

**MARYLAND POLICE TRAINING AND
STANDARDS COMMISSION
REDACTED Minutes – 4th Meeting – July 19, 2017**

MEMBERS PRESENT

Commissioner Kevin Davis, Baltimore Police Department (Vice-Chair)
Chief David Rice, Chair, Maryland Municipal League Police Executive Association
Chief David Morris, Maryland Chiefs of Police Association
Sheriff Timothy Cameron, President, Maryland Sheriff's Association
Vince Canales, President, Maryland State Fraternal Order of Police
Gordon Johnson, Special Agent in Charge, Baltimore Office, Federal Bureau of Investigation
Chief Michael Wynnyk, representing the President of the Police Chiefs Association of
Prince George's County
Stuart Nathan, Assistant Attorney General, representing the Office of the Attorney General
Wes Adams, Maryland State's Attorneys' Association
Sheriff Joseph Gamble, Wor-Wic Program Advisory Committee – Criminal Justice
Sheriff Troy Berry, Charles County Sheriff's Office, Regional Representative
Sergeant Allison Ehart, Howard County Police Department, Regional Representative
Captain W. Michael Crabbs, Community Policing Expert
Miguel Dennis, Policing Standards Expert
Dr. Michael Finegan, Mental Health Expert
Matthew Alonsozana, Citizen of the State
Marcus Pollock, Citizen of the State
Michael A. Jackson, State Delegate
Curt Anderson, State Delegate

MEMBERS ABSENT

Colonel William Pallozzi, Secretary, Department of State Police (Chair)
Chief Barbara Duncan, Salisbury Police Department, Regional Representative
Gwendolyn Smith, representing the President of the Maryland Law Enforcement Officers, Incorporated
Victor Ramirez, State Senator
Michael Hough, State Senator

STAFF PRESENT

Everett Sesker, Police Training & Standards Commission Executive Director
Karen Kruger, Executive Director
Albert L. Liebno, Jr., Deputy Director
Katie Johnson, Registrar
Susan Strausbaugh, Leadership Development Institute
Michelle Wilson, Assistant Attorney General
Michael Pristoop, Director of Policy and Process
Jennifer Beskid, Grants Coordinator
Kate Gossard, Director of Support Services
Myrna Adejoh, Certification Administrator
Jama Acuff, Compliance Officer
Lewis Pindell, Media Specialist

GUESTS

Stephen Watkins, Fairmount Heights Police
Michael Brown, Fairmount Heights Police
Sean Kapfhammer, Anne Arundel Community College
Steven Bodway, Harford County Sheriff's Office
Tracey Martinelli, Harford County Sheriff's Office
William Everts, New Carrollton PD
S. Teriq, New Carrollton PD
Michael Spaulding, Sykesville Police
Jay Zumbrun, Community College of Baltimore County (CCBC)
David Simonetti, Hagerstown Community College Police Academy
Pamela McKay, St. Mary's County Sheriff
Ernest Stephens, St. Mary's County Sheriff
Richard Gray, St. Mary's County Sheriff
Tyler Westphal, St. Mary's County Sheriff
Capt. John Caywood, Charles County Sheriff
Brian Daniels, Charles County Sheriff
Jeffrey Silverman, Anne Arundel County Police
Aaron Bryant, Anne Arundel County Police
Sheriff Jim Dewees, Carroll County Sheriff's Office
Vicky McDonald, Carroll County Sheriff's Office
Brandon Holland, Carroll County Sheriff's Office
Mark Debord, Carroll County Sheriff's Office
Percy Alston, Prince George's Community College Public Safety

Commissioner Kevin Davis called the 4th meeting of the Police Training and Standards Commission (PTSC) at the Public Safety Education and Training Center to order at 10:01 a.m. A quorum was present. Commissioner Davis welcomed everyone, including new member Chief David Rice, and asked those present to introduce themselves.

Recorder's Note: Mr. Wes Adams & Mr. Marcus Pollock joined the meeting at 10:03 a.m.

The agenda was as follows:

1. Approval of Minutes – April 19, 2017
2. Reports and Updates
 - a) Facility Report
 - b) PTSC Executive Director Updates
3. Legal Issues
4. Old Business
 - a) Committee Updates on HB1016 Mandates
 - b) Vote on Interpreted Definitions of Legislative Terms
5. New Business
 - a) Procedure for Electing a Chair and Vice-Chair
6. Request to Operate a Police Entrance-Level Training Academy
7. Request for Waiver of Comparative Compliance Training for Recertification
8. Request for Waiver of all Entrance Level Training for Recertification
9. Request for Waiver of Entrance-Level Training for Certification
10. Request for Waiver of Entrance Level Training Requirement in Order to Attend Comparative Compliance Training

11. Request for Waiver of Entrance Level Training Requirement in Order to Attend Comparative Compliance Training
12. Request for Waiver of Selection Standards for Police Officer Certification
13. Request for Waiver of Selection Standards for Police Officer Recertification
14. Request for Waiver of Selection Standards for Police Officer Certification

1. Approval of Minutes – April 19, 2017

Commissioner Davis asked the Members to review the minutes of the 3rd meeting of the Police Training and Standards Commission.

