

MARYLAND POLICE TRAINING AND STANDARDS COMMISSION
REDACTED Minutes – 13th Meeting – October 23, 2019

MEMBERS PRESENT

Colonel William Pallozzi, Secretary, Department of State Police (Chair)
Sheriff Troy Berry, Charles County Sheriff's Office, Regional Representative (Vice-Chair)
Matthew Alonsozana, Citizen of the State
Chief Amal Awad, representing the President, Police Chiefs Association of Prince George's County
Major Martin Bartness, representing the Police Commissioner, Baltimore Police Department
Captain W. Michael Crabbs, Community Policing Expert
Vince Canales, Maryland State Fraternal Order of Police
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
Richard Gibson, Maryland State's Attorneys' Association
Jazz Lewis, State Delegate
Zenita Hurley, representing the Office of the Attorney General
Michael A. Jackson, State Delegate
Marcus Pollock, Citizen of the State
Chief David Spencer, Chairman, Maryland Municipal League Police Executive Association
Chief Henry Stawinski, President, Maryland Chiefs of Police Association

MEMBERS ABSENT

Jennifer Boone, Special Agent in Charge, Baltimore Office, Federal Bureau of Investigation
Michael Hough, State Senator
Thomas Simpson, representing the President, Maryland Law Enforcement Officers, Inc.
William C. Smith, Jr., State Senator

STAFF PRESENT

Jennifer Beskid, Director of Policy
Kelly Brauning, Certification Administrator
Jeanne Chenoweth, Recorder
Sarah Chatfield, Technical Services
Katie Johnson, Registrar
Albert L. Liebno, Jr., Deputy Director
James Pasko, Assistant Attorney General
Lewis Pindell, Media Specialist
Robert Wagner, Director of Law Enforcement Training

GUESTS

Jarod Towers, Cheverly Police
Jeffrey Fabbri, Cheverly Police
Brian Daniels, Charles County Sheriff
Derrick Hunter, Fairmount Heights Police

Steve Watkins, Fairmount Heights Police
Anthony Schartner, Prince George's County Police
Terrence Nelson, Prince George's County Police
Jeff Coe, MD Park Police
Hector Reyes, MD Park Police
Sarah Mikalauskas, MNCPPC
Nancy Jones, MNCPPC
Rachelle Moore, MNCPPC
Susan Smith, Port Deposit Police
David Hammel, Anne Arundel Community College
Michelle Milam, MVA Police
Eric Chase, MVA Police
Steven Brown, SLEOLA
George Nader, Metro Transit Police
Bruce VanLeuvan, Carroll County Sheriff's Office

Colonel William Pallozzi called the 13th 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. He also greeted new members.

Recorders Note: Delegate Jazz Lewis joined the meeting at 10:07 a.m.

The agenda was as follows:

1. Approval of Minutes – July 10, 2019
2. Facility Report
3. Legal Issues
4. Election of Chair and Vice-Chair (to be effective January 1, 2020)
5. Old Business
 - a) Update on Job Task Analysis
 - b) Update on COMAR 12.04.07–Special Tactical Response Regulations
 - c) Volunteer Police Officers
 - d) Amendments to Public Safety Article, Title 3, Subtitle 2
 - e) Update from Marijuana Use Subcommittee
6. New Business
 - a) Approval to Publish Amendments to COMAR 12.04.01.04B – Citizenship and 12.04.01.06A – Certification Requirements
 - b) Proposed 2020 Meeting Schedule
7. Request for Waiver of Training Standards for Certification
8. Request for Waiver of Training Standards for Certification
9. Request for Waiver of Training Standards for Certification
10. Request for Waiver of Selection Standards for Certification
11. Request for Waiver of Prior Substance Abuse Standards for Certification
12. Request for Waiver of Selection and Training Standards for Recertification
13. Request for Waiver of Selection and Training Standards for Recertification
14. Consideration to Withdraw Provisional Certification

1. Approval of Minutes – July 10, 2019

Colonel Pallozzi asked the Members to review the minutes of the 12th meeting of the Police Training and Standards Commission.

A MOTION to approve the minutes from the July 10, 2019 meeting of the Police Training and Standards Commission was made by Mr. Vince Canales: SECONDED: Captain Michael Crabbs. The MOTION carried.

2. Facility Report

Mr. Albert Liebno, Acting Executive Director of the Public Safety Education and Training Center, directed the Members to the report included in the binder which reviewed the activities at the Center during the past quarter. He reviewed the highlights of each unit as well as the scheduling of agency audits for selection and training standards and also training academies. Mr. Liebno also mentioned that the Law Enforcement Training Unit will be working with the Maryland Chiefs of Police Association and Maryland Sheriffs Association to provide Police Suicide Training in the near future. He further stated that the same type of training would be developed for correctional officers.

