

## Johns Hopkins University Police Accountability Board Meeting

Wednesday, February 15, 2023

### Accountability Board Members:

Noah Patton	Absent
Cynthia Gross	Present
Edward Kangethe	Present
Sonja Merchant-Jones	Present
Doris Minor-Terrell	Absent
Lorraine Dean	Present
P. Logan Weygandt	Present
Michael Wilkinson	Present
Katie O'Connor	Present
Elise Favia	Present
Terri Massie-Burrell	Present
Thomas Judge	Present

### Johns Hopkins Staff present:

1. Branville Bard
2. Rodney Hill
3. LaTicia Douglas
4. Phil Kasten
5. Liam Haviv
6. Lisa Wood
7. Jennifer Mielke
8. Gus Sentementes (Livestream Technician)

### Guest Speaker

Delegate Caylin Young

### Opening

The meeting was called to order by Edward Kangethe, JH Accountability Board (JHAB) member, at 6:00 p.m. on Wednesday, February 15, 2023, via Zoom. The meeting was broadcast live via toll-free call-in and on the [Accountability Board meetings live-stream webpage](#).

### Theme

The meeting's theme was general Board business.

### Approval of Prior Meeting Minutes

Minutes from the January 18<sup>th</sup> meeting were proposed for approval.

**Kangethe moved to approve the minutes from January. The motion was approved by the Board (11 votes and one abstention).**

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### Committee Updates

Sonja Merchant-Jones reported on behalf of the Outreach Committee. This Committee will need to have further discussions before formally presenting. Lori Dean reported on behalf of the Communications and Media Committee regarding responding to emails sent to the Board. Disclaimer language is being reviewed by Johns Hopkins General Counsel and, if approved, will be included in email responses from the Board. Michael Wilkinson volunteered for the Outreach Committee, and Terri Massie-Burrell volunteered to serve on the Communications Committee. Cynthia Gross asked how email responses were being sent from the JHAB email account. Dean reiterated that incoming emails addressed to the Board are sent to the members in a weekly digest; the Board can draft responses which will be sent out by a Public Safety staff person, with a BCC to all Board members. This is the process in place until an administrative assistant is hired to support the Board.

### Presentation: Delegate Caylin Young

Dean gave a brief overview of the 2019 Community Safety and Strengthening Act (CSSA), which provides for the creation of the JHPD, as well as the Accountability Board. Dean introduced Delegate Caylin Young as the guest speaker, who worked on the CSSA in his role with the American Civil Liberties Union (ACLU). Delegate Young now represents District 45, where the JH East Baltimore campus is located. In addition, he is the Deputy Director of the Baltimore City Office of Equity and Civil Rights, which oversees the Baltimore City Accountability Board.

Delegate Young stated that the JHAB was created to give the community a voice in the JHPD, with the shared goal of making the JHPD a model police force. He reiterated the role of the Board as a liaison between the community and the JHPD. The Board will be responsible for measuring crime metrics, and Delegate Young recommends that the JHAB model their work in this area after the Baltimore City Accountability Board. Finally, the JHAB is charged with assessing JHPD policies, procedures, and training. Delegate Young pointed out that the JHAB is to keep the JHPD and the Community accountable to work toward a shared goal of a safe community.

### Question and Answer

**Q:** Judge - Is there additional guidance for how the JHAB is to be formed outside of what is in the legislation? Where are the “teeth” for the Board, in addition to its advisory role? Is there language in the bill that directs the University to provide funding to the Board?

**A:** Young - The legislative process is not perfect! One thing to stress is the need for administrative support and getting the By Laws up and running. Delegate Young offered to share a template for By Laws with the Board. At the time the legislation passed, the legislature had not gotten to the point of providing “teeth” for the JHAB. The “teeth” for the JHAB derive from public pressure which is why it is so critical for the Board to have a strong relationship and open communication with the community, in addition to strong relationships with JHU leadership. Delegate Young recommends creating subcommittees to evenly distribute the workload; this is how the Baltimore City Accountability Board will be structured. Delegate Young stated that the bill does not indicate a requirement for Johns Hopkins to provide funding for the Board outside of personnel. If that staffing becomes a challenge, the Board can bring it to the legislature.

