

**CODE OF MARYLAND REGULATIONS
(COMAR)**

Effective January 1, 2010

**Title 12 DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES**

Subtitle 04 POLICE TRAINING COMMISSION

Chapter 05 Electronic Control Device Training and Instructor Certification

Authority: Correctional Services Article, §2-109;

Public Safety Article §§3-207 and 3-208; Annotated Code of Maryland

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12.04.05.01

.01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "**Annual in-service training curriculum**" means a course of study approved by the Commission that meets the requirements established for electronic control device classroom instruction, written examination, and practical exercise and is conducted as part of police officer annual in-service training and qualification under COMAR 12.04.01.12.

(2) "**Commission**" means the Police Training Commission or a representative authorized to act on behalf of the Commission.

(3) "**Electronic control device**" has the meaning stated in Criminal Law Article, §4-109, Annotated Code of Maryland

(4) "**Expert**" means an individual who is not a law enforcement officer, but has knowledge, skills, and abilities related to an electronic control device, which the Deputy Director of the Police and Correctional Training Commissions determines qualifies the individual for electronic control device instructor certification.

(5) "**Initial training course curriculum**" means a course of study approved by the Commission that meets the requirements established for electronic control device classroom instruction, written examination, and practical exercise that an individual shall successfully complete before the individual may be authorized to carry or use an electronic control device

(6) "**Law enforcement agency**" has the meaning stated in Public Safety Article, §3-201, Annotated Code of Maryland.

(7) "**Police officer**" has the meaning stated in Public Safety Article, §3-215, Annotated Code of Maryland.

12.04.05.02

.02 Minimum Requirements.

A. This chapter establishes minimum police officer training and instructor certification requirements related to the use of an electronic control device.

B. A law enforcement agency may adopt police officer training and instructor certification requirements related to use of an electronic control device in addition to Commission requirements under this chapter.

C. A police officer may not carry or use an electronic control device as part of the police officer's official law enforcement duties before the police officer's law enforcement agency has:

- (1) Approved each specific manufacturer's model of an electronic control device used as part of the police officer's duties;
- (2) Certified to the Commission, on forms or in a manner determined by the Commission, that the police officer has successfully completed Commission training requirements established under this chapter for each specific manufacturer's model of an electronic control device approved by the law enforcement agency, which, at a minimum, include:
 - (a) Classroom instruction;
 - (b) A written examination; and
 - (c) Practical exercises demonstrating proficiency in the use of the specific manufacturer's model of an electronic control device; and
- (3) Determined that the police officer has received adequate training demonstrating the ability to safely and effectively use each specific manufacturer's model of an electronic control device the police officer is authorized to carry or use.

12.04.05.03

.03 Police Officer Electronic Control Device Initial Training Course Curriculum.

A. A police officer is not required to complete an electronic control device initial training course curriculum under this regulation if:

- (1) The police officer's authorization to use the specific manufacturer's model of an electronic control device is in effect on September 30, 2009 and the law enforcement agency has determined the police officer has:
 - (a) Received adequate training on the specific manufacturer's model of an electronic control device; and
 - (b) Demonstrated the ability to safely and effectively use the specific electronic control device; or
- (2) The police officer has been authorized to carry or use a specific manufacturer's model of an electronic control device under §A(1) of this regulation and is seeking authorization

to carry or use a different manufacturer's model of an electronic control device that the police officer's law enforcement agency has approved and determined:

- (a) There are no significant operational differences between the current and new manufacturer's model of an electronic control device; or
- (b) That the police officer has:
 - (i) Received adequate training; and
 - (ii) Demonstrated the ability to safely and effectively use the new manufacturer's model of an electronic control device.

B. Except under §A of this regulation, a police officer shall successfully complete a Commission-approved initial training course curriculum for the specific manufacturer's model of an electronic control device before the officer is authorized to carry or use the electronic control device as part of the police officer's official duties.

C. A police officer is required to complete an initial training course curriculum if after successfully completing an initial training course curriculum, the police officer has not been authorized to carry or use the approved electronic control device:

- (1) Within 2 years of completing an initial training course curriculum for the specific manufacturer's model of an electronic control device; or
- (2) For 2 or more years and the police officer has not met the annual in-service training curriculum requirement for the specific manufacturer's model of an electronic control device under Regulation .04 of this chapter.

