

**MARYLAND POLICE TRAINING AND
STANDARDS COMMISSION
REDACTED Minutes – 5th Meeting – October 4, 2017**

MEMBERS PRESENT

Colonel William Pallozzi, Secretary, Department of State Police (Chair)
Commissioner Kevin Davis, Baltimore Police Department (Vice-Chair)
Chief David Rice, Chair, Maryland Municipal League Police Executive Association
Chief Gary Gardner, President, Maryland Chiefs of Police Association
Sheriff Timothy Cameron, representing the President, Maryland Sheriff's Association
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
Sheriff Joseph Gamble, Wor-Wic Program Advisory Committee – Criminal Justice
Chief Barbara Duncan, Salisbury Police Department, Regional Representative
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
Curt Anderson, State Delegate
Victor Ramirez, State Senator

MEMBERS ABSENT

Gwendolyn Smith, representing the President of the Maryland Law Enforcement Officers, Inc.
Vince Canales, President, Maryland State Fraternal Order of Police
Wes Adams, Maryland State's Attorneys' Association
Michael A. Jackson, State Delegate
Michael Hough, State Senator

STAFF PRESENT

Everett Sesker, Executive Director, Police Training & Standards Commission
Karen Kruger, Executive Director, Public Safety Education and Training Center
Albert L. Liebno, Jr., Deputy Director
Katie Johnson, Registrar
Michelle Wilson, Assistant Attorney General
Michael Pristoop, Director of Policy and Process
Robert Wagner, Director of Police Training
Terrayl Goode, Support Services
Myrna Adejoh, Certification Administrator
Jama Acuff, Compliance Officer
Lewis Pindell, Media Specialist
Jeanne Chenoweth, Recorder

GUESTS

David Simonetti, Hagerstown Community College Police Academy
Brandon Holland, Carroll County Sheriff's Office
Lt. Mark Debord, Carroll County Sheriff's Office
Larry Nail, Carroll County Sheriff's Office
Kent Martin, Carroll County Sheriff's Office
Nick Murphy, Carroll County Sheriff's Office
Jeannette DeLude, Town of Greensboro
Chief Michael Petyo, Greensboro Police Department
Lyndsey Ryan, Town of Greensboro
Chief Michael Scott, Mount Rainier Police Department
Chief Sam Tress, University of Baltimore Police Department
Chad Ellis, University of Baltimore Police Department
Rhea Harris, DPSCS/MSP
Percy Alston, Prince George's Community College Public Safety Institute
John Moses, Eastern Shore Criminal Justice Academy

Colonel William Pallozzi called the 5th meeting of the Police Training and Standards Commission (PTSC) at the Public Safety Education and Training Center to order at 10:05 a.m. A quorum was present. Colonel Pallozzi welcomed everyone and asked those present to introduce themselves.

The agenda was as follows:

1. Approval of Minutes – July 19, 2017
2. Facility Report
3. Legal Issues
4. Election of Chair and Vice-Chair to be Effective January 1, 2018
5. Old Business
 - a) Update on Carroll County Sheriff's Office Training Academy
 - b) Final Approval of Revisions to COMAR 12.04.01.17D(1)(e), Proposal to have FTO Certification Expire Every 4 Years Instead of Every 3 Years.
 - c) Community Policing Best Practices Proposal
 - d) Recruitment Best Practices Proposal
6. New Business
 - a) Proposed 2018 Meeting Schedule
7. Request for Waiver of Comparative Compliance Training for Recertification
8. Request for Waiver of Entry-Level Training for Certification
9. Request for Waiver of Selection Standards for Police Officer Certification

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

1. Approval of Minutes – July 19, 2017

Colonel William Pallozzi asked the Members to review the minutes of the 4th meeting of the Police Training and Standards Commission.

