

MARYLAND POLICE TRAINING AND STANDARDS COMMISSION

Redacted Minutes – 33rd Meeting – April 13, 2022

MEMBERS PRESENT

Sheriff Troy Berry, Charles County Sheriff's Office, Regional Representative (Chair)
Colonel Woodrow (Jerry) Jones, Secretary, Department of State Police (Vice-Chair)
Thomas Simpson, representing the President, Maryland Law Enforcement Officers, Inc.
Captain W. Michael Crabbs, Community Policing Expert
Dr. Michael Finegan, Mental Health Expert
Richard Gibson, Maryland State's Attorneys' Association
Thomas Sobocinski Special Agent in Charge, Baltimore Office, FBI
Miguel Dennis, Policing Standards Expert
Chief Arnold Downing, Chairman, MD Municipal League Police Executive Association
Chief Barbara Duncan, Salisbury Police Department, Regional Representative
Sheriff Joseph Gamble, Wor-Wic Program Advisory Committee – Criminal Justice
Zenita Hurley, representing the Office of the Attorney General
Chief Robert Liberati, President, Police Chiefs Association of Prince George's County
Major Derek Loeffler, representing Police Commissioner Michael Harrison, Baltimore Police Department
Clyde Boatwright, Maryland State Fraternal Order of Police
Mr. Dave Morris, representing the President, Maryland Chiefs of Police Association

MEMBERS ABSENT

Marcus Pollock, Citizen of the State
Matthew Alonozana, Citizen of the State
Sheriff Mike Lewis President, Maryland Sheriff's Association
Lt. Allison Ehart, Howard County Police Department, Regional Representative
Vanessa Atterbeary, State Delegate
Jazz Lewis, State Delegate
Michael Hough, State Senator
William C. Smith, Jr., State Senator

STAFF PRESENT

Wayne Silver, Executive Director, PTSC
Albert L. Liebno, Jr., Executive Director, PCTC
Kelly Brauning, Certification Administrator
Jeanne Chenoweth, Recorder
Katie Johnson, Recorder
Matthew Mellady, Assistant Attorney General
Gary Gardner, Policy Director
Robert Wagner, Director of Law Enforcement Training
Brittany Rohe, Certification Unit
Lora Tracy, Compliance Unit
Royal Bacote, Certification Unit
James Wootton, IT

GUESTS

John Moses, ESCJA
Chief Tyrone Collington, Bladensburg P.D.
Benjamin Moon, Bladensburg P.D.
Angela Washington, DPSCS

Mike Davey, Attorney
Steven Van Bennekum, MSP
Major Rosemary Chappell, MSP
Will Milan, FOP

Sheriff Troy Berry, Chair, called the 33rd meeting of the Police Training and Standards Commission (PTSC) from the Public Safety Education and Training Center to order at 10:06 a.m. Sheriff Berry welcomed everyone. Members, staff and guests introduced themselves. A quorum was present.

The agenda was as follows:

1. Minutes – Videos Posted on mdle.net in Lieu of Written Minutes
2. Facility Report
3. Legal Issues
4. Old Business
 - a) Update on Police Reform Amendment
 - b) Job Task Analysis Update
 - c) Use of Force Model Policy
 - d) Update on Drug Regulations
 - e) Physical Agility Assessment
 - f) Psychological Screening
 - g) Implicit Bias – Guest Speaker
5. New Business
6. Request for Recertification
7. Request for Recertification

1. Minutes – Videos Posted on mdle.net in Lieu of Written Minutes

Sheriff Berry stated that in lieu of written minutes, videos of the recent virtual meetings have been posted on mdle.net.

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 mentioned Leadership Lessons from Antietam, a new program being facilitated through the Leadership Development Institute. Mr. Liebno also updated the members on the resumption of DARE in-person training and their annual training in Ocean City. He reviewed the year-end compliance numbers for in-service and firearms training and stated that we are in a better position this year than in the most recent past years. Mr. Liebno stated that there were six selection standard audits and four academy audits completed this quarter. He also mentioned that staff continues to work through the procurement process for the Virtual Training System, which is targeted to move forward the end of August and the LMS System which should go before the Board of Public Works on May 11th. There were no questions for Mr. Liebno.

3. Legal Issues

Assistant Attorney General Matthew Mellady reminded the members that Mr. Kerrick Thomas appealed his denial of recertification decision with the Court of Special Appeals. He stated that the Court determined that matters of certification are not subject to judicial review. Mr. Mellady also stated that he will request to have this outcome published.