**Q:** Dean – Did you suggest creating a subcommittee for policy? What do you mean by “policy?”

**A:** Young – Yes; a subcommittee structure, like was noted earlier with the Outreach and Communication Committees, can be helpful and drive effectiveness of the Board. Policies could include use of force, or handling incidents involving persons having a mental/behavioral crises policy. These are policies for the JHPD.

**Q:** Gross – Are there going to be any synergies to make sure State and Local laws are lining up with what Johns Hopkins is doing? When would it be appropriate to go back to the legislature if the Board structure is not working?

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**A:** Young – The Board and residents can reach out to any delegate at any time to raise questions or concerns; there is no one time that is more/less appropriate than any other to reach out. But it is important to give the Board time to work. As for the synergies, this will change now that the Baltimore Police Department is under local, versus State, control. Cases involving misconduct of JHPD officers would be reviewed by the Baltimore City Accountability Board.

**Q:** Dean – Should the Board be reporting back to anyone outside of the University and community?

**A:** Young – This was done for the Baltimore City Accountability Board but was something done by staff so it may be more challenging for the JHAB until they have administrative support. The recommendation is to post on the website and inform elected officials to keep them updated.

**Q:** Massie-Burrell – How can the JHAB connect with the Baltimore City Accountability Board?

**A:** Young- Contact [Marel W. Shutinya](#) as she is the staff person. That Board is in the development process, so please wait until the summer to reach out to. Note that the Baltimore City Accountability Board is two boards in one: Accountability Board and Charging Committee.

Dean thanked Delegate Young for presenting to the Board and answering questions; the Board and Dr. Bard echoed the thanks. Delegate Young also thanked participants for their time. Dean and Kangethe thanked Gross for her suggestion of having Delegate Young as a guest speaker.

### **Discussion: Open Meetings Act**

Kangethe discussed the Open Meeting Act compliance training as some members JHAB members have not been trained. Gross, Wilkinson, Elise Favia, and P. Logan Weygandt expressed interest in the training. Dr. Bard expressed willingness to bring back Frank Johnson as a presenter on this topic, and that training is available online: [Open Meetings Act Introduction | Institute for Governmental Service and Research \(umd.edu\)](#). Refresher trainings can be held, in addition to providing a full training packet, for new members. Dean raised having a new member packet that could, for example, include information about accessing the Open Meetings Act training, By Laws (when complete), copy of the 2019 CSSA, and a JHPD organizational chart. This idea was echoed by Massie-Burrell with the addition of making the file digital. Kangethe suggested this might be for a new committee or the existing governance committee; Dean suggested this as a project for the new administrative support person.

### **Discussion: 21CP Report on the December 2022 Public Meeting**

Kangethe raised the topic of the 21CP report that the Board received earlier that day (Wednesday, February 15, 2023) and opened the floor for comments. He also suggested making the report a future meeting agenda topic. Gross asked if it would be possible to put the report on the website, noted as a draft, for further review and comment. Kangethe understood the document as for the Board only and not for public review/comment. Gross will note her comment and send the draft back to 21CP.

### **Administrative Support for the Board**

When this was last addressed, not all Board members were present and there was confusion from some members about what support was being offered. Dean raised questions regarding this position:

- How will the process of screening applications would work- does the Board do the first pass of the applications, or would JH administration screen applicants?
- How long would the hiring process take?
  - JH hiring is notoriously slow.
- Would other duties be assigned to this person outside of responsibilities of the Board?

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- Yes, as an employee in the Office of the Vice President of Public Safety, they may work on additional projects in support of the administration.
- To whom will this person support?
  - The person in this position will report to LaTicia Douglas, Special Assistant to Dr. Bard.
- Who would have the power to terminate this person?
  - The person in this role would be subject to all rules and regulations as any other JH employee.

Dr. Bard noted that a draft job description is ready for Board review and Board participation in the hiring process is encouraged; what that may look like specifically is up to the Board. If a part-time admin does not work out, the administrative support role can be revised. The person in this role will solely support the Board, but that does not preclude other duties being assigned. Applicants would be screened by Johns Hopkins Human Resources first to ensure applicants meet the minimum requirements of the position. Qualified applicants will be passed to the Board for review.

Gross raised the question of Board input on the job description; Dr. Bard reiterated that Board feedback is welcome and the draft will be sent to the Board for review. (*Note: The job description was sent to the Board Hiring subcommittee on 2/21/2023*). Gross asked if the pending discussions with Legal (General Counsel) would hold up the hiring process, and Dr. Bard assured the Board that he is ready to move forward.