A MOTION to approve the minutes from the July 19, 2017 meeting of the Police Training and Standards Commission was made by Sheriff Timothy Cameron: SECONDED: Chief Michael Wynnyk. 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 noted that recently the PSETC was at full capacity, with 100% of the dormitories, meeting rooms and classrooms in use. She also mentioned Governor Hogan attended the Department of Public Safety & Correctional Services Annual Tug-of-War competition, which was hosted on the PSETC campus on September 22nd. Ms. Kruger also mentioned the 17th Annual Instructors' Awards & Training Conference which will take place on October 12th. She informed the members that the international training for Mexican officials continues under a U.S. Department of State grant. There were no questions for Ms. Kruger.

3. Legal Issues

Ms. Michelle Wilson stated there were no legal issues.

4. Election of Chair and Vice-Chair to be Effective January 1, 2018

Colonel William Pallozzi asked for a motion to open the floor for nominations for the Chair and Vice-Chair of the Police Training and Standards Commission as required annually under the Public Safety Article.

A MOTION to accept nominations for Chair and Vice-Chair of the Police Training and Standards Commission was made by Chief Michael Wynnyk: SECONDED: Chief Gary Gardner. The MOTION carried.

Chief Michael Wynnyk nominated Colonel William Pallozzi to serve as the Chair. There were no further nominations.

A MOTION to elect Colonel William Pallozzi as the Chair of the Police Training and Standards Commission was made by Chief Michael Wynnyk: SECONDED: Sheriff Timothy Cameron. The MOTION carried.

Mr. Miguel Dennis nominated Sheriff Troy Berry to serve as the Vice-Chair. There were no further nominations.

A MOTION to elect Sheriff Troy Berry as the Vice-Chair of the Police Training and Standards Commission was made by Mr. Miguel Dennis: SECONDED: Commissioner Kevin Davis. The MOTION carried.

It was noted, that as previously decided at the July meeting, both the Chair and Vice-Chair elections would be effective January 1, 2018.

A MOTION to close the nomination process was made by Chief David Rice: SECONDED: Sheriff Troy Berry. The MOTION carried.

Recorders Note: Sheriff Joseph Gamble joined the meeting at 10:22 a.m.

5. Old Business

a) Update on Carroll County Sheriff's Office Training Academy

Mr. Everett Sesker informed the members that an audit of the training program for the Carroll County Sheriff's Office Training Academy had been completed and thanked Sheriff James DeWees and the staff

of the Carroll County Sheriff's Office for their hospitality during the audit. Mr. Sesker also thanked Ms. Jama Acuff, MPCTC Compliance Coordinator, for managing the audit. There were no questions for Mr. Sesker.

Lt. Marshall Gordon of the Carroll County Sheriff's Office thanked the Commission for allowing the Sheriff's Office to proceed with their training academy. There were no questions for Lt. Gordon.

Mr. Sesker informed the members that the audit revealed the training curriculum for the academy was in compliance with COMAR requirements.

b) Final Approval of Revisions to COMAR 12.04.01.17D(1)(e) – Proposal to have FTO Certification Expire Every 4 Years Instead of Every 3 Years

Mr. Albert Liebno referred to the document in the notebook. He explained that this proposed regulation revision had been approved by the Commission and published in the Maryland Register for comment and that no comments had been received. Mr. Liebno explained that the proposed regulatory amendment was now eligible for adoption.

A MOTION was made by Chief Michael Wynnyk for Final Approval of the Amendment to Regulation 12.04.01.17D(1)(e) – Proposal to have FTO Certification Expire Every 4 Years Instead of Every 3 Years, Effective November 1, 2017: SECONDED: Chief David Rice. The Motion carried.

c) Community Policing Best Practices Proposal

Mr. Everett Sesker referred the members to the document in the notebook. He explained that this Community Policing Initiative was being presented for consideration to comply with the Public Safety Article requirement that the Commission develop best practices for the establishment and implementation of a community policing program. Mr. Sesker asked that the members take this proposal with them and be prepared to discuss and finalize it at the January 2018 meeting.

d) Recruitment Best Practices Proposal

Mr. Everett Sesker referred the members to the document in the notebook. He explained that this Recruitment Best Practices Proposal too was being presented for consideration to comply with the Public Safety Article requirements. Mr. Sesker again asked that the members review this proposal and be prepared to discuss and finalize it at the January 2018 meeting.

e) Other – Definition of “Actively Involved”

Colonel William Pallozzi stated that the finalization of the definition of “Actively Involved” was tabled at the July meeting. Mr. Everett Sesker read the definition as it was originally proposed. He stated that additional work and research was done to come up with an updated version. Mr. Sesker read the latest version. A discussion was had as to how to guarantee consistency between agencies on their interpretation of this definition.

