

**MARYLAND POLICE TRAINING AND
STANDARDS COMMISSION**
Redacted Minutes – 8th Meeting – July 18, 2018

MEMBERS PRESENT

Colonel William Pallozzi, Secretary, Department of State Police (Chair)
Mr. Matthew Alonsozana, Citizen of the State
Mr. David Ash, Representing Wes Adams, Maryland State's Attorneys' Association
Sheriff Timothy Cameron, representing the President, Maryland Sheriff's Association
Mr. Vince Canales, President, Maryland State Fraternal Order of Police
Captain W. Michael Crabbs, Community Policing Expert
Mr. Miguel Dennis, Policing Standards Expert
Chief Barbara Duncan, Salisbury Police Department, Regional Representative
Sergeant Allison Ehart, Howard County Police Department, Regional Representative
Dr. Michael Finegan, Mental Health Expert
Chief Gary Gardner, President, Maryland Chiefs of Police Association
Mr. Michael A. Jackson, State Delegate
Mr. Gordon Johnson, Special Agent in Charge, Baltimore Office, Federal Bureau of Investigation
Stuart Nathan, Assistant Attorney General, representing the Office of the Attorney General
Chief David Rice, Chair, Maryland Municipal League Police Executive Association
Interim Commissioner Gary Tuggle, Baltimore Police Department
Chief Michael Wynnyk, representing the President of the Police Chiefs Association of Prince George's County

MEMBERS ABSENT

Mr. Curt Anderson, State Delegate
Sheriff Troy Berry, Charles County Sheriff's Office, Regional Representative (Vice-Chair)
Sheriff Joseph Gamble, Wor-Wic Program Advisory Committee – Criminal Justice
Mr. Michael Hough, State Senator
Mr. Marcus Pollock, Citizen of the State
Mr. Victor Ramirez, State Senator
Ms. Gwendolyn Smith, representing the President of the Maryland Law Enforcement Officers, Inc.

STAFF PRESENT

Jama Acuff, Compliance Officer
Jennifer Beskid, Grants Coordinator
Katie Johnson, Registrar
Karen J. Kruger, Executive Director, Public Safety Education and Training Center
Albert L. Liebno, Jr., Deputy Director
Lewis Pindell, Media Specialist
Susan Strausbaugh, Leadership Development Institute
Michelle Wilson, Assistant Attorney General

GUESTS

Paul Herman, Annapolis Police
Brian Jestes, Taneytown Police
William Tyler, Taneytown Police
Adam Romero, Taneytown Police
Patrick Morris, Maryland Department of Health

James Pyles, Maryland Department of Health
Robert Patton, Maryland Department of Health, SETT Police Department
Eric Chase, Maryland Department of Health, SETT Police Department
Michael Wright, Maryland Department of Health, SETT Police Department
Marcus Hines, Maryland Department of Health, SETT Police Department
Dawn O’Croinin, Attorney General’s Office
Ed Clarke, MD Center for School Safety
Jon Carrier, Anne Arundel County Police
Jim Phillips, Anne Arundel County Police
John Moses, Eastern Shore Criminal Justice Academy
Keith Hicks, Training Directors Association
Robert Harris, Pittsville Police
Mike Davey, Attorney
Jim Marecall, Howard County Police
Anissa Watkins, Baltimore County Police
Wesley Forchion, Maryland State Police
Brian Swafford, Fruitland Police
Michael Phillips, Fruitland Police
Benjamin Mills, Fruitland Police
Mark Cummings, Capitol Heights Police
Vernon Edmonds, Capitol Heights Police
Bruce Whitlow, Citizen
Dianne Venit, Citizen
Everett Sesker, Local Government Insurance Trust

Colonel William Pallozzi called the 8th 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. Colonel Pallozzi welcomed everyone, including Interim Commissioner Gary Tuggle, and asked those present to introduce themselves.

