



MEETING MINUTES

Police Accountability Board (PAB)
Thursday, April 18, 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, Chris Zatrutz, Chuck Williams, Shelly Brown (Special Legal Counsel), Fatmata Barrie (*staff*), Laura Byers (*staff*, *minute taker*)

Absent Members: Katharine “Kate” Manning

of General Public (nonmember) Attendees: 2

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 April 4 and 18, 2024 Minutes and Action Items and the amended May 2, 2024 Agenda. Approved (6 Yes/0 No)

Motion to amend the April 4 minutes with an amendment to strike Motion to modify agenda item 5 “Motion to modify the Memorandum Title within the Agenda – Discuss the recommendation for the PAB’s access to evidentiary files of complaints that are adjudicated by the ACC”.

- Upon review of the recording, the motion above was made during the April 4 meeting.

3. Staff Report

Summary:

The Executive Director provided the following updates:

- Work session to address Year and day legislation for the next session in January 2025 and announce the 2024 PAB Annual Report
- Work session on comments for legislation by June 2024.
- Freedom to Leave approval moved to June.

- Review topics on SharePoint and form work sessions to prepare documents for the annual report [Mocopab - Working Documents - All Documents \(sharepoint.com\)](#).
- Communication with Council regarding upcoming legislations CIT, and recommendations to other bills (response expected in early June 2024).

4. Public Comments

A member of the public 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

Action Item: To send invitations to the Fraternal Operation of Police (FOP), Council, County Executive office (Dr. Stoddard), and other organizations for a “special” meeting to discuss the Freedom of Leave Act views on policy, not legislation. (PAB Staff)

- Dr. Stoddard provided insight to the PAB members regarding Montgomery County FOP Lodge 35.
- The Chair tasked the Vice-Chair and board member Hudson Action are working on drafting an inquiry of detailed request of information needed for the Freedom to Leave Act.

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. The PAB Special Legal Counsel researched information about the statute and procedure to collect information with (MPIA) and found the PAB would be custodians of files.

- Members suggested possibly viewing files for situations that include a Police violation and exploring workflow to determine key points that will assist in decisions and form guidelines.

Action Item: The Parliamentarian will draft a template and distribute it to ad hoc (George, Alicia, and Chris) for review to determine the deadline date and share it with PAB members.

6. Vote (6/0) Motion to move to closed session to review details of personnel issues pursuant to Maryland Code, General Provisions Article §3-305(b)(1) “To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.”

Appendix A: Closing Statement

7. Adjournment

Bishop Paul Walker, Chair

**PRESIDING OFFICER’S WRITTEN STATEMENT FOR CLOSING A MEETING
 (“CLOSING STATEMENT”) UNDER THE OPEN MEETINGS ACT (General Provisions
 Article § 3-305)**

1. Recorded vote to close the meeting: Date: 4/18/24 ; Time: 8:10 ; Location: Executive Office Building, 101 Monroe St., Auditorium (lobby), Rockville, MD 20814;

Motion to close meeting made by: Chair, Bishop Paul Walker ; Seconded by Thomas Williams;

Members in favor: Ken Kellner, Alicia Hudson, George Lluberes, Chris Zartaz, Alvin McCray;

Opposed: None _____ ;

Abstaining: None _____ ;

Absent: Kate Manning _____

2. Statutory authority to close session (check all provisions that apply):

This meeting will only be closed under the provision or provisions checked below, all from General Provisions Art. § 3-305(b):

(1) **“To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals”;** (2) **“To protect the privacy or reputation of individuals concerning a matter not related to public business”;** (3) **“To consider the acquisition of real property for a public purpose and matters directly related thereto”;** (4) **“To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State”;** (5) **“To consider the investment of public funds”;** (6) **“To consider the marketing of public securities”;** (7) **“To consult with counsel to obtain legal advice”;** (8) **“To consult with staff, consultants, or other individuals about pending or potential litigation”;** (9) **“To conduct collective bargaining negotiations or consider matters that relate to the negotiations”;** (10) **“To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans”;** (11) **“To prepare, administer, or grade a scholastic, licensing, or qualifying examination”;** (12) **“To conduct or discuss an investigative proceeding on actual or possible criminal conduct”;** (13) **“To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter”;** (14) **“Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process”;** (15) **“To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to” (i) “security assessments or deployments relating to information resources technology”;** (ii) **“network security information,” such as information that is related to passwords, personal ID numbers, access codes, encryption, security devices, or vulnerability**

assessments or that a governmental entity collects or maintains to prevent, detect, or investigate criminal activity; or (iii) “deployments or implementation of security personnel, critical infrastructure, or security devices.”

3. For each provision checked above, the corresponding topic to be discussed and the public body’s reason for discussing that topic in closed session, in as much detail as possible without disclosing the information that may be discussed behind closed doors:

Citation (insert # from above)	Topic <i>We expect to discuss these matters:</i>	Reason for closed-session discussion of topic - <i>We are closing the meeting to discuss this topic because:</i>
§ 3-305(b)(1))	Timeline and Priorities	Address issues surrounding staff response and responsibilities.
§ 3-305(b) ()	Legislations Session	Address the performance of PABand PAB staff.
§ 3-305(b) ()	Dashboard	Discuss production, status, and upgrading the current system.
§ 3-305(b) ()		

4. This statement is made by Bishop Paul Walker, Presiding Officer.

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION THAT MUST BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN SESSION (§ 3-306)(c)(2) or § 3-104

For meetings closed under an exception, as disclosed above:

Time of closed session: 8:10 Place: Executive Office Building

Purpose(s): To discuss the Police Accountability Board and headquarters staff personnel matters.

Members who voted to meet in closed session: Ken Kellner, Alicia Hudson, George Lluberes, Chris Zartaz, Chuck Williams;

Persons attending closed session: Shelly Brown (Special Legal Counsel), Fatmata Barrie, Esq (PAB Staff), Laura Byers (PAB Staff)

Authority under § 3-305 for the closed session (see chart above): (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals.

Topics actually discussed: PAB Organizational and personnel matters.

Each action Taken:

Evaluate changes to promote specific issues.