

**Maryland General Assembly
Public Safety and Policing Workgroup**

AGENDA

Wednesday, October 21, 2015

1:00 p.m.

**Joint Hearing Room
Legislative Services Building
Annapolis, Maryland**

I. Call to Order

II. Presentations

- Psychological Evaluations
Dr. Donald Alves, Maryland State Police Medical Director
- Community Policing/Mediation
Lorig Charkoudian, Ph.D, Executive Director, Community Mediation Maryland

III. Discussion of Work Plans for Workgroup

IV. Adjournment

Locations of Psychological Services' Contact with the Maryland State Police

Start with interest in career as MSP Trooper



Attend Orientation Session



Submit application online



Written testing

Physical fitness testing

Oral board format interview

Polygraph examination

Background investigation

Medical evaluation

Bloodwork, back x-ray & TB test

Physical examination

Psychological evaluation

Medical Director review and approval

Police Selection Committee

Final review & New Hire by Hiring Authority



Academy attendance

[Identification of issue by Staff]

[Question of learning disability]

Graduation

Field Training

[Poor transition to "patrol"]

Release to independent patrol

Officer-involved shooting

Mandatory time off (5 days)

Resilience training with Psychologist

Interview with & return to duty by Medical Director

Critical Incident

Trained non-clinical "Peer" support

Medical Director support

[Psychologist support]

Cumulative stress impact

[Medical Director support]

Psychologist support

Supervisor concern regarding conduct

Psychological fitness-for-duty evaluation

Medical Director review and recommendation

Application to join (certain) specialized units

Internal testing and selection process

(Physical & laboratory examination)

Focused psychological evaluation

{COMAR 12.04.01-} .04 Selection Standards for Provisional Certification.

F. Physical and Mental Health Examinations.

(1) Before an applicant may be selected for a position as a police officer, the applicant shall be examined by a licensed, trained, and qualified medical doctor and receive a positive recommendation from the medical doctor indicating that the applicant is physically able to:

- (a) Perform the duties of a police officer as determined by the employing law enforcement agency; and
- (b) Participate in the entrance-level training program.

(2) Before an applicant may be selected for a position as a police officer, the applicant shall be examined by a licensed, trained, and qualified mental health care professional and receive a positive recommendation from the mental health care professional indicating that the applicant is:

- (a) Emotionally and mentally fit; and
- (b) Able to perform the duties of a police officer as these duties are determined by the law enforcement agency.

The Depression, Anxiety and Stress Scale (DASS)

assesses the presence and severity of the symptoms in its name.

Inwald Personality Inventory (IPI)

©1980, 310 question "T/F" inventory designed exclusively for use in public safety assessment. Scores on 26 scales, measuring behaviors, attitudes, characteristics and patterns that correlate significantly with failure in law enforcement.

The Minnesota Multiphasic Personality Inventory

(MMPI) is the most widely used and researched standardized test of adult personality and psychopathology. It is primarily intended for people who are suspected of having mental health issues.

Mediation and Conflict Resolution Strategies to Support Law Enforcement Effectiveness and Community Relationships

Goal: Improve Relations Between Law Enforcement And Communities They Serve

Strategy: Provide mediation for certain complaints made by residents against police officers.

Strategy: Conduct Dialogue Circles for community members (youth or adults) and law enforcement officers, facilitated by skilled and experienced facilitators

Possible Legislative Proposal: Amend current legislation governing complaints against police to encourage local agencies to include mediation provided by an independent, neutral agency

Possible Task Force Recommendations: Recommend that local law enforcement coordinate dialogue circles for officers. Recommend that schools and summer camp programs participate.

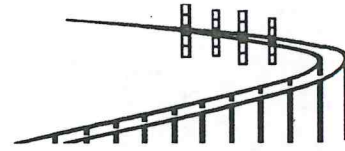
Goal: Support Police as Community Problem-Solvers

Strategy: Police refer neighborhood and family disputes to community mediation for long term resolution of underlying issues.

Strategy: Train officers in verbal de-escalation skills, communication skills, and conflict resolution skills. Regularly reinforce training through in-service.

Possible Legislative Proposal: Require law enforcement agencies to develop protocols for referrals to social services agencies, including mediation, mental health, health, and others,

Possible Legislative Proposal: Require specific number of hours of initial training and ongoing training to include these specific skill sets



COMMUNITY MEDIATION MARYLAND

your conflict, your solutions

Community Mediation Maryland Testimony to the Public Safety and Policing Workgroup

July 23, 2015

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Community Mediation Maryland is a nonprofit organization dedicated to advancing collaborative conflict resolution in Maryland through educating the public, providing training and quality assurance, conducting research, and creatively applying mediation to social challenges. CMM has 18 member centers throughout Maryland who provide free mediation to resolve a range of community conflicts. These centers work with local law enforcement. In some counties, this relationship is strong and in other counties, we hope to strengthen the relationship.

Community mediation centers can improve policing and police community mediation in two specific ways.

