



**DRAFT OF**

**PSLECAC'S QUARTERLY MEETING MINUTES**

**FROM MAY 20, 2021**

**PROPOSED FOR ADOPTION**

**ON AUGUST 6, 2021**



**PENNSYLVANIA STATE LAW ENFORCEMENT CITIZEN ADVISORY COMMISSION**  
**Regular Meeting Minutes**  
**Thursday, May 20, 2021 at 2:00 p.m.**  
(Virtual Meeting *via* Microsoft Teams Platform)

**At 1:15 p.m. Executive Session**

Sha S. Brown, Commission Chairperson, began an Executive Session of the Commission. Topics discussed within the Executive Session included various administrative tasks and a review of the Commission's Regular Meeting Agenda. The executive session ended at 1:40 p.m.

**At 2:08 p.m. Regular Public Meeting Started and Recording Began**

**At 2:08 p.m. Call to Order and opening remarks by Commission Chairman, Sha Brown**

**At 2:08 p.m. Introduction of, and Roll Call by, Acting Commission Secretary Amanda Nuñez**

Acting Commission Secretary Nunez read the names of all Commission voting members aloud and those in attendance responded by announcing their presence. 15 voting members (**with one Commission voting member present but unable to vote because of training qualifications**) of the Commission were virtually in attendance and a quorum of the Commission's voting members was present. A copy of the Roll Call and Attendance Form is attached hereto and made a part hereof [*see Attachment 1*]. There was some technical difficulty with some Commission members not being able to unmute themselves to respond.

**At 2:22 p.m.** Chairman Brown provided information to citizens who wished to provide public comment.

**At 2:23 p.m. Motion to Approve the Commission's May 20, 2021 Regular Meeting Agenda**

Chairman Brown asked for a Motion to approve the Commission's May 20, 2021 Regular Meeting Agenda. The Motion was offered and seconded by Commission members. No objections were made to the Commission's May 20, 2021 Meeting Agenda. There were some technical difficulties with some Commission members not being able to unmute themselves to respond. A copy of the Commission's May 20, 2021 Regular Meeting Agenda as adopted is attached hereto and made a part hereof [*see Attachment 2*].

**At 2:43 p.m. Motion to Approve Adoption of the draft of the Commission's January 21, 2021 Meeting Minutes [*see Attachment 3*].**

Chairman Brown asked for a Motion to approve the draft of the Commission's January 21, 2021 Meeting Minutes. The Motion was offered and seconded by Commission members. Because of continued technical difficulties when conducting the Roll Call for a vote, a Motion to Approve a draft of the Commission's January 21, 2021 Meeting Minutes by Unanimous Consent was made and seconded by Commission members. Unanimous consent to approve adoption of the draft of

the Commission's January 21, 2021 passed with no noted objections. A copy of the Commission's final January 21, 2021 Meeting Minutes as adopted is attached hereto and made a part hereof [*see Attachment 3*].

**At 2:44 p.m. Motion to Adopt Resolution No. 1 – *Bylaws of the Pennsylvania State Law Enforcement Citizen Advisory Commission.***

Chairman Brown asked if and confirmed that all Commission members received a copy of Resolution No. 1 – *Bylaws of the Pennsylvania State Law Enforcement Citizen Advisory Commission*. Chairman Brown asked for a Motion to approve the draft of the Commission's proposed Bylaws. A motion was made by Commissioner David Sonenshein and seconded by Commissioner Elizabeth Pittinger. Chairman Brown moved to public comment and asked if any Commission member or meeting participant wished to be heard regarding adoption of the Commission's proposed Bylaws. With no comment received, Chairman Brown directed Acting Commission Secretary Nunez to conduct a Vote.

**At 2:47 p.m. Vote Tabulation for Adoption of Resolution No. 1 – *Bylaws of the Pennsylvania State Law Enforcement Citizen Advisory Commission.***

Following a Roll Call of all voting members of the Commission in attendance, Resolution No. 1 – *Bylaws of the Pennsylvania State Law Enforcement Citizen Advisory Commission* was adopted by unanimous vote (14 Commission voting members voted in favor of the resolution; one Commission member was present but unable to vote). A copy of the Vote Tabulation for adoption along with Resolution 1 – *Bylaws of the Pennsylvania State Law Enforcement Citizen Advisory Commission* as adopted is attached hereto and made a part hereof [*see Attachment 4 for Vote Tabulations for adoption of Commission's May 20, 2021 Meeting Agenda, adoption of Commission's January 21, 2021 Meeting Minutes and adoption of Resolution No. 1 – Bylaws of the Pennsylvania State Law Enforcement Citizen Advisory Commission*].

**At 2:48 p.m. Report of the Commission's Chairperson [State of the Commission Report, formation of Commission Review Committees and appointment of Commission Vice Chair]**

Chairman Brown thanked the Governor's Office, Governor's Office of Administration, Department of State, Governor's Office of General Counsel and the OSIG legal team for their legal advice and counsel; the Pennsylvania State Police, Governor's Office of Administration, and the Governor's Office of General Counsel who were instrumental in developing, presenting and providing mandated training elements for all Commission members to ensure qualification pursuant to Executive Order 2020-04, as amended; all Covered Agencies, including the Pennsylvania State Police, Department of General Services' Capital Police, Department of Conservation and Natural Resources Rangers, Department of Corrections, and Department of Agriculture's Bureau of Dog Law Enforcement; Ex-officio Commission members and designees including the General Counsel Gregory Schwab, Deputy General Counsel Anne Cornick, Col. Evanchick, Capt. Christopher King, Superintendent Jacobs, Secretary Dunn, Deputy Secretary Norbeck, Executive Director Michael Pennington, and Homeland Security Director Marcus Brown who have all been critical partners in the development of this Commission; and finally, State Inspector General Miller, First Deputy Madden, Jonathan Hendrickson, Melissa Yerges, Steve Bear, Nincolle Graver, Heidi Urich, Amanda Nunez, BLEO Senior Special Investigator Michelle Berg, and all members of the OSIG's support team.

Chairman Brown spoke of the support of the OSIG's Bureau of Law Enforcement Oversight (BLEO) to the Commission's work and how the Commission will conduct its reviews of completed internal investigative findings of Covered Agencies.

