



City of Salisbury
HUMAN RIGHTS ADVISORY COMMITTEE
MEETING MINUTES
November 14, 2019

Committee Members Present

Reverend John Wright, *Chair*
Mark Decker
Amber Green
Nance Held
Chalarra Sessoms
Billy Earl Amos
D'Shawn Doughty

Committee Members Absent

Marcel Jagne-Shaw

In Attendance

Laura Baasland, *Department of Water Works Program Specialist*
Barbara Duncan, *Chief of Salisbury Police Department*
Kaisha Young

The Human Rights Advisory Committee (HRAC) met at 6:00p.m. in Conference Room #306 of the Government Office Building

Call to Order

The meeting was called to order at 6:08p.m. by Rev Wright and began with introductions of everyone in attendance.

Last Meeting Minutes

The meeting minutes from October were acknowledged. A motion to approve the last meeting minutes as written was brought forth by Ms. Green and seconded by Mr. Amos. The motion carried by a unanimous vote in favor.

Open Public Forum, Current Events & Local Issues

The Committee discussed the recent events of racially charged graffiti on the Salisbury University campus. Chief Duncan confirmed that Salisbury Police Department (SPD) and the Salisbury University Police Department (SUPD) have communicated for support. The Committee acknowledged that Mayor Day is aware of the issue and has responded to it appropriately, so while the Committee should be aware of the ongoing issue, there is nothing the Committee can do within their scope of authority at this time. The Committee expressed grave concern over the fact that black students at Salisbury University do not feel safe. The Committee decided to put this on the agenda for the next meeting to discuss further. The Committee asked that Mrs. Baasland invite Eli Modlin, Chief of Staff at Salisbury University, join us at the next meeting.

Ms. Green gave a review of some local meetings that have been held and that are upcoming that she feels the Committee should be aware of:

- The National Alliance for the Association of Colored People (NAACP) will meet at 7pm on November 21, 2019 with guest speaker Senator Addie Eckardt to do a recap of the legislative session.
- The swearing in of the recently-elected City Council members will be held on November 18, 2019 at 6pm in the Council Chambers of the Government Office Building, and the President and Vice President will be elected.
- The swearing in of recently re-elected Mayor Jacob R. Day will be held on November 25, 2019 at 6pm at Salisbury Fire Department Headquarters Station 16.
- Wicomico County Local Management Board (LMB) hosted a community meeting today on a spectrum of local issues such as mental health and teen pregnancy. Mrs. Sessoms added that at this meeting, two individuals from the Haitian community mentioned the Human Rights Advisory Committee.
- The Maryland Democrats held a meeting today about Medicare for All.
- The Homeless Alliance is hosting a community forum in the coming weeks, Ms. Green will forward that information to the Committee.

The Committee also noticed that this week, November 13-18, 2019, is Trans Awareness Week. Additionally, Committee members discussed the need for some type of cards or brochures or branding to give out to people in the community at meetings and events.

Questions for Chief Duncan

The Committee addressed Chief Duncan and turned the floor over to her. Rev Wright prefaced the discussion by telling her that the invitation to our meeting was on positive terms and not because of issues with the Department, and reminded that the Committee members that the group agreed in advance to keep the conversation focused on the prepared questions.

Rev Wright asked the following questions:

1. *Are there procedures with assisting trans individuals experiencing homelessness? If so, what are the procedures?*
 - a. Chief Duncan responded that there are none in particular—SPD works with the homeless population, period.
2. *If a trans person is arrested, is there special protocol? If so, what is that protocol?*
 - a. Chief Duncan directed the Committee to the City website, where the policies for the Department are posted. Some police procedures, particularly those that pertain to Officer safety, are not published on the website, but most are listed and accessible.
 - b. Arrest procedures are standardized regardless of gender. Pat downs are conducted by both male and female officers, regardless of gender. Officers are taught to ask persons what name they prefer to go by and what gender they identify with. The holding cells at SPD are not overnight facilities, they simply have detention areas while initial investigations are conducted. Chief cannot speak for the County level, but individual prisoners are given their own holding cell while they are at SPD station.
3. *Are there procedures for dealing with non-English speakers who don't speak the most common languages?*
 - a. SPD doesn't have a robust staff to put their policies up online, and they are posting the policies themselves, so at this time their policies have not been translated to any other language. As a Commission for Accreditation on Law Enforcement Agencies (CALEA) certified agency, SPD is subject to thorough and robust investigation on a regular basis.
 - b. SPD primarily uses the Language Line to provide translation, but they also work with the court system to get certified translators and other government entities, even going across County lines when needed. Volunteers are also called up when necessary. Translation is a potential liability and is not infallible, SPD has very few bilingual officers, and none that speak Creole.
 - c. Ms. Green inquired as to whether officers would be willing to learn other languages, and Chief Duncan confirmed that the department offers language training for Spanish

through a standard state program, but because it is a perishable skill, it is easily lost when it is not used.