3. Legal Issues

Assistant Attorney General James Pasko stated there were no legal issues.

4. Election of Chair and Vice-Chair (to be effective January 1, 2020)

Colonel William Pallozzi explained that the Chair and Vice-Chair of the Police Training and Standards Commission are elected annually and opened the floor for nominations.

A MOTION to re-elect Colonel William Pallozzi as Chair was made by Mr. Miguel Dennis: SECONDED: Mr. Vince Canales. There were no further nominations. The MOTION carried.

A MOTION to re-elect Sherriff Troy Berry as Vice-Chair was made by Mr. Vince Canales: SECONDED: Mr. Matthew Alonsozana. There were no further nominations. The MOTION carried.

5. Old Business

a) Update on Job Task Analysis

Colonel Pallozzi stated that the updated Job Task Analysis is out for bid. Mr. Liebno added that the study will include Police, Corrections and Parole and Probation.

b) Update on COMAR 12.04.07–Special Tactical Response Regulations

Colonel Pallozzi explained that the Special Tactical Response Regulations have still not been published for comment. He stated that Mr. Liebno would follow up with Secretary Robert Green to see if the process could be prioritized.

c) Volunteer Police Officers

Mr. Liebno reminded the members that this issue came up when the Seat Pleasant Police Department informed staff that they currently have at least two volunteer police officers who are certified and receive no compensation. He explained that the definition of “employed” has been brought to the attention of the Attorney General’s Office to clarify whether or not an officer needs to be compensated to be considered employed. Mr. Liebno informed the members that he has not received an official response in writing as yet but that Assistant Attorney General Stu Nathan believes that the Commission is permitted to certify volunteers as police officers as long as they meet background and training requirements. Mr. Nathan said that ultimately the decision would be up to the Commission. Mr. Liebno stated that the last time this topic came up in April 2012, the Commission decided at that time that they would not certify a volunteer. Colonel

Pallozzi explained that this issue would be addressed again when a written opinion is received from the Attorney General's Office.

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

Mr. Liebno explained that what is being presented is a recommendation from staff to amend the Public Safety Article. He informed the members that Delegate Michael Jackson has agreed to draft and sponsor a legislative bill to move forward with the amendments if agreed upon by the Commission. Mr. Liebno explained that a follow-up conference call meeting may be needed to approve what the staff comes up with after today's meeting in order to meet the legislative deadlines.

Ms. Jennifer Beskid reviewed the proposed amendments to each section of the Public Safety Article, Title 3, Subtitle 2 and noted the revisions suggested by members, staff and attendees.

Upon completion of the review, Ms. Beskid stated that an updated document would be sent out to all members for review and that a follow-up conference call will be scheduled to finalize and approve the document.

A MOTION to move forward with the legislative process to amend the Public Safety Article was made by Captain Michael Crabbs: SECONDED: Mr. Matthew Alonozana. The MOTION carried.

e) Update from Marijuana Use Subcommittee

Ms. Jennifer Beskid referred the members to the document in the binder proposed by the Marijuana Use Subcommittee. She explained that the biggest issue the committee dealt with was the use of CBD Oil. Ms. Beskid explained the committee's rationale behind the document that was presented and also the research that had been gathered. For clarity purposes, the members agreed to table this issue for now. The subcommittee agreed to work with Assistant Attorney General Hurley to come up with more practical wording for the regulation amendment in order to satisfy all of the situations discussed by the members.

At 11:37 a.m., Colonel Pallozzi stated there would be a five minute break.

Delegates Michael Jackson and Jazz Lewis left the meeting.

The meeting resumed in open session at 11:50 a.m.

6. New Business

a) Approval to Publish Amendments to COMAR 12.04.01.04B – Citizenship and 12.04.01.06A – Certification Requirements

Mr. Albert Liebno referred the members to the document in the binder. He explained that during the 2019 legislative session, Public Safety Article §3-209 was amended to allow an individual who is a permanent legal resident and an honorably discharged veteran to be certified as a police officer provided that the individual has applied to obtain citizenship and the application is pending approval. That law went into effect on October 1, 2019. Mr. Liebno stated that the amendment being presented for publication at this time will bring COMAR into compliance with the law. He further explained that the law does not specify a time limit for the citizenship approval, only that the applicant must have applied for citizenship prior to their becoming a certified police officer. A discussion was had as to non-citizen police officers having access to the databases necessary to do their job and the appropriate time limits for obtaining citizenship.

