

**MARYLAND POLICE TRAINING AND STANDARDS COMMISSION**  
**REDACTED Minutes – 16th Meeting – July 8, 2020**

**MEMBERS PRESENT**

Sheriff Troy Berry, Charles County Sheriff's Office, Regional Representative (Chair)  
Chief Amal Awad, President, Police Chiefs Association of Prince George's County  
Vince Canales, Maryland State Fraternal Order of Police  
Captain W. Michael Crabbs, Community Policing Expert  
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  
Sheriff Jeffrey Gahler, President, Maryland Sheriff's Association  
Sheriff Joseph Gamble, Wor-Wic Program Advisory Committee – Criminal Justice  
Christopher Sandmann for Richard Gibson, Maryland State's Attorneys' Association  
Major Martin Bartness for Police Commissioner Michael Harrison, Baltimore Police Department  
Zenita Hurley, representing the Office of the Attorney General  
Thomas Simpson, representing the President, Maryland Law Enforcement Officers, Inc.  
Chief David Spencer, Chairman, Maryland Municipal League Police Executive Association  
Chief John Nesky, President, Maryland Chiefs of Police Association  
Colonel Woodrow (Jerry) Jones, Secretary, Department of State Police (Vice-Chair)  
Jennifer Boone, Special Agent in Charge, Baltimore Office, Federal Bureau of Investigation  
Matthew Alonsozana, Citizen of the State  
Marcus Pollock, Citizen of the State  
Jazz Lewis, State Delegate  
Michael Hough, State Senator  
Michael A. Jackson, State Delegate

**MEMBERS ABSENT**

William C. Smith, Jr., State Senator

**STAFF PRESENT**

Kelly Brauning, Certification Administrator  
Holly Barrett, Leadership Development Institute  
Jennifer Beskid, Policy and Process  
Jeanne Chenoweth, Recorder  
Sarah Chatfield, Technical Services  
Katie Johnson, Registrar  
Albert L. Liebno, Jr., Executive Director  
Matthew Mellady, Assistant Attorney General  
Robert Wagner, Director of Law Enforcement Training

**GUESTS**

Percy Alston, P.G. Municipal Academy  
Shane Pittman, HumRRo  
Deputy Chief Darryl Morgan, Capitol Heights Police Department  
Clarence Rucker, Capitol Heights Police Department  
Chief Anthony Rease, Forest Heights Police Department  
Deon Best, Forest Heights Police Department

Laura Jessick  
Philip Criddle, Maryland State Police  
Scott Dunklee, Hyattsville Police Department  
Onglissa Mckenzie  
Lola Abdula

Sheriff Troy Berry called the 16th meeting of the Police Training and Standards Commission (PTSC), via teleconference, to order at 10:15 a.m. Sheriff Berry welcomed everyone. A roll call was taken for members and Sheriff Berry asked that staff and guests present on the call introduce themselves.

The agenda was as follows:

1. Approval of Minutes – April 8, 2020
2. Facility Report
3. Chair Vacancy
4. Legal Issues
5. Old Business
  - a) Update on Job Task Analysis – HumRRo Presentation
  - b) Update on Amendments to Citizenship Requirements
  - c) Update on Special Tactical Response Regulations
  - d) Update on Amendments to Public Safety Article, Title 3, Subtitle 2
  - e) Update from Marijuana Use Subcommittee
  - f) Update on citizens on Trial Boards Training
  - g) Follow Up Discussion – Academy Remote Training
6. New Business
  - a) Presentation on Polygraphs and Voice Stress Analyzers
  - b) SB 807 – Sexual Assault Victim Follow-Up
7. Appeal Denial of Waiver of Training Standards for Certification
8. Presentation on Waiver Requests by Assistant Attorney General
9. Request for Reconsideration for Police Officer Certification
10. Request for Waiver of Selection Standards for Certification
11. Volunteer Police Officers

Sheriff Berry congratulated Mr. Albert Liebno on his appointment as Executive Director of the Police and Correctional Training Commissions.

**1. Approval of Minutes – April 8, 2020**

Sheriff Troy Berry asked for approval of the April 8, 2020 minutes as presented.