Ms. Green asked the following questions:

4. *How accessible and visible are department policies? Can they be easily located on the City website, and are they accessible to all members of the public, specifically the language?*
 - a. What is written and what is transmitted is a significant concern for SPD that Chief acknowledges and is aware of. Not all policies are on the website, but most are. Ms. Green expressed concerns about the terminology barriers presented by the language used in the policies. She asked Chief if the Department would be open to volunteers creating infographics or “boiled down” versions of the policies to release to the public. Chief Duncan expressed concerns over what may be lost in translation, particularly as it would be coming from the Department.
5. *How are complaints against the department processed? What is the complaint process? How transparent is the department about complaints?*
 - a. Chief Duncan admitted that the Department is horrible at branding, but that is because they don't have dedicated marketing staff and are focused on policing. Chief directed the Committee to the form on the website that is used to file a complaint against an officer. Ms. Green asked about the protocol once the form has been submitted, and Chief stated that the complainant will receive a call within 24 hours typically, unless it is a holiday or weekend, and a formal investigation is opened. Chief confirmed that complaints against SPD officers are investigated internally and assigned to another SPD officer. SPD has a specially trained individual who conducts internal affairs investigations. The formal investigation proceeds as follows: the complainant is contacted first, then an interview is conducted with the officer with their legal counsel present. Once the report is complete, it is submitted to the Captain, Major, Assistant Chief, and then the Chief. There is a disciplinary matrix that is applied if the officer is found to be in violation or in policy failure, starting at verbal, all the way up until termination. The complainant then gets a letter stating the outcome of the investigation, and whether or not discipline was handed down. If it is criminal matter, the matter is investigated further by the State Attorney's Office and they have their own protocol for investigation, while the department conducts its own distinct but parallel investigation simultaneously. If the complainant is not satisfied with the results of the investigation, they can discuss it with the Chief, City Administrator, or the Mayor. There is no formal appeal process, but they are invited to meet the three aforementioned individuals to further discuss. The body-worn cameras have been exceptionally helpful in this area.
 - b. Chief Duncan asked if it would be helpful to update the form to explain the procedure somewhat to make it more clear. The Committee responded affirmatively.

Ms. Held asked the following questions:

6. *What are the department's policies and procedures in dealing with youth?*
 - a. Chief responded simply that SPD does not have jurisdiction over the schools, the County does, which complicates this issue, but makes the answer simple. The only private school within the municipal limits of Salisbury that SPD has jurisdiction over is St. Francis de Sales.
 - b. Chief Duncan confirmed that the department does have a lot of interaction with youth. In some cases, arrests do need to be made, but it depends on the seriousness of the crime. The department works with the Department of Juvenile Services (DJS) to make such determinations. In many cases, DJS decides that the child needs to go back to the parent or guardian. Chief Duncan provided the example of the Department receiving a call at 2am that a juvenile is out pulling on car door handles to enter them. In such a case, the juvenile would be taken into custody. The overall mentality of DJS is that the juvenile is better off at home than in detention, regardless of whether the parents, police, or community agree. In some cases, juveniles are held, in which case SPD is no longer involved because they are transferred.

