

**City of Takoma Park, MD**  
**Reimagining Public Safety Task Force**  
**June 25, 2021**  
**Recommendations Discussion Draft**

## **Introduction**

The Task Force worked at the subcommittee level to review and process extensive information from public feedback, subject matter experts, other reports, city data, etc. Three subcommittees were formed:

- Community Quality of Life;
- Alternative Methods and Responses;
- Community Engagement and Transparency.

Each subcommittee came up with a list of initial topics and recommendations, which were then combined into this discussion draft for review by the full Task Force and presented for feedback at the Community Listening Session on June 28, 2021.

The Task Force sought to answer three questions: 1) what are we trying to solve for; 2) what solutions can we offer; and 3) how will implementation and evaluation recommendations be handled/monitored.

Some recommendations come from a belief that specific things can and should be done better, others build upon the many things that Takoma Park does well, while others come from a belief that Takoma Park can and should be “Best in Class” on these issues.



The discussion draft recommendations below represent the best thinking of the Task Force at this point in our work, informed by the resources they had access to, and constrained by a time-bound process. This is a working draft and will continue to evolve.

These recommendations have not yet been discussed or reviewed by the City Council. Once the recommendations are finalized by the Task Force they will be presented to the Council in early July. In coming months, the Council will review and work with City staff and members of the public to evaluate, discuss and decide how to move forward with the recommendations.

We look forward to your feedback.

### **Subcommittee on Community Quality of Life**

Facilitator: Jevin D. Hodge

Committee Members:

- Sawa Kamara
- Duane Scott
- Ajmel Quereshi
- Emil Parker
- Christina Morado

### **Coordination of Community Resources**

- **Dedicate funding for the creation of a City staff resource coordinator to coordinate community activities, groups, and neighborhoods.**
- **Produce a Resource Guide of mental health resources and community partners serving the Takoma Park community. Publish the guide online, as well as produce sufficient numbers of paper copies of the guide.**
- **Allocate funding for the establishment of a 24-hour victim response line**

- Staffed not by police officials, as it is currently done, but by trained social service workers, including at least one individual, at all times, who has training in the provision of mental health services (i.e., a social worker).
- The response line should be able to provide residents with assistance to resolve crises including connecting callers to government/community resources and services.
  - This should include, at a minimum, the elimination of all funds for officers to staff such a line and the reallocation for the staff mentioned above.
- **Establish a permanent, civilian-staffed volunteer Takoma Park Public Safety Task Force**
  - Responsible for reviewing police budget increases.
  - Responsible for reviewing all police-related legislation being considered by the Montgomery County Council and the Maryland General Assembly and providing recommendations to the Mayor and City Council as to the City's and the TPPD's official position on the legislation.
  - Responsible for engaging with community residents and businesses to discuss their needs, issues, and concerns with respect to public safety.
  - May also provide an annual report that cites its observations, questions, and analysis of public safety over the last 12 months.
  - Alternatively, the Task Force may provide quarterly updates to the City Council on these same matters.
- **Establish a Neighborhood Services Division in Takoma Park government that lives outside of the Police Department**
  - Responsible for parking violations, speed camera monitoring, and other code enforcement.
  - Funding for these functions shall be redirected from the Police Department to the new Neighborhood Services Division.
  - Employees of the proposed Neighborhood Services Division shall not be assigned or allowed to carry firearms.

- **Promote access to after school and job training programs**
  - Reallocate funding from the changes to the TPPD budget discussed in this set of recommendations (above and below) to an increased number of scholarships for after school and weekend programs for children in Takoma Park.
  - Reallocate funding from the changes to the TPPD budget to additional scholarships for job training programs for Takoma residents who are un- or underemployed or are reentering the community after release from incarceration.