In moving forward with the Commission's reviews, Chairman Brown announced the formation of the following Commission Review Committees and participants:

***Critical Incident Review Committee:***      ***This Review Committee will review the completed internal investigations of all police-involved shootings (critical incidents) involving injury or death to a citizen; each critical incident will have its own sub-committee to review the internal investigation of the Covered Agency.***

Critical Incident Review Committee Chair:

*Commissioner Kelley Hodge, Esquire*

Critical Incident Review Committee Vice Chairs:

*Commissioner Charima Young*

*Commissioner Dr. Spero Lappas, Esquire*

*Commissioner Bishop Curtis Jones Sr.*

*Commissioner Andrea Lawful-Sanders*

***Use of Force Review Committee:***      ***This Review Committee will review a random sampling of the completed internal investigations of lower level uses of force involving injury or death to a citizen.***

Use of Force Review Committee Chair:

*Commissioner David Sonenshein, Esquire*

Use of Force Review Committee Vice Chair:

*Commissioner Krista Somers*

***Bias-Based Policing Committee:***      ***This Review Committee will review the completed internal investigations of all incidents of racial or ethnic discrimination and other bias-based policing; and/or external complaints of bias or discrimination during interactions with Covered Agencies.***

Bias-Based Policing Committee Chair:

*Commissioner Marvin Boyer*

Bias-Based Policing Committee Vice Chair:

*Commissioner Denise Ashe*

Pursuant to the Commission's newly adopted Bylaws, Chairman Brown introduced and appointed Commissioner Beth Pittinger as the Commission's Vice Chair to act in the Chairperson's stead in case of the Chairperson's emergency, incapacity, or unavailability (for parliamentary purposes only) in calling and/or presiding over Commission quarterly, special, or rescheduled meetings.

**At 2:56 p.m. Public Comment**

Chairman Brown opened the meeting to any Commission members and/or guests in attendance. No prior public comments or guests were registered ahead of time. No citizens spoke during this allotted time.

**At 2:57 p.m. Closing Remarks and Announcements by Commission Chairperson**

Chairperson Brown provided closing remarks and informed the public about how to file complaints using the Commission's hotline, access the Commission's webpage, contact the OSIG and BLEO for assistance.

**At 2:58 p.m. Regular Public Meeting Adjourned**

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## Roll Call and Attendance Form

Type of Commission Meeting:  Quarterly  Special  Rescheduled  
 Date and Time of Commission Meeting: MAY 20, 2021 2pm

Pursuant to Article 6, Sections 2 and 5 of the Pennsylvania State Law Enforcement Citizen Advisory Commission’s (Commission) Bylaws, I hereby attest to performing a Roll Call of Commission Membership at the above listed Commission meeting and recording attendance of Commission members as indicated below:

Seat Name	Name of Commission Member	Attendance		
		Present	Excused Absence	Absent
At-Large Seat 1	David A. Sonenshein	✓		
At-Large Seat 2	Dr. A. Suresh Canagarajah, Ph.D.	✓		
At-Large Seat 3	Kelley B. Hodge, Esquire	✓		
At-Large Seat 4	Denise Ashe	✓		
At-Large Seat 5	Elizabeth C. Pittinger	✓		
At-Large Seat 6	<del>Maurice A. Tomlinson</del> Resign			
Troop A Seat	Jeffrey Wilson	✓		
Troop B Seat	Brenda Tate	✓		
Troop C Seat	Joshua S. Maines, Esquire	✓	NOT VOTING	
Troop D Seat	Marisa C. Williams		✓	
Troop E Seat	Bishop Curtis L. Jones, Sr.	✓		
Troop F Seat	Honorable Erick J. Coolidge	✓		
Troop G Seat	Charima C. Young	✓		
Troop H Seat	Spero T. Lappas, J.D., Ph.D	✓		
Troop J Seat	<del>Honorable Khadijah Al Amin</del> Resign			
Troop K Seat	Andrea A. Lawful-Sanders		✓	
Troop L Seat	William Colon	✓		
Troop M Seat	Marvin Boyer	✓		
Troop N Seat	Marilyn M. Brown, Ed.D.		✓	
Troop P Seat	Rev. Shawn M. Walker			✓
Troop R Seat	Krista Somers	✓		

  
**Signature of Sha S. Brown,**  
**Commission Chairperson**



**PENNSYLVANIA STATE LAW ENFORCEMENT  
CITIZEN ADVISORY COMMISSION**

**COMMISSION MEETING AGENDA**

The Pennsylvania State Law Enforcement Citizen Advisory Commission (Commission), established by Executive Order 2020-04 (as amended by Governor Tom Wolf on April 30, 2021) announces a quarterly meeting of the Commission to be held virtually *via* the Commission's information technology platform (Microsoft Teams) on **Thursday, May 20, 2021 at 2:00pm.**

In accordance with 65 Pa.C.S. § 709(b) and Article 6, Section 2 of the Commission's Bylaws, the Commission's Meeting Agenda consists of the following items:

- (1) Executive Session (closed to the public);
- (2) Call to Order and Roll Call;
- (3) Acceptance of Meeting Agenda;
- (4) Approval and adoption of previous Commission Quarterly Meeting Minutes from January 21, 2021;
- (5) Approval of administrative and procedural matters [nomination and appointment of Commission Vice-Chair; discussion and voting on Commission Bylaws];
- (6) Report of the Commission's Chairperson [State of the Commission Report and assignment of Commission Review Committees];
- (7) Opportunity for public comment; and
- (8) Discussion and vote of investigatory reviews under consideration (if applicable).

Individuals having questions regarding this Commission meeting, which is open to the public, should contact the Bureau of Law Enforcement Oversight within the Pennsylvania Office State Inspector General (OSIG) at (717) 787-6835. Media inquiries may be directed to Jonathan Hendrickson, Director of External Affairs, OSIG, at (717) 265-8396.

Sha S. Brown, Chairperson  
*Pennsylvania State Law Enforcement  
Citizen Advisory Commission*

**ATTACHMENT 3**



**PENNSYLVANIA STATE LAW ENFORCEMENT CITIZEN ADVISORY COMMISSION**  
**Quarterly Meeting Minutes**  
**Thursday, January 21, 2021 at 2:00 p.m.**  
(Virtual Meeting *via* Microsoft Teams Platform)

**At 1:47 p.m. Executive Session**

Sha S. Brown, Commission Chairperson, began an executive session of the Commission. Topics of the executive session included various administrative tasks and a review of the Commission Meeting Agenda. The executive session ended at 2:05 p.m.

