

HOUSE BILL 190

E4

8lr0009

By: **Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

Introduced and read first time: January 18, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Maryland Police Training and Standards Commission –**
3 **Psychological Consultation and Evaluation**

4 FOR the purpose of repealing the requirement that the Maryland Police Training and
5 Standards Commission develop standards for the mandatory psychological
6 evaluation of a certain law enforcement officer; requiring the Commission to develop
7 standards for the mandatory psychological consultation with a certain law
8 enforcement officer; altering a certain psychological evaluation requirement for
9 police officer certification; and generally relating to the mental health of law
10 enforcement officers.

11 BY repealing and reenacting, with amendments,
12 Article – Public Safety
13 Section 3–207(a)(21) and 3–209
14 Annotated Code of Maryland
15 (2011 Replacement Volume and 2017 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Public Safety**

19 3–207.

20 (a) The Commission has the following powers and duties:

21 (21) to develop standards for the mandatory psychological [evaluation of]
22 **CONSULTATION WITH** a law enforcement officer who was actively involved in an incident
23 when another person was seriously injured or killed as a result of an accident or a shooting

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 or has returned from combat deployment;

2 3–209.

3 (a) The Commission shall certify as a police officer each individual who:

4 (1) (i) satisfactorily meets the standards of the Commission; or

5 (ii) provides the Commission with sufficient evidence that the
6 individual has satisfactorily completed a training program in another state of equal quality
7 and content as required by the Commission;

8 (2) submits to a psychological evaluation [by a psychologist approved by
9 the Commission] **BY A LICENSED, TRAINED, AND QUALIFIED MENTAL HEALTH
10 PROFESSIONAL APPROVED BY THE COMMISSION AND RECEIVES A POSITIVE
11 RECOMMENDATION FROM THE MENTAL HEALTH PROFESSIONAL INDICATING THAT
12 THE INDIVIDUAL IS:**

13 **(I) EMOTIONALLY AND MENTALLY FIT; AND**

14 **(II) ABLE TO PERFORM THE DUTIES OF A POLICE OFFICER AS**
15 **DETERMINED BY THE RESPECTIVE LAW ENFORCEMENT AGENCY; and**

16 (3) submits to a criminal history records check in accordance with §
17 3–209.1 of this subtitle.

18 (b) The Commission may certify as a police officer an individual who is not
19 considered a police officer under § 3–201(f)(3) of this subtitle if the individual meets the
20 selection and training standards of the Commission.

21 (c) Each certificate issued to a police officer under this subtitle remains the
22 property of the Commission.

23 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
24 **1, 2018.**