### Public Safety

- **Eliminate all funding for the current use of and the purchase of additional license plate reader technology.**
  - As civil rights groups around the country have repeatedly noted, license plate reader technologies raise serious privacy concerns without a legitimate police interest sufficient to counterbalance the intrusion on privacy. Takoma Park only adopted this technology within the last seven years and did so at that time over significant opposition from the ACLU. Given the potential privacy intrusions, it remains unclear whether this technology is really necessary to prevent crime in Takoma Park
- **Allocate funding for a Community Safety Team** staffed by multiple mental health professionals who shall, among other things, respond to calls requiring mental health and substance abuse prevention services without police.
  - The team should work to identify community health providers to refer community members and families to for wrap around support.
  - The team will have the ability to refer disputes to a conflict resolution team.
  - Funding for the staffing of these positions shall be taken from funding for the staffing of police officials who are generally responsible for responding to calls for assistance.
  - Incorporate additional new staff dedicated to serving as case managers and outreach specialists.

- Remove the team from supervision by the police department (e.g., the team could be housed within the new Neighborhood Services Division).
- **Identify a subset of Takoma Park Police Department officers who shall be responsible for responding to calls for police assistance without weapons.**
  - Provide specific training to these officers on violence prevention and de-escalation.
- **Eliminate all funding for the use of canines by the Takoma Park Police Department, after the retirement of the single canine currently employed.**
  - Alternatively, if the TPPD utilizes canines in the future, they may only be used for tracking purposes, but not for use against individuals or the searches of vehicles or residences
- **Publicize via TKPK City website and social media any increases in funding for police in Takoma Park's annual budget at least 30 days before the budget is voted on by the County Council.**
  - The Takoma Park Public Safety Task Force described above will be responsible for reviewing and providing a recommendation regarding any such increase.
- **Establish funding for Know Your Rights/Street Law training for all students enrolled in any public school in Takoma Park.**
  - If there are relevant Maryland and/or Montgomery County Education standards, the training should be consistent with these standards.
    - The ACLU of Maryland shall be consulted during the process of developing the training curriculum.
- **End police traffic stops for low-level offenses for which a stop is not mandatory under state law, such as not wearing a seat belt or having an expired license.**
- **An officer may not search a vehicle or a residence unless they have appropriate probable cause or they obtain written, informed consent in a language with which the driver is familiar before they search a vehicle.**
  - For vehicle stops, the officer shall also document the race and ethnicity of each driver stopped, whether a search was conducted, and the basis for the search.

## Housing Safety

- **Ensure that the City annually publishes all code violations in apartments in Takoma Park over the last calendar year.**
- **The permanent Takoma Park Public Safety Task shall review and issue recommendations regarding any changes to the City's apartment inspection guidelines, policies, or protocols.**
- **Add additional staff members to the Takoma Park Housing and Community Development Department.**
  - Housing and Community Development Department staff should include a social worker who can respond to housing/homelessness crisis situations and issues such as evictions or nonviolent disputes between neighbors.

## Other

- **Speed Cameras:**
  - Create a poverty exemption program for recipients of speed camera tickets, whereby if an individual's annual income is 300 percent of the federal poverty limit or below, they shall be excused of half of the cost of any speeding ticket issued via speed camera.
  - Prohibit the establishment of additional speed camera zones.
  - OR ensure that any additional speed camera zones are established solely in areas with exceptionally high rates of traffic accidents.
- **Eliminate funding for the construction of a new dispatch area for the Takoma Park Police Department, as significant portions of the dispatch responsibility will be shifted to non-police officials.**
- **The Takoma Park City Council shall pass a resolution calling for the removal of all Montgomery County School Resource Officers from all public schools located in**

**Takoma Park, and provide a copy of the resolution to the Montgomery County Executive, and all members of the Montgomery County Council.**

- The resolution should call for School Police Officers to be replaced with school counselors.
- The resolution should specify that School Police/Resource Officers should not be effectively replaced by other police officers whose assignments are geographically tied to schools and/or who are specifically tasked to respond to incidents in schools.
- The resolution should include a commitment for schools to adopt a restorative justice approach to resolving student discipline.
- The resolution should also call for the elimination of racial disparities in school discipline and an end to the school to prison pipeline.
- **If the Maryland state pension plan for local police officers now covers same-sex partners, Takoma Park should explore whether it would be possible for buy into that plan.**
  - That could entail a lump sum payment to cover what would have been past contributions, but ideally would relieve Takoma Park of that financial obligation going forward.
- **The Takoma Park City Council shall ensure that the police employee assistance program has appropriate funding to ensure that Takoma Park police officers are provided with access to confidential counseling, crisis intervention, stress management and peer support services for police officers.**
  - Officers will not be subject to retaliation for seeking or otherwise engaging in mental health, stress management and/or peer support services.
  - The Takoma Park City Council shall also pass a resolution in stating that that the City of Takoma Park will ensure all Takoma Park employees will have access to confidential mental health counseling and stress management.
  - The resolution will note that City employees shall not be subject to retaliation for seeking or participating in mental health, stress management, and/or peer support services.

