



## POLICING ADVISORY COMMISSION

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Monday, March 13, 2023

6:30pm to 8:00pm  
[Meeting Virtually](#)

### DRAFT Meeting Minutes

**Commission members present:** Kristy Daphnis, Christina DeLane, Ruhama Endishaw, Laurie Ekstrand, Robin Gaster, Jenn Lynn, Ty McKinney, Eric Sterling [8 attendees]

**Commission members absent:** Cherri Branson (on leave), Vernon Ricks [2 absent]

**Ex-officio members present:** Sgt. Cate Brewer (FOP), Capt. Jordan Satinsky (MCPD) [2 attendees]

**Support staff:** Logan Anbinder, Nazeefa Hossain [2 staff]

**Guests:** Peter Francis (unaffiliated), Heidi Rhodes (Jews United for Justice) [2 guests]

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**Meeting was called to order at 6:34 PM.**

### I. Attendance and Administrative Items

- Council staff took attendance and began recording the meeting. Mr. Sterling confirmed that 6 PAC members were present, which represents a quorum. (Mr. Gaster and Ms. DeLane joined after this time.)
- Total attendees: 14
- **VOTE:** Ms. Lynn moved and Mr. McKinney seconded to approve the February minutes. Minutes passed unanimously (6-0).
- Mr. Sterling shared his draft letter to the Council recommending that the proposed Intellectual and Developmental Disabilities (IDD) Commission include a liaison from the PAC, as voted on at the last meeting. No members voiced comments or objections.
- **ACTION:** Staff will send the letter as drafted to the Council.

### II. Bill Discussions

- **Bill 11-23:** Motor Vehicles and Traffic – Traffic Signals, Devices, and Automated Enforcement Plan

Policing Advisory Commission

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- Dr. Gaster suggested that the PAC’s response should focus exclusively on the automated traffic enforcement (ATE) issue since that is the topic in this bill most relevant to the PAC’s purview.
- Ms. Daphnis suggested that the PAC suggest a focus on crossing guards in this bill, since she believes crossing guards are employed by MCPD. She also suggested weighing in positively on ATE proposal.
- Capt. Satinsky shared that MCPD makes decisions about crossing guard placement based on data/resident concerns. Mr. McKinney asked how prioritization of crossing guard placement is determined; Capt. Satinsky indicated that this is a comprehensive approach (number of crashes, traffic flow, age of individuals, number of traffic lights/stop signs, etc.)
- Ms. Daphnis noted that the County’s prioritization of elementary schools for crossing guard placement means that middle schools often have young children who are not supported by crossing guards.
- Dr. Gaster asked Capt. Satinsky whether any data is published regarding crossing guard placement determinations; Capt. Satinsky replied that there is an informal review so there is no formal product to publish.
- Mr. Sterling inquired whether publishing incident reviews might make it difficult to approach those reviews with frankness; Capt. Satinsky indicated in the affirmative. Each incident triggers a state accident report, which is different from the informal discussions at the county level.
- Ms. Endishaw spoke in favor of more crossing guards, both before and after school but especially before.
- Mr. McKinney emphasized the importance of acknowledging/responding to parent concerns about traffic/crossing safety in specific areas.
- Dr. Gaster asked Capt. Satinsky whether this is a budget or a recruitment issue. He replied that it is a recruitment issue.
- Ms. Ekstrand commented that MCPD may want to focus on crossing guard matters since the process could be improved upon on a quicker timeframe than other recruitment issues.
- **VOTE:** Ms. Daphnis moved that the PAC send a letter to the Council provide a letter to the Council in support of purpose (4) of the bill as outlined in the cover sheet of the staff report (provisions for ATE), and that also proposes an addition to purpose (1) of the bill that would require an assessment of other factors such as crossing guards that could be implemented in the short term. Mr. McKinney seconded. Motion carries (7-0; Ms. DeLane joined after this time).
- **ACTION:** Ms. Daphnis will write and send to Mr. Sterling, who will send to staff. Staff will share with Council.
- **Bill 12-23:** Police – Traffic Stops – Limitations
  - Dr. Gaster suggested the PAC would be sympathetic to the bill but acknowledged concerns that the bill would disempower officers from making stops when safety was at issue. Dr. Gaster suggested that this bill does not prevent necessary stops, but instead requires justification for needed stops. He suggested that the PAC’s consensus differs from the bill to the extent that the bill disallows stops for safety reasons (e.g. defective

headlamps/taillights). He volunteered to do additional analysis/research regarding this topic.