**At 2:05 p.m. Public Meeting Started and Recording Began**

The first quarterly public meeting of the Pennsylvania State Law Enforcement Citizen Advisory Commission (PSLECAC) was held virtually using the Microsoft Teams platform on Thursday, January 21, 2021. Notice of the public meeting was advertised in THE PATRIOT NEWS on January 14, 2021 in accordance with Pennsylvania's Sunshine Act (*see* Attachment 1) and both the Notice of Public Meeting and the Commission Meeting Agenda was posted on PSLECAC's website (*see* Attachment 2). The meeting was convened at 2:05 p.m. by Sha S. Brown, Commission Chairperson, who stated that he was honored to welcome the public to the first quarterly public meeting of the new PSLECAC.

Chairperson Brown announced that the proceedings of this meeting were being recorded by the PSLECAC. The PSLECAC's recordings are protected by the copyright laws of the United States and may not be used in any manner without the express written consent of the PSLECAC. By participating in the PSLECAC's meeting, members of the public acknowledge that the PSLECAC may use its recordings for any purpose without obtaining permission or paying any compensation.

**At 2:07 p.m. Call to Order by Chairperson Brown**

**At 2:08 p.m. Introduction of, and Roll Call by, Acting Commission Secretary Amanda Nuñez**

Acting Commission Secretary Nunez read the names of all Commission members aloud and those in attendance responded by announcing their presence. All 21 voting members of the Commission were virtually in attendance and a quorum of the Commission was present. A copy of the Roll Call and Attendance Form is attached hereto and made a part hereof (*see* Attachment 3).

**At 2:10 p.m. Introduction of PSLECAC's Ex-Officio Commission Members**



Chairperson Brown introduced the Commission's ex-officio members. Those in attendance included:

- *Marcus L. Brown*, Pennsylvania Director of Homeland Security, Governor's Office
- *Anne G. Cornick*, Deputy General Counsel, OGC
- *Christopher King*, Captain, PSP
- *Joseph Jacob*, Chief, Pennsylvania Capitol Police
- *John Norbeck*, Deputy Secretary, DCNR
- *Michael Pennington*, Executive Director, PCCD

**At 2:11 p.m. Introduction of, and Administration of the Oath of Office by State Inspector General Lucas M. Miller for all Commission Members**

Chairperson Brown introduced State Inspector General Lucas M. Miller who proceeded to welcome all Commission members and administer the Oath of Office. Following the administration of the Oath of Office by State Inspector General Miller, all Commission members in attendance responded with a "Yes".

**At 2:13 p.m. Commission Meeting Agenda and Adoption of Previous Meeting Minutes**

Chairman Brown discussed items listed on the Commission's Meeting Agenda. Because this was the first quarterly meeting of the PSLECAC, there were no previous meeting minutes offered for adoption.

**At 2:19 p.m. Opening Remarks by Commission Chairperson and Introduction of Commission Members**

Following prepared opening remarks regarding the Commission's mission and work ahead, Chairperson Brown introduced each voting member of the Commission and each voting member gave brief remarks. All 21 voting members of the Commission provided introductory remarks and brief biographical information.

**At 3:09 p.m. Guest Speaker Pennsylvania State Representative Chris Rabb**

State Representative Chris Raub spoke about Act 57 and his concerns surrounding the loophole in the Act (Rabb provided a link to the legislation in the chat room of the meeting).

**At 3:17 p.m. Introductory Remarks by Ex-Officio Commission Members**

Chairperson Brown opened the floor to ex-officio members of the Commission to provide brief introductory remarks. Ex-officio Commission members provided brief biographical information along with agency descriptions (where applicable). Those who spoke included:

- Mike Pennington, PCCD
- John Norbeck, Deputy Secretary for Parks and Forestry, DCNR
- Marcus Brown, Director of Homeland Security and Deputy Chief of Staff of the Governor
- Anne Cornick, Deputy General Counsel, OGC
- Joseph "Joe" Jacob, Superintendent, Capitol Police
- Christopher "Chris" King, Captain, PSP

- Robert Evanchick, Commissioner, PSP

**At 3:34 p.m. Public Comment**

Chairperson Brown opened the floor to any guests attending the meeting to offer public comment. No prior public comments or guests were registered ahead of time. One guest spoke during the meeting:

- Ashleigh Strange (regarding the Commonwealth's use of force policy related to mental health)

**At 3:36 p.m. Closing Remarks and Announcements by Commission Chairperson**

Chairperson Brown provided closing remarks and informed the public about upcoming Commission meetings including a tentative special meeting of the Commission in the coming weeks to adopt Commission bylaws, nomination and appointment of Commission officers and establishment of Commission Sub-committees.

**At 3:39 p.m. Public Meeting Adjourned**



## Roll Call and Attendance Form

Type of Commission Meeting:  Quarterly  Special  Rescheduled  
Date and Time of Commission Meeting: 1/21/2021 2:00pm

Pursuant to Article 6, Sections 2 and 5 of the Pennsylvania State Law Enforcement Citizen Advisory Commission's (Commission) Bylaws, I hereby attest to performing a Roll Call of Commission Membership at the above listed Commission meeting and recording attendance of Commission members as indicated below:

Seat Name	Name of Commission Member	Attendance		
		Present	Excused Absence	Absent
At-Large Seat 1	David A. Sonenshein	✓		
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At-Large Seat 3	Kelley B. Hodge, Esquire	✓		
At-Large Seat 4	Denise Ashe	✓		
At-Large Seat 5	Elizabeth C. Pittinger	✓		
At-Large Seat 6	Maurice A. Tomlinson	✓		
Troop A Seat	Jeffrey Wilson	✓		
Troop B Seat	Brenda Tate	✓		
Troop C Seat	Joshua S. Maines, Esquire	✓		
Troop D Seat	Marisa C. Williams	✓		
Troop E Seat	Bishop Curtis L. Jones, Sr.	✓		
Troop F Seat	Honorable Erick J. Coolidge	✓		
Troop G Seat	Charima C. Young	✓		
Troop H Seat	Spero T. Lappas, J.D., Ph.D	✓		
Troop J Seat	Honorable Khadijah Al Amin	✓		
Troop K Seat	Andrea A. Lawful-Sanders	✓		
Troop L Seat	William Colon	✓		
Troop M Seat	Marvin Boyer	✓		
Troop N Seat	Marilyn M. Brown, Ed.D.	✓		
Troop P Seat	Rev. Shawn M. Walker	✓		
Troop R Seat	Krista Somers	✓		

