

Department of Legislative Services  
 Maryland General Assembly  
 2016 Session

FISCAL AND POLICY NOTE  
 First Reader

House Bill 1296 (Delegate A. Washington)  
 Judiciary

**Public Safety - Police Training Commission - Community Service Requirement**

This bill requires the Police Training Commission (PTC) to require that the curriculum for entrance-level and annual in-service training for law enforcement officers conducted by the State and each county and municipal police training school include at least 40 hours of community service. PTC must develop a list of community and nonprofit organizations, including local public schools, assisted living or continuing care facilities, or local youth sports organizations, for which required community service may be provided.

**Fiscal Summary**

**State Effect:** General fund expenditures increase by at least \$895,500 in FY 2017 and by a minimum of \$699,400 annually thereafter for PTC, the Department of State Police (DSP), and the Department of Natural Resources (DNR) to comply with the community service requirement. Special fund expenditures for the Maryland Department of Transportation (MDOT) increase by \$300,000 annually. Other State agency law enforcement expenditures (general/special/nonbudgeted) also increase. Revenues are not affected.

(in dollars)	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	895,500	699,400	707,200	715,400	724,000
SF Expenditure	300,000	300,000	300,000	300,000	300,000
GF/SF/NB Exp.	-	-	-	-	-
Net Effect	(\$1,195,500)	(\$999,400)	(\$1,007,200)	(\$1,015,400)	(\$1,024,000)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

**Local Effect:** Local law enforcement agency expenditures increase significantly. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** None.

## Analysis

**Current Law:** PTC, within the Department of Public Safety and Correctional Services (DPSCS), was created in 1966 and is chaired by the Superintendent of State Police. It operates approved police training schools and prescribes standards for and certifies schools that offer police and security training. In consultation and cooperation with various entities, it also sets minimum qualifications for instructors and certifies qualified instructors for approved training schools.

PTC certifies persons as police officers who have met commission standards. An individual who is not satisfactorily trained in the 12-month probationary period may not be employed as a police officer, and a police officer may not serve after certification has been revoked, suspended, or allowed to lapse.

PTC requires, for entrance-level police training and at least every three years for in-service level police training conducted by the State and each county and municipal police training school, that the curriculum and minimum courses of study include special training, attention to, and study of the application and enforcement of (1) the criminal laws concerning rape and sexual offenses, including the sexual abuse and exploitation of children and related evidentiary procedures; (2) the contact with and treatment of victims of crimes and delinquent acts; (3) the notices, services, support, and rights available to victims and victims' representatives under State law; and (4) the notification of victims of identity fraud and related crimes of their rights under federal law. PTC also requires, for entrance-level police training and annually for in-service level police conducted by the State and each county and municipal police training school, that the curriculum and minimum courses of study include special training in the proper use of electronic control devices for specified police officers, consistent with established law enforcement standards and constitutional provisions.

PTC further requires, for entrance-level police training and, as determined by PTC, for in-service level training conducted by the State and each county and municipal police training school, that the curriculum and minimum courses of study include, consistent with established law enforcement standards and federal and State constitutional provisions (1) training in lifesaving techniques, including cardiopulmonary resuscitation; (2) training in the proper level and use of force; (3) training regarding sensitivity to cultural and gender diversity; and (4) training regarding individuals with physical, intellectual, developmental, and psychiatric disabilities.

**Background:** Training for the certification of law enforcement officers in the State may be conducted at PTC facilities or at any of 20 police training academies in the State certified by PTC. There are approximately 16,500 certified police officers in Maryland.

**State Expenditures:** State expenditures (multiple fund types) increase significantly for various State agencies to meet the bill's community service requirement. The anticipated fiscal and operational impacts are described below.

*Department of Public Safety and Correctional Services/Police Training Commission*

PTC advises that it administers one or two training academies per year and that the daily cost per recruit is \$90. The average number of recruits per class is 25; therefore, in order to provide an additional week of training, general fund expenditures increase by between \$2,250 and \$4,500 annually. In addition, general fund expenditures increase to hire one part-time contractual staff to develop and maintain a list of community and nonprofit organizations. Overall, general fund expenditures for DPSCS/PTC increase by an estimated \$33,528 in fiscal 2017, which reflects the bill's October 1, 2016 effective date, and by a minimum of \$34,703 annually thereafter.

*Department of State Police*

Although an exact fiscal estimate is unknown, DSP advises that general fund expenditures increase by at least \$500,000 annually to implement the bill.

*Department of Natural Resources*

The Natural Resources Police (NRP) within DNR advises that the bill reduces the number of officers available for patrol by an average of five officers per week. In order to maintain existing police coverage, NRP needs to hire five additional officers and associated equipment, including vehicles. Thus, general fund expenditures for DNR increase by an estimated \$361,984 in fiscal 2017, which reflects the bill's October 1, 2016 effective date, and by a minimum of \$164,700 annually thereafter.

*Maryland Department of Transportation*

The Maryland Transit Administration within MDOT reports that the requirement to provide 40 additional hours of community service doubles the overall cost of in-service training (from \$300,000 to \$600,000 annually) and diverts officers from patrol duty while they complete the required training. Thus, special fund expenditures increase by \$300,000 annually.

*Other State Agencies*

The Maryland Transportation Authority (MDTA) indicates that nonbudgeted expenditures increase to pay for overtime costs from officers to provide patrol coverage for other officers while they complete the required training. Other State agencies with law enforcement units

may also be affected. The costs to MDTA and other State law enforcement agencies are unknown.

**Local Expenditures:** Local government expenditures for law enforcement operations increase significantly to comply with the bill's community service requirement. The impacts on local law enforcement agencies are likely similar to the impacts described above for State law enforcement agencies.

For example, the Montgomery County Police Department reports that the county police department currently has 1,251 sworn employees. In order to pay its officers overtime while they complete the required community service, the county anticipates that its expenditures increase by approximately \$3.2 million annually. In addition, the Montgomery County Sheriff's office advises that it incurs costs of an estimated \$269,000 annually in hourly overtime pay.

Frederick County Sheriff's office also reports that the bill has a significant impact on the Frederick County Sheriff's Office.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Frederick and Montgomery counties, Maryland Association of Counties, Department of Natural Resources, Department of Public Safety and Correctional Services, Department of State Police, Maryland Department of Transportation, Department of Legislative Services

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