



POLICING ADVISORY COMMISSION

Monday, June 12, 2023

6:33pm to 8:01pm
[Meeting Virtually](#)

Meeting Minutes

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

Commission members absent: Ruhama Endishaw [1 absent]

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

Support staff: Logan Anbinder, Susan Farag, Nazeefa Hossain [3 staff]

Guests: Fatama Barrie (Police Accountability Board), Lisa Mandel-Trupp (Councilmember Balcombe), Heidi Rhodes (Jews United for Justice), Spanky C, Steve Wells [5 guests]

Mr. Sterling called the meeting to order at 6:33PM.

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. Branson joined shortly after this time and Ms. Daphnis also joined after this time.
- Total attendees: 18

II. Approval of Minutes (March, April, May)

- **VOTES:** March and April minutes were approved unanimously (7-0) subject to any corrections. Ms. Lynn was unable to cast a vote due to technical issues.
- The PAC discussed the third version of the May minutes.
 - Ms. Ekstrand asked commissioners for more information about Councilmember Luedtke's intention to replace the PAC with a new commission. She and Ms. Branson suggested that the minutes be amended to reflect the fact that Councilmember Luedtke did not present to the PAC language regarding the creation of the new body.
 - **VOTE:** Mr. Ricks moved and Ms. Ekstrand seconded amending the May minutes to reflect the concerns raised by Ms. Ekstrand and Ms. Branson. The motion to amend passed unanimously (7-0) and the subsequent motion to approve version 3 of the

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minutes with amendments also passed unanimously (7-0), with Ms. Lynn being unable to cast votes due to technical issues.

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

- The PAC members discussed the Commission's statement in response to the proposed bill.
 - Ms. Branson suggested the statement include a description of the PAC's accomplishments and future goals, as well as its nature as a body to engage the community.
 - Mr. Ricks suggested that the oral statement mention that the PAC is delivering a more detailed statement in writing. He also recommended the statement mention that the members of the PAC attend the MCPD Citizen Academy.
 - Ms. Branson suggested that the statement include that PAC members are volunteers. Ms. DeLane suggested that this note be balanced with a note that PAC members are committed to their work despite being volunteers.
 - Ms. Daphnis asked Ms. Farag asked for clarification regarding the PAC's position as a commission relative to other boards, commissions, and committees (BCCs) that serve the Executive Branch. Ms. Farag clarified that the Council does oversee other BCCs, although there is a unique provision for the PAC's appointment process that Ms. Farag has not seen for other BCCs. Ms. Farag mentioned that she does work with the Office of the County Executive regarding communication on behalf of the PAC since that office handles communications for BCCs. She offered to collect more information about the differences between the PAC and other BCCs.
 - **ACTION:** Council staff will collect more information regarding the distinctions between the PAC and other BCCs and share it with the PAC.
 - Dr. Gaster suggested not engaging with all of Councilmember Luedtke's specific assertions regarding the PAC.
 - Ms. Daphnis recommended identifying the need that the PAC fills, especially relative to the PAB, and that the Council could fill any other gaps to address other public safety issues without repealing the PAC.
 - Ms. Branson echoed Dr. Gaster's advice not to focus on rebutting specific assertions about the PAC. She suggested that it is unlikely that Councilmembers will ask questions of individuals testifying at the public hearing. She also noted that a more combative tenor of testimony could theoretically generate more Councilmember opposition. Chair Sterling indicated that he would try to strike a balance between Ms. Branson's and Mr. Ricks's advice.
 - Ms. DeLane suggested that assertions about the PAC should not go entirely unaddressed.
 - Mr McKinney summarized his view of the other commissioners' comments:
 - The point is not to be combative, but to demonstrate what the PAC has accomplished.
 - Mr. McKinney will be attending the hearing in support of the PAC but will not be speaking.
 - He echoed Ms. DeLane's comments that assertions should not go unaddressed.
 - Ms. Branson mentioned Councilmember Luedtke's concerns about turnover on the PAC and expressed that turnover is not unusual on BCCs. She suggested addressing this note in the PAC's statement.

IV. [Bill 12-23 Police](#) – Traffic Stops - Limitations (STEP ACT) – discuss recommendation to Public Safety Committee

- Dr. Gaster suggested that the PAC re-transmit its traffic report by way of indicating broad agreement with the STEP Act and highlighting areas of both overlap and difference in the details the PAC's recommendations and the STEP Act.
- Mr. Sterling asked Ms. Farag about the remaining steps to ensure the report's compliance with ADA requirements. Ms. Farag will look into remaining steps.
 - **ACTION:** Council staff will look into this and report back to the PAC.
- Dr. Gaster recommended also transmitting the addendum that more recent data supports the PAC's conclusions. He offered to write a letter tying the traffic report to the proposed legislation.
 - **ACTION:** Dr. Gaster will write a letter to the Council addressing the aforementioned points.
- Ms. Branson echoed Dr. Gaster's suggestion regarding communication about the STEP Act.
- Mr. Ricks indicated that he had concerns about the STEP Act and would like to review the PAC's communication.
- The PAC discussed the STEP Act's proposed prohibition of consent searches, with which multiple PAC members had concerns.
 - Mr. McKinney suggested that the language in the act could be adjusted to require that officers obtain consent in a way that does not make the citizen feel pressured to grant consent.
- Mr. McKinney also expressed concern with the STEP Act's prohibition of vehicle stops for tinted windows.
- Dr. Gaster will address the aforementioned concerns, as well as ones regarding safety-related concerns with foregoing traffic stops due to mechanical issues.

V. Body Worn Cameras – Christina DeLane

- PAC members are concerned about the possibility of inherent bias in the randomized review of body worn camera (BWC) footage.
- Dr. Gaster reiterated his concerns about the randomization process. He noted that in recent discussions with individual councilmember staff, he was advised that it would be useful for the PAC to send shorter notes with concerns rather than longer reports with proposed solutions, so he suggested that this is a concern that the PAC could note to the Council. He suggested that PAC members look for other issues where the commission can raise legitimate concerns on behalf of the community.
- Mr. Ricks requested that someone from MCPD brief the PAC regarding BWCs prior to any transmittal to the Council since it was his understanding that there were good processes in place regarding BWC review. Ms. DeLane suggested that the PAC's contributions would still be useful since MCPD may welcome comments regarding the development/refinement of this policy.
- Mr. McKinney asked whether Dr. Gaster's previous position was to only weigh in on specific issues when requested by the Council. Dr. Gaster indicated that he generally agreed with this sentiment and that raising questions gave the Council guidance in probing further on issues.
- **ACTION:** Ms. DeLane will work with Ms. Ekstrand and Ms. Branson on a list of suggestions and questions for MCPD regarding the BWC policy that would be transmitted to both the Council and MCPD.
- Chair Sterling invited Capt. Flynn and Sgt. Brewer to comment on any issues discussed this evening. Capt. Flynn indicated that MCPD has been working behind the scenes to get the BWC

policy up and running and is rewriting its policy to accommodate the new plans. She has made note of the PAC's concerns in this area.

- Ms. DeLane suggested that this conversation with Capt. Flynn exemplifies the value of the PAC.

VI. Meeting Adjourned

Mr. Ricks moved to adjourn; Ms. Branson seconded. **Meeting was adjourned at 8:01PM.**