**Signature of Sha S. Brown,  
Commission Chairperson**



**PENNSYLVANIA STATE LAW ENFORCEMENT  
CITIZEN ADVISORY COMMISSION**

**RESOLUTION NO. 1**

**Title:** Bylaws of the Pennsylvania State Law Enforcement Citizen Advisory Commission

**Meeting Date:** Quarterly Meeting, May 20, 2021 at 2:00 p.m.

**Description of Action Under Consideration:** The Pennsylvania State Law Enforcement Citizen Advisory Commission (Commission) wishes to adopt Bylaws that will serve to establish certain rules and procedures for conducting Commission business such as, among other things, duties of the Commission and its members, the appointment, attendance, removal, recusal and terms of service of Commission members, the confidential nature of the Commission's work, notice, agenda, recording and minutes of Commission meetings, quorum and voting, training of Commission members, and the Commission's review of matters under its jurisdiction. Pursuant to Section 10 of Executive Order 2020-04, as amended April 30, 2021, the Commission will vote to approve or deny the adoption of the draft of such Bylaws.

**Originating Request Submitted By:** Chairman of the Commission

**BYLAWS OF THE  
PENNSYLVANIA STATE LAW ENFORCEMENT CITIZEN ADVISORY COMMISSION**

**ARTICLE 1: NAME**

1.1 Pursuant to Executive Order 2020-04, as amended April 30, 2021, this body shall be known as the Pennsylvania State Law Enforcement Citizen Advisory Commission (Commission).

**ARTICLE 2: PURPOSE**

2.1 Pursuant to Executive Order 2020-04, as amended, the purpose of the Commission is to improve policing practices within state law enforcement agencies under the Governor's jurisdiction. To achieve its purpose, the Commission will focus on promoting transparency, fairness, and accountability among the Commonwealth's state law enforcement agencies by examining events and conducting reviews of policies, practices and procedures relating to use of force and biased-based policing and make recommendations for implementation of corrective measures, where applicable.

**2.2 Deputy State Inspector General for Law Enforcement Oversight**

Executive Order 2020-04 (as amended) established the Commission within the Pennsylvania Office of State Inspector General (OSIG) and provided that a Deputy Inspector General (or designee appointed by the State Inspector General) serve as the Commission's Chairperson. To support the intent of Executive Order 2020-04 (as amended), the Bureau of Law Enforcement Oversight (BLEO) and the position of Deputy State Inspector General for Law Enforcement Oversight (who directs the activities of the BLEO), were created within the OSIG.

**ARTICLE 3: AUTHORITY**

**3.1 Entities Under the Commission's Jurisdiction**

The Commission shall have jurisdiction over all Commonwealth state law enforcement agencies (Covered Agencies) under the Governor's jurisdiction including, but not limited to, the following:

- (a) Pennsylvania State Police;
- (b) Pennsylvania State Police, Bureau of Liquor Control Enforcement;
- (c) Department of General Services, Capital Police;
- (d) Department of Conservation and Natural Resources, Bureau of State Parks and Bureau of Forestry;
- (e) Department of Corrections;
- (f) Parole Board;
- (g) Department of Agriculture, Bureau of Dog Law Enforcement; and
- (h) OSIG, Bureau of Fraud Prevention and Prosecution.

All Covered Agencies shall expeditiously cooperate and assist the Commission as necessary to perform its functions. All Commonwealth agencies under the Governor's jurisdiction are also directed to take all steps necessary to implement Executive Order 2020-04, as amended.

**3.2 Duties of the Commission**

The Commission is authorized to:

- (a) Perform reviews of completed internal investigative findings by Covered Agencies (as defined by Section 3(d) of Executive Order 2020-04, as amended) related to allegations and incidents concerning use of force and bias-based policing in the following categories:
  - (i) All internal investigations of police-involved shootings resulting in injury or death of civilians (as defined by Section 3(c) of Executive Order 2020-04, as amended) involving Covered Agencies' law enforcement personnel;
  - (ii) A representative, random sampling (as defined by Section 3(f) of Executive Order 2020-04, as amended) of internal investigations of lower level uses of force resulting in injury or death, including arrest and control techniques, baton strikes, and Conducted Energy Weapon deployments by Covered Agencies; and
  - (iii) All internal investigations related to allegations of racial or ethnic discrimination and other bias-based policing or external complaints of bias-based policing during interactions with Covered Agencies' law enforcement personnel.
  
- (b) Review the completed internal investigative findings of Covered Agencies as set forth above to:
  - (i) Determine if Covered Agencies internal investigations were prompt, fair, impartial, complete, and performed in a manner consistent with applicable policies;
  - (ii) Determine whether the completed internal investigative findings and any subsequent disciplinary action(s) taken by Covered Agencies were reasonable and/or appropriate under applicable law enforcement protocol, including, but not limited to the Covered Agency's just cause standard, rules and regulations, collective bargaining agreements, past disciplinary precedent and/or grievance and arbitration decisions; and
  - (iii) When appropriate, shall provide recommendations for corrective actions concerning any perceived policy or training deficiency for consideration by a Covered Agency.

**ARTICLE 4: APPOINTMENT OF COMMISSION MEMBERS, DUTIES OF COMMISSION OFFICERS, TERMS OF SERVICE, COMPENSATION, ATTENDANCE, VACANCIES, REMOVAL AND RECUSAL**

**4.1 Appointment of Commission Members**

The Commission shall be composed of voting and non-voting members.

**(a) Voting Members**

The Governor shall appoint twenty-one (21) voting members of the Commission which shall be comprised of:

- (i) Fifteen (15) members representing each of the Pennsylvania State Police current Troop geographical areas, and specifically from areas of the Pennsylvania State Police's primary jurisdiction; and
- (ii) Six (6) members chosen at-large.

No voting member of the Commission may be a party to, or represent any party in, litigation involving any of the Covered Agencies.

**(b) Non-Voting Members**

There shall be six (6) ex-officio or non-voting members of the Commission which shall be comprised of the:

- (i) General Counsel of the Commonwealth of Pennsylvania, or designee;
- (ii) Commissioner of the Pennsylvania State Police, or designee;
- (iii) Chief of Capitol Police, or designee;
- (iv) Secretary of the Department of Conservation and Natural Resources, or designee;
- (v) Chair of the Pennsylvania Commission on Crime and Delinquency, or designee; and
- (vi) Appointee from the Office of the Governor.

