



Committee: Directly to Council
Staff: Judy Rupp, Clerk of the Council
Purpose: To interview
Keywords:

AGENDA ITEM #11
June 21, 2022
Action

SUBJECT

To interview County Executive's appointments for the Police Accountability Board: Alicia Hudson, Kenneth Kellner, George Lluberes, Rudy Logan, Katherine Manning, Alvin McCray, Bishop Paul Walker, Thomas Williams, and Christopher Zatrutz

EXPECTED ATTENDEES

Appointees Alicia Hudson, Kenneth Kellner, George Lluberes, Rudy Logan, Alvin McCray, Bishop Paul Walker, Thomas Williams, and Christopher Zatrutz. Katherine Manning to participate virtually.

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

None.

DESCRIPTION/ISSUE

On June 1, 2022, the County Executive transmitted to the Council names of persons for appointment to the Police Accountability Board. Appointments will be effective upon confirmation by the County Council.

SUMMARY OF KEY DISCUSSION POINTS

Not applicable.

This report contains:

Memorandum and appointment documents from County Executive for the Police Accountability Board	© 1-4
Draft resolution	© 5

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OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

APPOINTMENT

PURSUANT TO THE AUTHORITY VESTED TO ME UNDER SECTION 215 OF THE CHARTER OF MONTGOMERY COUNTY, MARYLAND, I HEREBY APPOINT

Type of Position: Public

Alicia Hudson
Silver Spring 5/31/2024
(New Position--Partial Term)

Type of Position: Public

Kenneth Kellner
Silver Spring 5/31/2025
(New Position—First Term)

Type of Position: Public

George Lluberres
Germantown 5/31/2024
(New Position--Partial Term)

Type of Position: Public

Rudy Logan
Silver Spring 5/31/2025
(New Position--First Term)

Type of Position: Public

Katharine Manning
Chevy Chase 5/31/2023
(New Position--Partial Term)

Type of Position: Public

Alvin McCray
Gaithersburg 5/31/2025
(New Position—First Term)

Type of Position: Public - CHAIR

Paul Walker
Clarksburg 5/31/2024
(New Position—Partial Term)

Type of Position: Public

Thomas Williams, Jr.
Germantown 5/31/2023
(New Position--Partial Term)

Type of Position: Public

Christopher Zatrutz
Germantown 5/31/2023
(New Position--Partial Term)

TO SERVE AS members of the Police Accountability Board

THIS APPOINTMENT SHALL BE EFFECTIVE UPON CONFIRMATION BY THE COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

June 8, 2022

MARC ELRICH
COUNTY EXECUTIVE

DATE

POLICE ACCOUNTABILITY BOARD – (NEW MAY 2022)

<u>Created</u> --	Established by County Council Bill 49-21, effective May 2, 2022. Montgomery County Code, Sec. 35-23, 35-24 and 35-25.
<u>Duties</u> --	The Board must: (1) hold quarterly meetings with the directors of one or more law enforcement agencies operating in the County who employ one or more police officers (2) appoint civilian members to the Administrative Charging Committee and trial boards; (3) receive complaints of police misconduct filed by a member of the public; (4) review the outcomes of disciplinary matters considered by the Administrative Charging Committee on a quarterly basis; (5) advise the Executive and Council on policing matters; and (6) refer each complaint of police misconduct filed with the Board to the appropriate law enforcement agency within 3 days after receipt for investigation.
<u>Membership</u> -	The Board is composed of 9 public voting members, appointed by the Executive and confirmed by the Council. In addition, the Executive may appoint one or more non-voting members. At least one voting member must reside in a municipality operating a police department that is within the jurisdiction of the Board (Chevy Chase, Gaithersburg, Rockville, Takoma Park). Members must reflect the racial, gender, gender-identity, sexual orientation and cultural diversity of the County. Members must be able to demonstrate through professional or lived experience the ability to balance effective oversight, perform objective analysis of an investigation report, and practice procedural fairness. An active police officer must not be a member of the PAB. PAB members must meet all qualifications mandated by State law and Maryland Police Training and Standards Commission (MPTSC) regulations while serving on the Board, including consenting to a criminal background check. Member eligibility requirements are subject to change. Public members must be Montgomery County residents.
<u>Financial Disclosure</u> --	NA
<u>Advocacy</u> --	NA
<u>Terms</u> --	Three years – initially staggered
<u>Compensation</u> --	\$10,000 annually. According to the Maryland Constitution, members may only receive compensation for one office, so while the chair of the PAB (or their designee) also serves on the ACC, they will receive annual compensation (\$22,000) for one role.
<u>Officers</u> --	The County Executive appoints the Chair. Board members may elect a Vice-Chair to serve as Chair in the absence of the Chair.
<u>Meetings</u> --	At the call of the chair as often as required to perform its duties, but at least once a month. Meeting dates/times to be determined.
<u>Staff</u> --	The Chief Administrative Officer must provide appropriate dedicated full-time staff to the Board and make available services and facilities necessary or appropriate for the proper performance of its duties. Earl Stoddard, ACAO: 240-777-2469
<u>Counsel</u> --	The County Attorney must retain special legal counsel approved by the Council to serve as Counsel to the Board.