**A MOTION to approve the minutes from the April 8, 2020 meeting of the Police Training and Standards Commission was made by Mr. Thomas Simpson: SECONDED: Sheriff Joseph Gamble. The MOTION carried.**

**2. Facility Report**

Executive Director Albert Liebno referred the members to the Facility Report. He explained how training has been accomplished at the Public Safety Education and Training Center and the precautions being taken. Mr. Liebno further stated that 142 agencies are 100% compliant with training for 2019 with only 90 officers still in need of training. He informed the members that compliance audits have slowed because of staff vacancies. There were no questions for Mr. Liebno.

### **3. Chair Vacancy**

Sheriff Berry stated that HB1144, which would assign the Chair position of the Police Training and Standards Commission back to the Superintendent of the Maryland State Police did not move forward in the last legislative session. He stated that the members would now need to move forward to select a Chair until that bill moves forward. Sheriff Berry asked for nominations.

**A MOTION was made by Mr. Miguel Dennis to nominate Sheriff Troy Berry as the Chair of the Police Training and Standards Commission. Mr. Thomas Simpson seconded the nomination. There were no further nominations. The MOTION carried.**

Mr. Liebno informed the members that now that Sheriff Berry, formerly the Vice-Chair of the Commission, has accepted the Chair position, a new Vice-Chair would need to be elected.

Mr. Miguel Dennis nominated Sheriff Jeffrey Gahler. Mr. Liebno informed the members that Sheriff Gahler's tenure as a member will expire in September. Sheriff Gahler declined the nomination.

**A MOTION was made by Sheriff Joseph Gamble to nominate Colonel Jerry Jones as the Vice-Chair of the Police Training and Standards Commission. Sheriff Jeffrey Gahler seconded the nomination. There were no further nominations. The MOTION carried.**

### **4. Legal Issues**

Assistant Attorney General Matthew Mellady congratulated Mr. Liebno on his appointment as the Executive Director of the Police and Correctional Training Commissions. He further stated that there was one legal issue related to the Commission. Mr. Mellady explained that a lawsuit was received from a former Maryland State Police cadet who was injured during defensive tactics training while in their Academy. He explained that the lawsuit was filed against the State of Maryland, the Maryland State Police and the Police and Correctional Training Commissions with allegations of negligence of staff and discrimination. Mr. Mellady stated he would be working with the Assistant Attorney General for the Maryland State Police and that he would keep the members informed on the status of the case.

### **5. Old Business**

#### **a) Update on Job Task Analysis – HumRRo Presentation**

Mr. Liebno introduced Ms. Shane Pittman with the HumRRo organization. Ms. Pittman stated that the project of conducting an updated Job Task Analysis for Police Officers, Correctional Officers and Parole and Probation Agents is under way. She explained the steps in the process as well as some of the current considerations and obstacles in accomplishing the project. Ms. Pittman explained the interviewing and survey process as well as the research involved to ensure an accurate analysis.

Members questioned Mr. Liebno as to whether or not there would be a committee to review the findings of the analysis. Mr. Liebno assured the members that staff are a part of the project team and will be reviewing the recommendations of HumRRo. Delegate Jazz Lewis asked if there would be any community input to the analysis. Ms. Pittman responded that in light of current affairs, the community might want to be considered in focus groups or some other form of input related to the appropriate portions of the analysis.

Sheriff Berry suggested that any further input or concerns be sent to Mr. Liebno to pass on to the project team. He thanked Ms. Pittman for her presentation.

#### **b) Update on Amendments to COMAR Citizenship Requirements**

#### **c) Update on Special Tactical Response Regulations**

Mr. Liebno stated that he would address both the proposed amendments to the Citizenship regulations and the proposed Special Tactical Response regulations. He stated the Citizenship amendments were approved

last October for publication to mirror the current Public Safety Article and the Special Tactical Response regulations were published and approved for final publication in April. Mr. Liebno explained that both are hung up in the COMAR amendment process and have not moved forward. He stated that he would continue to push the department's policy unit to ensure these issues are finalized and suggested he and Sheriff Berry have discussions as to how to facilitate this.

