

MARYLAND POLICE TRAINING AND STANDARDS COMMISSION

REDACTED Minutes – 22nd Meeting –August 26, 2021

MEMBERS PRESENT

Sheriff Troy Berry, Charles County Sheriff's Office, Regional Representative (Chair)
Richard Gibson, Maryland State's Attorneys' Association
Rick Rugierri, representing Thomas Sobocinski, Special Agent in Charge, Baltimore Office, FBI
Dr. Michael Finegan, Mental Health Expert
Jazz Lewis, State Delegate
Vanessa Atterbeary, State Delegate
Captain W. Michael Crabbs, Community Policing Expert
Miguel Dennis, Policing Standards Expert
Chief Arnold Downing, Chairman, MD Municipal League Police Executive Association
Chief Barbara Duncan, Salisbury 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
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
Thomas Simpson, representing the President, Maryland Law Enforcement Officers, Inc.

MEMBERS ABSENT

Colonel Woodrow (Jerry) Jones, Secretary, Department of State Police (Vice-Chair)
Matthew Alonsozana, Citizen of the State
Lt. Allison Ehart, Howard County Police Department, Regional Representative
Marcus Pollock, Citizen of the State
Michael Hough, State Senator
William C. Smith, Jr., State Senator

STAFF PRESENT

Albert L. Liebno, Jr., Executive Director
Jeanne Chenoweth, Recorder
Katie Johnson, Recorder
Matthew Mellady, Assistant Attorney General
Lewis Pindell, Technical Services

GUESTS

John Moses, ESCJA

Sheriff Troy Berry called the 22nd meeting of the Police Training and Standards Commission (PTSC) at the Public Safety Education and Training Center to order at 1:13 p.m. A quorum was present. Sheriff Berry welcomed everyone and asked those present to introduce themselves.

The agenda was as follows:

1. Approval of Minutes July 13, 2021
2. Legal Issues
3. Old Business

- a) Update from Prior Substance Abuse Sub-Committee
- b) Continuance of Video Conferencing for Mental Health Evaluation
- 4. New Business
 - a) PTSC Executive Director

1. Approval of Minutes – Approval of Minutes July 13, 2021

Sheriff Troy Berry asked for approval of the July 13, 2021 minutes.

A MOTION to approve the minutes from the July 13, 2021 meeting of the Police Training and Standards Commission was made by Mr. Thomas Simpson: SECONDED: Mr. Miguel Dennis. The MOTION carried.

2. Legal Issues

Assistant Attorney General Matthew Mellady stated that he would defer to Assistant Attorney General Zenita Hurley for an update on prior substance abuse issues.

3. Old Business

a) Update from Prior Substance Abuse Sub-Committee

Assistant Attorney General Zenita Hurley informed the members the committee was reviewing the prior substance abuse proposed COMAR language to be sure it will comply with the new legislation regarding prior marijuana use not being used as the sole disqualifier for a police officer applicant. She stated the subcommittee is working on a proposal for the October meeting.

b) Continuance of Video Conferencing for Mental Health Evaluation

Mr. Liebno reminded the Commission that at the July 2021 meeting, Dr. Douglas Craig of Atlantic Occupsych addressed the members and requested that the Commission approve the continuance of video conferencing for mental health assessments beyond the State of Emergency. At that time, the matter was tabled in order to gather more information and to consult with Dr. Michael Finegan for clarity on the issue.

Dr. Michael Finegan addressed the members and stated that he consulted with a variety of police psychologists and organizations on this matter. He explained that he looked at this issue from the providers perspective as well as what is best for law enforcement. Dr. Finegan stated that due to the challenging past year, law enforcement is under increased scrutiny to make the best possible decisions. He recommended that it would be prudent to resume face to face evaluations and explained his reasoning. Dr. Finegan reminded the members that if a State of Emergency is reinstated, the Commission could approve a return to virtual assessments.

A discussion was had regarding the legislative intent and implementation of bi-annual mental health evaluations for all law enforcement officers. Concerns were also voiced with unqualified practitioners performing selection standard, fitness for duty, resiliency and general assistance mental health evaluations.

Recorder's Note: Chief Arnold Downing joined the meeting at 1:27 p.m.

A MOTION was made by Mr. Richard Gibson to allow for virtual mental health evaluations if Maryland were to return to a State of Emergency: SECONDED: Mr. Thomas Simpson. The MOTION carried.

4. New Business

In order to identify and address any issues, Dr. Finegan suggested a survey to see who is performing law enforcement psychological examinations and what their qualifications and training are. The members discussed the consequences of receiving this information and how the results could be verified and enforced

as well as the logistics of implementing this survey. It was suggested that a sub-committee be formed to look at the viability of such a survey and what the strategies would be.

A MOTION was made by Mr. Richard Gibson to create a subcommittee to address the issue of training for selection standard mental health care professionals: SECONDED: Mr. Thomas Simpson. The MOTION carried.

Sheriff Berry 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 Mr. Richard Gibson to adjourn to a Closed Session: SECONDED: Mr. Thomas Simpson. The Motion carried unanimously.

The meeting adjourned to a Closed Session at 2:05 p.m.

a) PTSC Executive Director

A MOTION to table the selection of an Executive Director was made by Mr. Thomas Simpson: SECONDED: Mr. Richard Gibson. The MOTION carried.

A MOTION to adjourn to an Open Session was made by Mr. Thomas Simpson: SECONDED: Mr. Clyde Boatwright. The MOTION carried.

Recorder's Note: This concluded the closed session. The meeting adjourned to an open session at 2:40 p.m.

Sheriff Berry announced that a discussion regarding the Executive Director of the Police Training and Standards Commission had occurred during the closed session. Upon questioning, Mr. Liebno stated that once Executive Directors are in place for each individual Commission, he would continue as the Executive Director of the Maryland Police and Correctional Training Commissions. Mr. Liebno also explained that the Deputy Director position was defunded in order to satisfy the budget requirements of the two individual Commission Executive Directors. He was hopeful that during the next budget session, the position will be funded and a Deputy Director can be put in place.

A MOTION to adjourn was made by: Mr. Clyde Boatwright: SECONDED: Mr. Thomas Simpson. The MOTION carried. The meeting adjourned at 2:42 p.m.

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