

MARYLAND POLICE TRAINING AND STANDARDS COMMISSION
REDACTED Minutes – 24th Meeting – October 6, 2021

MEMBERS PRESENT

Colonel Woodrow (Jerry) Jones, Secretary, Department of State Police (Vice-Chair)
Vanessa Atterbeary, State Delegate
Captain W. Michael Crabbs, Community Policing Expert
Dr. Michael Finegan, Mental Health Expert
Richard Gibson, Maryland State's Attorneys' Association
Robert Turner, representing Thomas Sobocinski Special Agent in Charge, Baltimore Office, FBI
Jazz Lewis, State Delegate
Miguel Dennis, Policing Standards Expert
Chief Arnold Downing, Chairman, MD Municipal League Police Executive Association
Chief Barbara Duncan, Salisbury Police Department, Regional Representative
Lt. Allison Ehart, Howard County 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
Earl Kratsch, representing Clyde Boatwright, Maryland State Fraternal Order of Police
Chief John Nesky, President, Maryland Chiefs of Police Association
Sheriff Darren Popkin, representing the President, Maryland Sheriff's Association

MEMBERS ABSENT

Sheriff Troy Berry, Charles County Sheriff's Office, Regional Representative (Chair)
Thomas Simpson, representing the President, Maryland Law Enforcement Officers, Inc.
Matthew Alonsozana, Citizen of the State
Marcus Pollock, Citizen of the State
Michael Hough, State Senator
William C. Smith, Jr., State Senator

STAFF PRESENT

Albert L. Liebno, Jr., Executive Director
Stephanie Cain, Compliance Administrator
Gina Clay, Compliance Unit
Jeanne Chenoweth, Recorder
Katie Johnson, Recorder
Matthew Mellady, Assistant Attorney General
Sarah Chatfield, Technical Services
Robert Wagner, Director of Law Enforcement Training
Jamie Green, Range Master
Maryann Foxwell, Director Leadership Development Institute
Claude Nelson, Leadership Development Institute
Mike Krok, Leadership Development Institute

GUESTS

Captain Louis Nichols, Cambridge Police Department
David Clark, Cambridge Police Department

John Moses, ESCJA
Jamison Lancaster

Colonel Jerry Jones, Vice-Chair, called the 24th meeting of the Police Training and Standards Commission (PTSC) at the Public Safety Education and Training Center to order at 10:03 a.m. A quorum was present. Colonel Jones welcomed everyone.

The agenda was as follows:

1. Approval of Minutes August 26, 2021 and September 1, 2021
2. Facility Report
3. Legal Issues
4. Annual Election of Chair and Vice-Chair to be Effective January 1, 2022
5. Old Business
 - a) Update from Prior Substance Abuse Sub-Committee
 - b) Update on Executive Direction Position
 - c) Update on Job Task Analysis
6. New Business
 - a) Red Dot Sighting Systems
 - b) Proposed Schedule of 2022 Meeting Dates
7. Request for Certification

1. Approval of Minutes – August 26, 2021 and September 1, 2021

Colonel Jones asked for approval of the August 26, 2021 and September 1, 2021 minutes as presented.

A MOTION to approve the minutes from the August 26, 2021 meeting of the Police Training and Standards Commission was made by Sheriff Joseph Gamble: SECONDED: Chief Arnold Downing. The MOTION carried.

A MOTION to approve the minutes from the September 1, 2021 meeting of the Police Training and Standards Commission was made by Chief John Nesky: SECONDED: Mr. Miguel Dennis. The MOTION carried.

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 noted that dormitory occupancy rates were low due to COVID but that overall training had increased. Mr. Liebno also mentioned that the Leadership Development Institute would be presenting its first hybrid training program in the near future. This would allow students to participate either in person or virtually at the same time. He further noted that there were still 53 police officers identified that are not in compliance with 2020 in-service training requirements. The agencies have been notified and staff is waiting for a response. Mr. Liebno informed the members that the Job Task Analysis was moving along and that there should be a document to present at the January 2022 meeting. He also mentioned that the procurement process has begun to purchase updated driving simulators and stated that the new technology goes well beyond driving skills.