### **Subcommittee on Alternative Methods and Responses**

Facilitator: Cordell Carter II

Committee Members:

- Michael Rubin
- Jide Atoyebi
- Sadie Cheston-Harris
- Cedric Boatman

### **Policing**

- **Creation of Community Assistance office**
  - Train 911 dispatchers to refer non-police calls to the Community Assistance office.
  - The Community Assistance office should deal with mental health emergencies, neighbor relations, social services, etc.
  - This should be created as a pilot program and data should be collected on calls for service - if sufficient calls for service are made, the office should continue with a 24/7 model.
  - The Community Assistance office will be separate from the police, but coordination will be made regarding emergencies where they see fit (including potentially violent emergencies).
- **Dispatch and Referral**
  - Do not have an armed officer respond to calls that don't require an armed officer.
  - Train 911 dispatchers to refer callers to other resources and correct departments, and provide hours of availability, phone numbers, addresses, etc. (also have dispatchers route callers to the Community Assistance office)
  - 911 officers should be trained on what support calls fall under which office



- **Emergency Call Center/311 operator resources response directed to non-law enforcement.**
- **Coordination of police response across multiple jurisdictions:**
  - Training:
    - TKPD should continue practicing “guardian policing”, and to reinforce this, all officers should have annual de-escalation refreshers/training
    - All officers should be trained on routing appropriate calls to different offices (such as the Community Assistance office) instead of choosing to respond to said non-police related calls
  - Protocols - Review and update cross-jurisdictional coordination protocols for incidents:
    - Continue efforts to create and strengthen mutual agreement/MOU [Memorandum of Understanding] with DCPD [Metropolitan Police Department] , PGPD [Prince George’s County Police Department] & MCPD [Montgomery County Police Department]
      - Encourage joint training on said protocols to ensure everything functions and makes sense (run throughs)
- **Community/police relationships and partnerships - Community-oriented policing services (COPS):**
  - In our conversations, the local area businesses suggested that an occasional police presence would help them in some way. We suggest that the TKPD check in with TKPK businesses to see if that is necessary in order to increase public safety. If so, we recommend bicycle or foot patrols. City Council may want to consider procuring electric bicycles.
  - Incentives:
    - Create an award/bonus to incentivize de-escalation and crisis avoidance and provide metrics on number of successful de-escalations
  - Crime:

- In furtherance of the recent trend of deemphasizing stops related to non-violent crime, we recommend that the police department expands upon the list of minor offences that individuals are no longer stopped for

### Community Education

- **We recognize that historically speaking there has been a transfer of youth of color from the education system to the criminal justice system. To eliminate that pipeline, we recommend the following:**
  - Advocate to Montgomery County that school administrators and teachers receive training/increased training regarding the unequal distribution of discipline and lack of praise regarding students of color.
  - Create grants for Takoma Park teachers to encourage attendance of teacher-specific training on:
    - Implicit bias training.
    - Training on the positive effects that practicing mindfulness has on lowering implicit biases.
    - Empathy and empathic communication training.
    - The history of the disproportionate way discipline is handed out in the school system.
    - The correlation between over disciplining of students and low graduation rates / poor school performance.
    - The over eagerness to classify students as having some kind of learning disability / move students into special ed and out of their classrooms.
    - Cultural competency training.
  - Create Community Relations Diversity Outreach Training.
    - Offer courses that allow residents and Takoma Park staff to both learn about the breadth of identities in Takoma Park and also explore the cultural diversity of Takoma Park through fostering conversations/team building scenarios.