MEMBERSHIP

Type of Position: **Voting - Public**
Affiliation:
Start Date: End Date:
NEW POSITION
STATUS:

Type of Position: **Voting - Public**
Affiliation:
Start Date: End Date:
NEW POSITION
STATUS:

Type of Position: **Voting - Public**
Affiliation:
Start Date: End Date:
NEW POSITION
STATUS:

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Start Date: End Date:
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Start Date: End Date:
NEW POSITION
STATUS:

Type of Position: **Voting - Public**
Affiliation:
Start Date: End Date:
NEW POSITION
STATUS:

Type of Position: **Voting - Public**
Affiliation:
Start Date: End Date:
NEW POSITION
STATUS:

Contact: Beth Gochrach, 240-777-2528

For Immediate Release: April 6, 2022

Elrich Seeks Applicants for Police Accountability Board and Administrative Charging Committee

County Executive Marc Elrich is seeking applicants to fill nine public vacancies on the newly established **Police Accountability Board** (PAB). Members must be able to demonstrate through professional or lived experience the ability to balance effective oversight, perform objective analysis of an investigation report, and practice procedural fairness. An active police officer must not be a voting member of the PAB. PAB members must meet all qualifications mandated by State law and Maryland Police Training and Standards Commission (MPTSC) regulations while serving on the Board, including consenting to a criminal background check. Member eligibility requirements are subject to change. **Public members must be Montgomery County residents.** Applicants to the PAB may also be considered for membership on the Administrative Charging Committee (ACC). See information on the ACC below this vacancy notice. Please indicate in your cover letter whether you would prefer to serve on the PAB, ACC, or are willing to serve on either, if selected.

The PAB is composed of nine public voting members, appointed by the County Executive, and confirmed by the Council. In addition, the County Executive may appoint one or more non-voting members. At least one voting member must reside in a municipality operating a police department that is within the jurisdiction of the Board, which includes Chevy Chase Village, Gaithersburg, Rockville, and Takoma Park. Members of the Board must reflect the racial, gender, gender-identity, sexual orientation, and cultural diversity of the County.

The Board must: (1) hold quarterly meetings with the directors of one or more law enforcement agencies operating in the County who employ one or more police officers; (2) appoint civilian members to the ACC and trial boards; (3) receive complaints of police misconduct filed by a member of the public; (4) review the outcomes of disciplinary matters considered by the ACC on a quarterly basis; (5) advise the County Executive and Council on policing matters; and (6) refer each complaint of police misconduct filed with the PAB to the appropriate law enforcement agency within 3 days after receipt for investigation.