The agenda was as follows:

1. Approval of Minutes – April 11, 2018
2. Facility Report
3. Legal Issues
4. Old Business
 - a) Update on Job Task Analysis
 - b) Final Approval of Carroll County Sheriff’s Office Police Academy
 - c) Update on Amendment to COMAR 12.04.01.01 and 12.04.01.04 – Mental Health Professional Definition and Interview Requirements
 - d) Marijuana Use Subcommittee Update
5. New Business
 - a) SRO Curriculum – Center for Safe Schools
 - b) Citizens Complaint Process
 - c) Proposed SWAT Regulations
6. Request for Waiver of Entry Level Training Requirements for Recertification
7. Request for Waiver of Entry Level Training Requirements for Certification
8. Request for Waiver of Comparative Compliance Training Requirement for Recertification
9. Request for Waiver of Entry-Level Training Requirements for Recertification
10. Request for Waiver of Selection Standards for Recertification
11. Request for Waiver of Prior Drug Use Standards to Maintain Certification

1. Approval of Minutes – April 11, 2018

Colonel William Pallozzi asked the Members to review the minutes of the 7th meeting of the Police Training and Standards Commission.

A MOTION to approve the minutes from the April 11, 2018 meeting of the Police Training and Standards Commission was made by Chief David Rice: SECONDED: Mr. Vince Canales. The MOTION carried.

2. Facility Report

Ms. Karen Kruger, Executive Director of the Public Safety Education and Training Center (PSETC) directed the Members to the report included in the binder which reviewed the activities at the Center during the past quarter. Ms. Kruger informed the members that the report shows heavy use of the PSETC facilities. The forum classroom received technology upgrades this past quarter. Ms. Kruger was also pleased to inform the members that the marble steps in front of the historic Hubner Lobby are finally repaired. She also noted the first class of the revamped Police Entry Level academy graduates on July 20th. There were no questions for Ms. Kruger.

Mr. Albert Liebno added that the Certification unit is working with the agencies that have noncompliant officers. He also stated that a request had been sent to agencies for Serious Officer Involved Incident reports, which are due to the legislature at the end of the month.

Recorders Note: Sheriff Timothy Cameron joined the meeting at 10:09 a.m.

3. Legal Issues

Assistant Attorney General Michelle Wilson stated there were no legal updates.

4. Old Business

a) Update on Job Task Analysis

Mr. Liebno explained that the previously expected grant monies from the Governor's Office of Crime Control and Prevention (GOCCP) were no longer available since House Bill 24 provides \$2 million in funding to the PTSC. Colonel Pallozzi stated he previously spoke with the Department of Public Safety & Correctional Services (DPSCS) Finance unit regarding the procedure for spending the funds and did not receive a clear answer. Mr. Michael Jackson will check on the funding, stating it was written as a lump sum and not a rolling balance.

b) Final Approval of Carroll County Sheriff's Office Police Academy

Mr. Liebno stated that the Carroll County Sheriff's Office was audited after the completion of the first police academy, and met all of the mandates.

A MOTION to grant final approval of the Carroll County Sheriff's Office Police Academy was made by Chief Michael Wynnyk: SECONDED: Commissioner Gary Tuggle. The MOTION carried.

c) Update on Amendment to COMAR 12.04.01.01 and 12.04.01.04 – Mental Health Professional Definition and Interview Requirements

Colonel Pallozzi informed the Commission members that the amendment had not yet been published. The issue was tabled for the next meeting.

d) Marijuana Use Subcommittee Update

Colonel Pallozzi stated that Mr. Wes Adams, absent from today's meeting, sent his notes to a few members last quarter as a starting point. Mr. Vince Canales requested the information be sent to all members to review.

Mr. Liebno reminded the members that the issue of LEOBR Trial Board training for Civilians, a mandate of House Bill 1016, was tabled at the April 2017 meeting. MD Police & Correctional Training Commissions (MPCTC) staff developed an outline and framework for the training; however, no requests have come from agencies to host a program. Ms. Kruger stated that while requests have come from the public, civilians need to be vetted and sponsored by an agency in order to receive training. The only agency moving to have civilians on their trial boards is Baltimore City Police. The Members agreed to keep the issue tabled at this time until a request comes from an agency.