**(c) Chairperson**

The Deputy Inspector General of BLEO or designee appointed by the State Inspector General will chair the Commission.

**4.2 Duties of Commission Officers**

**(a) Commission's Chairperson**

Responsibilities and duties of the Commission's Chairperson shall include:

- (1) Scheduling, attending, convening, and presiding over all Commission meetings;
- (2) Creating, distributing, and publicly posting meeting agendas for all Commission meetings;
- (3) Calling all Commission meetings to order, recording attendance of Commission members at each Commission meeting, and maintaining all Commission meeting attendance records;
- (4) Preparing, distributing, and publicly posting final drafts of meeting minutes for formal adoption and any other materials under consideration for review by the Commission at the next scheduled Commission meeting;
- (5) Establishing Commission Review Committees (as described by Article 8, Section 2) to conduct the completed internal investigative findings review functions of the Commission authorized by Executive Order 2020-04, as amended;
- (6) Presenting matters for consideration and vote by the Commission and maintaining records of all votes of the Commission;

- (7) Preparing and submitting annual reports of the Commission's work to the Governor's Office; and
- (8) Effectuating all other administrative tasks to support the purpose and mission of the Commission.

The Commission's Chairperson shall also name a Vice-Chair from among other Commission members to act in the Chairperson's stead in cases of the Chairperson's emergency, incapacity, or unavailability (for parliamentary purposes only) in calling and/or presiding over Commission regular, special, or rescheduled meetings.

(c) **[Reserved for Secretary (or similar position)]**

(d) **[Reserved for Duties of Other Officers]**

#### **4.3 Terms of Service**

Voting members shall serve the terms of their appointment and until a successor is appointed. Members may serve no more than two (2) terms. Initially, eleven (11) inaugural voting members shall be appointed for an initial term of two (2) years, and ten (10) inaugural voting members shall be appointed for an initial term of three (3) years, the initial terms to be served beginning from the effective date of Executive Order 2020-04, as amended. Thereafter, all terms shall be four (4) years.

#### **4.4 Compensation**

No Commission member shall receive compensation for their services, except that members may be reimbursed for travel and related expenses in accordance with Commonwealth policy.

#### **4.5 Attendance**

All Commission members are expected to attend (either in person or remotely by electronic or telephonic means) all Commission meetings and meetings of Commission Subcommittees and Review Committees (as described in Article 8, Section 2) to which the member is assigned. Members shall coordinate with the Commission's Chairperson prior to an absence to obtain excusal. Excessive or unexcused absences will be reported to the Governor.

#### **4.6 Vacancies**

Should a vacancy occur among the Governor's appointees on the Commission, the Governor will appoint a successor to complete the term of the vacancy.

#### **4.7 Removal**

A Commission member may be removed by the Governor, including for cause.

#### **4.8 Recusal**

All voting and non-voting members of the Commission shall immediately (and without hesitation) notify and report any actual or potential conflicts of interest to the Commission's Chairperson, request a conflict review, and disclose all material facts within the member's



knowledge that bear on the circumstances at hand. To meet this notification and reporting requirement, the Commission's Chairperson shall develop and make readily available a Conflict of Interest Disclosure Form that shall be completed and submitted by Commission members for all matters reviewed by the Commission.

With the advice of, and after consultation with, the OSIG's Legal Office, all voting and non-voting members must recuse themselves and abstain from any matter or review (and may not vote or otherwise participate in any Commission review or action) when: (1) an actual conflict of interest exists as determined by the OSIG's Legal Office; (2) there may be an appearance of impropriety or perceived conflict or other bias if the voting or non-voting member's participation continues; or (3) a voting or non-voting member is concerned with whether he or she can participate objectively and in an unbiased manner.

## **ARTICLE 5: CONFIDENTIALITY**

5.1 Commission members shall maintain the strict confidentiality of all information and materials he or she receives and shall not disseminate (whether orally or in writing) any such information to any person or group outside of the Commission, a Commission Sub-committee, or Review Committee (as described in Article 8, Section 2 herein) or BLEO unless specifically authorized to do so by the Commission's Chairperson. Outside of statements required by Pennsylvania's Sunshine Act, the Commission meetings, and required reports, no member of the Commission shall make any individual public statements regarding any deliberations, discussions, debate, or review of any of the completed internal investigative findings or recommendations of the Commission, at no time shall any Commission member discuss, release, disclose or disseminate (whether orally or in writing) any confidential information obtained as a result of their Commission service and must protect the security of all information along with other Commission, Commission Sub-committee, or Commission Review Committee (as described in Article 8, Section 2 herein) and BLEO communications, records, reviews, and reports at all times. Any unauthorized release of information or other Commission, Commission Sub-committee, or Commission Review Committee (as described in Article 8, Section 2 herein) and BLEO communications, records, reviews, and reports shall constitute a violation of this article and may form the basis for removal or termination.

Executive session proceedings (which are closed to the public) and predecisional deliberations of the Commission and of its Sub-committees, or Review Committees (as described in Article 8, Section 2 herein) are also strictly confidential, and each member of the Commission shall maintain the strict confidentiality of any information he or she receives in connection with his or her service including, but not limited to, the commencement, status or details of any Commission review or the names of person(s), employee(s) or law enforcement personnel learned, during the exercise of their duties.

Commission voting members will complete and submit (with the assistance of the OSIG) all necessary documents and forms to be fingerprinted and undergo a criminal background check by the Pennsylvania State Police and limited background investigation by the OSIG for purposes of having access to Commonwealth systems and completed internal investigative findings documents being reviewed.

All members of the Commission shall execute an appropriate Confidentiality and Non-Disclosure Agreement which shall be kept on file with the Commission's Chairperson.

**ARTICLE 6: COMMISSION MEETINGS, PURPOSE AND RULES OF COMMISSION MEETINGS, QUORUM AND VOTING, MEETING RECORDING AND MEETING MINUTES**

**6.1 Meetings of the Commission**

The Commission shall meet four times each year, unless otherwise determined by the Chairperson and fix a date, time, and place (if applicable) of all such meetings. A schedule of all regular meetings shall be determined in advance each year and made publicly available as soon as practicable. All such times, dates, and locations (if applicable) for all such regular meetings shall be posted on the Commission's public website. At least three (3) days or seventy-two (72) hours in advance of any such date, the Commission shall also advertise the details of such meetings, and post notice of such regular meetings outside of the meeting location (if applicable), both in accordance with 65 Pa.C.S. §§ 703 and 709(a).

