

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 563

(Senator Simonaire)

Judicial Proceedings

Maryland Police Training and Standards Commission - Use of Handcuffs - Body Attachments Policy

This bill requires the Maryland Police Training and Standards Commission (MPTSC) to develop, by October 1, 2020, a written policy on the appropriate use of handcuffs when taking a person into custody on a body attachment as guidance for law enforcement agencies in the State. By January 1, 2021, each law enforcement agency in the State must adopt and implement the written policy. **The bill takes effect July 1, 2020.**

Fiscal Summary

State Effect: MPTSC can likely develop the written policy with existing budgeted resources, as discussed below. It is assumed that State law enforcement agencies can implement the required policy with existing resources. Revenues are not affected.

Local Effect: It is assumed that local law enforcement agencies can implement the required policy with existing resources. Local revenues are not affected.

Small Business Effect: None.

Analysis

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 consultation. 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probationary period may not be employed as a police officer, and a police officer may not serve after certification has been revoked, suspended, or allowed to lapse.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, among other things, that the curriculum and minimum courses of study include, consistent with established law enforcement standards and federal and State constitutional provisions:

- training in lifesaving techniques, including Cardiopulmonary Resuscitation;
- training in the proper level and use of force;
- training regarding sensitivity to cultural and gender diversity; and
- training regarding individuals with physical, intellectual, developmental, and psychiatric disabilities.

State Expenditures: MPTSC advises that the development of the required written policy necessitates a part-time contractual employee for a six-month period, at an estimated cost of \$17,499. The Department of Legislative Services disagrees and advises that the bill's requirement can likely be handled with existing resources. The development of standards and procedures by MPTSC is part of the function of MPTSC; this bill alone is not burdensome. In addition, assistance can be drawn from national organizations, law enforcement agencies, and other stakeholders.

It is assumed that State law enforcement agencies can implement the required policy with existing resources.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Baltimore City; Harford, and Wicomico counties; Maryland Association of Counties; Maryland Municipal League; Comptroller's Office; Baltimore City Community College; University System of Maryland; Morgan State University; Department of General Services; Department of Public Safety and Correctional Services;

Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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