A MOTION to Publish for Comment the Amendments to COMAR 12.04.01.04B – Citizenship and 12.04.01.06A – Certification Requirements with a Three Year Time Limit on Obtaining Citizenship was made by Mr. Miguel Dennis : SECONDED: Mr. Richard Gibson. The MOTION carried.

b) Proposed 2020 Meeting Schedule

The proposed 2020 schedule of Police Training and Standards Commission meetings was presented by Colonel William Pallozzi.

A MOTION to Approve the 2020 Schedule of Meeting Dates was made by Mr. Vince Canales: SECONDED: Sheriff Troy Berry. The MOTION carried

7. Request for Waiver of Training Standards for Certification

Mr. Albert Liebno stated that ten officers of the Washington Metro Transit Police completed the Northern Virginia Criminal Justice Training Academy in 2018. He explained that this academy is 27 hours short of the COMAR mandated minimum of 750 academic hours. All topics required by the Commission were covered.

Washington Metro Transit Police is asking for completion of a Comparative Compliance program in lieu of the requirement that the ten applicants attend a full academy.

A MOTION to grant a waiver to allow the ten applicants from Metro Transit Police to attend Comparative Compliance training in lieu of a full entry-level training academy for certification was made by Mr. Vince Canales: SECONDED: Captain Michael Crabbs. The MOTION carried.

Colonel Pallozzi reminded the members that staff continues to bring waiver requests before the Commission for applicants who have attended academies that cover all topics but with less than the mandated 750 hours. He questioned whether or not the Deputy Director should be allowed to approve those within a certain percentage of the hour requirement or whether they prefer to continue to bring all before the Commission. The members agreed to continue bringing each individual case before the Commission.

8. Request for Waiver of Training Standards for Certification

Mr. Albert Liebno explained that Rachelle Moore completed the Hampton Roads Criminal Justice Training Academy in Virginia in 2008. Ms. Moore has been a sworn police officer with the Portsmouth Virginia Police Department for the past eleven years and is relocating back to Maryland. The hours of training at the entry-level training academy she attended in 2008 were 47 less than the hours required by Maryland in 2008. All topics required by the Commission were covered.

Maryland National Capital Park Police is asking for a waiver of the requirement that Ms. Moore complete another entry-level training academy and allow her instead to attend a Comparative Compliance Training Program.

A MOTION to grant a waiver of training standards to allow Rachelle Moore of the MNCPP to attend Comparative Compliance training in lieu of a full entry-level training academy for certification was made by Mr. Vince Canales: SECONDED: Mr. Richard Gibson. The MOTION carried.

9. Request for Waiver of Training Standards for Certification

Mr. Albert Liebno explained that Derrick Hunter completed the Naval District of Washington Regional Police Academy in 2008. The hours of training at the entry-level training academy he attended in 2008 were 30.5 hours less than the hours required by Maryland in 2008. All topics required by the Commission were covered.

Fairmount Heights is asking for a waiver of the requirement that Mr. Hunter complete another entry-level training academy and allow him to instead complete Comparative Compliance training.

A MOTION to grant a waiver of training standards to allow Derrick Hunter of the Fairmount Heights Police Department to attend Comparative Compliance training in lieu of a full entry-level training academy for certification was made by Mr. Richard Gibson: SECONDED: Chief Henry Stawinski. The MOTION carried.

Colonel Pallozzi 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: Mr. Richard Gibson. The Motion carried unanimously.

The meeting adjourned to a Closed Session at 12:14 p.m.

10. Request for Waiver of Selection Standards for Certification

A MOTION to grant a waiver of selection standards for certification was made and SECONDED: The members were polled to record their votes. The MOTION carried.

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

11. Request for Waiver of Prior Substance Abuse Standards for Certification and a Waiver of Training Requirements

A MOTION to grant a waiver of Prior Substance Abuse Standards for certification was made and SECONDED: . The members were polled to record their votes. The MOTION carried.

A MOTION to grant a waiver of Attending a Full Entry Level Training Academy and Allow for Comparative Compliance Training for certification was made and SECONDED: The members were polled to record their votes. The MOTION carried.

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

12. Request for Waiver of Selection and Training Standards for Recertification

A MOTION to grant a waiver of Selection Standards for Recertification was made and SECONDED: The members were polled to record their votes. The MOTION carried.

A MOTION to grant a waiver of Attending a Full Entry Level Training Academy and Allow for Comparative Compliance Training for Recertification was made and SECONDED: The members were polled to record their votes. The MOTION carried.

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

Recorders Note: Chief Stawinski left the meeting at 12:47 p.m.

Upon questioning from Mr. Marcus Pollock, Colonel Pallozzi explained that the voice stress analyzer and a polygraph were two different technologies. He stated that he would put him in touch with someone to get more information concerning the differences. Ms. Hurley also indicated an interest in the subject.

