



MEETING MINUTES

Police Accountability Board (PAB)
Thursday, April 4, 2024
Executive Office Building
101 Monroe Street, Auditorium Lobby
Rockville, MD 20850
7:00 pm – 8:30 pm
Virtual: [Zoom Link to Register](#)

Attendees: Bishop Walker (Chair), Ken Kellner (Vice Chair), Alicia Hudson, George Lluberes (Parliamentarian), Alvin McCray, Katharine “Kate” Manning, Chuck Williams, Shelly Brown (Special Legal Counsel), Fatmata Barrie (*staff*), Laura Byers (*staff, minute taker*)

Absent Members: Chris Zatrutz

of General Public (nonmember) Attendees: 1

1. Call to Order

Summary:

- The Chair announced to all, that this meeting was being recorded and will be uploaded to (<https://www.facebook.com/MoCoPAB>) MoCoPAB Facebook page.

2. Approval of March 7 and 21, 2024 Minutes and Action Items and the amended April 4, 2024 Agenda. Approved (7 Yes/0 No)

Motion to amend the agenda to remove the Closed Session discussion due to the absence of Dr. Earl Stoddard.

Motion to modify the Memorandum – Discuss the recommendation for the PAB's access to evidentiary files of complaints that are adjudicated by the ACC

3. Staff Report

Summary:

Staff provided the March 2024 Complaint Report.

The Executive Director provided the following updates:

- Communication with Council regarding upcoming legislations CIT, Freedom to Leave Act, and recommendations to other bills (response expected in early June 2024).

- Members were informed that the Executive Directors' write-ups have been uploaded to SharePoint for board review and hard copies have been distributed.
- Feedback on written documentation as well as support to bill and appropriate direction was requested.
- TEBS (County I.T.) has completed the online request system and details will be shared soon. Training is optional but not needed.

4. Public Comments

A member of the public shared the outcome from the County Council regarding the Freedom to Leave Act and expressed dissatisfaction with the Administrative Charging Committee (ACC) section of the 2023 Annual Report and requested an amendment to include additional details.

5. Unfinished Business

A follow-up to the Executive Directors' announcement and reports unveiled frustrations, and disappointment with the information provided and response to request on behalf of the vice chair. Members requested clarifications, provided support to the current report, and inquired about other jurisdictions. The Executive Director addressed concerns and explained that the information provided includes multiple links, topics, and text to request.

Action Item: To create a detailed request of information needed for the Freedom to Leave Act and provide it to the staff (The Chair tasked the Vice-Chair and board member Hudson)

A brief discussion regarding the progress of the dashboard and expressed support for working with ACC and having access to investigation files.

Action Item: To identify/elect an ACC member to serve as liaison to PAB to help with establishing trends. (Chair will confirm with ACC Special Legal Counsel)

LEAs send a monthly report to the PAB staff. The staff only sees complaints submitted through the PAB portal

Members inquired about capturing categories to develop trend analysts for complaints. The PAB staff and PAB Chair explained the following process:

- LEAs send a monthly report to the PAB staff. The staff only sees complaints submitted through the PAB portal. All other complaints submitted through other methods are seen when the case is transferred to the ACC.
- The information on the spreadsheet is captured for the first PAB meeting in the monthly report.
- The information is then uploaded to SharePoint and the necessary files are uploaded to provide data to Dashboard.
 - The Trend Analyst report for ACC cases was sent to PAB members on March 19 and April 1, 2024.
 - Members were sent the link to PAB SharePoint to locate monthly report with complaint information [Mocopab - Agency Monthly Reports - All Documents \(sharepoint.com\)](#)

Members continued to discuss the County PAB recommendation to allow access/view of case file details by the PAB of cases adjudicated by the ACC. Requiring PAB members to submit a Maryland Public Information Act (MPIA) request would significantly delay the receipt of information needed to better understand trends and make recommendations to law enforcement. The PAB doesn't want to be custodians of file but limited access to evidentiary exhibits for viewing could prove to be most helpful.

Action Item: To research and collect information about the statute and procedure to collect information with (MPIA). (Special Legal Counsel)

It was noted under the Maryland Public Information Act, Rights to Access to Record Article §2-4 "Government Agency's Access to Records The PIA generally regulates the access of one government agency to the records of another. A governmental unit is specifically given the right to inspect certain public records in GP §§ 4-103(b), 4-201(a), and 4-202(a) and is given the right to appeal a denial of inspection by GP § 4-362. Thus, when a request for inspection of records is made to a State agency by another State agency, a federal agency, or a local government entity, the custodian should consider the effect of the PIA. See Prince George's County v. Maryland Comm'n on Hum. Rels., 40 Md. App. 473, 484-85 (1978), vacated on other grounds, 285 Md. 205 (1979); 81 Opinions of the Attorney General 164, 167 (1996); see also 86 Opinions of the Attorney General 94, 108-09 (2001). In some instances, though, a government agency might implicitly have access to records that the PIA otherwise protects in order to fulfill a statutory duty given to it by the Legislature."

Action Item: To determine the specific information for PAB and the proper procedure to gain access. (PAB members)

Action Item: To prepare a detailed request that will be shared with the LEAs by the May 2nd meeting. (Chuck and Greg/PAB staff)

6. New Business

There were no items discussed in the new business.

7. Announcements

There were no announcements were made.

8. Adjournment

Bishop Paul Walker, Chair