

MARYLAND POLICE TRAINING AND STANDARDS COMMISSION

Minutes – 47th Meeting – January 4, 2023

MEMBERS PRESENT

Chief Barbara Duncan, Salisbury Police Department, Regional Representative (Chair)
Chief Arnold Downing, Chairman, MD Municipal League Police Executive Association (Vice-Chair)
Sheriff Scott Adams President, Maryland Sheriff's Association
Colonel Dalaine Brady, Acting Superintendent, Department of State Police
Sheriff Troy Berry, Charles County Sheriff's Office, Regional Representative
W. Michael Crabbs, Community Policing Expert
Miguel Dennis, Policing Standards Expert
Richard Gibson, Maryland State's Attorneys' Association
Chief Russell E. Hamill, President, Maryland Chiefs of Police Association
Zenita Hurley, representing the Office of the Attorney General
Major Derek Loeffler, representing Police Commissioner Michael Harrison, Baltimore Police Department
John Moses, Wor-Wic Program Advisory Committee – Criminal Justice
Thomas Sobocinski Special Agent in Charge, Baltimore Office, FBI
Chief Jarod Towers, President, Police Chiefs Association of Prince George's County

MEMBERS ABSENT

Matthew Alonsozana, Citizen of the State
Clyde Boatwright, Maryland State Fraternal Order of Police
Dr. Michael Finegan, Mental Health Expert
Marcus Pollock, Citizen of the State
Vacancy, Citizen of the State

STAFF PRESENT

Wayne Silver, Executive Director, PTSC
Albert Liebno, Executive Director, PCTC
Kelly Brauning, Certification Administrator
Stephanie Cain, Compliance Administrator
Sarah Chatfield, Technical Services
Gina Clay, Compliance Officer
Joan Henard, Certification
Gary Gardner, Director of Policy and Process Review
Katie Johnson, Recorder
Michael Krok, Community Policing Institute
Matthew Mellady, Assistant Attorney General
Brittany Rohe, Recorder
Robert Wagner, Director of Law Enforcement Training

GUESTS

Brian Edwards, Baltimore County Police
Joseph Fisher, Baltimore County Police
Paul Borowski, Baltimore County Police
John McGann, Baltimore County Police
Kevin Leahy, Charles County Sheriff's
Brock Ruble, Charles County Sheriff's
David Hammel, Anne Arundel Community College Police Academy
Tyler Hunter, Prince George's County Police
Danielle Troiano, Safe at Home

Chief Barbara Duncan, Chair, called the 47th meeting of the Police Training and Standards Commission (PTSC) from the Public Safety Education and Training Center to order at 10:06 a.m. Chief Duncan asked for a roll call of members. A quorum was present.

The agenda was as follows:

1. Approval of Minutes – October 5, 2022
2. Facility Report
3. Legal Issues
4. Old Business
 - a) ACC Training Update
 - b) Training Directors Curriculum Training Project Update
 - c) Mental Health Assessment
 - d) Out of State Officer Certification
5. New Business
 - a) Safe at Home Address Confidentiality Program
6. Request for Recertification
7. Request for Special Consideration

1. Approval of Minutes – October 5, 2022

Chief Duncan asked members to review the minutes from the October 5, 2022 meeting.

A MOTION to approve the minutes from the October 5, 2022 meeting of the Police Training and Standards Commission was made by Mr. Michael Crabbs: SECONDED: Chief Russell Hamill. The MOTION carried.

2. Facility Report

Mr. Albert Liebno, Executive Director of the Police & Correctional Training Commissions, directed members to the report, which reviewed the activities at the Center during the past quarter. He informed the members that the Leadership Development Institute is hosting the FLETC Leadership for Women in Law Enforcement program in February. He noted that 20 agencies are already in compliance, and reminded agencies that officers can't carry their firearm until they qualify for 2022. Mr. Liebno also mentioned that the PTSC fund currently has \$7 million. Monies are being used for police reform training as well as driver training simulators. The learning management system is in its second round of the procurement process.

3. Legal Issues

Assistant Attorney General Matthew Mellady stated that he received an advisory opinion on retired Federal Bureau of Prisons officers in regards to LEOSA. He noted that there are stricter gun laws in nearby states who don't recognize prison employees as police officers, and are thereby ineligible to be LEOSA certified. Maryland has one federal prison in Cumberland, and a regional office in Fort Meade. Mr. Mellady informed members that if an officer can produce a current LEOSA card, they should not be arrested in Maryland for carrying their weapon. He further noted that he's not aware of any current cases in the state. Mr. Mellady said he would craft a letter of guidance for law enforcement agencies.