The Commission's Chairperson, or a quorum of the voting members of the Commission (as defined in Article 6, Section 3 herein), may call special meetings of the Commission on an as-needed basis, and may adjourn or cancel regular or special meetings for cause. For all special or rescheduled regular meetings, the Commission shall provide at least twenty-four (24) hours advance notice. All dates, times, and locations (if applicable) of all special or rescheduled meetings shall also be advertised and posted on the Commission's public website and outside of the meeting location (if applicable), both in accordance with 65 Pa.C.S. §§ 703 and 709(a).

All regular, special, and rescheduled meetings shall be open to public participation and include a time for public comment in accordance with 65 Pa.C.S. §§ 704 and 710.1. The Commission shall provide the general citizenry with the ability to register to attend and participate and/or speak at all regular, special, and rescheduled meetings, provide adequate public accommodations in accordance with the law for physical meeting locations, and allow for remote or other virtual participation in all such meetings as much as practicable.

All advertisements of, and participation in, all such regular, special, and rescheduled meetings of the Commission shall be had in accordance with Pennsylvania's Sunshine Act [65 Pa.C.S. §§ 701, *et seq.*].

At least forty-eight (48) hours' notice of any special or rescheduled meeting or twenty-four (24) hours' notice of any cancellation of any regular, special, or rescheduled meeting shall be given by electronic means to all members of the Commission in accordance with 65 Pa.C.S. § 709.

Commission members shall make every effort to attend and participate in all Commission meetings and meetings of all Commission Sub-committees and Review Committees (as described in Article 8, Section 2 herein) to which he or she is assigned and may attend all regular, special, and rescheduled Commission meetings or Commission Sub-committee or Review Committee meetings (as described in Article 8, Section 2 herein) in person or remotely by electronic or telephonic means (provided that the member is able to hear, comment, and vote, if applicable). In-person and remote participation shall be considered attendance for purposes of constituting a quorum (as defined in Article 6, Section 3 herein) of the Commission.

Members shall review all materials provided at or in advance of all meetings of the Commission and Commission Sub-committees or Review Committees (as described in Article 8, Section 2). Each member shall familiarize themselves with the business of the Commission to

facilitate active and effective participation in all Commission meetings and the predecisional deliberations of the Commission and of each Commission Sub-committee or Review Committee (as described in Article 8, Section 2 herein) on which he or she may serve. Materials shall be provided to all Commission members to allow for a reasonable period to review such materials in advance of any such meetings.

## **6.2 Purpose and Rules of Commission Meetings**

As much as practicable, the Commission shall provide advance notice of the purpose of all regular, special, and rescheduled meetings in accordance with 65 Pa.C.S. § 709(b). At a minimum, the agenda of all regular, special, and rescheduled meetings shall include the following:

- (a) Executive Session (closed to the public);
- (b) Call to Order and Roll Call;
- (c) Acceptance of Meeting Agenda;
- (d) Approval and adoption of previous meeting's minutes;
- (e) Approval of administrative and procedural matters;
- (f) Report of the Commission's Chairperson and/or reports of Commission Sub-committees or Review Committees (as described in Article 8, Section 2 herein);
- (g) Opportunity for public comment; and
- (h) Discussion and vote of recommendations for corrective action(s) (if applicable) stemming from a Commission review under consideration.

The rules of procedure for all regular, special, and rescheduled meetings shall be established by the Commission, or in the absence of specific Bylaws or Rules of Policy and Procedure as may be adopted from time to time by the Commission, the Commission shall follow the Robert's Rules of Order, and 65 Pa.C.S. § 710, when conducting all Commission meetings.

## **6.3 Quorum and Voting**

A quorum of the voting members of the Commission shall be present to conduct the business of the Commission. A quorum of the voting members of the Commission shall consist of a simple majority, or of eleven (11) voting members being in attendance. A Vote by Absentee Ballot (as described below) shall not be counted for purposes of determining whether a quorum exists.

Decisions of the Commission shall be made by a majority vote of voting members. Any recommendations ratified by a majority vote of the voting members of the Commission membership will be included in all Final Reports (as described in Article 8, Section 6).

Any procedural or administrative matters of the Commission may be decided by a majority vote of those voting members in attendance.

In cases of absence, voting members of the Commission may Vote by Absentee Ballot (on a form developed and approved by the Commission's Chairperson and as may be amended from time to time) that must be signed by the Commission member, and submitted to the Commission's Chairperson in advance of any such regular, special, or rescheduled Commission meeting for which the voting member is excused. The Vote by Absentee Ballot Form shall provide

that a voting member attests to reading and understanding all materials and subjects under consideration, lists the resolutions and/or action items for vote, and includes a space to record the member's vote on any such items; however, the voting member's ability to Vote by Absentee Ballot shall not exceed two (2) times in any calendar year. When applicable, the Vote by Absentee Ballot Form will be read aloud by the Commission's Chairperson during the Vote Call at the applicable regular, special, or rescheduled Commission meeting, and the original signed Vote by Absentee Ballot Form shall be attached to meeting minutes, made a part thereof, and kept on file by the Commission. A Vote by Absentee Ballot Form shall not be counted for purposes of determining whether a quorum exists.

#### **6.4 Meeting Recordings**

All Commission meetings will be recorded (in both audio and visual formats) and links to these recordings will be posted on the Commission's public webpage.

#### **6.5 Meeting Minutes**

Minutes of the Commission shall include, at least:

- (a) The date, time, and location (or other technology platform used) of each Commission meeting;
- (b) The meeting agenda;
- (c) The Commission members in attendance;
- (d) Identification of each Covered Agencies' completed internal investigative findings reviewed or discussed at a particular Commission meeting;
- (e) The recommendations (if any) of each Commission Review Committee (as described in Article 8, Section 2 herein) related to each of the reviews of the Covered Agency's completed internal investigative findings presented for Commission review;
- (f) The vote of each voting member of the Commission for each recommendation (if any); and
- (g) Tabulation and summary of all votes for each recommendation (if any) indicating whether the recommendation was approved or adopted.