Recorders Note: Delegate Curt Anderson arrived at 10:30 a.m. and Senator Victor Ramirez arrived at 10:35 a.m.

Mr. Sesker stated that he would send the original and updated versions of the definition to all members for their review and asked that they be prepared to discuss and finalize at the January 2018 meeting.

6. New Business

a) Proposed 2018 Meeting Schedule

Colonel William Pallozzi referred the members to the proposed schedule of meeting dates for 2018. The members agreed to change the April date. The dates as agreed upon are January 3rd, April 11th, July 18th and October 3rd. Colonel Pallozzi asked that an updated version of the schedule be sent to all members.

b) Other – Medical Marijuana Issues

Mr. Albert Liebno stated that MPCTC staff is looking for guidance and direction from the Commission as to the legal use of medical marijuana as it relates to applicants for police officer certification. A discussion was had as to the impact of the legal use of medical marijuana by police officers and police officer applicants and the interpretation of such by law enforcement agencies. Colonel William Pallozzi stated that a copy of a letter from the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) was obtained stating that any use of marijuana is a prohibiting factor in the ability to possess a firearm. Mr. Liebno stated that this interpretation could be used in determining who is or is not eligible for certification due to the fact that a police officer must be eligible to carry a firearm.

Colonel Pallozzi asked Assistant Attorney General Michelle Wilson to research this issue and report back to the Commission with a recommended course of action for their review.

7. Request for Waiver of Comparative Compliance Training for Recertification

Mr. Liebno stated that MPCTC staff received an Application for Certification from the University of Baltimore Police Department for the recertification of Chad Ellis. He stated that Captain Ellis was last certified as a Detective Sergeant with the Baltimore Police Department from March 1993 until his retirement in August 2013. Mr. Liebno explained that subsequent to Captain Ellis' retirement, he was recruited by the Pennsylvania Office of Attorney General as their Deputy Chief of the Office of Professional Responsibility which is a sworn law enforcement position. Upon hire, Captain Ellis attended a sixteen hour firearms course and use of force training. He was later promoted to Chief Inspector. Mr. Liebno stated that in April 2017, Captain Ellis accepted the Captain's position with the University of Baltimore Police Department. Because it has been more than three years since Captain Ellis was certified, COMAR requires he complete a Comparative Compliance training program. Mr. Liebno explained that at this time, the University of Baltimore Police Department is asking for a waiver of this requirement based on Captain Ellis' prior training and experience. Captain Ellis currently holds a Provisional Certification with MPCTC.

Chief Sam Tress stated that Captain Ellis has had no interruption in his law enforcement service and that he is now serving the University of Baltimore Police Department in a Captain's position which is the second in command for their agency.

Mr. Stuart Nathan questioned Chief Tress as to how their department intends to bring Captain Ellis up-to-date on the changes in Maryland law since his retirement in 2013. Chief Tress suggested that Captain Ellis' completion of in-service training and the agency's general orders and directives as well as University of Baltimore Police Department being an accredited police department through CALEA would, along with other select training, satisfy that need. He also stated that the agency would comply with whatever other training the Commission would require, but having Captain Ellis attend an entire comparative compliance training would cause a staffing hardship. Sheriff Cameron suggested providing Captain Ellis with the Maryland law updates along with agency policies which reflect the most current laws in practice would enable him to catch up. A discussion was had as to the topics covered in

comparative compliance training and what the responsibilities are of someone at a command staff level versus those at line level.