13. Request for Waiver of Selection and Training Standards for Recertification

A MOTION to table the request for a waiver of selection standards for Recertification was made and SECONDED: . The members were polled to record their votes. The MOTION carried.

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

14. Consideration to Withdraw Provisional Certification

A MOTION to withdraw provisional certification was made and SECONDED: The members were polled to record their votes. The MOTION carried.

A MOTION was made by Mr. Vince Canales to adjourn to an open session: SECONDED: Mr. Miguel Dennis. The MOTION carried.

Recorder's Note: This concluded the closed session. The meeting adjourned to an open session at 1:10 p.m.

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

Chief Barbara Duncan stated she had been asked to inquire about the status of the new Learning Management System. Mr. Liebno explained that the replacement system for Skills Manager has been on the table for two years. He stated that a conversation was had with DPSCS Secretary Green and that the request was still with the agency Procurement Unit. Mr. Liebno assured everyone that he would stay on top of it and that he hoped to have more positive information at the January 2020 meeting.

A MOTION to adjourn was made by Mr. Vince Canales: SECONDED: Mr. Richard Gibson. The MOTION carried. The meeting adjourned at 1:13 p.m.

**MARYLAND POLICE TRAINING AND STANDARDS COMMISSION
Minutes – Special Phone Conference Meeting – December 12, 2019**

MEMBERS PRESENT ON CALL

Colonel William Pallozzi, Secretary, Department of State Police (Chair)
Sheriff Troy Berry, Charles County Sheriff's Office, Regional Representative (Vice-Chair)
Matthew Alonsozana, Citizen of the State
Captain W. Michael Crabbs, Community Policing Expert
Vince Canales, Maryland State Fraternal Order of Police
Miguel Dennis, Policing Standards Expert
Chief Barbara Duncan, Salisbury Police Department, Regional Representative
Sergeant Allison Ehart, Howard County Police Department, Regional Representative
Sheriff Jeffrey Gahler, President, Maryland Sheriff's Association
Sheriff Joseph Gamble, Wor-Wic Program Advisory Committee – Criminal Justice
Richard Gibson, Maryland State's Attorneys' Association
Zenita Hurley, representing the Office of the Attorney General
Chief David Spencer, Chairman, Maryland Municipal League Police Executive Association
Chief Henry Stawinski, President, Maryland Chiefs of Police Association
Thomas Simpson, representing the President, Maryland Law Enforcement Officers, Inc.
Michael A. Jackson, State Delegate

MEMBERS ABSENT ON CALL

Jennifer Boone, Special Agent in Charge, Baltimore Office, Federal Bureau of Investigation
Major Martin Bartness, representing the Police Commissioner, Baltimore Police Department
Chief John Nesky, President, Police Chiefs Association of Prince George's County
Dr. Michael Finegan, Mental Health Expert
Marcus Pollock, Citizen of the State
Jazz Lewis, State Delegate
Michael Hough, State Senator
William C. Smith, Jr., State Senator

STAFF PRESENT ON CALL

Jennifer Beskid, Director of Policy
Jeanne Chenoweth, Recorder
Albert L. Liebno, Jr., Deputy Director
Lewis Pindell, Media Specialist

GUESTS ON CALL

Yanet Amanuei, ACLU

Colonel William Pallozzi called this special phone conference meeting of the Police Training and Standards Commission to order at 1:07 p.m. A quorum was present. Colonel Pallozzi thanked everyone for participating. There was a roll call to determine who was on the conference call. Guests and staff were asked to announce their presence.

Colonel Pallozzi stated that this meeting was to review the proposed amendments to the Public Safety Article. He stated that the intention was to review and clean up the original 2016 document. Colonel Pallozzi explained that the final document would be submitted to Delegate Michael Jackson's office who has agreed to sponsor it. He explained the process in order to have consideration by the General Assembly. Mr. Liebno confirmed that the Commission members would be able to review the final format prior to the next meeting.

Colonel Pallozzi referred the members to the document which had been sent out beforehand. Ms. Jennifer Beskid reviewed the document by section and noted any changes that had been made since the last meeting. The members reviewed each section and discussed any concerns. A change to section 3-215(a)(3) was suggested to remove the word "second" in the phrase "second line supervisors". The phrase would now simply read "line supervisors" to avoid confusion.

A MOTION to Accept the Amendments to the Public Safety Article as Presented with an Edit in Section 3-215(a)(3) and to Submit to Delegate Jackson for Processing was made by Mr. Thomas Simpson: SECONDED: Mr. Miguel Dennis. The members were polled to record their votes. The MOTION carried.

A MOTION to adjourn the phone conference meeting was made by Sheriff Jeffrey Gahler: SECONDED: Mr. Richard Gibson. The MOTION carried. The meeting adjourned at 1:17 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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