The Commission will publicly post meeting minutes as they are approved by the Commission.

### **ARTICLE 7: TRAINING OF COMMISSION MEMBERS**

#### **7.1 Voting Members**

Prior to performing any functions relating to their authority and responsibilities, voting members of the Commission must complete required training on certain topics including the following:

- (a) Use of Force;
- (b) Stop, Search, and Arrest;
- (c) Traffic Enforcement;
- (d) Bias-based Policing;
- (e) Internal Affairs Processes;

- (f) Constitutional Law;
- (g) Disciplinary Procedures and Grievance and Administrative Processes of each of the Covered Agencies;
- (h) Covered Agencies' Rules and Regulations for law enforcement officers;
- (i) Administrative Law (including Pennsylvania's Right-to-Know Law and Sunshine Act), the Governor's Code of Conduct, Executive Order 2015-01, and confidentiality; and
- (j) Any other topic that the Commission's Chairperson may deem appropriate from time to time.

## **7.2 Non-Voting or Ex-Officio Members**

Non-voting or ex-officio Commission members are not required to attend pre-requisite training but may elect to participate in any training offered to voting members under Section 7.1 above.

## **ARTICLE 8: REVIEW PROCESS**

The Commission's Chairperson shall develop and make available to the public such policy and procedural rules as the Commission may adopt, and by which the Commission shall operate. The review procedures of the Commission will contain (at a minimum) the following:

### **8.1 Role of BLEO**

BLEO will create and monitor a hotline to receive complaints alleging any misconduct by a law enforcement employee of a Covered Agency and refer all complaints received to the appropriate Covered Agency for proper handling under their respective internal investigative affairs processes.

The Deputy State Inspector General of BLEO will also submit a request to each Covered Agency every quarter which seeks a detailed listing of all completed internal investigations under the jurisdiction of the Commission. BLEO will maintain this information securely in Commonwealth systems and provide access to Commission members assigned to each of the applicable Commission Review Committees (as described in Article 8, Section 2).

### **8.2 Commission Sub-committees and Review Committees**

Pursuant to Section 10(a) of Executive Order 2020-04, as amended, and upon a majority vote of voting members, the Commission may, from time to time, establish Sub-committees to research and propose for adoption such rules, procedures and guidelines deemed necessary to effectively implement the Commission's authority and responsibilities thereunder, including those matters related to parliamentary procedures, public engagement and presence, and official participation of Commission members in community and other events. Sub-committees shall be chaired by a voting member and may only consist of voting and non-voting members of the Commission.

Pursuant to Section 9(b) of Executive Order 2020-04, as amended, the Commission's Chairperson will establish Commission Review Committees (which shall include a minimum of one (1) voting member and one (1) non-voting member (not associated with the subject matter or Covered Agency)) to oversee all completed internal investigative findings reviews and name

Chairs and Vice-Chairs (from among voting members) to oversee each such Review Committee. With the approval of the Commission's Chairperson, Commission Review Committees will select (upon a majority vote of voting members assigned thereto) completed internal investigative findings for review by the applicable Review Committee.

Once a review is initiated by a Review Committee of the Commission, the Commission's Chairperson shall, within three (3) business days, advise (whether in person or by written or oral communication) designees of the applicable Covered Agency that the Commission has selected a completed internal investigative findings matter for review. Following this notification and as within 30 business days of the notification, unless extended for good cause, the Covered Agency shall provide the Commission's Review Committee with a comprehensive written summary and schedule an oral presentation of its completed internal investigative findings. The summary shall include a detailed description of all investigative activities, facts as determined by investigators and relevant dates of all actions, including all criminal and/or administrative adjudications (excluding, and as those terms are defined in Executive Order 2020-04, as amended, all Personal Identifiable Information (PII), information protected by the Criminal History Record Information Act (CHRIA) or information obtained or derived from a Criminal Justice Information Services (CJIS) system or other information restricted by State or Federal law).

A Commission's Review Committee may request additional information and supporting documents when necessary, to complete its review and any request for additional information and supporting documents shall be limited to such information directly related to the completed internal investigative findings under review (excluding all PII, CHRIA, and CJIS information or other information restricted by State or Federal law).

At the conclusion of a Commission's Review Committee findings review, the Review Committee will prepare a Preliminary Investigative Review Report (Preliminary Report) that will include Findings and Conclusions of the Review, any Additional Factors for Consideration and Recommendations for Corrective Actions, if applicable.

The Preliminary Report will be distributed to all members of the Commission and the Agency Head and Chief Counsel of the Covered Agency under review.

### **8.3 Covered Agency's Opportunity to Respond to Preliminary Report**

A Covered Agency may request a meeting with a Review Committee of the Commission to discuss the preliminary findings and recommendations contained in the Preliminary Report within five (5) business days upon its issuance. Additionally, within five (5) business days upon issuance of the Preliminary Report, other voting and ex-officio Commission members may provide additional recommendations for consideration by the Review Committee and, upon approval of the Commission's Chairperson and a majority vote of voting members assigned thereto, for inclusion in the Preliminary Report.

### **8.4 Presentation of Preliminary Report to Commission**

The Commission's Chairperson and/or the Review Committee's Chairperson will present the Preliminary Report including, recommendations for corrective actions, if any, to the Commission for a vote during the next regular, special, or rescheduled Commission meeting. Any recommendations ratified by a majority vote of the voting members of the Commission membership in attendance (provided a quorum exists) will be included in a Final Report.

## 8.5 Implementation of Recommendations

Covered Agencies will review recommendations, if applicable, contained in Final Reports and provide the Commission with a written response including what, if any, recommendations it may implement. If a recommendation cannot or will not be implemented, the Covered Agency shall provide an explanation as required by Section 3(b)(4) of Executive Order 2020-04, as amended.

## 8.6 Issuance and Publication of Final Reports

Once adopted and ratified by the Commission, copies of all Final Reports (including written responses of Covered Agencies) will be posted publicly on the Commission's webpage.

## ARTICLE 9: ANNUAL REPORT

9.1 In the interests of transparency and accountability, and in conformity with Executive Order 2020-04, as amended, the Commission shall issue an annual, public report that includes, but is not limited to, summary information and statistical data regarding the number of completed internal investigative findings reported and it reviewed, descriptions of recommendations for corrective actions ratified by the Commission (if applicable), and/or policy changes made, or other actions taken by, Covered Agencies.

