



## MEETING MINUTES

Police Accountability Board (PAB)

Thursday, July 18, 2024

7:00 pm – 8:30 pm

*Virtual Option:*

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**Attendees:** Bishop Walker (Chair), Ken Kellner (Vice Chair), George Lluberres (Parliamentarian) Alicia Hudson, Alvin McCray, Katharine “Kate” Manning, Ronald Wright, Shelly Brown (Special Legal Counsel), Dr. Earl Stoddard (*staff*), Laura Byers (*staff, minute taker*)

**Absent Members:** Chris Zatrutz, Chuck Williams

**# of General Public (nonmember) Attendees:** 1

1. Call to Order

**Summary:**

- The Chair announced to all, that this meeting was being recorded.

2. Approval of July 18, 2024 Agenda Approved.

Approval of July 2, 2024 Minutes and Action Items with amended to add Ronald Wright to the attendee list. Approved (5 Yes/0 No)

3. Staff Report

**Summary:**

The staff shared the June Monthly Complaint report.

Dr. Stoddard provided the following updates with an estimated timeline:

- Provided an update on the interview process for the PAB Director. The closing date for applications is July 16.
- The Freedom to Leave Act public discussion was postponed to September 16. Amendments to legislation will be added to capture information from the July 2 PAB meetings from Councilmen Jawando. The County Executive Office's goal is to implement policies before September to include checkboxes for the level of consent and multilingual forms.

4. Public Comments

Expressed feedback regarding the Chiefs Quarterly meeting with the PAB and the recent tragedy of a mental health call involving the Montgomery County Department of Police.

5. Unfinished Business

The board discussed Consent Search, training provisions, impact, and voluntary approval. Members also discussed the consent search data provided by Dr Stoddard and fielded questions about probable cause and demographic totals. ([Appendix A - Consent Search Data](#))

Action Item: To schedule a call with the Hire and Training ad-hoc and In-service Supervisor and Captain Nick Picerno to address questions. (PAB staff).

Action Item: To request that a breakdown of categories be added to the data of consent search. (PAB members and staff).

Action Item: To request research on the outcome of consent searches to capture the total arrests, prosecutions, and not prosecuted. (PAB staff).

Members were provided an update to the Data-Capture collection process and work with LEA's.

6. New Business

No items.

7. Announcement

The next PAB meeting will be on August 15, 2024 from 7 – 9 pm in the Executive Office Building, Auditorium (Lobby), 101 Monroe Street, Rockville, MD.

National Night Out is on August 6 from 3-7 at the following locations:

- East County Regional Services Center, 3300 Briggs Chaney Road, Silver Spring
- Mt. Calvary Baptist Church, 608 North Horners Lane, Rockville

8. Adjournment

Ken Kellner, Vice-Chair

**Appendix A:**

**Consent Search Complaints**

Montgomery County Police conducted 37,103 traffic stops in CY 2023. The MCPD Internal Affairs Division (IAD) reports there were fifteen (15) traffic stop related complaints in CY 2023. That means .04% of traffic stops by Montgomery County Police resulted in a complaint. Of the .04 % of stops where a complaint was filed, none of the complaints were the result of a consent search. The department received no complaints regarding consent searches.

**Crime Analyst data text search of EJustice revealed the following for all of 2023:**

Consent Search Count of Report Number	Count
Consent Search	268
Consent Search Asked and Declined	23
Total	291

**Consent Search Information Data from Consent Forms**

\*Data collection via consent search form began on February 1, 2023

Consent to Search*	Total
Premise	25
Vehicle	83
Person	116
Property	50

\* Some may include more than one type of search on a report **274**

Subject Demographic	Total
White/Caucasian	46
Hispanic or Latino	69
Black/African American	113
American Indian/Alaskan Native	0
Pacific Islander	0
Asian	6
Other	2
Unknown	5

**241**

Subject Gender	Total
Male	160
Female	62
Blank/Unknown	19

Consent Search Forms Signed vs. Verbal-only on video.

- 37% of the 239 Consent Search Forms from 2023 were signed (87) vs. 63% verbal consent only (152).

### **Recovered Property During Consent Searches in 2023:**

The newly implemented Consent Search Form does not collect information regarding what, if anything, is found. In 2024, the form is being updated to reflect better what, if anything, has been recovered from the consent search. The department is also looking at report writing data collection to determine better methods to collect newly requested data. An overview of weapons and contraband found during consent searches follows:

#### **Possession of Assault Rifle Arrest 240002903**

On 1/18, officers performed a traffic stop on a silver 2015 Chrysler 300 for an equipment violation on Columbia Pike and Musgrove Road. Upon talking to the driver, he admitted to having a firearm in the vehicle. Officers located a **Palm AR15 assault rifle** in between the driver's seat and the center console.