A MOTION to approve a waiver of Comparative Compliance Training was made by Sheriff Timothy Cameron: SECONDED: Chief David Rice. The MOTION carried.

8. Request for Waiver of Entry-Level Training for Certification

Mr. Liebno stated that MPCTC received an Application for Certification from the Mount Ranier Police Department for the certification of Cody Laughran. He explained that Mr. Laughran is a veteran police officer from Wisconsin. He attended a 520 hour entry-level training program in 2014 of which 54 hours were firearms training. Mr. Laughran served as a police officer with powers of arrest for over three years with two separate departments. MPCTC has determined that the entry-level training which Mr. Laughran received is not comparable to the police entry-level standard in Maryland. He therefore does not meet the basic training requirements for certification as a Maryland law enforcement officer. Mr. Laughran would be required to attend a complete police entry-level training program for certification which is now a minimum of 750 hours.

Mr. Liebno stated that at this time, the Mt. Rainier Police Department is asking for a waiver of training standards, based on Mr. Laughran's prior training and experience, in order for him to become a certified police officer in Maryland, by attending a Comparative Compliance program.

Chief Michael Scott reviewed Mr. Laughran's extensive education, law enforcement training and experience. He further explained how Mr. Laughran would be of benefit to the Mount Ranier Police Department.

Mr. Liebno was questioned as to what topics were missing from the transcript of the 520 hours of entrance level training Mr. Laughran received as compared to what he would have received from an MPCTC approved academy. Mr. Liebno explained the comparison was made strictly on hours. He further stated that COMAR currently requires 15 topics for a total of at least 750 hours, plus firearms training be provided.

A MOTION to approve a waiver of attending an entrance-level training academy in order to attend comparative compliance training for full certification was made by Sheriff Joseph Gamble: SECONDED: Sheriff Timothy Cameron. The MOTION carried.

A discussion was had on the consequences of this waiver setting a precedent for future entrance level training waiver requests. The members agreed that each issue would be reviewed on a case by case basis and that this waiver was not to be viewed as a change in the standard. It was also suggested that there would be a benefit to tracking topics as well as hours of training. Mr. Liebno agreed that if that was the Commission's desire, then a topic comparison would be completed by staff for future waiver requests.

Recorders Note: At 11:15 a.m. Colonel Pallozzi announced there would be a 10 minute break; SAC Gordon Johnson left the meeting at this time.

Open Session resumed at 11:31 a.m.

Colonel Pallozzi stated the next item would be heard in closed session.

Recorders Note: Ms. Chenoweth 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 Rice. The Motion carried unanimously.

The meeting adjourned to a Closed Session at 11:33 p.m.

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

Recorders Note: Delegate Anderson and Senator Ramirez left the meeting at 11:55 a.m.

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

Colonel Pallozzi invited the parties back into the meeting and informed them of the decision.

A MOTION was made by Chief Michael Wynnyk to adjourn to an open session: SECONDED: Sheriff Troy Berry. The MOTION carried.

Recorder's Note: This concluded the closed session. The meeting adjourned to an open session at 11:55 a.m.

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

Colonel Pallozzi asked if there were any additional issues before adjournment. Chief Barbara Duncan asked if there was any plan to update the 1995 Job Task Analysis Study for police officers. Mr. Liebno explained that it would be a costly process. Mr. Sesker stated he could look into possible funding options. Upon questioning, Mr. Liebno explained that the last analysis was prepared by an outside source. Colonel Pallozzi suggested contacting GOCCP for possible funding.

A suggestion was also made to look into the possibility of testing out-of-state police officer applicants to determine what type of training is needed in order to obtain MPCTC certification. It was also suggested that on-line training may be a viable option for comparative compliance training. Ms. Michelle Wilson suggested the Commission may want to look into a training program somewhere between in-service and comparative compliance to overcome some of the hiring issues that agencies are facing.

A MOTION to adjourn was made by Chief Gary Gardner: SECONDED: Sheriff Timothy Cameron. The MOTION carried. The meeting adjourned at 12:02 p.m.

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