**d) Update on Amendments to Public Safety Article, Title 3, Subtitle 2**

Mr. Liebno reminded the Members that Delegate Michael Jackson had sponsored a bill to amend the Public Safety Article to bring the language and training mandates up to date. He stated that the bill passed through the House unanimously but did not make it through the Senate before the shutdown due to the pandemic. Delegate Michael Jackson added that he would have sponsors for the bill for the next legislative session. Ms. Jennifer Beskid explained that minor edits may need to be made and approved by the Commission before re-submitting the bill. Delegate Jackson stated that he would keep the Commission updated on the progress.

**e) Update from Marijuana Use Subcommittee**

Sheriff Troy Berry deferred to Ms. Jennifer Beskid who stated that there was nothing ready for presentation at this time. Sheriff Berry suggested that the subcommittee have one more meeting to research and discuss the long term effects of marijuana as they relate to the law enforcement environment as well as the federal standards and consideration as to whether or not to incorporate those standards into the Maryland regulations. Mr. Liebno stated he had received at least two inquiries regarding the time limits on prior acts committed by applicants in their teens or early twenties. He suggested the subcommittee also consider this restriction. Ms. Beskid stated that the subcommittee would welcome any other members who would like to participate in this process.

**f) Update on Citizens on Trial Boards Training**

Mr. Liebno reminded the members that the Public Safety Article established the opportunity for civilians to participate on trial boards and in that respect, approved training is required before sitting on a board. He informed the members that there must be a local law within the jurisdiction of the agency that authorizes civilians to sit on a trial board. Mr. Liebno stated that there is a training program which was presented to the Commission in 2017 which meets the requirement of the statute. He further stated that if there is enough interest, MPCTC can hold a training program or alternatively, would work with any agency to facilitate a training program. Ms. Ongisa McKenzie expressed her interest in learning more about the process for training in Southern Maryland. Major Martin Bartness informed the members that the Baltimore Police Department has developed a forty-hour training for civilians. Mr. Liebno suggested they meet to discuss the status of their training program.

**g) Follow Up Discussion – Academy Remote Training**

Mr. Liebno informed the members that remote training provided by those academies that chose to provide it, including the MPCTC academy, went very well. He stated that the Zoom platform and others worked well, maintained the credibility of the training, and provided proctored validated testing. Mr. Liebno said he is receiving feedback regularly and will monitor the trainings to allow them to continue as long as the State of Emergency is in effect. He also informed the members that many programs are back live, with proper social distancing and safety measures in place. Mr. Liebno thanked all of the trainers for their efforts to continue training.

**Other** – Ms. Zenita Hurley readdressed the training for Citizens on Trial Boards issue. She questioned the document that was circulated previously and whether or not any action was taken on it. Mr. Liebno responded that the document was for information only at this point. He further stated that the forty-hour program he referred to earlier was posted on line but a class had not been held as yet. Mr. Liebno explained that the Baltimore Police Department has taken that document and modified it slightly to meet their agency

needs. Other agencies have looked at the document but not moved forward as yet. Ms. Hurley stated that she had some suggestions as to how to improve and update the program.

## **6. New Business**

### **a) Presentation on Polygraphs and Voice Stress Analyzers**

Mr. Liebno reminded the members that at the January meeting, several members asked to have someone address the differences between a Polygraph and a Computer Voice Stress Analyzer and why agencies choose to use one rather than the other. He stated that he reached out to the head of the Maryland State Police Polygraph Unit. Mr. Liebno introduced a retired First Sergeant from the Maryland State Police, Mr. Phil Criddle. Mr. Criddle explained both processes and their similarities and differences for the members understanding and awareness. He also reviewed the importance of base questions and how the formulation of questions was crucial to the outcome. Upon questioning, Mr. Criddle discussed techniques for detecting tactics to deceive the process and explained the terms for the possible outcomes.