- c. One big issue that SPD faces is repeat calls for service at homes. Repeated visits at one's home for negative reasons create friction between community and police at an early age. SPD is working in partnership with Wicomico County LMB with a grant from the Governor's Office for a crime control and diversion program. The diversion is mediation between child and the parent or guardian, and through mediation a contract of behavior is developed. SPD is currently undergoing training for this program.
7. *What number of youth have had civil or criminal interaction with the department?*
- a. Mr. Decker asked Chief Duncan what percentage of interaction is youth versus adult. Chief Duncan responded that the exact number of calls for service with youth are not in front of her and she would be willing to look those numbers up and return them to the Committee, but she did state that the Department receives 60,000 calls for service annually. Of those 60,000 calls, 30,000 are self-generated by proactive officers, and the other 30,000 are generated by the public calling in.
8. *Has the department considered or researched grants to fund training in youth policing?*
- a. Chief Duncan responded that there are two main factors inhibiting access to training. One of those factors is cost, but the type of program is also a factor. The Department looks toward police academy standards. Chief Duncan serves on the training commission as a regional representative, and informed the Committee that a job task analysis has been approved, but has not been conducted in more than 20 years, and is something that should be conducted every 5 years or so. Youth interactions are a problem for the department and society in general because they do not produce positive outcomes. The department has requested the job task analysis be done—the budget for which has been approved, it now needs to be conducted through the academy. SPD seeks grants for juvenile training from the Bureau of Justice Administration, the Justice Department, and the Office of Juvenile Justice.
- b. Chief Duncan clarified for Mrs. Baasland the difference between interactions and documented calls for service. Interactions occur anytime an officer had contact with a member of the public, whether positive or negative, and include occurrences like officers stopping to play basketball with kids, help someone change a tire, etc. Documented calls for service occur only when another officer or a member of the public call in for an officer to respond to a particular situation. While calls for service are carefully documented, interactions are not, therefore skewing what data is available to have a more negative slant.
9. *What policies are in place to deal with persons experiencing homelessness?*
- a. When SPD encounter persons experiencing homelessness in public, officers try to connect the individual with resources. Christine Chestnutt, the Housing and Homelessness Manager, and Joe Ruffo, the Homeless Services Case Manager, both in the Department of Housing and Community Development, are dispatched to help. SPD encourages immediate connection with Homeless Services to ensure timely assistance. Mental health issues are handled differently to get persons into treatment.
10. *Does the department have any policies or procedures in place to address human trafficking?*
- a. SPD conducts several human trafficking investigations per year. When input is received that a business may be a front for human trafficking, investigations are immediately opened. SPD works with Homeland Security directly to address this issue; the closest Homeland Security office is in Ocean City. Tips are given by the public and officers sometimes stumble across these issues that may first appear to be prostitution but end up being human trafficking. Officers are given special training to recognize signs of human trafficking and respond accordingly. When an officer suspects someone has been a victim of trafficking, SPD works with LifeCrisis to assist with providing housing and mental health support and court liaisons.

The following question came from the entire Committee:

11. *What level of coordination is there between the four policing agencies in the City—Salisbury Police Department, Wicomico County Sheriff's Office, Maryland State Police, and Salisbury University Police?*

- a. Chief Duncan responded by immediately clarifying that the Committee omitted two important agencies nearby that SPD also work with: Fruitland Police Department and Delmar Police Department. All six agencies recognized a long time ago that there is no border for crime, so they all work together with a spirit of cooperation. Information is shared between all six agencies twice per day. To the agencies, it doesn't matter what jurisdiction made the arrest, what matters is that the crime is solved.
- b. The policing mission at the municipal level is really about neighborhood policing, so that is what SPD focuses on. This is vastly different from Maryland State Police—Chief Duncan stated that she wouldn't expect a State Trooper to be able to walk a hallway the way a municipal officer does, but that municipal officers also don't deal with the same type of traffic collisions that State Troopers do. Communication breakdowns are a barrier between different agencies when trying to work with youth in particular, so SPD does its best to overcome that when working with its five neighbors.

The following question was not approved ahead of time, but was asked by the Committee:

12. *Does SPD prohibit police officers from attending non-sanctioned trainings and seminars?*

- a. Chief Duncan, nor the Department, cannot dictate what officers do on their own time. Some off-duty behaviors can be controlled, but many of them, including training, cannot be and there are therefore no rules in place regarding the matter.

Maryland Lynching Memorial Project

Mr. Decker asked for an update from Mayor Day regarding the Maryland Lynching Memorial Project memo that Mrs. Baasland submitted to him on behalf of the Committee on October 22, 2019. Mrs. Baasland informed that Committee that she had not heard back from Mayor Day in regards to the memo, and that she had not followed up with him, but would do so.

Next Meeting & Adjournment

A motion to skip the December meeting and reconvene in January, and move discussions of renaming Columbus Day to Indigenous Peoples' Day and Committee membership, as well as the racist graffiti at Salisbury University, to the next meeting was brought forth by Ms. Held and seconded by Mr. Amos. The motion passed by unanimous vote in favor. The next HRAC meeting was set for Thursday, January 9th, at 6p.m. in conference room 306 of the Government Office Building. On a motion by Mr. Amos, seconded by Ms. Held, and carried by unanimous vote in favor, the HRAC meeting was adjourned at 7:52p.m.

Minutes Taken By: Laura Baasland, *Department of Water Works Program Specialist*