

MARYLAND POLICE TRAINING AND STANDARDS COMMISSION

Minutes – 56th Meeting – April 24, 2024

MEMBERS PRESENT

Colonel Roland Butler, Superintendent, Department of State Police (Chair)
Richard Gibson, Maryland State's Attorneys' Association (Vice Chair)
Major Ronce Alford, MD Transportation Authority PD, Regional Representative
Clyde Boatwright, Maryland State Fraternal Order of Police
Patrick Campbell, Citizen of the State
Chief Tyrone Collington, President, Police Chiefs Association of Prince George's County
Major Matt Corell, representing Police Commissioner Richard Worley, Baltimore Police Department
William DelBagno, Special Agent in Charge, Baltimore Office, FBI
Sheriff Joe Gamble, President, Maryland Sheriff's Association
Zenita Hurley, representing the Office of the Attorney General
Raymond Kelly, Community Policing Expert
Deputy Sherriff Dwarren Lambirth, Prince Georges County Sheriff, Regional Representative
John Moses, Wor-Wic Program Advisory Committee – Criminal Justice
Susan Radcliffe, Mental Health Expert
Chief Carl Schinner, President, Maryland Chiefs of Police Association
Chief Michael Spaulding, Chairman, MML Executive Association

MEMBERS ABSENT

Chief Amal Awad, Anne Arundel Police Department, Regional Representative
Dirk Butler, Policing Standards Expert
Cory Jeweler, Citizen of the State
Ganesha Martin, Citizen of the State

STAFF PRESENT

Wayne Silver, Executive Director, Police Training & Standards Commission
Kate Gossard, Executive Director, Public Safety Education and Training Center
Matthew Mellady, Deputy Director, Public Safety Education and Training Center
Jennifer Beskid, Executive Director, Correctional Training Commission
Kelly Brauning, Certification Administrator
Stephanie Cain, Compliance Administrator
Sarah Chatfield, Technical Services
Chaka Cross, Recorder
Kevin Duerling, Policy & Processes
Gary Gardner, Director, Policy & Processes
Joan Henard, Certification
Katie Johnson, Recorder
Brittany Rohe, Certification
Kelly Spurgeon, Certification

GUESTS

Annette Adair, Phamatech
Rachel Ames, Governor's Office of Crime Prevention & Policy
Det. Paul Armingier, Aberdeen Police Department
Dr. Thomas Aucoin, Phamatech
Jen Corbin, Anne Arundel County Crisis Response System
Keith Dickens, Deputy Commissioner, DPSCS

Annie Harvey, Deputy Secretary of Operations, DPSCS
Rachel Lawrence, Aberdeen Police Department
Ralph Massimei, Aberdeen Police Department
Capt. William Reiber, Aberdeen Police Department
Jim Rhoden, Governor’s Office of Crime Prevention & Policy
Chief Antoine Smith, Baltimore Environmental Police
Joseph Shanamann, Baltimore Environmental Police

Chair Butler called the 56th meeting of the Police Training and Standards Commission (PTSC) from the Public Safety Education and Training Center to order at 10:09 a.m. Chair Butler asked for a roll call of members. A quorum was present.

The agenda was as follows:

1. Approval of Minutes – January 11, 2024

Chair Butler asked members to review the minutes from the January 11, 2024 meeting.

A MOTION to approve the minutes from the January 11, 2024 meeting of the Police Training and Standards Commission was made by Mr. Campbell: SECONDED: Mr. Boatwright. The MOTION carried.

2. Chair & Co-Chair

Director Silver asked the Commission members for a nomination for Chair of the Commission. Chief Schinner nominated Colonel Butler. There were no other nominations and the Commission voted unanimously by voice vote to elect Colonel Butler as the Chair.

A MOTION to elect Colonel Butler as Chair was made by Chief Schinner: SECONDED: Chief Spaulding. The MOTION carried.

Director Silver asked the Commission members for a nomination for Vice-Chair of the Commission. John Moses nominated Richard Gibson. Major Alford seconded the nomination. There were no other nominations and the Commission voted unanimously by voice vote to elect Richard Gibson as the Vice-Chair.

A MOTION to elect Richard Gibson as Vice Chair was made by Mr. Moses: SECONDED: Major Alford. The MOTION carried.

3. Commission Activities Report

Director Silver reported that there are currently 15,657 certified officers as of April 16, 2024. In the past quarter, 62 additional probationary officers have been certified, 35 officers have retired, and 52 officers resigned or terminated, year to date. The Compliance Unit has conducted 9 audits and there are 3 more scheduled. Three of the nine agencies where audits were conducted have requested a mitigation plan. Audits will be closed after the mitigation plans are received.

