours), and then the second would be a business meeting like we are having now. As for the subcommittees, cannot express an opinion on whether people are attending or not but, in my experience, more meetings has never equaled more productivity. Part of the issue is that we don't get to have discussions between meetings in other informal formats, but subcommittees can do that. It is frustrating that we do not get to interact with each other on a timelier basis. I support the two meetings (one being a presentation) and we could even agree to take a hiatus to revert back to one meeting a month for a few months to see where that leads us. We don't have to decide this forever, let's just see what fits.
- Ms. Fredrickson – Want to modify my motion so that we have one business meeting a month and then we have a presenter meeting a month, if we have a presenter available; if not, then we do not have a meeting.
 - Mr. Ricks – Want to second the motion. Originally, we said that we would send things to Mr. Camacho and then he would send it out but we receive many emails other than from Mr. Camacho. Also, sometimes the subcommittees meet and are invited to other meetings so they too could potentially meet more frequently, creating additional meetings.
 - Mr. Osorio – Everyone should just be receiving one email from Mr. Camacho with all the PAC updates on Friday.
- Dr. Gaster – The subcommittees need to find a way to move things forward without meeting. Feel like using emails within subcommittees is perfectly fine and does not have to be made public. These are our internal deliberations and the reason we set up the subcommittees in the first place. Subcommittees can decide how frequently they want to meet, as well as other ways they can move things forward.
- Mr. Osorio – Subcommittees were never told how often they had to meet so that is up to you all but need to ensure that you are meeting and making yourself available.
 - Ms. Hudson – Agree, and this is why we decided to engage with organizations from the community like SSJC who has done great work and has attended our meetings, that is why we started with them. There does need to be some kind of structure for subcommittees. We can do emails but its not a focused way to engage.
- Sgt. Brewer – Want to add that it's a good idea to have one meeting and then have a second one on an as needed basis. I think I have missed one meeting, so I am trying, and I go to every subcommittee meeting I am invited to but I am not invited to many. I can help via email as well; even if I don't know the answer I can find where that answer could be. I also feel that some of the questions that are asked here are unfortunately a waste of time because the Commission did not attend the full Citizen Academy (due to COVID the Commission attended an abridged virtual version). Some of these questions could

have been answered then. Some of the questions seem to just be a simple misunderstanding of how the police department functions. I don't think it is anyone's fault and COVID has exacerbated this issue but I know that participation in the Citizen Academy was part of the legislation that created the PAC. Questions are asked sometimes with little time for MCPD to respond. Maybe the PAC could send additional questions to MCPD, give some additional time to respond, and then set meetings specifically for MCPD/FOP to respond. We can also meet in person, the Police Academy is open and we can social distance/wear masks. I am offering a different approach so that subcommittees and the PAC can get their questions addressed, in order to get the right focus on which policies should be examined, changed, etc.

- Mr. Osorio – to that point Sgt. Brewer was very helpful in answering questions regarding MCPD training and the SRO issue.
- Ms. Fredrickson repeated her motion – That the PAC have one business meeting a month and a second meeting a month for an outside speaker, if there is an appropriate presenter available.
 - Mr. Osorio – for clarification, if my subcommittee wanted to email a different subcommittee can we do that without violating the Open Meetings Act?
 - Mr. Camacho – Yes, as long as those involved in the email does not constitute a quorum of the PAC (quorum is currently 6, so 5 is under quorum).
 - Ms. Farag – Also, you cannot be making decisions for the PAC, you could make recommendations that would come before the PAC for action, which would then be recorded in an open meeting.
 - Ms. Fredrickson – Could also invite members of a different subcommittee to attend a subcommittee meeting, as long as it's under quorum.
- Mr. Ricks called the question on Ms. Fredrickson's modified motion.
 - Aye – Dr. Gaster, Ms. Hudson, Mr. Osorio, Ms. Branson, Ms. Salazar, Ms. Fredrickson, Mr. Ricks
 - Nay – None
 - The motion was passed unanimously.
- Mr. Osorio motioned that the new rule on meeting frequency and structure be revisited in February. Ms. Branson seconded.
 - Aye – Dr. Gaster, Ms. Hudson, Mr. Osorio, Ms. Branson, Ms. Salazar, Ms. Fredrickson, Mr. Ricks
 - Nay – None
 - The motion was passed unanimously.

4. PAC Input on Council Legislation

- The PAC tabled discussion on the pending Council legislation related to policing. These bills include:
 - Bill 17-21 - Police - Community Informed Police Training
 - Bill 39-21 - Taxation - Public Safety Officers - Public Safety Emergency Communication Specialist - Property Tax Credit
 - Ms. Farage sent a report template that the PAC could use to submit recommendation on Council legislation and recommendations in general
- Ms. Fredrickson – Assume that the Hiring and Discipline subcommittee would review Bill 17-21.
 - Mr. Osorio – Yes and the subcommittee in which each bill topic falls under should take the lead on reviewing.
- Sgt. Brewer – Regarding Bill 17-21, I can certainly provide some information on this bill as I work at the training academy and have been involved in conversations with folks at Montgomery College who is tasked with implementing this proposed training program. The recommendations are ultimately up to the PAC but in my opinion the 30 hours of additional training proposed through this legislation is not enough and this would be a bare minimum when discussing additional training. There are some issues with recruiting and requirements prior to being accepted to the academy that should be discussed.
 - Ms. Fredrickson – the H&D subcommittee would be happy to hear from you Sgt. Brewer.
 - Mr. Camacho will provide Sgt. Brewer's County email so that the Subcommittee can connect

with her on this.

- Asst. Chief Facciolo – Would like to clarify that the bill would require 30 hours of specific training prior to one being accepted into the academy.
 - Sgt. Brewer - Yes and there are recruiting issues with that. Also, the breadth of issues they are proposing to cover in thirty hours would be challenging.
- Mr. Ricks – Another issue related to training is how officers are trained in mental health response. I suspect the Emergency Response Subcommittee would like to involve Sgt. Brewer in our discussions going forward.
- Mr. Camacho – Believe that both of the bills would fall under the H&D Subcommittee.
 - Mr. Osorio – Yes and as a reminder, the process is that a bill is reviewed by the appropriate subcommittee, the subcommittee has thirty days from the public hearing to provide input and a recommendation for the PAC to consider. That would mean the subcommittee would provide input by the end of December.
 - Ms. Hudson – Would like to encourage everyone to view the public hearing on Bill 17-21.

5. Next Steps on ELE4A Audit Recommendations

- Mr. Osorio and Ms. Salazar are working on a draft to the Council on the PAC's input on the audit recommendations.
- Not all subcommittees have sent their input. If we do not receive recommendations by next Monday, November 29, then the draft will be submitted noting that one subcommittee did not provide input.

6. Meeting Adjourned at 7:31pm