



**City of Takoma Park, MD  
Reimagining Public Safety Task Force  
Meeting Summary  
May 25, 2021**

**Agenda**

**Welcome, Review Charge, Timeline, Community Listening Session 5.26, and Public Comment Form**

Jevin Hodge, (co-facilitator) welcomed attendees and briefly reviewed the charge to the Task Force, timeline, community listening session on May 26, and the public feedback form.

Deputy City Manager Jessica Clarke announced that the leaders of both Takoma Park business associations support convening a focus group of Takoma Park business owners and have offered to facilitate Task Force members personally visiting businesses in The Crossroads to gather feedback on reimagining public safety from their perspective.

In addition, Deputy City Manager Clarke shared Chief of Police Antonio DeVaul's offer of the opportunity for Task Force members to participate in a ride-along with a patrol officer any time in the coming weeks.

Jamal Holtz (co-facilitator) reviewed the meeting format for the evening and asked the subject matter experts present to introduce themselves.

*Dara Baldwin, Director of National Policy, Center for Disability Rights*

Ms. Baldwin is an advocate for disability justice; there are ten principles of disability justice, #1 is intersectionality and #10 is collective liberation. The Center is headquartered in Rochester but Ms. Baldwin lives in DC and works on the federal level. Ms. Baldwin noted that all states, territories and tribal lands have Centers for Independent Living and further noted that Black and Indigenous peoples have never had public safety.

*Bernice Mireku-North, The North Law Group, Co-Chair, Montgomery County Task Force*

Ms. Mireku-North was once a Takoma Park resident and feels like she is coming home. Ms. Mireku-North is a former prosecutor. As co-chair of the Montgomery County Task Force on Reimagining Public Safety, her work has focused on how to make everyone feel safe.

*Marc Mauer, Senior Advisor at The Sentencing Project, Co-Chair, Montgomery County Task Force*

Mr. Mauer's work at The Sentencing Project has been to challenge mass incarceration and the justice system, undertaking a broad approach to public safety with incarceration as a last step. The Montgomery County Task Force submitted 87 separate recommendations looking at where to shift resources to achieve better, more compassionate, less harmful outcomes.



Donna Wright, *Communications Specialist, Takoma Park*

Ms. Wright communicates from the city to its residents. There are currently 11 touch points including a blog, social media, email, eblasts, city tv/radio, and website. Ms. Wright has been with the city for two-and-a-half years and works for the city administration, City Council, and all city agencies. Ms. Wright noted that being out in the community is the best part of the job but she is also responsible for creating all the content her work requires; an additional communications position has been budgeted for the coming year. Ms. Wright is looking to the Task Force for recommendation on engaging all residents across the city.

Andrew Powell, *Deputy Chief and Internal Affairs Representative, Takoma Park Police Department*

Deputy Chief Powell has been with the Takoma Park Police Department for two years, following a career with the Riverdale Police Department, and oversees daily operations. Deputy Chief Powell is recognized in the State of Maryland as a premier investigator, having conducted approximately 40 investigations into police misconduct – the most in the state. Deputy Chief Powell noted that, “We must protect the constitutional rights of all people and hold ourselves accountable.”

Dan Frishkorn, *Captain, Takoma Park Police Department*

Captain Frishkorn has been with the Takoma Park Police Department for 36 years and is currently one of the longest serving members of the department. Captain Frishkorn has held multiple positions in the Department and currently serves as the Commander of the Operations Division.

### **Subcommittee Discussion Takeaways**

*The discussions were wide-ranging; this summary reflects direct quotes as well as extracts from Task Force members’ and Subject Matter Experts’ conversations.*

### **#1 Community Quality of Life**

Subject Matter Expert: Dara Baldwin, *Director of National Policy, Center for Disability Rights*

Q. What are some recommendations you have for us outside the normal?

A. People always ask us for solutions. We may not know what the solutions are right now, but you can’t have a cookie cutter solution...Know your history to move forward. A lot of people don’t know the history of policing. Community street teams mobilize to respond to community challenges. Ithaca voted to fire all police officers, [and] created a department of public safety. [We] Need to pivot to only pulling people over for actual serious traffic violations

Q. We couched our approach, but I agree we need to look more broadly at issues that need to be corrected when you talk about public safety. How do we ensure that we are telling people that we are here to help?

