

**Administrative Charging Committee
Meeting Minutes
Wednesday, January 25, 2023**

Members Howard Cox, Chair; Teresa Bean, Kevin Grubb and John Shatto were present for the meeting. Member Dawn Oram was absent.

Also present were Jennifer Keefer, Assistant County Attorney, and Sarah Ambrosio, Executive Administrator, Police Accountability Board and Administrative Charging Committee.

Call to Order

Chair Cox called the meeting to order at 7:30 p.m.

Approval of Minutes from November 30, 2022.

The Board voted unanimously to approve the Minutes for November 30, 2022.

Discussion on Rules of Procedure

Howard Cox, Chair and Jennifer Keefer, Assistant County Attorney, discussed with the Administrative Charging Committee, information, and process for Rules of Procedure.

Status on Reviewing Investigations Process

Sarah Ambrosio, Executive Administrator, provided information to the members on the status of County email address and county issued laptops, successful completion of all training and background checks, the number of complaints received since the last meeting, and status of investigations in progress.

Discussion on Internally vs. Externally Generated Complaints

Howard Cox, Chair, opened discussion on Internally vs. Externally generated complaints and processes.

Discussion on Meeting Times for Future ACC Meetings

Howard Cox, Chair, discussed possible times for future ACC meetings.

Motion to go into Closed Session

Chair Howard Cox read into the record the Closing Statement for the closed session. The closing statement follows.

A motion was made at 8:15 p.m. by Teresa Bean to go into closed session in accordance with Maryland Annotated Code General Provisions Article §3-305(b)(1) To discuss (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) Any other personnel matter

that affects one or more specific individuals; §3-305(b)(7) To consult with counsel to obtain legal advice; §3-305(b)(13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter. The motion was seconded by Kevin Grubb, which passed 4-0-1. Committee Member Dawn Oram was absent.

ACC Members	Aye	Nay	Absent/ Abstain/ Present
Howard Cox	X		
Teresa Bean	X		
Kevin Grubb	X		
Dawn Oram			X
John Shatto	X		

*** The Committee went into closed session at 8:20 p.m.*

Public Objections for Administrative Charging Committee going into Closed Session

- None

Adjourn

The meeting adjourned at 8:16 p.m.

Frederick County Administrative Charging Committee

PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING "CLOSING STATEMENT" (General Provisions Article § 3-305)

Form to be completed before closing the meeting. May be prepared in advance.

1. Recorded vote to close the meeting
Date: 1/25/2023; Time 8:15 p.m.; Location: County Attorney Office;
Motion to close meeting made by: Teresa Bean Seconded by Kevin Grubb;
Members in favor: Cox, Bean, Grubb, Shatto; Opposed: None;
Abstaining: _____; Absent: Dawn Oram.
2. Statutory Authority to close session (check all that apply).
This meeting will be closed under General Provisions Article § 3-305(b) only:
 - (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
 - (2) Protect the privacy or reputation of an individual with respect to a matter that is not related to public business;
 - (3) Consider the acquisition of real property for a public purpose and matters directly related to the acquisition;
 - (4) Consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
 - (5) Consider the investment of public funds;
 - (6) Consider the marketing of public securities;
 - (7) Consult with counsel to obtain legal advice;
 - (8) Consult with staff, consultants, or other individuals about pending or potential litigation;
 - (9) Conduct collective bargaining negotiations or consider matters that relate to the negotiations;
 - (10) Discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
 - (11) Prepare, administer, or grade a scholastic, licensing, or qualifying examination;
 - (12) Conduct or discuss an investigative proceeding on actual or possible criminal conduct;
 - (13) Comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
 - (14) Discuss, before a contract is awarded or bids are opened, a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process; or
 - (15) Discuss cybersecurity, if the public body determined that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information, or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices.
3. For each provision checked above, disclosure of the topic to be discussed and the Council's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§ 3-305(b) <u>1</u>	To evaluate and discuss correspondence from a law enforcement agency related to a complaint of misconduct.	It involves a specific law enforcement individual/officer over whom this body has jurisdiction.
§ 3-305(b) <u>7</u>	To evaluate and discuss correspondence from a law enforcement agency related to a complaint of misconduct.	This body may need to consult with legal counsel and obtain advice as to how to proceed.
§ 3-305(b) <u>13</u>	To evaluate and discuss correspondence from a law enforcement agency related to a complaint of misconduct.	This body is required by Public Safety Code §3-104(h) to maintain confidentiality relating to a matter being considered by the committee until final disposition of the matter.
§ 3-305(b) _____		

4. This statement is made by Howard Cox, Presiding Officer.

SUMMARY OF CLOSED SESSION HELD ON JANUARY 25, 2023

1. Statement of the time, place and purpose of the closed session

Time of closed session: 8:20 p.m.

Place (location) of closed session: County Attorney's Office

Purpose of the closed session: To evaluate and discuss correspondence from a law enforcement agency related to a complaint of police misconduct.

2. Record of the vote of each member as to closing the session

Name of members voting aye: Howard Cox, Chair, Teresa Bean, Kevin Grubb, John Shatto.

Members Opposed: None

Members Abstaining: Dawn Oram (Absent)

3. Statutory Authority to close session

This meeting was closed under the following provisions of General Provisions Article § 3-305(b)(1)(7)(13)

Topic 1 - § 3-305(b)(1)

Topic 2 - § 3-305(b)(7)

Topic 3 - § 3-305(b)(13)

4. Listing of each topic actually discussed, persons present, and each action taken in the session

Topic Description: Discussion of correspondence received from a law enforcement agency related to a complaint of misconduct.

Persons present for discussion: Committee Members Howard Cox, Chair, Teresa Bean, Kevin Grubb, John Shatto, Sarah Ambrosio (Executive Administrator, Police Accountability Board and Administrative Charging Committee), Jennifer Keefer (Assistant County Attorney).

Action Taken/ Each Recorded Vote:

None