A MOTION to approve the minutes from the April 19, 2017 meeting of the Police Training and Standards Commission was made by Chief Michael Wynnyk: SECONDED: Sheriff Timothy Cameron. The MOTION carried.

2. Reports and Updates

a) Facility Report

Commissioner Davis introduced Ms. Karen Kruger, the newly appointed Executive Director of the Maryland Police & Correctional Training Commissions (MPCTC). Ms. Kruger discussed the heavy usage of the Public Safety Education & Training Center (PSETC) and the toll that it takes on maintaining the facility. Several large projects are in the works, such as the replacement of windows in Dormitories I and II, and the repair of the Hubner front steps. Since the buildings are historic, there are certain construction requirements that must be considered. The Driver Training Facility (DTF) track is in need of repaving, a project that will require creative thinking in regards to funding.

Ms. Kruger also noted the Certification unit is working on audits and compliance now that several employees have been added to the team. As of June 30, 2017 only 4 police officers are noncompliant, the lowest number in recent history. Ms. Kruger then drew attention to the Leadership Development Institute's First Line Supervisor training and the modification of the program from 10 days to 6 days. She also noted the very reputable Northwestern School of Police Staff & Command will be held at PSETC from April to June 2018. Ms. Kruger then highlighted MPCTC involvement in international programs with the State Department, and provided the start date of January 3, 2018 for the next MPCTC Police Entry Level Academy Program. A handout on Ms. Kruger's background was provided to Commission members as well.

Ms. Kruger then discussed the need for an updated job task analysis, as COMAR regulations reference the PTSC "establishing objectives and standards based on a job task analysis." The information is used to identify essential job functions, create applicable mental health standards as well as applicable training standards. The last analysis conducted for Maryland was in 1995 and cost approximately \$10,000.

Delegate Anderson asked about reviewing the First Line Supervisor training materials. Ms. Kruger said if PTSC approval is required before proceeding, the information will be sent electronically. MPCTC will send examples of crime prevention literature to Delegate Anderson's office, per his request.

Recorder's Note: Mr. Vince Canales joined the meeting at 10:12 a.m.

b) PTSC Executive Director Updates

Mr. Everett Sesker, Executive Director of PTSC, thanked Ms. Kruger and her staff for their efforts. He then moved on to the mandates of House Bill 1071, which requires PTSC to distribute to each Maryland

agency a *Victim's Representative Notification* form. This form will be sent electronically to agencies, as well as made available on the MPCTC website, www.mdle.net. The effective date is October 1, 2017.

3. Legal Issues

Ms. Michelle Wilson stated there were no legal updates.

4. Old Business

a) Committee Updates on HB1016 Mandates

Mr. Sesker summarized the efforts of each House Bill 1016 Committee. Workgroup #1 has determined that antidiscrimination, use of force and de-escalation training objectives are already being met in entry level training. The Workgroup recognizes that the topic is fluid and that new practices will need to be adopted at a later time. However agencies are currently meeting the best practices set forth by the Commission. A report regarding firearms qualifications will be sent to Commission members to be discussed in the October meeting. Mr. Sesker asked Chief David Morris to organize a subcommittee to which questions regarding this matter can be directed.

Workgroup #2 has prepared three recommendations in regards to the modernization of recruitment standards of Law Enforcement. Along with their own testing, agencies should utilize national testing centers to allow for greater opportunities for diversity. The second recommendation is for agencies to establish strong community ties, using patrol officers to identify individuals in minority neighborhoods who may be good applicants. The third recommendation is the creation of a recruiting school within individual agencies. Aspects of this idea haven't been discussed in detail. A report will be prepared and sent to each member with this information.

Workgroup #3 met on July 12th, 2017 to discuss guidelines for mandatory psychology evaluations, as well as a 24-hour hotline out of Washington State. More information is forthcoming but will not be ready for a vote in October. The Workgroup also discussed changing the term "mandated evaluation" to "mandatory consultation" in order to protect the officers. An invitation to the Workgroup's meeting was extended to allied agencies' psychologists but no one was able to attend.