A. Most cities have an Office of Disability Rights. In that office you have a human rights person, engineer or architect. [We] Need to ensure that parks, walkways, etc., are accessible for all. [We] Need to give training on disabilities, to learn and know what they are, and what laws exist. Bike lanes are rarely accessible. When it comes to housing, you need to take into account whether the housing is accessible AND affordable. Any festivals, events are rarely made accessible for people with disabilities

Q. CAHOOT [sic] came up. We've heard from a lot of people about certain situations the need for alternate models. What is your objections to CAHOOT?

A. CAHOOTS works with groups that are not civil rights groups. For civil rights groups, the person that is of importance is the disabled person, the rest of the groups follow. For those other groups, the family or other guardians come first, then legislators, then the disabled person. That's how CAHOOTS is set up. We have programs set up like peer-to-peer services with mobile units, they set it up and have a meeting. If they're going into an episode, they call their partner or sponsor, work for 72 hours. With CAHOOTS, when you take people it brings up way more issues. They are just focused on institutionalizing people rather than care. If we do institutionalizing, we do acute care, not facilities. I will send you the resources related to all of this. Look into Bazelon [Center for Mental Health Law].

Q. How do we rethink traffic stops and the whole process? How do we deal with pretext?

A. Data helps drive the conversation. Some departments are given money and forced to focus on racism and bias in data related to stops. One thing we push back on is automated enforcement. There's no help for people, all there is is punitive punishments. People are going to jail for traffic violations. When thinking about budgeting, you need to think about how to make money other than through traffic violations. Right now, there is no space to talk or have conversations with automated enforcement. [We] Need to think about how these issues factor into transportation too. What are fines being used for? [We] Need to see police data every quarter to know.

Q. Can you explain better what automated enforcement is?

A. Urban planners showed that if you change the engineering of the street, you will change people's behavior. Punitive punishment doesn't work, automated enforcement doesn't work.

Q. Does this help with reducing pretextual stops?

- A. One thing I would find difficult is what are they looking at? A lot of times they're just surveilling the community. Where is the data going, who has access to that data, how can it be used, is it destroyed?

## **#2 Alternatives, Methods, and Responses**

Subject Matter Experts: Bernice Mireku-North, The North Law Group, and Marc Mauer, Senior Advisor at The Sentencing Project, *Co-Chairs, Montgomery County Task Force*

Q. How did the Montgomery County Task Force go about its work?

- A. Showing people the timeline in which things happen to assess and assert the proper recommendations. Gathering people's input through a point system. Picking the top 15 and ranking them. Taking those rankings and assessing the subject matter. Demonstrate and show what alternatives will look like and provide visuals. Make it plain and prepare to back up the draft as well. Push back is guaranteed.

Q. Limitation of state law through process?

- A. Recommendations were for the intent of saying here's your tool, make it happen. We recommended just what we wanted.
- A. A. Issues regarding school resource officers: In our Task Force there was talk of eliminating that program. [We] Came to a broad conclusion that since they must comply with state law about the relationship of law enforcement and schools, we would provide recommendations that also comply to the criteria of state law.

Q. How were recommendations considered for inclusions that were not majority opinions?

- A. If it was just one person, we didn't include it but if it came up numerous times with general concerns, we included it as a note in the recommendations.

Q. Pushback to get police officers out of school district?

- A. Main arguments arose against police officers in school due to research. Wasn't data that showed safer schools with the presence of police officers.

