

Department of Legislative Services  
Maryland General Assembly  
2017 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

House Bill 908  
Judiciary

(Delegate Pena-Melnyk, *et al.*)

Judicial Proceedings

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Police Officer Certification Work Group - Eligibility of Individuals with  
Permanent Residency Status

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This bill establishes the Police Officer Certification Work Group to study and make recommendations regarding eligibility requirements for a person to be certified as a police officer. The Chair of the Maryland Police Training and Standards Commission (MPTSC) is the chair of the work group and the Department of State Police (DSP) must provide staff for the work group. By November 1, 2017, the work group must report its findings and recommendations to the Governor and the General Assembly.

The bill takes effect July 1, 2017, and terminates June 30, 2018.

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Fiscal Summary

**State Effect:** Any expense reimbursements for work group members and staffing costs for DSP are assumed to be minimal and absorbable within existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Bill Summary:** The work group must (1) study the feasibility of altering the eligibility requirements for certification of individuals by MPTSC as police officers to include individuals with permanent residency status and (2) make recommendations regarding what would be required to alter the eligibility requirements.

A member of the work group may not receive compensation but is entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget.

**Current Law:** Chapter 519 of 2016 reconstituted the former Police Training Commission as MPTSC, an independent commission within the Department of Public Safety and Correctional Services. MPTSC operates approved police training schools and prescribes standards for and certifies schools that offer police and security training. In consultation and cooperation with various entities, it also sets minimum qualifications for instructors and certifies qualified instructors for approved training schools.

MPTSC certifies persons as police officers who have met commission standards, including submission to a criminal history records check and a specified psychological evaluation. Under current MPTSC regulations, an applicant for the position of police officer must be a U.S. citizen and submit documents supporting a claim of citizenship to the hiring law enforcement agency. An individual who is not satisfactorily trained in the 12-month probationary period may not be employed as a police officer, and a police officer may not serve after certification has been revoked, suspended, or allowed to lapse.

MPTSC requirements include:

- for entrance-level police training and annually for in-service level police training conducted by the State and each county and municipal police training school, that the curriculum and minimum courses of study include special training in the proper use of electronic control devices for specified police officers, consistent with established law enforcement standards and constitutional provisions;
- for entrance-level police training and, as determined by MPTSC, for in-service level training conducted by the State and each county and municipal police training school, that the curriculum and minimum courses of study include, consistent with established law enforcement standards and federal and State constitutional provisions (1) training in lifesaving techniques, including cardiopulmonary resuscitation; (2) training in the proper level and use of force; (3) training regarding sensitivity to cultural and gender diversity; and (4) training regarding individuals with physical, intellectual, developmental, and psychiatric disabilities;
- for entrance-level police training and at least every two years for in-service level police training conducted by the State and each county and municipal police training school, that the curriculum and minimum courses of study include special training, attention to, and study of the application of antidiscrimination and use of force de-escalation training; and

- for entrance-level police training and for in-service level training conducted by the State and each county and municipal police training school, that the curriculum and minimum courses of study include, consistent with established law enforcement standards and federal and State constitutional provisions, training related to motorcycle profiling in conjunction with existing training regarding other profiling.

**Background:** Training for the certification of law enforcement officers in the State may be conducted at MPTSC facilities or at any of 20 police training academies in the State certified by MPTSC. There are approximately 16,500 certified police officers in Maryland.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Charles and Montgomery counties; cities of Frederick and Havre de Grace; Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

**Fiscal Note History:** First Reader - February 17, 2017  
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