- Mr. McKinney expressed concern about the bill's proposed prohibition of consent searches.
- Ms. Daphnis expressed that since this is so core to the mission of the PAC, it should be considered much more carefully.
- Without objection, Mr. Sterling tabled further discussion to allow opportunity to read it more carefully and think about its implications. Will consider in more detail at the meeting next month.
- **Bill 14-23:** Late Night Safety Business Plan
  - Dr. Gaster suggested based on his in-progress analysis that late night enforcement would not be sufficient to address the increase in crime in the Silver Spring area.
  - Without objection, Mr. Sterling tabled the bill to allow for further review and analysis.

### III. Update from MCPD on Body Worn Camera (BWC) Review Policy

- Random Review & Use of Force Review
  - MCPD has created a division to review BWCs. BWCs are reviewed for positive and negative incidents. Examples of incidents that trigger an automatic send to review include use of force, fatality, employee by misconduct. Two sergeants have been working on this for 4-5 months, working through a very large database. MCPD is in the midst of purchasing a program to review the backlog. Lots of videos are being added every day.
  - Dr. Gaster asked how long the footage is kept and whether anyone else gets to see it. Capt. Satinsky replied that individuals outdoors in public do not have an expectation of privacy although MCPD takes great pains to blur out individuals who are unrelated to the incident if the footage is released. The current footage review program tracks all actions performed in the program.
  - Ms. Ekstrand asked how footage is identified for review when it is not related to a specific problem. Capt. Satinsky personally reviews videos identified for use of force, training issues, and positive incidents. The random review committee reviews footage randomly. Ms. Ekstrand asked about the possibility of comparing footage trends across districts or subsets of officers. Capt. Satinsky indicated that this is a huge amount of data so it is impractical to review in this way. He indicated that the computer program, once purchased, will help identify footage to review. Currently the footage is just selected randomly. Ms. Ekstrand asked whether random selection could be done from districts; Capt. Satinsky replied that this would remove the randomness. Ms. Ekstrand asked if Capt. Satinsky could share the data collection form used to record information from the random reviews.
  - **ACTION:** Capt. Satinsky will share this form if possible.
  - Ms. DeLane asked what the objective of the random review program is and when videos are deleted. Capt. Satinsky replied that videos are deleted after 180 days unless there is an incident or felony. He indicated that the program would help with a review. He does not know when the program will be purchased.

- Dr. Gaster also inquired about the goal of the random review program given that only a small proportion of recorded videos are randomly reviewed. Capt. Satinsky expressed acknowledgement of Dr. Gaster's comments that this is a small proportion of videos but clarified that he was not raising a concern with the review program.
- Mr. Sterling expressed that random review does not seem to be currently operating in a manner that allows for useful oversight. Capt. Satinsky replied that the model is still in development and challenges in recruitment exacerbate these issues.
- Ms. DeLane expressed her concern with the randomness and requested additional written information about the goal and objective about the program. Capt. Satinsky replied that the goal is to review as much as possible in order to respond to conduct (positive and negative) as necessary. He indicated that the policy has undergone thorough development.
- Mr. Sterling asked whether the formal policy document surrounding the camera review is available. Sgt. Brewer indicated that the policy is available on the website ([available here](#) under section XI. (D)).
- **ACTION:** Ms. DeLane will develop a list of questions about the development/methodology of this policy.
- Dr. Gaster emphasized that the PAC's goal is not to use more resources, but to use fewer resources.
- Mr. Sterling encouraged the commission to share any articles or studies about BWCs with the rest of the PAC.

## V. New Business

- Ms. DeLane asked about PAC working groups/subcommittees. Mr. Sterling indicated that the PAC is currently working on issues as assigned on an ad hoc basis, although he is open to other methods of organization. Mr. Gaster indicated that a better model than subcommittees may be individuals taking the lead in areas of their expertise.
- Ms. Daphnis asked about the interaction between the PAC and the PAB in part because she attended a PAB meeting and they mentioned advising the Council. Mr. Sterling replied that the PAC was involved in the legislation creating the PAB and invited the PAB chair to speak at a PAC meeting. There is no other additional interaction at this time. Mr. Sterling indicated that the PAB is salaried whereas the PAC is not, and the PAC member terms are three years.
- Dr. Gaster suggested the PAB would be focusing more on individual cases of misconduct, while the PAC considers policy.
- Ms. DeLane suggested creating a liaison from the PAC to the PAB.
- **ACTION:** Mr. Sterling will contact the Chair of the PAB to initiate communication and determine how to accomplish this goal.
- Mr. Sterling reminded the PAC to let him and Susan know if they have any ideas for future agenda items.

## VI. Adjourn

Ms. Delane moved to adjourn and Mr. McKinney seconded. Motion passed; **meeting adjourned at 7:58 PM.**