Q. MOU brought up? PO's role in school districts

- A. Surprised it didn't come up. In our Task Force, we had those who just wanted them out. Quieter voices that wanted them in schools because principals wanted them. Everyone was kind of in between. A lot of people were in the middle.

Q. Because I am district supervisor for public schools in Takoma Park, I have seen the difference students and staff have when officers are there, it is different. [I'm] Wondering how community

will behave when officer isn't there. [I'm] Thinking about what kids will do without that police officer presence.

A. Intent is good, practicality wasn't working. School Resource Officers are kind but play role of social workers. A lot mentioned that if police officers in school played the social workers' role then why not hire social workers.

Q. If are no School Resource Officers in schools, officers that will be called will likely be ones that shouldn't be there. Can we still pull officers out of schools but have those same officers on call, someone without a gun trained to handle misbehaving students? At least designating officers who have training for working in schools?

A. [We] Must educate our educators about when to call the police.

Q. [What about] Community policing?

A. [We] Didn't have the data yet.

A. General discussion of community policing. Everyone has differing definitions for community policing and problem solving. Our Task Force came up with general solutions and recommendations; enhancing the outcomes as well.

[It] May be out of our scope, but the treatment of Black and brown boys must be considered because when observed, there is an astounding difference, and take preventative measures to keep them from getting into the system.

[I was] Stunned with how Black and brown boys were treated more harshly than girls and other students.

Q. Info on training of teachers in TP?

Q. Unique size of Takoma Park, what opportunities exist here that maybe wouldn't exist in your previous experience?

A. [I] Believe it is more close knit, more people know each other. Smaller size allows more conversation.

A. Size is critical, allows for more access, knowing law enforcement in a personal way. You have a police chief that understands the needs and is familiar with the community. Takoma Park is also very diverse like ours. Sell them on the vision.

Q. Help Takoma Park to have a group that disputes non-emergency situations? Do you see this as beneficial in smaller communities?



- A. Mediators and dispute resolution should be the first choice and involve the police if criminal acts are committed.

### **#3 Community Engagement and Transparency**

Subject Matter Experts for the City of Takoma Park: Donna Wright, *Communications Specialist*, Andrew Powell, *Deputy Chief and Internal Affairs Representative*, Dan Frishkorn, *Captain*, and Jessica Clarke, *Deputy City Manager*

Donna: try to take your resident' stories; want to have as much info from residents as possible to make recommendations; try to go as quickly as possible in the recommendations process; go out into community, walm around, see if we can talk to residents along the way re what we're doing; a lot of advocacy; great community; we're building comment sections on page allows them to go in and add more info about their experiences.

Lauren:

- A. The current plan is to make sure we segment information between the City Council, City Manager, Deputy City Manager, city tv/radio; all get as much air time as possible. We are asking for funds to segment and have additional staff to continue to roll out what we have.

Q. Are thing prioritized?

- A. Our agencies do have their own social media; I'm kind of all through.

Q. Communicating so people can understand: language access; disability access; what capacity do you have to do that?

- A. Last July we had the deaf community come to meet with us to discuss what they need; American Sign Language (ASL) for City Council meetings. We want to purchase closed captioning but need a large number of languages and are working through Montgomery County for a good package. We have done some Zoom meetings with interpreters but there is a level of certification and we haven't been able to tap into that network. The deaf community is helping us but we have not made as much progress as we would like to.

Q. Look at the list of trainings what about beyond mental health; what happens in the police department to prepare people to interact?

- A. We have a mandate to have training on working with autistic persons which opened the eyes of police officers. We have training on de-escalation and crisis intervention.
- A. We have the training tracker to let us know what mandates are; what officers are lacking training; we've gone leaps and bounds from the past. We look for free

training and from the training commission. My goal is to have the department host with allied agencies. We have training throughout our career, and mandated trainings.

- A. One of the biggest frustrations is not really training but familiarization so I emphasize actual training not just familiarization. We document; we want to be sure.

