

HOUSE BILL 190

E4

8lr0009

By: **Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

Introduced and read first time: January 18, 2018

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 14, 2018

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Maryland Police Training and Standards Commission –**
3 **Psychological Consultation and Evaluation**

4 FOR the purpose of repealing the requirement that the Maryland Police Training and
5 Standards Commission develop standards for the mandatory psychological
6 evaluation of a certain law enforcement officer; requiring the Commission to develop
7 standards for the mandatory psychological consultation with a certain law
8 enforcement officer; ~~altering a certain psychological evaluation requirement for~~
9 ~~police officer certification~~ repealing a requirement that a certain psychological
10 evaluation for a police officer certification be conducted by a certain psychologist; and
11 generally relating to the mental health of law enforcement officers.

12 BY repealing and reenacting, with amendments,
13 Article – Public Safety
14 Section 3–207(a)(21) and 3–209
15 Annotated Code of Maryland
16 (2011 Replacement Volume and 2017 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Public Safety**

20 3–207.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) The Commission has the following powers and duties:

2 (21) to develop standards for the mandatory psychological [evaluation of]
3 **CONSULTATION WITH** a law enforcement officer who was actively involved in an incident
4 when another person was seriously injured or killed as a result of an accident or a shooting
5 or has returned from combat deployment;

6 3–209.

7 (a) The Commission shall certify as a police officer each individual who:

8 (1) (i) satisfactorily meets the standards of the Commission; or

9 (ii) provides the Commission with sufficient evidence that the
10 individual has satisfactorily completed a training program in another state of equal quality
11 and content as required by the Commission;

12 (2) submits to a psychological evaluation [by a psychologist approved by
13 the Commission] ~~BY A LICENSED, TRAINED, AND QUALIFIED MENTAL HEALTH
14 PROFESSIONAL APPROVED BY THE COMMISSION AND RECEIVES A POSITIVE
15 RECOMMENDATION FROM THE MENTAL HEALTH PROFESSIONAL INDICATING THAT
16 THE INDIVIDUAL IS:~~

17 ~~(I) EMOTIONALLY AND MENTALLY FIT; AND~~

18 ~~(II) ABLE TO PERFORM THE DUTIES OF A POLICE OFFICER AS
19 DETERMINED BY THE RESPECTIVE LAW ENFORCEMENT AGENCY;~~ and

20 (3) submits to a criminal history records check in accordance with §
21 3–209.1 of this subtitle.

22 (b) The Commission may certify as a police officer an individual who is not
23 considered a police officer under § 3–201(f)(3) of this subtitle if the individual meets the
24 selection and training standards of the Commission.

25 (c) Each certificate issued to a police officer under this subtitle remains the
26 property of the Commission.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2018.