- Create a Takoma Park mentorship program.
  - Students who are residents of Takoma Park would be paired with residents and/or business owners in order to expose students to new opportunities and realities and expose both mentor and student to new cultural backgrounds and frames of reference.

#### Data

- **Schools: The following data is requested in order to ensure that the suggestions made in the Schooling section of the Community Education section are bearing fruit:**
  - Takoma Park request disaggregated data on public schools from MCPS (discipline, tardies given, suspensions), and use that to determine if community engagement suggestions are working
  - Police: In recognition that the data provided to the Task Force was of service, we recommend that all data provided be made public and updated on an annual basis (with a goal of reaching real time updates).
    - Ideally, data should be disaggregated by race, gender, age, and ward.
- **Dispatch data to also be disaggregated by officer initiation vs community initiation, as well as by ward**
- **Quantifying instances where officers attempted to use and successfully used de-escalation techniques**

#### Implementation and Refinement of Task Force Recommendations

- **Given the compressed time frame for the task force to analyze data and develop recommendations, we think it is important to ensure some kind of community standing committee monitors progress in implementing these recommendations, and also develops new recommendations after the review of future practices:**
  - We recommend members of the committee be offered a stipend to ensure more members of the community are able to participate.

- We recommend that membership be proportional by population or level of police interaction.
- We also recommend some kind of citizen oversight.
- Issues that need further investigation:
  - Explore the viability of housing subsidies to **ensure that officers can live in Takoma Park and become integrated into the community** (and ensure officer retention).

### **Subcommittee on Community Engagement and Transparency**

Facilitator: Jamal Holtz

Committee Members:

- Lauren Van Tol
- Adam Braskich
- Jumana Musa
- Kiminori Nakamura

Increase public accessibility and citizen oversight of police complaints and disciplinary procedures

- **Post reports online documenting investigations into citizen complaints filed against police officers.**
  - Pursuant to Maryland House Bill (HB) 183, expected to take effect in July 2022, the police department should adopt a policy that it will proactively disclosure police records of any complaints made against officers and related investigations into police misconduct. Such records, under SB178, (Anton’s Law) will no longer be deemed confidential “personnel records” under the Maryland Public Information Act (MPIA).

- Under HB183, the police department may proactively post such records on its government website without waiting for a citizen to file an MPIA request.
- The proactive disclosure policy should be subject to limited exceptions and limitations.
  - In accordance with the MPIA, the department must redact sensitive information from otherwise disclosable documents before posting them online, such as dates of birth, social security numbers, personal financial records, and medical information.<sup>1</sup> Officers' names should not be redacted once SB178 ("Anton's Law") takes effect.
  - In cases of citizen complaints, the identity of the complainant should be redacted to avoid discouraging citizens from making complaints out of concern for their privacy.
  - The police department may delay public disclosure of such records until its own internal investigation is completed, but the documents should be posted no later 30 days after the conclusion of the investigation.
- **In concert with new laws and regulations, it is recommended that the City create a citizen oversight board. The feasibility and appropriateness of oversight models for the city will be assessed as HB 670 Maryland Police Accountability Act of 2021 takes effect in 2022. The following models should be taken for consideration:**
  - Auditor/monitor civilian oversight
    - Working closely with the Police Accountability Board and the Administrative Charging Committee at the country level, the city auditor of public safety will provide additional oversight at the city level by reviewing broad patterns of citizen complaints or internally generated complaints and conducting evaluations of police policies, training, and practices. Complementing the complaint process, the auditor can initiate evaluations that are triggered not only by individual complaints, but also

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<sup>1</sup> See Maryland Public Information Act Manual (15th ed., November 2020) at 3-19 to 3-31, available at <https://www.marylandattorneygeneral.gov/OpenGov%20Documents/Chapter3.pdf>.