Workgroup #4 works on guidelines for reporting serious officer involved incidents. The Commission will discuss these definitions today. Workgroup #5 has been working on defining best practices for Community Policing, which will be presented at the October meeting. Any questions regarding the workgroups can be directed to Mr. Sesker.

b) Vote on Interpreted Definitions of Legislative Terms

Portions of House Bill 1016 mandate action by the Commission, but do not define the terminology in the mandates. Four issues are up for discussion and vote today. Issue number 1 defines "Hearing Open to the Public." A discussion occurred regarding administrative hearing boards, and whether the Open Meetings Act should be mentioned in the definition or if it's repetitive since the Act is a statutory regulation.

Issue number 2 defines "Actively Involved," "Seriously Injured" and "Combat Deployment." A discussion over the scope of officers involved in the definition "Actively Involved" took place. Topics examined were physical proximity versus psychological proximity, the intent of the mandate, enhancing officer wellness, an individual agency's interpretation and the legal interpretation of the definition as presented.

Issue number 3 defines “Serious Officer-Involved Incidents” and “Type of Discipline Administered.” Delegate Anderson retracted an expressed concern regarding only sustained complaints being reported, and will reexamine this matter after one year. Issue number 4 defines “Final Disposition and Discipline.” This affords the complainant the opportunity to know the outcome of the complaint. Any appeals are filed with the Circuit Court and are thereby public information.

A MOTION to amend the definition under Issue #1 to include language “in accordance with the Open Meetings Act” was made by Mr. Wes Adams: SECONDED: Mr. Matthew Alonsozana. The MOTION carried.

A MOTION to table voting on the definition of “Actively Involved” in Issue #2 and refer the matter to the policy group to review and redefine the term, as well as to review the term “accident,” was made by Mr. Wes Adams: SECONDED: Mr. Stuart Nathan. The MOTION carried.

A MOTION to accept the definitions in Issues 1, 3 and 4 as amended, and accept the definitions of “Seriously Injured” and “Combat Deployment” in Issue 2 was made by Dr. Michael Finegan: SECONDED: Mr. Wes Adams. The MOTION carried.

5. New Business

a) Procedure for Electing a Chair and Vice-Chair

Mr. Sesker proposed that the annual election of the chair and vice-chair be held at the October 4, 2017 meeting so that the newly elected officials will assume their duties at the quarterly meeting in January.

A MOTION to accept the proposed election process was made by Mr. Vince Canales: SECONDED: Mr. Matthew Alonsozana. The MOTION carried.

6. Request to Operate a Police Entrance-Level Training Academy

Mr. Liebno presented a request from the Carroll County Sheriff’s Office (CCSO) for approval to run its own entry level class 1 academy. A booklet was distributed to each Commission member with information regarding the plans for the program. Sheriff James DeWees stated that CCSO does not currently have a police or correctional academy. The proposed police academy will be held at the vacant North Carroll High School building, last 27 weeks and run as needed. The first class is scheduled to begin in November 2017. The agency currently has 26 certified academic instructors, 4 certified emergency vehicle operations instructors, 13 certified firearms instructors, 5 certified TASER instructors and 4 certified defensive tactics instructors. The CCSO will partner with Frederick Community College so the recruits can obtain an Associate’s degree. MPCTC will conduct a preliminary audit of the training and testing materials for compliance before issuing a course approval number. A full audit is conducted after the first run of the academy.

A MOTION to tentatively approve the request was made by Sheriff Joseph Gamble: SECONDED: Chief David Rice. The MOTION carried.

7. Request for Waiver of Comparative Compliance Training for Recertification

Mr. Liebno stated that MPCTC staff received an Application for Certification from the Harford County Sheriff’s Office for the recertification of Timothy Mullaney. Mr. Mullaney was last certified as a police officer with the Baltimore County Police Department until his retirement in February 2013. He was hired by the Harford County Sheriff’s Office in May 2017. Because it has been more than three years since Mr. Mullaney was certified, COMAR requires he complete a Comparative Compliance training

program. The Harford County Sheriff's Office is asking for a waiver of this requirement based on Mr. Mullaney's prior training and experience. Colonel Steven Bodway, Chief Deputy of Harford County Sheriff's Office, summarized Mr. Mullaney's career and achievements.

A MOTION to approve a waiver of Comparative Compliance Training was made by Mr. Vince Canales: SECONDED: Sheriff Timothy Cameron. The MOTION carried.

8. Request for Waiver of all Entrance Level Training for Recertification

Mr. Liebno stated that MPCTC received an Application for Certification from the Anne Arundel Community College Police for the recertification of Chief Sean Kapfhammer. Chief Kapfhammer was last certified as a police officer with the Baltimore Police Department until his retirement in March 2011. Following retirement, he served as the Chief of Police for the Carroll Township Police Department in York County, Pennsylvania as a certified municipal police officer. Chief Kapfhammer served in that position until September 2013 when he left in good standing to become the Deputy Director of Public Safety for Loyola University in Maryland. At the same time he also continued as a police officer with the Wrightsville Borough Police Department also in York County. At this time, Chief Kapfhammer is asking for a waiver of the COMAR requirement that he complete any entry-level training in order to be recertified as a police officer in Maryland. Chief Sean Kapfhammer was present to answer questions.