4. Legal Issues

a) Local Government Definition

Director Silver asked members to refer to the current COMAR definition as defined in Public Safety Article §14-401, which does not recognize a Charter form of government. It is the recommendation of the support staff of the Police Training and Standards Commission and Assistant Attorney General Paul Mayhew, that the definition of “Local Government” cited in Local Government Article, §1-101, is a more appropriate definition which includes charter governments. (Refer to references below)

(8) “Local governing body” has the meaning stated in Local Government Article, §1-101(f), Annotated Code of Maryland.

A MOTION to accept recommendations to change the definition of “local governing body” as written was made by Mr. Moses: SECONDED: Chief Spaulding. The MOTION carried.

b) Decertification Hearings Open to the Public

Director Silver informed the Commission members that all decertification hearings will be open to the public. Deliberations will still take place off the record. Cases being heard that involve others, such as domestic violence, would be reviewed for appropriateness of releasing the information on a case by case basis by Assistant Attorney General, Paul Mayhew.

4. Old Business

a) Cannabis SME

Director Silver introduced Dr. Aucoin, Federal Testing Director, and Ms. Adair to the Commission. Dr. Aucoin presented information on the strains of marijuana, the options for consumption, chemistry of marijuana metabolism and the various ways to detect marijuana in the body. The presentation also provided information on current state laws governing marijuana and current trends. Both Dr. Aucoin and Ms. Adair answered questions from Commission members regarding marijuana testing and employment issues.

Recorder’s Note: Major Corell exits at 9:36 am and returns at 9:37 am

Recorder’s Note: Vice Chair Gibson enters at 9:50 am

b) Fund Report

Director Silver directed members to view the Fund Report. The current balance is \$9.8 million, with the purchases from Benchmark Solutions and L3 Technologies (LMS and Virtual Driving Simulator) pending. The General Assembly withheld \$100,000 to expand on the fund report to cover 2025-2028.

Recorder’s Note: Vice Chair Gibson exits at 10:12 am and returns at 10:14 am

c) COMAR Review Update

Director Silver told members that staff members are still reviewing COMAR weekly. Once changes have been identified, they will be presented to the Commission.

5. New Business

a) Crisis Intervention Training

Jim Rhoden, Assistant Director for the Centers of Excellence (COE) of the Governor’s Office of Crime Prevention & Policy (GOCPP), Rachel Ames, Mental Health Coordinator (GOCPP), and Jen Corbin, Anne Arundel Crisis Response briefed Commission members on the Maryland Crisis Intervention Team (CIT) Initiative. CIT was tasked to improve criminal justice response to individuals with behavioral health needs, with efforts divided into technical support, centralized communication, and data analysis. The Memphis Model, the most widely used police mental health collaborative approach, advises that specialty trained officers are the best individuals to respond to a crisis to reduce incarceration and deflect individuals to treatment. Senate Bill 305 tasked the CIT COE with development and implementation of a model crisis intervention program and providing technical support. CIT Coordinators throughout the state are working to develop a functional, standardized model training curriculum. The Maryland CIT Program model was adapted using 8 curriculums from around the state to create a 40-hour training curriculum. The model uses a Five Legged Stool to incorporate Law enforcement training, community collaboration, vibrant and accessible crisis system, behavioral health staff training, and collaboration and education with family, consumers, and advocates.

Recorder’s Note: Chief Collington exits room at 11:09 am and returns at 11:14 am

Recorder’s Note: Chief Schinner exits room at 11:15 am and returns at 11:17am

A MOTION to explore the different models for Crisis Intervention curriculum was made by Mr. Campbell: SECONDED: Vice Chair Gibson. The MOTION carried.

Recorder's Note: Major Alford exits room at 11:16 am; Chief Spaulding exits room at 11:17 am

b) General Assembly Update

Director Silver noted that several house bills (HB) were passed and may have a direct impact on the Commission. HB0338 “Facial Recognition Technology-Requirements, Procedures, and Prohibitions” establishes requirements, procedures and prohibitions relating to the use of facial recognition technology by a law enforcement agency; requiring the Department of Public Safety & Correctional Services (DPSCS) to administer a training program regarding the use of facial recognition technology by June 30, 2026.

HB0809 “Members of Boards, Committees, Commissions, Task Forces, or Workgroups – Removal or Suspension” provides that a member of a board, committee, commission, task force, or workgroup created by State law may be removed or suspended for misconduct, incompetence, neglect of duties, or other good cause by the individual or entity that appointed the member under certain circumstances; authorizing the removal or suspension of an appointed member only after consultation with the chair of the board, committee, commission, task force, or workgroup and the member has been given an opportunity to be heard regarding the removal or suspension.

HB0973 “Public Safety - Law Enforcement Agencies - Positive Community Feedback” requires the Maryland Police Training and Standards Commission to develop a process for citizens to submit positive community feedback; requiring each law enforcement agency to adopt the uniform citizen positive community feedback process; and requiring a law enforcement agency to maintain a certain record that is subject to public inspection.