D. Initial training course curriculum requirements may be completed:

- (1) As part of police officer entrance-level training under COMAR 12.04.01.09; or
- (2) Independent of police officer entrance-level training.

12.04.05.04

.04 Electronic Control Device Annual In-Service Training Curriculum.

A. A police officer authorized to use or carry a specific manufacturer's model of an electronic control device shall successfully complete annual in-service training curriculum for the specific manufacturer's model of an electronic control device.

B. A police officer who successfully completes an initial training course curriculum for a specific manufacturer's model of an electronic control device during a calendar year is not required to complete an annual in-service training curriculum for the same electronic control device until the next calendar year.

12.04.05.05

.05 Electronic Control Device Training Content Requirements.

A. Minimum Commission-Approved Classroom Instruction Requirements.

- (1) Only a Commission-certified electronic control device instructor may conduct Commission-approved electronic control device classroom training.
- (2) Initial training course curriculum and annual in-service curriculum electronic control device classroom instruction, at a minimum, shall include the following topics related to the specific manufacturer's model of an electronic control device for which the police officer is to be authorized to carry or use:
 - (a) Electronic control device:
 - (i) Nomenclature;
 - (ii) Characteristics;
 - (iii) Capabilities;
 - (iv) Limitations;
 - (v) Maintenance; and
 - (vi) Operational principles and technology; and
 - (b) Proper electronic control device use addressing:
 - (i) Law enforcement agency policy and procedures;
 - (ii) Agency and other protocols;
 - (iii) Judgment and decision making;
 - (iv) Legal considerations;
 - (v) Physiological and psychological effects;
 - (vi) Target zones;
 - (vii) Side effects and individuals with an elevated risk;
 - (viii) After-care measures;
 - (ix) Defensive measures;
 - (x) Potential collateral occurrences; and
 - (xi) Safety of transport, storage, and use.
- (3) A police officer shall achieve a minimum passing score of 70 percent on a written examination that tests a police officer's comprehension of the topics required under §A(2) of this regulation.

B. Minimum Commission-Approved Practical Exercise Requirements.

- (1) Only a Commission-certified electronic control device instructor may conduct Commission-approved electronic control device practical exercises.
- (2) Initial and annual in-service electronic control device practical exercise, at a minimum, requires that a police officer demonstrate skills related to the proper use of the specific manufacturer's model of an electronic control device the police officer carries or uses as part of official duties.
- (3) If applicable to the specific manufacturer's model of an electronic control device, a police officer, at a minimum, shall demonstrate proficiency related to:
 - (a) Operational and functionality checks of the device;
 - (b) Transition between a firearm and other tactical equipment and the electronic control device;

- (c) Proper carrying and handling;
- (d) Loading and reloading;
- (e) Restraint of an individual subjected to the device; and
- (f) Discharge, if the device is capable of discharging a projectile.

C. Discharge Requirement.

- (1) During an initial training course curriculum with the specific manufacturer's model of an electronic control device, each police officer shall discharge the device.
- (2) During annual in-service training curriculum with the specific manufacturer's model of an electronic control device, the discharge requirement may be met by the instructor discharging the device to demonstrate to two or more officers rather than each officer personally discharging the device.

12.04.05.06

.06 Electronic Control Device Instructor Training and Certification Requirements.

A. The Commission may certify an individual as an electronic control device instructor if the individual seeking certification:

- (1) Is authorized by the individual's law enforcement agency to carry or use the specific manufacturer's model of an electronic control device for which the individual will provide training and successfully meets instructor requirements under COMAR 12.04.01.15; or
- (2) Successfully completes a Commission-approved training course for the specific manufacturer's model of an electronic control device for which the individual will provide training and is designated an expert with the specific manufacturer's model of an electronic control device for which instruction will be provided.

B. The individual requesting certification as an electronic control device instructor shall submit the request on forms or in a manner approved by the Commission.

C. Electronic control device instructor certification is valid for 4 years and may be renewed by the Commission.

D. A Commission-certified electronic control device instructor may not:

- (1) Provide instruction on subjects in areas other than the specific manufacturer's model of an electronic control device for which the instructor is certified; and
- (2) Conduct personal training or certification required for the instructor's original certification or renewal.