Katie O'Connor asked if this role could be hired as a contractor, as opposed to a direct hire, especially as contract hires are often hired with a shorter turnaround time. Dean reiterated that this was the question that precipitated the vote at the end of last meeting and there are tradeoffs with both options (independent contractor vs. JHU employee).

Wilkinson brought up the main challenge that an independent contractor would not have access to the JHU-sponsored Accountability Board email address. Dr. Bard clarified the difference between an independent contractor and a Johns Hopkins contract employee who would have similar rights and privileges to other Johns Hopkins employees, but the goal is to get the help quickly so the Board can be more efficient. Legal/General Counsel is reviewing the language the Board would like to set as a disclaimer in email responses; they are not reviewing the issue of email access for the administrative support person. It is understood that the administrative support person would be handling the Board's email.

Weygandt stressed the need for objectivity and speed in selecting the Board's support person, with Dr. Bard reiterating that, however this individual is hired, they will be in the chain of command of Johns Hopkins University. Weygandt asked if the Board support person could reside in a Johns Hopkins unit outside of Public Safety to avoid the appearance of a conflict of interest. Dr. Bard noted that this would be fine in theory, but encouraged the Board to remember that this person would be doing administrative work; they would not be voting on Board issues in any way. The staffing for the JHAB is very similar to the staff set-up for the Baltimore City Accountability Board.

Dr. Bard reiterated the need to avoid conflating independence with complete isolation.

Gross asked Dean what the date was of the first email the Board received; according to Dean and Favia, the first email was received in March 2022 which was almost a year ago. Gross asserted that the lack of response and "holding pattern" the Board has been in cannot continue, so a decision must be made by the Board.

Wilkinson stated the need to inform the community of the role of the support person- they are sending the emails that are drafted by the Board.

**Dean moved to recount the vote regarding hiring the part-time administrative staff person as a Johns Hopkins employee; the motion was seconded by Favia. There were five votes opposed to the hiring of a part-time Johns Hopkins University employee, one abstention, and four votes in favor. O'Connor made a motion to hire an administrative support person for the Board as a Johns Hopkins University contract employee who would only work for the Board. The motion was seconded by Dean and passed unanimously by the Board.**

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**Dr. Barded stated that JHU is moving forward with hiring a JHU employee as part-time administrative support for the Board.**

### Updates from Dr. Bard

Dr. Bard discussed the upcoming JHPD policy review and suggested sharing with the Board the entire table of contents of all prospective policies with those of great interest to the public highlighted. The goal would be to get policies of public interest to the Board first. The Board would be welcome to highlight other policies that they are particularly interested in as well.

**Q:** Gross – Based on experience, how many pages are policies?

**A:** Bard – Policies vary in length, with some being thirty pages long. For example, a policy on how to answer the phone may be a page or less, but a policy on detention should be several pages. In total, the policy review may consist of hundreds of pages.

Dr. Bard also reiterated the need for administrative support and that, whatever decision the Board comes to, it can be changed. It is in the Board's best interest to be able to work effectively. Dean, on behalf of the Board, asserted the desire for administrative help, but the discussion is how best to fill that role. Dr. Bard, in response to O'Connor's question of timeliness, stated that both contract and direct hire positions can take a long time.

### Upcoming Meeting Updates

The next Board meeting is Wednesday, March 15, 2023. Wilkinson recommended finishing the By Laws during that meeting. Dean raised the meeting formats - in person, virtual, or hybrid, and Delegate Young's suggestion to create policy review and crime stat review subcommittees.

**Q:** Judge – What is the threshold which determines if meetings are held in person?

**A:** Bard – Reminder: All Board meetings are public, per the Open Meetings Act, but there has been a very low response rate (2-3 Board members responding to attend in person) which makes meetings inefficient if most attendees are virtual.

### Next Steps/Action Items

- Establish two new subcommittees
  - Policy Review
  - Crime Statistic Review
- Hiring of a part-time administrative staff person for the Board
- Meet with staff from the Baltimore City Police Accountability Board (Summer 2023)

### Closing

**Kangethe asked for unanimous consent to adjourn the meeting at 7:44 p.m.; the Board gave consent unanimously. Kangethe thanked everyone for their time.**