HB0597 “Growing Apprenticeships and the Public Safety Workforce (GAPS) Act Workgroup” alters the Law Enforcement Cadet Apprenticeship Program in the Maryland Department of Labor to be the Public Safety Apprenticeship Program; expanding the purpose and scope of the Program to promote careers with certain public safety agencies; altering the eligibility criteria and the types of grants to be awarded under the Program; requiring the Maryland Police Training and Standards Commission to develop certain mental health wellness policies to be implemented in certain law enforcement agencies and correctional facilities.

HB0618 “Police and Corrections Retention, Maryland State Police” establishes the Police & Corrections Recruitment and Retention Workgroup to study issues and factors potentially contributing to recruitment challenges and the decline in police officer and correctional professional retention statewide; and requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before December 30, 2025.

HB1277 “Business Occupations and Professions - Security Guards - Use of Force Reporting, Standards, and Certifications” implementation deadline changed to January 1, 2025.

Recorder's Note: Major Alford returns at 11:18 am and Chief Spaulding returns at 11:20 am

Recorder's Note: Major Corell exits room at 11:19 am and returns at 11:22 am

c) Mental Health Assessment

Director Silver informed members that there are currently 11,381 officers who have not met the mental health assessment mandate. The agencies are reporting not being able to locate providers within the program. There are a total of 49 agencies that are non-compliant and have not made contact with the Certification Unit. Commission staff will continue efforts to mitigate a certification lapse of officers due to non-compliance.

Recorder's Note: Vice Chair Gibson exits at 11:24 am and returns at 11:34am

d) Mount Saint Mary's MOU

Director Silver introduced Director Gossard to the Commission to discuss the impact of the Mount Saint Mary's Memo of Understanding (MOU) on PSETC. Director Gossard stated there is no benefit for the State to enter into this agreement, as the MOU would use staff resources without compensation for such use.

A MOTION to continue the discussion with Mount Saint Mary's to modify the MOU was made by Mr. Boatwright: SECONDED: Sheriff Gamble. The MOTION carried.

e) Firearms Regulation Review

Mr. Moses is requesting a review of the current Firearms Regulation with statewide firearms subject matter experts for best practices.

A MOTION for Commission staff to assemble a workgroup of firearms and legal experts to review the current Firearms Regulation and make recommendations to the Commission was made by Mr. Moses: SECONDED: Sheriff Gamble. The MOTION carried.

Recorder's Note: Mr. Moses exits at 11:51 am and returns at 11:54 am

f) Complaint Model Policy

Mr. Kelly addressed Administrative Charging Committee (ACC) concerns of receiving complaints and supporting documentation within the timeframes allowed to process complaints through the ACC. Mr. Silver recommended tabling the discussion until GOCPP has addressed the "gaps" with Police Executive Research Forum (PERF) and have issued a report on their findings.

g) Background Investigations Discussion

Chief Collington brought to the attention of the Commission the difficulty of not being able to have tangible copies of background/personnel records from other agencies when conducting background investigations, even though it is required by COMAR to do so. It is asked that Commission staff draft a letter to agencies identifying agency responsibilities when being asked to provide information to other police agencies conducting background investigations.

A MOTION to recess was made by Colonel Butler: SECONDED: Vice Chair Gibson. The MOTION carried.

Recorder's Note: The members recessed from 12:28 pm to 1:08 pm.

Chair Butler called the meeting back to order at 1:08 pm. Roll call was conducted and a quorum was present.

A MOTION to adjourn to go to closed session was made by Mr. Kelly: SECONDED: Sheriff Gamble. The MOTION carried unanimously.

Members voting in closed session: Chair Butler, Vice Chair Gibson, Major Alford, Mr. Boatwright, Mr. Campbell, Major Corell, Chief Collington, SAC DelBagno, Sheriff Gamble, Ms. Hurley, Mr. Lambirth, Ms. Radcliffe, Mr. Moses, Chief Schinner, and Chief Spaulding.

Persons attending closed session: In addition to voting Commission Members, Director Silver; Deputy Director Matthew Mellady, Chaka Cross; Katie Johnson; and Sarah Chatfield.

Authority under § 3-305 for the closed session: Personnel matters

Topics actually discussed: Recertification denied for an applicant of the Baltimore Environmental Police Department. Recertification was granted for an applicant of the Aberdeen Police Department. Certification reconsideration was denied for an applicant of Morningside Police Department. Revocation Hearing request from Baltimore Police Department was granted. Revocation Hearing request from Cheverly Police Department was granted.

Recorder's Note: SAC DelBagno exits at 2:17 pm

A MOTION was made by Sheriff Gamble to adjourn to an open session: SECONDED: Mr. Campbell. The MOTION carried unanimously.

Recorder's Note: This concluded the closed session. The meeting adjourned to an open session at 3:07 p.m.

Ms. Cross announced the outcome of the items heard in closed session.

A MOTION to adjourn was made by Chief Spaulding: SECONDED: Deputy Sheriff Lambirth. The MOTION carried. The meeting adjourned at 3:08 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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