

MARYLAND POLICE TRAINING AND STANDARDS COMMISSION (PTSC)
Citizen Training – LEOBR Trial Board

Public Safety Article, § 3-207 (g) was amended by House Bill 1016 during the 2016 session of the General Assembly and provides:

The Commission shall develop and administer a training program on the Law Enforcement Officers' Bill of Rights and matters relating to police procedures for citizens who intend to qualify to participate as a member of a hearing board under § 3-107 of this Title.

The law does not define the meaning of "qualify."

The standard or traditional hearing board consists of three voting members who are law enforcement officers, including one of the same rank as the accused officer, all of whom are appointed by the Chief of Police. § 3-107 (c).

Under the 2016 amendments to the Law Enforcement Officers' Bill of Rights (LEOBR), the Chief of Police was given additional appointment powers. Under this revision, a chief may appoint as a non-voting participant, a member of the public who has received the training program described above. § 3-107 (3) (i).

Pursuant to further revision to the LEOBR, the chief may appoint up to *two* voting or non-voting members of the public who have received the training, *if authorized by local law*. § 3-107 (3) (ii). Local law authorization is not required for appointment of a *one* non-voting member.

The final relevant amendment addresses the situation in which an agency and its employees have an existing collective bargaining unit by giving the agency the authority to negotiate on the subject of an alternative hearing board composed of up to two voting or nonvoting members who have received the training. § 3-107 (5) (i). In some situations, that negotiation may be mandatory under local law or established practice, and may be necessary for approval of the single non-voting member.

Training Curriculum

The amended statute requires that the citizens be trained in two broad subject areas: *LEOBR and matters relating to police procedures*. The PTSC on November 18, 2020 approved that the training curricula shall consist, minimally, an overview of the below listed topics. The actual topic content, manner of instruction and length of training will be determined by each department conducting the training. Training program content, including specific topic objectives and qualifications of instructor(s) will be submitted to the Maryland Police and Correctional Training Commission (PCTC) for review.

LEOBR:

- History and purpose of the LEOBR
- Principles of administrative law
- Internal investigations
- Hearing Board procedures
- Law of evidence
- Deliberations & decision-making protocols
- Local agency procedures

Police Procedures:

Principles of constitutional, criminal and criminal procedure law

General patrol procedures

Search and seizure

Vehicle pursuits

Use of force

CDS enforcement

Criminal investigation

Dealing with special populations

Crisis intervention

Non-Discrimination Laws and Policies

Compliance with departmental orders, policies, regulations

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