### **b) SB 807 – Sexual Assault Victim Follow-Up**

Mr. Liebno referred the members to the revised document sent to the members this morning. Assistant Attorney General Zenita Hurley explained what the Sexual Assault Evidence Kit Policy and Funding Committee (SAEK) is and why it was formed. She reviewed the the mandates set in Senate Bill 807 for victims of sexual assault and the investigative procedures as well as an agency's responsibility. Ms. Hurley reviewed the best practices document and Ms. Jennifer Beskid reminded the members that this procedure focuses on a victim's waiver of rights. Ms. Hurley also expressed that the SAEK Committee would be interested in working with the Commission in the future on a more comprehensive document. Mr. Liebno stated that this document was now up for approval by the Commission to adopt as best practices. Once approved, it would be posted on the MPCTC website and pushed out to agencies across the State. Mr. Liebno asked the members for their input. A discussion was had and edits were suggested in sections 3(a)(i) and 5(b).

**A MOTION to Adopt the proposed document with the suggested edits was made by Captain Michael Crabbs: SECONDED: Sheriff Joseph Gamble. The MOTION carried.**

## **7. Appeal Denial of Waiver of Training Standards for Certification**

Mr. Liebno stated that he had received a request from Chief Amal Awad of the Hyattsville Police Department to waive the required hours for entry level training for Jermaine Browne. He stated that Officer Browne had completed the Northern Virginia Criminal Justice Training Academy and was previously employed with the Metropolitan Washington Airports Authority Police. The training he received consisted of 736 hours, 14 hours short of the mandated 750 hours. Mr. Liebno also informed the members that all topics required by COMAR were covered. He stated that the Hyattsville Police Department was asking for a waiver to allow Officer Browne to complete a Comparative Compliance training program in lieu of a full academy.

Deputy Chief Scott Dunklee confirmed the training that Officer Browne has already completed including the Comparative Compliance training program, 35 hours of entry-level firearms and over 160 hours of Field Training.

**A MOTION to Grant a waiver of training standards to allow Jermaine Browne to complete comparative compliance training in lieu of a full entry-level training academy for certification was made by Sheriff Jeffrey Gahler: SECONDED: Captain Michael Crabbs. The MOTION carried.**

Sheriff Berry announced that the next items 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. Vince Canales to adjourn to a Closed Session: SECONDED: Ms. Zenita Hurley. The Motion carried unanimously.**

*The meeting adjourned to a Closed Session at 11:56 a.m.*

Mr. Liebno informed all non-interested parties that they must disconnect from the meeting. He stated that the outcome of the Closed Session issues would be announced at the beginning of the next general meeting.

**8. Presentation on Waiver Requests**

Assistant Attorney General Matthew Mellady informed the members that he had researched COMAR in order to properly advise the Commission on the waiver requests brought before them.

**9. Request for Reconsideration for Police Officer Recertification**

**A MOTION to Deny police officer recertification was made and SECONDED: . The members were polled to record their votes. The MOTION carried.**

**10. Request for Waiver of Selection Standards for Certification**

**A MOTION to Table a decision on a waiver of selections standards for police officer certification pending further investigation was made and SECONDED: The members were polled to record their votes. The MOTION carried.**

**11. Volunteer Police Officers**

Mr. Liebno stated that the issue of volunteer police officers has been on the table for quite a while now and that the Commission asked the Attorney General's Office to provide guidance.

**A MOTION to adjourn to Open Session was Made by Chief John Nesky: SECONDED: Chief Amal Awad. The MOTION carried.**

*Recorder's Note: The meeting resumed in Open Session at 1:23 p.m.*

Sheriff Berry thanked everyone for attending. He also stated that he and Mr. Liebno made a presentation to the Police Accountability Workgroup giving them an update on the Commission's responsibilities and activities. Sheriff Berry stated that it went very well and that he expects to be asked to provide further input to the workgroup.

Dr. Michael Finegan stated that in light of recent police officer scrutiny, and after discussions with other professionals, the issue of who can perform psychological evaluations should be readdressed to ensure that suitable and appropriate candidates are presented for law enforcement certification in Maryland. He stated that the appropriate professional training is imperative to the process.

**A MOTION to adjourn was made by Chief Amal Awad: SECONDED: Sgt. Allison Ehart. The MOTION carried. The meeting adjourned at 1:34 p.m..**

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