

TALBOT COUNTY, MARYLAND
POLICE ACCOUNTABILITY BOARD

Minutes of Public Meeting
February 14, 2023

The meeting of the Talbot County Police Accountability Board was called to order at 8:30 a.m. on Tuesday, February 14, 2023. Present were Chairman Mitchell Ettinger, Members Michael Bibb, John Gilbert, Jo Ann Murray, Chris Rice, Connie Webster, County Attorney Patrick Thomas, and Board Secretary Victoria Bradley.

- I. Call to Order – Chairman Ettinger called the meeting to order and gave opening statements.
- II. Minutes – Upon motion made by Mr. Bibb, seconded by Ms. Webster the minutes of the Tuesday, January 24, 2023 meeting were unanimously approved with corrections.
- III. Appointment of Administrative Charging Committee (“ACC”) – A motion was made by Mr. Bibb and seconded by Ms. Webster to appoint Wala-Neh Labala and Gregory Wilson to the Administrative Charging Committee for Talbot County. The motion passed unanimously.
- IV. Introductions – Chairman Ettinger asked the Local Law Enforcement Agencies and Administrative Charging Committee members to introduce themselves.
- V. Quarterly Exchange with Law Enforcement Agencies (“LEAs”):
 1. Sheriff Gamble discussed Md. Code Ann., Pub. Safety (“PS”) § 3-106, establishing a trial board process. The LEAs are waiting for the Maryland Police Training Commission to make training available for the hearing board process. There has been no trial boards for a long period, and the LEAs believe that a single consistent process adopted by all would result in best practices. The Maryland Police Training Commission is developing a model process and best practice policy that will serve as the template for Talbot County LEAs.
 2. Sheriff Gamble and Captain Bollinger advised that their offices are in compliance with PS § 3-108, requiring the appointment of a victims’ rights advocate to serve as the LEA contact with the public on matters related to alleged police misconduct. The complaint process is online and the complainant can access case materials when the LEA completes the investigation and makes it available. Captain Bollinger is their office's victim rights advocate. Chief Smith, head of the St.

Michaels Police Department, plans to adopt the same process and on-line system as the Sheriff's Office, but currently uses its own system. Captain Oswald serves as the St. Michaels victims' rights advocate. Chief Lowrey, Easton Police Department, utilizes its own complaint system. The status of each case is posted on-line, which can be accessed by the complainant. Deputy Chief Greg Wright is the Easton Police Department's victims' rights advocate.

3. Sheriff Gamble discussed trends in complaints for his office. In 2021, they had 9 complaints, 7 were command staff complaints and 2 were citizen complaints. In 2022, they had 10 complaints, 2 were command staff complaints and 8 were citizen complaints. Command staff complaints pertain principally to in-house policy complaints – for example not getting your police car's oil changed on time, being late for work, not using the correct form, and not completing a road report. He has noticed a rise in citizen complaints since passage of the new law. Chief Smith has not seen a change in the number of complaints for St. Michaels PD. Chief Lowrey stated it is about half-and-half for command staff complaints and citizen complaints. Easton Police Department has removed only one officer from service during Chief Lowrey's tenure.
4. The LEAs expressed concern with the requirement that citizen complaints be investigated and processed through the Administrative Charging Committee within 1 year and a day of its filing. They noted that if there is a parallel criminal case, it is likely that that process will prolong the investigation and disposition beyond the contemplated time line. The Chairman expressed his understanding of the stated concern, noted that the PAB would work with the State's Attorney Office should that scenario arise and will be sensitive to the issue raised by the LEAs, namely that the prolonged process could result in the inability of the LEA to impose any administrative discipline for conduct ultimately deemed non-criminal but nevertheless a violation of Agency policy.
5. Chief Lowrey also expressed concern with complaint process affecting an officer's eligibility for promotion. Policy provides that if an officer is the subject of an internal investigation, he or she is not eligible for a promotion. If resolution of a complaint involves a protracted process, it is conceivable that an unfounded complaint could interfere with an officer's promotion cycle and therefore his or her career. The Chairman confirmed the Administrative Charging Committee will meet regularly and will be sensitive to a pending promotion cycle.
6. The Chairman asked LEAs how the PAB could best work together. Everyone agreed it is in the public's and LEAs' best interest to work collegially and

transparently to foster confidence in the work conducted by the PAB and the ACC. The Chairman encouraged the LEAs to include their recommendations as to disposition with when they submit their completed investigations to the ACC.

7. The Chairman asked if there was any information the LEAs would like conveyed to the County Council of Talbot County by the Board in its annual report or by interim correspondence. Chief Lowrey spoke on the staffing struggle all the LEAs are facing and how it affects morale. He also noted that he would appreciate if the PAB's annual report highlighted the positive accomplishments achieved by the LEAs.
 8. The Chairman asked for the next quarterly meeting with LEAs that they address training that has been concluded planned for this calendar year. The PAB also requested that the LEAs report on awards to or achievements by the agencies or individual officers. Finally, the PAB also made clear its expectation that the LEAs would raise any concerns or issues they perceive with the citizen complaint process or the PAB functions.
 9. The Chairman asked the LEAs to identify the policies and regulations they would recommend that the PAB and ACC study in order to best be positioned to perform their designated functions. Sheriff Gamble, Chief Lowery and Chief Smith confirmed that all the relevant policies are available on-line. They noted that Lexipol is the company the LEAs use to provide templates for their policies and procedures, which are updated regularly to address changes in the law. As a result, the regulations and policies of Talbot County LEAs are very similar if not identical. The LEAs recommended that the PAB and the ACC review in detail Chapters 3 and 10 of the on-line policies. When the LEAs submit their completed investigation to the ACC, they will include a reference to the regulation, policy and/or procedure that are relevant to the complaint.
- VI. Public Comments – Members of the public were afforded an opportunity to comment on matters of interest to them.
- VII. Announcement of next meeting – Upon an Agenda
- VIII. Adjournment - There being no further business to discuss, a motion was made by Ms. Webster and seconded by Mr. Bibb to adjourn the meeting. The meeting adjourned at 9:03 a.m.