



POLICING ADVISORY COMMISSION

Monday, October 9, 2023

6:30 to 8:00 PM

[Meeting Virtually](#)

Meeting Minutes

Commission members present: Cherri Branson, Kristy Daphnis, Laurie Ekstrand, Robin Gaster, Ty McKinney, Vernon Ricks, Eric Sterling , [7 attendees]

Commission members absent: Christina DeLane [1 absent]

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

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

Guests: Asst. Chief Nicholas Augustine (MCPD), Lt. Lisa Engstrom (MCPD), Capt. Marc Erme (MCPD), Michelle Iezzi (MCPD), Heidi Rhodes (JUFJ), Sarah Wolf (CM Luedtke) [6 guests]

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

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.
- Total attendees: 17

II. Approval of September Minutes

- **VOTE:** The PAC voted to table approval of the minutes until the next meeting to give members a chance to more thoroughly review the minutes.

III. MCPD overview of clearance rates and arrest data – Assistant Chief Nicholas Augustine, Investigative Services Bureau

- Asst. Chief Augustine and Ms. Iezzi delivered a presentation on MCPD's clearance data, including the NIBRS database.

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- Dr. Gaster asked about whether MCPD benchmarks against specific counties. Asst. Chief Augustine indicated that individual county data is difficult to obtain and would require contacting specific jurisdictions.
- Dr. Ekstrand asked whether it is possible to get closure rates for other jurisdictions from the FBI. Asst. Chief Augustine indicated that MCPD could request this data and Ms. Iezzi indicated that the FBI publishes some limited jurisdiction-specific data, but MCPD would need to contact jurisdictions individually for more data, especially since not all agencies are currently NIBRS compliant. Dr. Ekstrand asked whether MCPD is tracking the proportion of total cases that are assigned to resolve. Asst. Chief Augustine indicated that he receives reports on how many cases are assigned to each detective. Dr. Ekstrand also asked about the decline in clearance rates. Ms. Iezzi indicated that for more recent years, clearance rates are expected to increase as ongoing investigations continue. She also indicated that staffing shortages can have an impact on clearance rates. Asst. Chief Augustine indicated that low staffing could result in less focus on low solvability cases and more relative focus on high solvability cases.
- Ms. Branson asked about whether there is subsequent tracking of the result of the judicial process after a case is closed upon an arrest. Asst. Chief Augustine indicated that there is no tracking after this point, in part because sometimes cases are dropped without notifying MCPD. Ms. Branson asked whether it would be helpful for MCPD to know which cases may not have higher conviction rates for various reasons, so that MCPD can take that into account in allocating staffing. Asst. Chief Augustine indicated that, as an example, many shoplifting cases are resolved outside of court.
- Mr. Ricks asked whether youth cases are included in the stats. Ms. Iezzi indicated some juvenile offenses are included in the “cleared by arrest” category, and some are included in the “all other offenses” category.

IV. Update on [Bill 32-23](#), PAC – Amendments, after Public Safety Committee work session on October 2. (7:24 PM)

- Chair Sterling thanked Vice Chair McKinney and Ms. Branson for joining him at the Public Safety Committee worksession.
- Ms. Branson suggested that the PAC write a letter to the Council encouraging passage of the bill as amended by the PS Committee without any further amendments. She raised the outstanding issues that “participation” in the MCPD Citizens Academy has not been defined and that the bill as written is ambiguous as to which at-large councilmember should fill a vacant PAC position in the event that there are multiple at-large councilmembers who have not appointed a commissioner (e.g. due to turnover on the Council). Ms. Branson suggested that the at-large member with the most votes in the general election should fill the PAC vacancy.
- Vice Chair McKinney thanked Chair Sterling for his work on this bill and putting together the annual report. He suggested that in the event that the above situation arises regarding PAC vacancies, the Council could make a collective decision, or else that both at-large members could agree on the candidate.
- Ms. Branson moved that the PAC send the aforementioned letter, including her recommendation on how to resolve these potential future PAC vacancies. Dr. Ekstrand seconded the motion. Mr. Ricks voiced concern that the vacancy resolution method would disadvantage a member of the Council who receives fewer votes.
- Ms. Farag provided some options on how this situation could be resolved if it comes up.

- Chair Sterling severed the motion to be separate votes on sending the letter and proposing the solution. Dr. Ekstrand suggested that the letter note the issue and mention a possible solution rather than advocate for the specific solution.
- **VOTE:** The PAC voted 7-0 in favor of sending the letter. VOTE: 7-0 in favor of sending the letter.
- **VOTE:** The motion to “recognize and offer a possible solution” for the Council’s consideration regarding the at-large appointment process failed by a vote of 3-4.

V. Youth recruitment to future Advisory Commission on Policing (ACP)

- Ms. Branson suggested the PAC conduct outreach to Student Government Associations. Further discussion on this item was tabled.
- Chair Sterling suggested the PAC could apply to count service on the PAC towards student service learning hours.

VI. MCPD participation in Healthy Montgomery collaborations re: behavioral health, substance use, and pedestrian safety. Proposed letter.

- This item was tabled.

VII. [Bill 33-23](#) – Police – Voluntary Registry for Emergency 911 Calls Established. Does the PAC/ACP wish to take a position?

- Mr. Ricks spoke in favor of the bill.
- Ms. Branson spoke in opposition to the bill and suggested that the state could lead on this issue and that the Council should wait and see what happens at the state level.
- Vice Chair McKinney spoke in favor of the bill.
- Chair Sterling proposed making this an item of business at the November meeting.
- **ACTION:** Council staff will advise the PAC on the timing of the committee worksession for this bill.
- Mr. Ricks asked whether the County previously had a program where individuals could post stickers to indicate that a resident might be in need of additional assistance. Capt. Satinsky indicated that this was the case.

VIII. New Business

- Ms. Branson suggested sending a letter to the Council and the County Executive with the list of items that the PAC has requested and not received a response on.
- Ms. Branson asked for additional information regarding the amount of money that the State receives from citations. Capt. Satinsky indicated that figure is not available to MCPD.
- The PAC will revisit this question in the November meeting.

IX. Adjournment.

Mr. Ricks moved to adjourn, Dr. Ekstrand seconded. **Meeting was adjourned at 8:15PM.**