5. New Business

a) SRO Curriculum – Center for Safe Schools

Mr. Ed Clark, Executive Director of the MD Center for School Safety, presented curriculum on a School Resource Officer (SRO) Training Program. The MD Safe to Learn Act of 2018 required the Center for School Safety to develop and present an SRO curriculum to the PTSC for approval. The Center used the National Association of School Resource Officers (NASRO) standards as a guideline for the program. The MD Center for School Safety intends on supplying the training at no cost to Maryland agencies, using subject matter experts as instructors. Since the bill assigns responsibility to the PTSC to ensure the curriculum is standardized, Colonel Pallozzi requested Mr. Clark return to the October or January meeting in order to provide a status update to the Members prior to the next general assembly meeting.

A MOTION to approve the presented SRO curriculum was made by Captain Michael Crabbs: SECONDED: Mr. Miguel Dennis. The MOTION carried.

Mr. Clark supplied a handout outlining a suggested model training program for implementing the curriculum. This will be revisited at the October meeting once additional details have been provided.

Recorders Note: Dr. Michael Finegan joined the meeting at 10:49 a.m.

b) Citizens Complaint Process

Mr. Liebno presented the Uniform Complaint Process, which provided requirements that need to be incorporated into each law enforcement agency's Uniform Citizen Complaint Process. The requirements address the procedure of implementing a Citizen Complaint process, to include publishing information on the methods available to citizens to submit a complaint and what they can expect after submitting. The process presented does not instruct the departments on how they should handle individual complaints.

A MOTION to adopt the basics of the uniform complaint process was made by Chief David Rice: SECONDED: Chief Gary Gardner. The MOTION carried.

c) Proposed SWAT Regulations

Lt. Jim Phillips of Anne Arundel County Police Department, and Lt. Wes Forchion of MD State Police, presented for review a new section of COMAR to ensure appropriate use of SWAT teams. The new regulations set standards for training and behavior, and line up with the new National Tactical Officers Association (NTOA) Standards released this month. A concern was raised regarding psychological requirements of SWAT team members. The presented regulations include these considerations in the Regulation .02, Section F, paragraph 3c. A best practices document is being prepared to attach as an addendum as well.

A MOTION to publish the document for comment was made by Chief Michael Wynnyk: SECONDED: Mr. Matthew Alonsozana. The MOTION carried.

6. Request for Waiver of Entry Level Training Requirements for Recertification

Mr. Liebno stated that Mr. Paul Herman was previously a certified police officer with Baltimore City until his retirement in September 2008. The Annapolis Police Department hired Mr. Herman as their Deputy Chief. Although it is not required, they submitted an Application for Certification to have him recertified. Because it has been more than five years since he was certified, Mr. Herman is required to attend another entry-level training academy.

Commission member Mr. Miguel Dennis spoke on behalf of Chief Baker when he summarized Mr. Herman's duties and background. Mr. Herman was also present and supplied additional information on his job duties after retirement.

A MOTION to waive an entry-level academy but require comparative compliance was made by Chief David Rice: SECONDED: Commissioner Gary Tuggle. The MOTION carried with one nay.

Recorders Note: Mr. Gordon Johnson left the meeting at 11:19 a.m.

7. Request for Waiver of Entry Level Training Requirements for Certification

Mr. Liebno explained that Mr. Adam Romero attended the Pennsylvania ACT 120 program in 2016 and was employed with the Adams County Sheriff's Office in Pennsylvania. The entry-level training academy that Mr. Romero completed was 680 hours which is less than the PTSC's requirement of 750 hours.