by the patterns of complaints and other broader systemic issues (De Angelis et al., 2016). The role of the auditor can expand to include evaluating and auditing other city departments as related to public safety to improve their effectiveness and accountability in delivering all aspects of public safety. (De Angelis, Joseph, Richard Rosenthal, and Brian Buchner. 2016. Civilian oversight of law enforcement: Assessing the evidence. Tucson, AZ: National Association for Civilian Oversight of Law Enforcement. [https://d3n8a8pro7vhmx.cloudfront.net/nacole/pages/161/attachments/original/1481727974/NACOLE\\_AccessingtheEvidence\\_Final.pdf?1481727974](https://d3n8a8pro7vhmx.cloudfront.net/nacole/pages/161/attachments/original/1481727974/NACOLE_AccessingtheEvidence_Final.pdf?1481727974))w

- **Citizens Review Board (CRB) consisting of volunteer residents representative of the community with relevant professional expertise; to investigate complaints about specific incidents in which the complainant (or person over whom the complainant has legal guardianship) was seized or searched by a Takoma Park police officer or was directly subjected to harassing, verbally abusing, unprofessional, or other inappropriate conduct by a Takoma Park police officer, and other generalized complaints about police practices.**
  - Independent of the police department.
  - With authority to request necessary documents and data (written reports, body-worn camera footage, and other materials in the Department's possession) to complete a thorough review. Department must provide all materials within 10 days of the request.
  - Develop a clear statement of principles to guide handling of complaints in anticipation of changing law.
  - Evaluate if the number of complaints processed by the CRB eventually justifies creating one or more funded CRB positions.
  - Review recruiting practices and policies
  - Participate in the creation of policies impacting city residents including but not limited to use of force, use of police technology, and interaction with residents of differing physical and mental abilities, language abilities and immigration status.

- The CRB will have the authority to make recommendations on the resolution of disciplinary matters, adjudicating use of force, department recruiting practices, and department policies. For any CRB recommendations that are declined, the City Manager and / or Police Chief must provide their reasons in writing as well as lay out the alternative policy or course of action. All such exchanges should be available to the public.

### Body-Worn Camera Policy

- **Update the police department's body-worn camera (BWC) policy to ensure greater accountability and transparency:**
  - Develop revised policies in anticipation of changing laws to set expectations for the public.
  - All BWCs must record 120 seconds of video prior to the officer pressing the "record" button and ensure that valuable video evidence is not lost due to officer delay in beginning the recordings.
  - Explore whether the BWC vendor (Axon) could offer a feature that would provide a short (15 to 30-second) period of pre-activation audio recording, to ensure that officers do not fail to record statements made at the beginning of citizen encounters, which are often important in determining the legality of police conduct.
    - Process by which/how quickly video footage is released
      - Within 10 days following any in-custody death, use of deadly force or use of less lethal force by a Takoma Park police officer, the department must release all body camera footage of the incident, unless the police department applies for and is granted an extension of time by the city council.
      - BWC's must not be used with other biometric technologies such as facial recognition software, iris scans, etc.

- When conducting traffic stops, officers should begin recording as soon as they activate their emergency equipment (lights and siren) rather than when they exit their vehicles, which is the current policy. This will help resolve any disputes about how long it took the subject of the traffic stop to pull over
- In all cases in which officers engage in reportable uses of force (as defined in G.O. 617(08)), before reviewing their BWC footage, they must submit a preliminary written report describing the force that was used and explaining their justification for it. The officers may then subsequently review the BWC footage and submit a supplemental report.
- Body camera policies should be updated regularly every two years with community input.

#### Strengthen community-police communication

- **Create avenues of communication which are useful and accessible for community members to share their public safety concerns with the police department and receive timely responses and follow-up.**

#### Improve City-led communications:

- **Provide training and update protocols to ensure sensitivity, cultural competency, and fairness in official statements released by all city agencies.**
- **Improve the structure and content of city and police department websites.**

#### Non-policing functions



- **Move non-policing functions and functions that are not tied to a violation of the criminal code outside of the police department:**
  - Victim's coordinator / advocate
  - Crossing guards
  - Code enforcement
  - Red light camera coordinator

Clear communication of policing priorities:

- **Chiefs should communicate to patrol staff that policing resources should be concentrated on serious criminal activities.**
- **Focus on community engagement and investigating serious crimes.**