3. Legal Issues

Assistant Attorney General Matthew Mellady informed the members that a Petition for Judicial Review had been received in reference to a past decision by the Commission regarding recertification. He stated that the petitioner did not show up in court and the case was dismissed. Mr. Mellady further stated that the case was appealed to the Court of Special Appeals and that he was waiting for a brief. He said he would respond accordingly and update the members at the next meeting.

Recorders Note: Delegate Jazz Lewis joined the meeting at 10:12 a.m.

4. Annual Election of Chair and Vice-Chair to be Effective January 1, 2022

Colonel Jones asked for nominations for the Chair of the Police Training and Standards Commission as required annually by the law. Mr. Miguel Dennis nominated Sheriff Troy Berry. There were no further nominations. Sheriff Berry was not present; Mr. Liebno informed the members that Sheriff Berry indicated to him that he would accept the nomination as Chair in order to keep continuity if that was what the members decided.

Colonel Jones asked for nominations for Vice-Chair of the Police Training and Standards Commission. Chief Robert Liberati nominated Colonel Jerry Jones. There were no further nominations. Colonel Jones accepted the nomination.

Recorders Note: Captain Michael Crabbs joined the meeting at 10:18 a.m.

5. Old Business

a) Update from Prior Substance Abuse Sub-Committee

Assistant Attorney General Zenita Hurley informed the members that the committee had discussed the question of whether prior marijuana use more recent than one year contradicts recent legislation stating that marijuana use cannot be a sole disqualifier for police officer certification. She further stated that she and AAG Matthew Mellady researched the federal gun carrying laws prohibiting marijuana use and determined that the laws do not apply to State or local agencies. Ms. Hurley stated that the committee recommended 12 months of no marijuana as the standard for certification. A discussion followed as to defining prior use and the distinction between current and prior use. Mr. Liebno reminded the members that the date of application for certification would be the date used for the twelve month period of no use.

Recorders Note: Delegate Vanessa Atterbeary joined the meeting at 10:25 a.m.

A MOTION to move forward with the drug regulation amendments with a one year prohibition on the use of illegal marijuana was made by Ms. Zenita Hurly: SECONDED: Sheriff Darren Popkin. The MOTION carried.

Mr. Liebno stated that the last draft of the regulations would be updated with the Commission's decision and presented at the next meeting for approval to publish.

b) Update on Executive Director Position

Mr. Liebno stated that the applicant approved by the Commission members for the Executive Director position has moved through the department's hiring process. He stated that a letter to Governor Hogan is being prepared to ask for his approval of this appointment as required by the Public Safety Article. Once received, a formal offer would be made.

c) Update on Job Task Analysis

Mr. Liebno stated that he addressed this item in the Facility Report and that there should be documents and a proposal to present at the January 2022 meeting.

6. New Business

a) Red Dot Sighting Systems

Mr. Liebno asked the members to refer to the hand-out documents which contained proposed amended Firearms and Instructor regulations to include Red Dot Sighting Systems. Mr. Jamie Green, Range Master of the MPCTC Firearms Facility addressed the Commission concerning the push towards the use of Red Dot Sighting Systems by manufacturers. Mr. Green discussed the impact of their use as well as the impact of the

new regulations being presented. He discussed the use of the Red Dot Sighting Systems on all levels, including annual training, in-service training, conversions and instructor training and what processes would be affected.

Recorders Note: Delegate Jazz Lewis left the meeting at 10:55 a.m.

Upon questioning, Mr. Green clarified the definition of “Red Dot” and explained how they system functions. It was suggested that an alternative name be given to the systems to avoid confusion.

Mr. Liebno reviewed by page the proposed regulation amendments and suggestions were made for clarity to include the definition of “Red Dot Sight” and the edit to change “successive” to “consecutive” regarding firearms qualification.

A MOTION to approve the amended Firearms and Instructor regulations for initial publication with the suggested edits was made by Chief John Nesky: SECONDED: Major Derek Loeffler. The MOTION carried.

b) Proposed Schedule of 2022 Meeting Dates

Colonel Jones asked the members to review the proposed schedule of meeting dates for 2022 which were Wednesdays, January 5th, April 13th, July 6th and October 5th.

A MOTION to approve the proposed schedule of meeting dates for 2022 was made by Chief Arnold Downing: SECONDED: Sheriff Joseph Gamble. The MOTION carried.

