



## ADVISORY COMMISSION ON POLICING

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Monday, January 8, 2024

[Meeting Virtually](#)

[Meeting Minutes](#)

**Commission members present:** Cherri Branson, Kristy Daphnis, Christina DeLane, Laurie Ekstrand, Robin Gaster, Ty McKinney, Vernon Ricks, Eric Sterling [8 attendees]

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

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

**Guests:** Asst. Chief Nicholas Augustine (MCPD), Asst. Chief Darren Francke (MCPD), Lt. Jeff Innocenti (MCPD), Dale Phillips (MCPD), Heidi Rhodes (Jews United for Justice) [5 guests]

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Chair Sterling called the meeting to order at 6:32PM.

### I. Attendance and Administrative Items

- Council staff took attendance and began recording the meeting. Chair Sterling confirmed that 6 members were present, which represents a quorum. Mr. McKinney and Dr. Gaster joined after this time.
- Total attendees: 17

### II. Approval of draft minutes, December (6:33PM)

- **VOTE:** Mr. Ricks moved and Ms. Branson seconded to adopt the December minutes subject to any corrections. The motion passed 6-0.

### III. Discussion regarding traffic enforcement and impact on officer evaluations (Assistant Chief Darren Francke) (6:35PM)

- Asst. Chief Francke indicated that broadly speaking, traffic enforcement does not have a significant impact on an officer's performance ratings. He shared additional information about how officers' performance is evaluated. There is no quota system; MCPD may encourage officers to increase enforcement as deemed necessary for public safety.
- Ms. Branson noted that the performance evaluation does include traffic stops as a factor but that there is no numerical expectation. She asked how that expectation was formed; Asst. Chief

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Francke indicated that expectation is formed based on the officer's competency and their specific job responsibilities.

- Vice Chair McKinney asked for more information about how a supervisor would determine that an officer is not performing adequately in this area. Asst. Chief Francke indicated that a supervisor would be paying attention to an officer's performance and would follow up on at least a monthly basis with an officer who is underperforming.
- Dr. Gaster asked for Asst. Chief Francke's comments on the recent large decline in number of tickets issued post-COVID. Asst. Chief Francke indicated that factors could include a reduction in driving trips due to COVID and a reduction in stops due to officers feeling that the community does not appreciate enforcement. However, he indicated that two of the top three complaints at community meetings are speeding and loud mufflers. He further indicated that traffic fatalities are up, so it may be premature to conclude that fewer stops are correlated with fewer fatalities, and he suggested that interaction with drivers, whether via traffic stops or automated enforcement, is effective in changing driver behavior.
- Dr. Ekstrand suggested that MCPD could do additional analysis of traffic stops in light of the correlation suggested by Dr. Gaster, such as types of traffic stops. Asst. Chief Francke indicated that the department has submitted a budget request to the Council to do additional data analysis.
- Asst. Chief Francke further indicated that the decline in stops referred to by Dr. Gaster is has not caused the department to require additional stops.
- Ms. Branson indicated that the County has made a great deal of progress in identifying ways to target enforcement towards safety concerns. She asked for additional information on how the department's aforementioned budget request supports data gathering. Asst. Chief Francke indicated that he would share the progress on this request, which is currently with the County Executive.
- Mr. McKinney commended Asst. Chief Francke for the recent investigative work the department did on a case in which he was involved.

#### **IV. Questions and Discussion about IT and Data Management (Cathy LaDana, Director, IMTD) (7:19PM)**

- Asst. Chief Francke is Ms. LaDana's supervisor and indicated that he will address this item since she had a last-minute scheduling issue. He shared that the department is in the middle of a technological transformation and is being asked for information that was not asked for when the current data systems came online.
- Asst. Chief Francke noted that the department is currently in the process of developing a records management system (RMS) that will be suited for modern queries.
- Dr. Gaster emphasized the importance of identifying the outcome that it wants, not just the output—for example, focusing on post-arrest outcomes instead of arrests themselves. He also emphasized the importance of using other comparable jurisdictions as peer jurisdictions against which to benchmark. He also suggested that the department focus on making changes where it is able to do so the most quickly.
- Assistant Chief Francke indicated that it can be difficult to find jurisdictions that are peers in some respects, such as potential exploitation of the laws regarding prosecution of juveniles in Maryland that have led to adults using juveniles to commit crimes.
- Dr. Ekstrand added, regarding peer jurisdictions, that it is difficult to find jurisdictions that are a perfect match to the County, but noted that it is possible to find peers in certain subsets (e.g. rules regarding juvenile enforcement and terrain).

- Chair Sterling indicated the ACP's support for MCPD's planned improvements in RMS and data analysis, and indicated the ACP's willingness to help promote these efforts.

#### **V. Bill 43-23 - Crisis Intervention Team - Established (7:43PM)**

- Mr. Ricks suggested that the ACP should not take a position on this bill. Chair Sterling noted Mr. Ricks's objection.
- Ms. Branson advocated for taking a position on the bill. She suggested that the legislation is premature and in light of this, she suggested not supporting the bill (but not necessarily opposing it).
- Dr. Gaster asked Capt. Satinsky how restrictive legislating on this issue would be when MCPD is currently iterating on their current practices. Capt. Satinsky indicated that he is not able to reply in a public forum due to the current status of the legislation. He added that the department is near the end of its iterative processes in this area, and that they have captured a lot of data at this point. He noted that deployment models are basically set and the decisions will come down largely to funding models.
- Chair Sterling indicated agreement with Ms. Branson that the legislation seems premature, and that the elements of this proposed legislation at this point do not need to be included in the County Code. He also suggested sending a letter from the ACP to the effect that the commission does not currently support the legislation (as opposed to opposing it outright). Mr. Ricks indicated that he could support such a letter but reiterated his concern regarding the responsibilities of the ACP.
- **VOTE: Ms. Branson moved to issue such a letter and Ms. DeLane seconded. The motion passed unanimously (7-0).**

#### **VI. New Business (8:01PM)**

- Mr. Ricks asked for information about applications to the ACP. Ms. Farag indicated that application information is confidential but she will check with the Clerk of the Council about what can be shared and will email that information to the ACP. Later in the meeting, staff shared that the Council is currently reviewing ACP applications.
- Dr. Gaster thanked his colleagues, MCPD, Council staff, and Chair Sterling.
- Mr. Ricks asked commission members how many will be returning. Ms. DeLane and Ms. Daphnis indicated that they have reapplied and thanked their colleagues for their work.
- Chair Sterling and Dr. Ekstrand also thanked their colleagues.
- Mr. Ricks thanked Chair Sterling for his work as chair and for his dedication. He thanked Council staff for continuing to work with the commission.
- Ms. Branson thanked her colleagues for their work and encouraged them to stay engaged with the issues, and indicated that she has also reapplied to the ACP.

#### **VII. Adjournment.**

Dr. Gaster moved to adjourn and Ms. Branson seconded. **Meeting was adjourned at 8:11PM.**