4. Old Business

a) Update on Police Reform Amendment

Mr. Wayne Silver addressed the members with an update on the legislation regarding the Police Accountability Board and Administrative Charging Committees regulations. He stated that the legislature

passed a bill but as of yet, the Governor has not signed it. Mr. Silver reviewed the status of the Commission's work and stated that staff would be meeting this Friday to prepare for the outcome. He stated that the new regulations would not be finalized most likely until early August and that the new legislation did not include an extension of the July 1st deadline. A discussion followed on the consequences and hurdles of not meeting the deadline. The point was made that the General Assembly was well aware that the Commission could not meet the deadline. The members also agreed that they would be looking to the Office of the Attorney General for uniform guidance on matters of discipline after July 1st.

b) Job Task Analysis Update

Mr. Silver stated that the objectives are now complete and will be going out to academy directors for their review and input. Chief Barbara Duncan voiced her concerns regarding the best practices and hours of training in comparison to other states and countries. Mr. Silver stated these areas may be addressed after review by the academy directors, taking into consideration that there may be differences in responsibilities. He said that the HUMRO report and final version of the Job Task Analysis would be sent out to all members for review prior to the next regularly scheduled meeting.

c) Use of Force Model Policy

Mr. Silver referred to the MPTSC Use of Force Policy & Training Guidance document in the binders. Mr. Liebno stated that this document, which is a guide for law enforcement agencies to develop internal policies, must be approved by the Commission and would then be posted on mdle.net. Following discussions, the members tabled finalizing this document until the suggested edits by Mr. Silver and Ms. Hurley were made as to what was required by law and what was recommended and to re-organize the document for clarity.

d) Update on Drug Regulations

Mr. Liebno informed the members that the amendments to the prior drug use regulations will be effective April 18, 2022. He stated that the amendments address certification requests for applicants who have not used marijuana within the past 365 days but have used within the past three years. Mr. Liebno stated that these applicants must agree to complete an annual substance abuse test during the two years following the initial date of certification.

Recorder's Note: At 11:51 a.m., Sheriff Berry stated that there would be a ten minute break. The meeting reconvened at 12:07 p.m.

e) Physical Agility Assessment

Mr. Silver explained that the Physical Agility Assessment document would be addressed at a future meeting. He stated that suggested edits from the prior meeting would be incorporated into the current document and presented to the members for discussion.

f) Psychological Screening

Mr. Silver stated that after the last meeting, he had a discussion with Dr. Finegan regarding the difference between an evaluation, an assessment, and a screening as it relates to the Psychological Screening requirements for certification. A discussion followed as to the meaning of those terms, which professionals should be performing which testing and the impact on law enforcement mental health wellness. Sheriff Berry suggested that a committee including Dr. Finegan, Mr. Silver, Mr. Mellady and Mr. Gardner be formed to define the processes and the terms to conform with the legislative intent of the assessment required every two years.

g) Implicit Bias – Guest Speaker

Mr. Silver introduced Ms. Angela Washington, Executive Director of the DPSCS Office of Equal Employment Opportunity. Ms. Washington defined Implicit Bias, explained the concept of Unconscious Bias, Implicit Bias Testing and Screening Processes. She also discussed how training in the topic of Implicit Bias must be tailored to law enforcement to make it effective. A discussion followed on the impact on today's law enforcement culture and what can be done to identify potential issues with law enforcement officers. Dr. Finegan suggested evaluating the California Post Guideline Manual 2021 for identifying issues of bias and then possibly adopting those same guidelines for use by background investigators.

5. New Business

Ms. Zenita Hurley asked for clarification of the new Commission members effective July 1, 2022. Mr. Silver reviewed those positions being removed and the appointment process for the new positions. The new members will be posted on mdle.net on July 1st along with the current members.

Sheriff Berry announced that the next two items would be heard in Closed Session.

Recorders Note: Ms. Chenoweth read the required closed session statement into the record.

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

The meeting adjourned to a Closed Session at 1:40 p.m.

6. Request for Recertification

A MOTION to deny recertification was made and SECONDED: The members were polled to record their votes. The MOTION carried.

Recorder's Note: SAC Sobocinski left the meeting at 2:34 p.m.

7. Request for Recertification

A MOTION to grant recertification was made and SECONDED. The members were polled to record their votes. The MOTION carried.

A MOTION was made by Chief Arnold Downing to adjourn to an open session: SECONDED: Mr. Richard Gibson. The MOTION carried unanimously.

Recorder's Note: This concluded the closed session. The meeting adjourned to an open session at 3:20 p.m.

Sheriff Berry announced in Open Session that one request for recertification had been denied and one had been granted.

Mr. Thomas Simpson stated that this was his last quarterly meeting in that his organization's position would no longer be on the Commission as of July 1st. He expressed his gratitude to all.

Sheriff Berry stated that there would most likely be meetings scheduled prior to the next quarterly meeting to address the new legislative requirements.

It was announced that Captain Michael Crabbs would be retiring from the Harford County Sheriff's Office in two weeks. He expressed his gratitude to everyone.

A MOTION to adjourn was made by Mr. Thomas Simpson: SECONDED: Chief Arnold Downing. The MOTION carried. The meeting adjourned at 3:25 p.m.

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