Q. [Make the] Connection between a break in policy and correction going forward; use it as a training example?

- A. The law changes and doesn't trickle down to the department or police officer on the street; for example, an officer didn't know the recent law so how to hold them accountable if the law is not known? The officer was retrained, we notified the state attorney's office, then the agency went back, changed the policy and retrained the entire force.
- A. We review other incidents and what can we learn, how can we avoid them in future. We have roll call training; we see a problem and don't want it to happen here in Takoma Park. The Personnel Early Warning System prompts us to sit down with an officer, review policies, debrief, maybe handle differently going forward.
- A. The tasers policy was redone to be more aligned with court decisions; training used to be siloed but is now across all tools. If force is used, we have the officer describe how force was used and was it congruent to policy.

Q. We were told there was an internal review of the shooting by the Pentagon police officer and that we would be told about it; there were questions about the types of statements issued and how they were written. There was video that it was easy for the media to get but the police department never looked at it. There were questions about how the police department handled the two investigations. What can we be told?

- A. I will discuss that with the Chief.

Q. What is the process for an IA investigation?

- A. We are governed by LEOBR until 2022; until then we follow those procedures; we are not under the public information act.

Q. If there is a complaint, where does it go, who reviews it, is there any civilian oversight, what are the mechanics?

- A. A citizen can come into station, email, use the auto reporting system, come through the webpage. The complaint goes to the chief then to the city manager, then to the professional standards manager, then into the electronic system. There are many steps



in the review and penalties can range from counseling to termination. There is the right of appeal.

- A. Hearing boards can be composed of whoever the Chief decides; since I'm here we haven't had to go to hearing board. I have done 40 around the state in 12 years; my recommendation is to always have outside officers.
- A. In 32 years I have had maybe three; we have maybe 10 IA investigations a year; IA Pro tracks all of it; complaints and use of force are very low compared to other places.

Q. Is this process accessible online in this detail?

- A. The policy is online and aligns with state law; Montgomery County and Baltimore County are handled differently.
- A. It is hard to find a chair for a hearing board. Deputy Chief Powell is considered the expert on the process in Maryland.

Q. How do you handle officers with multiple complaints; are there statistics on how often the PEW system is triggered?

- A. It's easy for police officers to be in multiple complaints since they work in squads; we interview everybody there.
- A. Multiple complaints lead to progressive discipline. Also, the PEW system sets off an alert and the Professional Standards Manager will set up a counseling session to review. The PEW system helps to keep police officers on the right track; we don't want to lose them or have them lose their careers.
- A. The PEW system must be responded to before it is closed.

Q. My reading of the law is that a record can be shared if personal information is redacted. It could maybe boost public confidence and transparency if we could share; does it need to be such a black box for the public?

- A. The appellate court decreed that the record is personnel information. Currently all hearing boards are open to the public. MPIA after 10/1 can be released to the public redacted. The agency has to make notice of the hearing, usually on the agency's webpage calendar of events.





Q. How will Takoma Park respond?

- A. There has to be a request and then the record may be released redacted, but there may be conditions. The request and record go to the city attorney for review and decision.
- A. The laws changing; we are having ongoing discussion about how to adapt.
- A. In 32 years, we have had three, maybe four hearing boards, the last one about seven years ago. If the case goes to court, the records become public and can be read.

Q. What if a Takoma Park police officer shoots and kills someone?

- A. Best practice is to have an outside agency to do the investigation.
- A. The last one was handled by Montgomery County and Prince Georges; the criminal part is handled first then the internal.

Q. Is there any policy on who is asked?

- A. We have best practices in force. The criminal investigation trumps any policy questions. We're very wary of contamination. We weigh risks versus benefits: could I harm the criminal investigation-we never want to do that. We want to protect the constitutional rights of the officers.
- A. Under LEOBR all internal investigations must be done by officers; beginning in 2022 there will be an accountability board working with the police department and a findings committee.

7:00 Meeting Ended