Colonel Jones announced that 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 Chief Arnold Downing to adjourn to a Closed Session: SECONDED: Captain Michael Crabbs. The Motion carried unanimously.

The meeting adjourned to a Closed Session at 11:12 a.m.

7. Request for Certification

A MOTION to approve the request for certification was made and SECONDED: The members were polled to record their votes. The MOTION carried.

Colonel Jones invited the parties back into the meeting and they were informed of the decision.

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

Recorder's Note: This concluded the closed session. The meeting adjourned to an open session at 11:26 a.m.

Colonel Jones announced that a request for certification had been granted.

A MOTION to adjourn was made by: Chief Arnold Downing: SECONDED: Mr. Richard Gibson. The MOTION carried. The meeting adjourned at 11:30 a.m.

MARYLAND POLICE TRAINING AND STANDARDS COMMISSION

****TELECONFERENCE** Minutes – 25th Meeting –October 29, 2021**

MEMBERS PRESENT

Sheriff Troy Berry, Charles County Sheriff's Office, Regional Representative (Chair)
Matthew Alonsozana, Citizen of the State
Clyde Boatwright, Maryland State Fraternal Order of Police
Captain W. Michael Crabbs, Community Policing Expert
Miguel Dennis, Policing Standards Expert
Lt. Allison Ehart, Howard County Police Department, Regional Representative
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
Chief John Nesky, President, Maryland Chiefs of Police Association
Marcus Pollock, Citizen of the State
Thomas Simpson, representing the President, Maryland Law Enforcement Officers, Inc.
Thomas Sobocinski, Special Agent in Charge, Baltimore Office, Federal Bureau of Investigation

MEMBERS ABSENT

Colonel Woodrow (Jerry) Jones, Secretary, Department of State Police (Vice-Chair)
Chief Arnold Downing, Chairman, MD Municipal League Police Executive Association
Chief Barbara Duncan, Salisbury Police Department, Regional Representative
Dr. Michael Finegan, Mental Health Expert
Sheriff Joseph Gamble, Wor-Wic Program Advisory Committee – Criminal Justice
Richard Gibson, Maryland State's Attorneys' Association
Sheriff Darren Popkin, representing the President, Maryland Sheriff's Association
Vanessa Atterbeary, State Delegate
Michael Hough, State Senator
Jazz Lewis, State Delegate
William C. Smith, Jr., State Senator

STAFF PRESENT

Albert L. Liebno, Jr., Executive Director
Kelly Brauning, Certification Administrator
Sarah Chatfield, Technical Services
Jeanne Chenoweth, Recorder
Katie Johnson, Recorder
Matthew Mellady, Assistant Attorney General
Shari Meyers, Certification
Brittany Rohe, Certification
Robert Wagner, Director of Law Enforcement Training

GUESTS

None

Sheriff Troy Berry called the 25th meeting of the Police Training and Standards Commission (PTSC), held via teleconference, to order at 1:03 p.m. A quorum was present. Sheriff Berry welcomed everyone. A roll call was taken for members.

The agenda was as follows:

1. Proposed Amendments to Drug Regulations

1. Proposed Amendments to Drug Regulations

Sheriff Troy Berry asked Mr. Albert Liebno, Executive Director of the MD Police & Correctional Training Commissions (MPCTC), to provide a summary of the proposed amendments, which were forwarded to members ahead of the meeting.

Recorder's Note: Mr. Clyde Boatwright joined the meeting at 1:13 p.m.

Mr. Liebno noted a few adjustments to the text, and summarized the proposed changes to the regulations. Members discussed the discretion of the mandatory testing requirement as it relates to employment and certification.

A MOTION for initial adoption of the proposed regulations was made by Mr. Thomas Simpson: SECONDED: Mr. Miguel Dennis. The MOTION carried.

Mr. Liebno stated that any comments would be brought to the January meeting where the members could discuss final adoption.

Sheriff Berry asked for any additional comments. Mr. Liebno informed the members that the first selection for the PTSC Executive Director turned down the position. Human Resources are now moving forward with the second applicant.

Mr. Tom Simpson thanked the members and staff for their work on the drug regulations. Sheriff Berry also thanked the subcommittee members for their efforts.

A MOTION to adjourn was made by: Mr. Thomas Simpson: SECONDED: Chief John Nesky. The MOTION carried. The meeting adjourned at 1:20 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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