4. Old Business

a) ACC Training Update

Mr. Robert Wagner, Director of Law Enforcement Training for MPCTC, informed members that the MDLE.net website is being reformatted with the Administrative Charging Committee (ACC) information under the PTSC tab. This includes the ACC training status map, which indicates the status of counties' ACC training with links to each county's ACC website. Mr. Wagner noted the benefits of hosting this training regionally so that ACCs can collaborate on policies and procedures. He also announced that the unit has finished the last Administrative

Law Judge training, and is scheduled to train two counties on trial board processes. Mr. Wagner stated that the unit will host command staff training monthly in Sykesville.

It was suggested by a commission member to develop a frequently asked questions document on confidentiality best practices to include in the ACC training materials.

b) Training Directors Curriculum Training Project Update

Mr. Silver introduced Lt. Gregory Chatfield of the MD State Police and the MD Training Directors' Association (TDA), who at the October meeting presented the idea to move academy training to a curriculum based program with the newly identified objectives. Lt. Chatfield is working with the TDA to develop a timeline for development and implementation, prioritizing the topics of use of force and de-escalation as first and second on the list. The third prioritized topic is communication skills, as they correlate to implicit bias as well as many other topics. The TDA is now meeting quarterly and they hope to provide a timeline at the PTSC April meeting.

It was also noted that the agencies have plenty of subject matter experts but no curriculum experts. Members discussed collaborating with universities or colleges for curriculum writers, or requesting Department of Justice funding to hire a curriculum expert. Questions also arose as to where the materials would be stored, who could access the information and who is responsible for its maintenance.

A MOTION to request PCTC staff research and report on these funding items was made by Mr. John Moses: SECONDED: Colonel Dalaine Brady. The MOTION carried.

c) Mental Health Assessment

Mr. Silver informed members that he contacted the Maryland Department of Health (MDH) regarding the definition of mental health, in order to provide guidance to agencies on the mental health assessment mandate. Their response was that they are unable to define mental health since it encompasses a wide arena, and means something different for each person. Members discussed feedback obtained from mental health professionals who say they are unable to conduct mental health assessments unless they identify an issue in a screening. After a screening and assessment, they can provide references and refer the officer to clinical care as needed.

Members discussed the need to alter the terminology in the legislation to match that of the state's mental health professionals, thereby accomplishing the goal of the legislation. It was also suggested that the MDH response be taken to the legislature, and possibly sending a mental health profession to present to the legislature.

d) Out of State Officer Certification

Mr. Silver reminded the members that a discussion was held at the last meeting regarding the number of requests for out of state officers who do not meet the 750-hour academy requirement. At the time, it was suggested to review and update this process to ensure it is logical yet still upholds the standards of the Commission. Mr. Silver asked the members for further guidance in addressing this task, specifically where they'd like to propose changes in the statute.

Members discussed potential ideas, including reviewing the national average of academies, whether or not to include firearms hours, applying credit for years of employment after the academy, and considering years or hours of in-service training and specialized training. It was suggested an algorithm be created for use when reviewing out of state applications.

A MOTION to request this algorithm be put into writing and brought to the Commission for review was made by Mr. Richard Gibson: SECONDED: Chief Russell Hamill. The MOTION carried.

5. New Business

a) Safe at Home Address Confidentiality Program

Mr. Silver introduced Ms. Danielle Troiano from the Safe at Home Address Confidentiality Program (ACP). Ms. Troiano provided information on the program, which is run by the Maryland Office of the Secretary, and keeps victims' addresses out of public record. She noted interactions with law enforcement officers can present challenges, and asked the members to consider a training mandate to inform officers of the ACP. Members questioned Ms. Troiano on the workings of the program, specifically how officers can obtain a witness, victim or suspect's actual address outside of the Safe at Home business hours presented. They suggested the ACP partner with the Motor Vehicle Administration in order to accomplish their mission.

Recorder's Note: The Commission took a recess at 12:02 and reconvened at 12:18. Members Ms. Hurley and Colonel Brady did not return after the break.

Chief Duncan announced that the Commission would hear the next two items in Closed Session.

Recorder's Note: Ms. Rohe read the required closed session statement into the record.

A MOTION was made by Chief Russell Hamill to adjourn to a Closed Session: SECONDED: Mr. Richard Gibson. The Motion carried unanimously.

The meeting adjourned to a Closed Session at 12:19 p.m.

A MOTION was made by Mr. Richard Gibson to adjourn to an open session: SECONDED: Mr. Michael Crabbs. The MOTION carried unanimously.

Recorder's Note: This concluded the closed session. The meeting adjourned to an open session at 1:24 p.m.

Chief Duncan announced the outcome of the items heard in closed session.

A MOTION to adjourn was made by Mr. Richard Gibson: SECONDED: Mr. Michael Crabbs. The MOTION carried. The meeting adjourned at 1:25 p.m.

<p>These "minutes" are a synopsis of the Commissions' discussions and decisions and not a verbatim rendering of the proceedings.</p>
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