Members will serve three-year terms with compensation of \$10,000 annually. According to the Maryland Constitution, members may only receive compensation for one office, so while the chair of the PAB (or their designee) also serves on the ACC, they will receive annual compensation (\$22,000) for one role. PAB meetings will be held at the call of the chair or as often as required for the PAB to perform its duties, but at least once a month. Meeting dates and times will be determined. Some meetings may be held virtually.

Applicants of diverse, backgrounds, professions, genders, geography, abilities, ethnicities, and ages are encouraged to apply. Members of County boards, committees and commissions may not serve on more than one such group at a time. Members must complete training on the Maryland Open Meetings Act, basic parliamentary procedure, and required training developed by the MPTSC. The County Executive's appointments are subject to confirmation by the County Council. Applications will be forwarded to the Council for confirmation. The deadline for application is **April 27, 2022**. To apply please click "**Apply for Board**" below to complete the online form and provide a cover letter and resume (in one document).

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The **Administrative Charging Committee** (ACC) is composed of five voting members, including the Chair of the Police Accountability Board (PAB) or another member of the PAB appointed by the Chair; two civilian members appointed by the PAB; and two civilian members appointed by the County Executive. Members must reflect the racial, gender, gender-identity, sexual orientation, and cultural diversity of the County. Each member must reside in the County and be able to demonstrate through professional or lived experience the ability to balance effective oversight, perform objective analysis of an investigation report, and practice procedural fairness. Each member must complete training on matters relating to police procedures from the Maryland Police Training and Standard Commission before serving. The ACC must: (1) review the findings of each law enforcement agency's investigation forwarded by the agency to the ACC; (2) review any body camera footage that may be relevant to the matters covered in the complaint of misconduct; (3) authorize a police officer called before the ACC to be accompanied by a representative; (4) if the ACC determines that a police officer should be administratively charged, recommend discipline pursuant to the disciplinary matrix; (5) if the ACC determines that a police officer should not be administratively charged, determine if: (A) the allegations against the police officer are unfounded, including situations where existing departmental policy fails to properly address the situation for which the officer was charged; or, (B) the police officer is exonerated; (6) issue a written opinion for each complaint describing in detail the Committee's findings, determinations, and recommendations; and (7) forward the written opinion to the director of the appropriate law enforcement agency, the accused police officer, and the complainant.

Members will serve three-year terms. The annual salary for the Chair is \$22,000 and the annual salary for each member is \$16,000. Public members are eligible for reimbursement for travel and dependent care for in-person meetings attended. The ACC must meet at least one time each month or more frequently if needed. Committee meeting dates and times will be determined. Some Committee meetings may be held virtually.

CURRENT POSITIONS AVAILABLE

Police Accountability Board – 9 public members appointed by the County Executive

Administrative Charging Committee – 2 civilian members appointed by the County Executive

Resolution No.: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: County Executive's Appointments to the Police Accountability Board

The County Council for Montgomery County, Maryland approves the following resolution:

The County Executive's appointments to the Police Accountability Board are confirmed.

Type of Position: Public

Alicia Hudson
Silver Spring 5/31/2024
(New Position--Partial Term)

Type of Position: Public

Kenneth Kellner
Silver Spring 5/31/2025
(New Position—First Term)

Type of Position: Public

George Lluberes
Germantown 5/31/2024
(New Position--Partial Term)

Type of Position: Public

Rudy Logan
Silver Spring 5/31/2025
(New Position--First Term)

Type of Position: Public

Katharine Manning
Chevy Chase 5/31/2023
(New Position--Partial Term)

Type of Position: Public

Alvin McCray
Gaithersburg 5/31/2025
(New Position—First Term)

Type of Position: Public - CHAIR

Paul Walker
Clarksburg 5/31/2024
(New Position—Partial Term)

Type of Position: Public

Thomas Williams, Jr.
Germantown 5/31/2023
(New Position--Partial Term)

Type of Position: Public

Christopher Zatrutz
Germantown 5/31/2023
(New Position--Partial Term)

This is a correct copy of Council action.

Judy K. Rupp, Clerk of the Council