## ARTICLE 10: AMENDMENT OF BYLAWS

10.1 These Bylaws shall be duly adopted by the Commission and may be amended at any regular, special, or rescheduled meeting of the Commission by majority vote of voting members of the Commission as set forth in Article 6 herein; provided that written notice of such amendments shall be given to all Commission members at least five (5) days prior to such meeting and the amendment(s) are not inconsistent with Executive Order 2020-04, as amended, any statute of the Commonwealth, or the Pennsylvania and United States Constitutions.

ORIGINALLY ADOPTED BY RESOLUTION NO. 1 OF THE COMMISSION (dated MAY 20, 2021)

SIGNATURE OF CHAIRPERSON:



Sha S. Brown

## Vote Tabulation Form

Type of Commission Meeting:  Quarterly  Special  Rescheduled  
 Date and Time of Commission Meeting: MAY 20, 2021 2pm

Pursuant to Article 6, Sections 2, 3 and 5 of the Pennsylvania State Law Enforcement Citizen Advisory Commission's (Commission) Bylaws, and following the Robert's Rules of Order, I hereby attest to recognizing motions from Commission membership, said motions having been seconded, and recording the votes of Commission membership for matters under the Commission's review as indicated below:

**ACTION ITEM:**

MEETING AGENDA - MAY 20, 2021

Summary Tabulation of All Votes: 14 YAY    NAY    PRESENT    ABSTAIN

Seat Name	Name of Commission Member	Individual Votes			
		YAY	NAY	PRESENT	ABSTAIN
At-Large Seat 1	David A. Sonenshein	✓			
At-Large Seat 2	Dr. A. Suresh Canagarajah, Ph.D.	✓			
At-Large Seat 3	Kelley B. Hodge, Esquire	✓			
At-Large Seat 4	Denise Ashe	✓			
At-Large Seat 5	Elizabeth C. Pittinger	✓			
At-Large Seat 6	Maurice A. Tomlinson <i>Resign</i>				
Troop A Seat	Jeffrey Wilson	✓			
Troop B Seat	Brenda Tate	✓			
Troop C Seat	Joshua S. Maines, Esquire			✓	
Troop D Seat	Marisa C. Williams				
Troop E Seat	Bishop Curtis L. Jones, Sr.	✓			
Troop F Seat	Honorable Erick J. Coolidge	✓			
Troop G Seat	Charima C. Young	✓			
Troop H Seat	Spero T. Lappas, J.D., Ph.D	✓			
Troop J Seat	Honorable Khadijah Al Amin <i>Resign</i>				
Troop K Seat	Andrea A. Lawful-Sanders				
Troop L Seat	William Colon	✓			
Troop M Seat	Marvin Boyer	✓			
Troop N Seat	Marilyn M. Brown, Ed.D.				
Troop P Seat	Rev. Shawn M. Walker				
Troop R Seat	Krista Somers	✓			

**ACTION ITEM:**

MEETING MINUTES - JANUARY 21, 2021

Summary Tabulation of All Votes: 14 YAY    NAY    PRESENT    ABSTAIN



Seat Name	Name of Commission Member	Individual Votes			
		YAY	NAY	PRESENT	ABSTAIN
At-Large Seat 1	David A. Sonenshein	✓			
At-Large Seat 2	Dr. A. Suresh Canagarajah, Ph.D.	✓			
At-Large Seat 3	Kelley B. Hodge, Esquire	✓			
At-Large Seat 4	Denise Ashe	✓			
At-Large Seat 5	Elizabeth C. Pittinger	✓			
At-Large Seat 6	<del>Maurice A. Tomlinson</del> Resign				
Troop A Seat	Jeffrey Wilson	✓			
Troop B Seat	Brenda Tate	✓			
Troop C Seat	Joshua S. Maines, Esquire			✓	
Troop D Seat	Marisa C. Williams				
Troop E Seat	Bishop Curtis L. Jones, Sr.	✓			
Troop F Seat	Honorable Erick J. Coolidge	✓			
Troop G Seat	Charima C. Young	✓			
Troop H Seat	Spero T. Lappas, J.D., Ph.D	✓			
Troop J Seat	<del>Honorable Khadijah Al Amin</del> Resign				
Troop K Seat	Andrea A. Lawful-Sanders				
Troop L Seat	William Colon	✓			
Troop M Seat	Marvin Boyer	✓			
Troop N Seat	Marilyn M. Brown, Ed.D.				
Troop P Seat	Rev. Shawn M. Walker				
Troop R Seat	Krista Somers	✓			

**ACTION ITEM:**

*Resolution 1 - Bylaws of the Pennsylvania State Law Enforcement Citizen Advisory Commission*

Summary Tabulation of All Votes: 14 YAY    NAY   1 PRESENT    ABSTAIN

Seat Name	Name of Commission Member	Individual Votes			
		YAY	NAY	PRESENT	ABSTAIN
At-Large Seat 1	David A. Sonenshein	✓			
At-Large Seat 2	Dr. A. Suresh Canagarajah, Ph.D.	✓			
At-Large Seat 3	Kelley B. Hodge, Esquire	✓			
At-Large Seat 4	Denise Ashe	✓			
At-Large Seat 5	Elizabeth C. Pittinger	✓			
At-Large Seat 6	<del>Maurice A. Tomlinson</del> Resign				
Troop A Seat	Jeffrey Wilson	✓			
Troop B Seat	Brenda Tate	✓			
Troop C Seat	Joshua S. Maines, Esquire			✓	
Troop D Seat	Marisa C. Williams				
Troop E Seat	Bishop Curtis L. Jones, Sr.	✓			
Troop F Seat	Honorable Erick J. Coolidge	✓			
Troop G Seat	Charima C. Young	✓			
Troop H Seat	Spero T. Lappas, J.D., Ph.D	✓			
Troop J Seat	<del>Honorable Khadijah Al Amin</del> Resign				
Troop K Seat	Andrea A. Lawful-Sanders				
Troop L Seat	William Colon	✓			
Troop M Seat	Marvin Boyer	✓			
Troop N Seat	Marilyn M. Brown, Ed.D.				
Troop P Seat	Rev. Shawn M. Walker				
Troop R Seat	Krista Somers	✓			

  
**Signature of Sha S. Brown,**  
**Commission Chairperson**