The Chief of Taneytown and Mr. Romero were both present to answer questions. A question was addressed to Mr. Liebno regarding the requirement of bringing these cases to the PTSC for approval. It was stated that the Commission decided to wait on changing any of the requirements or processes until an updated task analysis could be completed.

A MOTION to waive an entry-level academy but require comparative compliance was made by Mr. Vince Canales: SECONDED: Mr. Miguel Dennis. The MOTION carried.

8. Request for Waiver of Comparative Compliance Training Requirement for Recertification

Mr. Liebno stated that Chief Robert Harris was most recently a certified police officer with the Snow Hill Police Department until February 2015. In March 2018, he was appointed Chief at the newly formed Town of Pittsville Police Department. Although it is not required, the town submitted an Application for Certification to have him recertified as a police officer. Because it has been one month beyond the three year timeframe, Chief Harris is required to attend a Comparative Compliance training program.

Chief Harris addressed the Commission to discuss his reasons for wanting certification. He also answered questions regarding his employment history.

A MOTION to waive comparative compliance was made by Chief Gary Gardner: SECONDED: Chief David Rice. The MOTION carried.

9. Request for Waiver of Entry-Level Training Requirements for Recertification

Mr. Liebno reminded the members of the issue brought to the Commission at the prior meeting. Applications for Certification were received for four officers of the MD Department of Health (MDH) Secure Evaluation & Therapeutic Treatment (SETT) Unit. MDH requires that these officers be certified due to their unique responsibilities. The issue was tabled at the last meeting so the administration could review

this requirement, and did not elect to make any changes to the policy. These four officers, who hold SPO commissions and have been previously certified, did not initially go through the application process in order for them to be recertified as police officers when they were hired. Because it has now been more than five years since they all have been certified, they are required to attend an entry-level training academy. MDH asked for a waiver of this requirement.

Officers Chase, Wright & Patton addressed the members and discussed their academy experience, in-service training, and employment history.

A MOTION to waive an entry-level academy for Mr. Chase but require comparative compliance was made by Commissioner Gary Tuggle: SECONDED: Chief Gary Gardner. The MOTION carried.

A MOTION to waive an entry-level academy for Mr. Wright but require comparative compliance was made by Chief David Rice: SECONDED: Mr. Vince Canales. The MOTION carried.

A MOTION to waive an entry-level academy for Mr. Patton but require comparative compliance was made by Commissioner Gary Tuggle: SECONDED: Mr. Vince Canales. The MOTION carried.

Colonel Pallozzi announced that the next items would be heard in Closed Session.

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

A MOTION was made by Mr. Vince Canales to adjourn to a Closed Session: SECONDED: Chief David Rice. The Motion carried unanimously.

The meeting adjourned to a Closed Session at 11:44 a.m.

9. Request for Waiver of Entry-Level Training Requirements for Recertification (continued)

A MOTION to deny a waiver of Selection Standards and Training Standards for Recertification was made and SECONDED: The Members were polled to record their votes. The MOTION carried.

Recorders Note: Interim Commissioner Gary Tuggle left the meeting at 12:07 p.m.

10. Request for Waiver of Selection Standards for Recertification

A MOTION to deny a Waiver of Selection Standards for Recertification was made and SECONDED: The Members were polled to record their votes. The MOTION carried.

11. Request for Waiver of Prior Drug Use Standards to Maintain Certification

A MOTION to Grant Waiver of Prior Drug Abuse Standards to Maintain Certification was made and SECONDED: The Members were polled to record their votes. The MOTION carried.

A MOTION was made by Chief Michael Wynnyk to adjourn to an open session: SECONDED: Captain Michael Crabbs. The MOTION carried.

Recorder's Note: This concluded the closed session. The meeting adjourned to an open session at 1:02 p.m.

Colonel Pallozzi announced the outcome of the issues voted on during the closed session.

A MOTION to adjourn was made by Chief David Rice: SECONDED: Captain Michael Crabbs. The MOTION carried. The meeting adjourned at 1:03 p.m.

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