A MOTION to waive entrance-level training and comparative compliance training to fully certify Chief Kapfhammer was made by Chief David Morris: SECONDED: Chief David Rice. The MOTION carried.

9. Request for Waiver of Entrance-Level Training for Certification

Mr. Liebno stated that MPCTC staff received an Application for Certification from the New Carrollton Police Department for the certification of Syed Tariq. Mr. Tariq successfully completed a voluntary entrance level training academy at the Anne Arundel Community College Homeland Security and Criminal Justice Institute in July 2014. COMAR states that an agency head may request a waiver of entry level training for an applicant who voluntarily attended and completed an entrance level training academy and was subsequently hired by a law enforcement agency within two years of the completion of that training. Chief David Rice accepted fault for not submitting waiver request prior to the 2 year deadline. Mr. Tariq has completed 744 hours of field training under his provisional certification.

A MOTION to waive entrance-level training was made by Mr. Vince Canales: SECONDED: Chief Michael Wynnyk. The MOTION carried.

10. Request for Waiver of Entrance Level Training Requirement in Order to Attend Comparative Compliance Training

Mr. Liebno explained that Mr. Anthony Stevens attended the DC Metropolitan Police Academy in 2015. This program does not teach Crime Prevention in their entry level police academy, which is a required objective for Maryland police certification. Charles County Sheriff's Office is asking that Mr. Stephens be approved to complete a Comparative Compliance Program which will include the Commission's required Crime Prevention training in lieu of a full academy.

A MOTION to waive entrance-level training and require comparative compliance with an added Crime Prevention component was made by Chief David Morris: SECONDED: Chief Michael Wynnyk. The MOTION carried.

11. Request for Waiver of Entrance Level Training Requirement in Order to Attend Comparative Compliance Training

Mr. Liebno stated the request from Annapolis Police mirrors the previous agenda item. Mr. Angelo Watson attended the DC Metropolitan Police Academy in 2016. The Annapolis Police Department is asking that Mr. Watson be approved to complete a Comparative Compliance Program which will include the Commission's required Crime Prevention training in lieu of a full academy.

A MOTION to waive entrance-level training and require comparative compliance with an added Crime Prevention component was made by Chief David Morris: SECONDED: Sheriff Timothy Cameron The MOTION carried.

Recorder's Note: At 11:58 a.m., Commissioner Kevin Davis stated there would be a short break; the meeting resumed in Open Session at 12:11 p.m. Mr. Curt Anderson, Mr. Michael Jackson and Mr. Marcus Pollock did not return after the break.

Commissioner Davis stated the next item would be heard in closed session.

Recorders Note: Ms. Johnson read the COMAR closed session regulation into the record.

A MOTION was made by Sheriff Timothy Cameron to adjourn to a Closed Session: SECONDED: Chief David Morris. The Motion carried.

The meeting adjourned to a Closed Session at 12:12 p.m.

12. Request for Waiver of Selection Standards for Police Officer Certification

A MOTION to Grant a Waiver of Selection Standards for Police Officer Certification was made and SECONDED: The MOTION carried.

Commissioner Davis invited the parties back into the meeting and informed them of the decision.

13. Request for Waiver of Selection Standards for Police Officer Recertification

A MOTION to Deny a Waiver of Selection Standards for Police Officer Recertification was made and SECONDED: The MOTION carried.

Commissioner Davis invited the parties back into the meeting and informed them of the decision.

Recorder's Note: Mr. Miguel Dennis left the meeting at 12:57pm and returned at 1:00pm.

14. Request for Waiver of Selection Standards for Police Officer Certification

Sheriff Timothy Cameron left the meeting at 1:05pm and returned at 1:22pm. Mr. Stuart Nathan left the room at 1:05pm and returned at 1:23pm.

A MOTION to Grant a Waiver of Selection Standards for Police Officer Certification was made and SECONDED: The MOTION carried.

Commissioner Davis invited the parties back into the meeting and informed them of the decision.

A MOTION was made by Mr. Vince Canales to adjourn to an open session: SECONDED: Mr. Matthew Alonsozana. The MOTION carried.

Recorder's Note: This concluded the closed session. The meeting adjourned to an open session at 1:24 p.m.

Commissioner Davis announced the outcome of the 3 issues voted on during the closed session.

Mr. Wes Adams made a MOTION to adjourn: SECONDED: Sheriff Timothy Cameron. The MOTION carried. The meeting adjourned at 1:27 p.m.

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