#### **Possession of Handgun Arrest 240003819**

On 1/24, officers conducted a traffic stop of a silver Mazda 3 bearing a VA registration belonging to another vehicle in Daleshire Way and Lansdale Court. All four occupants were asked to exit the vehicle, to which they complied. A consent search of the vehicle was conducted, and a loaded **Privately Made Firearm (P80)** was located in a satchel on the rear seat. It was determined to belong to the suspect listed below (rear passenger). A search incident to arrest the suspect was conducted, and a small bag containing Psilocybin mushrooms was located on his person. The suspect was also determined to be a prohibited person for age.

#### **Possession of Handgun Arrests 230064273**

On 11/3, officers conducting surveillance in the area of Lockwood Drive and observed a group of 15-20 male subjects acting suspiciously in the area where several crimes occurred. Six subjects entered an Uber ride-share vehicle, which proceeded southbound on New Hampshire Avenue. After a traffic violation, the vehicle was stopped on New Hampshire Avenue just before RT 495. The UBER driver granted consent to search his vehicle. The front seat passenger was identified to be the 13-year-old wanted for a shooting that occurred on November Circle on August 1, 2023. A search of the 13-year-old revealed a **SAR 9mm** with an obliterated serial number. A 17-year-old male in the vehicle was found to have a **SW 40 caliber handgun, and another 17-year-old had a Glock 40—caliber handgun**. SSIS conducted a search warrant at the 13-year-old's residence on February Circle, recovering two additional extended magazines and more ammo.

#### **Possession of Handgun Arrests 230049645**

On 8/15, officers observed a vehicle enter the Liberty Gas Station parking lot on Watkins Mill Road, its occupants acting suspiciously. A traffic stop on the vehicle was performed on Montgomery Village Avenue and Arrowhead Road. Officers conducted a consent search of the vehicle that yielded a **Privately Made Firearm** with multiple live rounds in the magazine. A search incident to arrest the occupants led to the discovery of an additional **loaded Glock 43 handgun**.

**Possession of Handgun Arrest 230031269**

On 6/30, officers observed a Jeep driver acting suspiciously in the Briggs Chaney shopping center. A traffic stop was performed on the Jeep for expired tags. Marijuana was observed in plain view, and when asked if the driver had any weapons on him, he advised that he owned a handgun but wasn't sure if it was in the vehicle or not and did not have a concealed carry permit either. He gave consent for the officers to search the vehicle. Officers located a **fully loaded SW 9mm** under the front driver's seat and a second loaded magazine.

**Possession of Handgun Arrest 230027458**

On 6/7, officers conducted a traffic stop at Columbia Pike and Stewart Lane and detected a strong odor of marijuana emanating from the vehicle. During the stop, the rear passenger was extremely nervous and asked to leave the vehicle. A consent pat-down was conducted, which led to the recovery of a **loaded Glock 19 - 9mm handgun** with an extended magazine being removed from his waistband. Marijuana and several suspected Fentanyl pills were recovered from the vehicle after a PC search of the vehicle.

**Possession of Handgun Arrest 230019860**

On 4/25, officers near Lockwood Drive and Oakleaf Drive and observed the defendant dodging free-flowing vehicular traffic. The defendant did so while looking at uniformed police officers, wearing a ski mask and all dark clothing. The defendant was stopped a short distance away. A consent search led to the location of a **Taurus 9mm handgun** with a fully loaded magazine and a round in the chamber being located on his person.

**Possession of Handgun/ CDS Bailout 230019093**

On 4/17, officers performed a traffic stop on Castle Blvd. The front-seat passenger was observed placing a backpack in the back seat and making other furtive movements as the vehicle stopped. The driver and passenger were asked to step out of the vehicle, and when the driver consented to search the vehicle, the passenger fled on foot. A search of the vehicle revealed over 10 grams of marijuana in a backpack and a **loaded PMF 9mm handgun** under the front passenger seat. The suspect was identified, and a consent search at his father's residence in Burtonsville resulted in the recovery of another Glock handgun magazine and a .380 caliber live round. The father advised that the suspect lives with his mother in Severn, MD, and uses the father's residence occasionally to attend Paint Branch HS.

**Possession of Handgun Arrest 230034040**

A consent search of the vehicle resulted in a recovered handgun. The suspect was arrested.

**Theft from Auto Arrest 230062405**

A consent search of the subject's bag found possible items consistent with thefts from autos.

**Identity Theft Arrest 230068951**

A consent search led to various cards and IDs being found on a person, most likely stolen.

**Possession of Handgun & CDS Arrest 230069296**

A consent search of the apartment resulted in a gun, crack cocaine, and scale.