



POLICING ADVISORY COMMISSION

Wednesday, May 31, 2023

6:34pm to 8:10 pm

[Meeting Virtually](#)

Meeting Minutes

Commission members present: Cherri Branson, Christina DeLane, Laurie Ekstrand, Ruhama Endishaw, Robin Gaster, Jenn Lynn, Ty McKinney, Vernon Ricks, Eric Sterling [9 attendees]

Commission members absent: Kristy Daphnis [1 absent]

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

Support staff: Logan Anbinder, Susan Farag [2 staff]

Guests: Fatmata Barrie (Police Accountability Board), Chris Leacock (CM Sayles), Councilmember Dawn Luedtke, Dale Phillips (MCPD), Carlean Ponder (CM Mink), Marisa Van Saanen (CM Jawando), Khandikile Sokoni (Council Central Staff), Sarah Wolf (CM Luedtke) [8 guests]

Mr. Sterling called the meeting to order at 6:34PM.

I. Attendance and Administrative Items

- Council staff took attendance and began recording the meeting. Chair Sterling confirmed that 7 members were present, which represents a quorum. Ms. Ekstrand and Dr. Gaster joined after this time.
- Total attendees: 21

II. Discussion of [Expedited Bill 27-23](#)

- Councilmember Luedtke was recognized to speak about the bill.
 - Councilmember Luedtke, instead of focusing on Expedited Bill 27-23 that would simply abolish the PAC on August 1, 2023, provided a broader discussion regarding the “ecosystem” of public safety, noting that 9-1-1 calls and Fire and EMS have related

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functions, and that there are elements of cross-training between the services. She provided some history of the General Assembly's enactment of H.B. 670, and "Anton's Law, and the creation of the Police Accountability Board as a consequence. She noted that she desired to "reduce public confusion" about the responsibilities of the similarly named Policing Advisory Commission (PAC) and the Police Accountability Board (PAB). She shared her intention to eventually replace the PAC with a new body that would be distinct from the PAB and ACC. That new body would have a broader public safety focus (including police, fire, EMS, and 911 dispatch), and contain a broad coalition of stakeholders, as in the [School Safety Subcabinet Advisory Board](#).

- Ms. Branson, Mr. Ricks, and Ms. DeLane expressed concerns with Expedited Bill 27-23 to abolish the PAC and asked about the timeline and reasoning for the legislation.
- Councilmember Luedtke responded to PAC members' questions. She indicated that she introduced the bill to repeal the PAC since there is a new legal structure in place (the PAB/ACC) that did not exist at the time of the PAC's enactment, and since PAC members' terms are scheduled to end this summer. She also indicated that she intends to amend the bill to include a provision to establish the proposed new body, but did not present language which would accomplish the creation of a new body.
- Ms. DeLane expressed concern that the frequent replacement of the county's boards and commissions in response to every changing circumstance in the County would be burdensome. Councilmember Luedtke expressed that commissions should be flexible to changing circumstances and each board, commission, and committee should be sensitive to its own purview in order to avoid conflicting public bodies.
- Councilmember Luedtke said that the PAC has not completed its 2022 annual report and has not recently provided reports or analyses of proposed bills to the Council. Councilmember Luedtke said that she thought the PAC had "disbanded" and that was a "widely shared view." She indicated that she spoke with Councilmember Jawando regarding the proposal to replace the PAC with a new body.
- Ms. Van Saanen indicated that Councilmember Jawando's office first became aware of the bill when the tentative Council agenda was created. She expressed appreciation to the PAC for the substantive discussion when Councilmember Jawando came to the PAC to discuss the STEP Act at a recent meeting. She also referenced the PAC's prior meeting on their traffic enforcement report, where there was also a rich discussion. She noted that the Council staff receives updates regarding the PAC from Ms. Farag. She also noted that she spoke with Chair Sterling before Expedited Bill 27-23, but appreciated that he wanted to discuss the bill with his colleague's before commenting on the bill.
- Commissioners shared their concerns and disappointment with the bill and their opinions that the PAC is completing valuable work that is distinct from the work of other County bodies.
- Chair Sterling proposed that he write a letter on the PAC's behalf sharing the commission's position that the body has had a positive role in representing the community on public safety matters and providing oversight of policing in the County, and to summarize the work that the PAC completed since its enactment. Ms. Branson made a motion to this effect and Ms. DeLane seconded. In response to a suggestion from Ms. Farag, Ms. Branson amended the motion to propose that Chair Sterling would share the letter with the PAC and individual members would address their feedback to him directly in order to comply with the Open Meetings Act.

- **VOTE:** The motion passed 8-0 (Ms. Lynn was unable to cast a vote due to technical issues).
- **ACTION:** Chair Sterling will write the aforementioned letter and share it with the PAC, and PAC members will reply to him individually.
- Chair Sterling invited representatives from other councilmembers' offices to speak.
 - Ms. Ponder from Councilmember Mink's office indicated that Councilmember Mink is supportive of transparency in policing and is monitoring the discussion surrounding Bill 27-23.
 - Mr. Leacock from Councilmember Sayles's office indicated that Councilmember Sayles was unaware of the bill prior to briefly before its introduction and is gathering information and input regarding the legislation. He shared his email address and indicated that he and Councilmember Sayles would be available to meet with commissioners to discuss the bill.
 - Ms. Van Saanen from Councilmember Jawando's office spoke during the meeting at other times, including noting that it is instructive to listen to the comments on the record by Councilmember Jawando, Councilmember Mink, and Councilmember Sayles when Expedited Bill 27-23 was introduced. She also underscored the comments of one of the PAC members, suggesting that the PAC was a group that formed from the community. She noted the extensive legislative history of the bill that initially introduced the PAC. She referenced some of the organizations that had been involved, including citing from a letter from ACLU MD, CASA, Identity, Jews United for Justice, and Montgomery County NAACP to County Executive Elrich regarding "our proposed Policing Advisory Commission."
- Chair Sterling invited Capt. Flynn and Sgt. Brewer to share their views.
 - Sgt. Brewer suggested that a lack of public attendance or views of the PAC's work could give the impression that the PAC is not active. She suggested that the PAC could provide view counts of PAC meetings in response to Council concerns about public engagement.
 - Capt. Flynn expressed thanks to the PAC members for their time and their work.
- Dr. Gaster noted that the PAB will be focused on individual cases, as opposed to the PAC's work on systemic issues.
- Ms. DeLane shared for the record her feeling that it is challenging to be told that the PAC has not reported its work when it instead may not have been viewed by individual offices.

III. Meeting Adjourned

Mr. McKinney moved to adjourn; Ms. Branson seconded. **Meeting was adjourned at 8:10PM.**