(1) Community mediation centers support resolution of disputes between community members (neighbors, family, businesses), at the community level. When law enforcement officers refer cases to community mediation, people involved can resolve their conflicts in a sustainable way that builds relationships. This enables law enforcement to connect people with community resources and be early intervention “problem-solvers” rather than just enforcers. Community mediation centers also offer training in communication and de-escalation skills for law enforcement officers and community mediators can ride along with officers, offering their skills on the spot in the middle of an escalated conflict.

(2) Community mediation centers can and do mediate complaints against police officers. Unlike the traditional method of addressing allegations of police misconduct, this resident—police mediation allows for community members and officers to build understanding around what happened in the situation, creating bridges between law enforcement and the community. Community mediation centers also offer dialogue circles with youth and police, to build broader understanding and offer a chance to change behaviors in future interactions.

Both forms of mediation (intra—community and resident—police) reduce community strife, increase mutual understanding, and prevent violence.

Below is a more in depth description of these approaches. CMM hopes to work with the Task Force and local law enforcement agencies to identify ways to increase the use of these strategies. While these strategies alone will not resolve all of the current challenges, they are an important component of the broader reforms that we believe are necessary and hope will be forthcoming.

Community Policing: Supporting Police as Problem-Solvers

Mediation for Community Conflicts:

Police can refer neighborhood, family, and business disputes to mediation when they

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Community Mediation Maryland Testimony to the Public Safety and Policing Workgroup

respond to these calls for service. Mediation brings together all participants in a dispute with two non-judgmental mediators. Mediators listen to everyone and support the conversation to build understanding. In mediation, participants develop their own solutions that meet the needs of everyone involved. Mediation services are free and provided in locations throughout the service area.

Research has found that mediation decreases repeat calls for service, thus saving public resources through resolution of the underlying issues of the dispute¹.

Conflict Management Skills and De-escalation Training:

Community Mediation Maryland provides training in Conflict Management and De-escalation Skills for Law Enforcement. These skills support verbal efforts to de-escalate situations and highlight the connection between de-escalation and officer safety. This training is certified by the Maryland Police and Corrections Training Commission for 6 hours of in-service credit.

Mediators Ride-along with Police Officers:

Mediators can participate in ride-alongs with police officers. In this capacity, they can help with making referrals to mediation or opening cases on the spot. They can also educate officers about mediation and learn more about police experiences.

Engaging Police in Dialogue with Community Members

Dialogue Circles

Dialogue circles between community members (youth and/or adults) and police support relationship building and humanize members of the circle to each other. The facilitated circles give everyone a chance to speak about their experiences and allow everyone to hear different perspectives on some divisive issues. The overall goal is to build a new understanding. Sometimes specific suggestions come out of these circles.

Police Complaint Mediation

Voluntary mediation between police and residents can be used in place of the traditional Internal Affairs investigation for complaints such as Harsh Language, Unprofessional Behavior, or Disrespect. Mediation gives both the resident and the officer a voice in a direct conversation where each can explain their experience of the situation. When appropriate, they can develop agreements for their future interactions. Police complaint mediation is available in some cities around the US and feedback is consistently positive from both officers and residents. In Maryland, Calvert County has had success with such a program, and Baltimore City is in the process of developing this program.

Facilitated Collaborative Policy Building

Community mediation programs can facilitate broader collaborative decision-making between multiple stake-holders, such as law enforcement, residents, elected officials, civil rights groups, and others. Through this dialogue, participants can identify specific challenges and collaboratively develop both policy and programmatic solutions to those challenges

¹ Charkoudian, Lorig. "Giving Police and Courts a Break: The Effect of Community Mediation on Decreasing the Use of Police and Court Resources." *Conflict Resolution Quarterly*, 2010, 28(2), 142-155.
Charkoudian, Lorig. "A Quantitative Analysis of the Effectiveness of Community Mediation in Decreasing Repeat Police Calls for Service," *Conflict Resolution Quarterly*, 2005, 23 (1), 87-98.

Public Safety and Policing Workgroup

List of Possible Recommendations

Working Draft – October 21, 2015

Training

- Impacts of violent scenarios on officers and communities.
- Expand regular training requirements, particularly around stress management and de-escalation.
- Make MPTC an independent agency, similar to the MD Commission on Correctional Standards and include civilian members and legislative members.
- Recommend flexible training schedules.

Whistleblower protection for officers

LEOBR

- Reduce timeframe of 10 days to obtain counsel.
- Mandate different State's Attorney for investigation for criminal investigation of shootings/death.
- Statutorily prohibit "collusion" between officers during investigatory period.
- Transparency on trial boards:
 - Trained civilian (curriculum developed by MPTC in conjunction with local agencies) on each trial board.
 - State's attorney designee on trial board.
 - Choose trial board members from other departments.
- Open trial boards to public in every jurisdiction.
 - Limit number of public members that can attend?
- Mandate blood/urine test at death – shooting or motor vehicle accident; limited to the internal investigation.
- Mandate that each department have a policy that any use of force/incident report must be completed within a mandated time frame.

Serious Police Involved Incidents

- Put parameters of lethal force policy in statute.
- Increase statute of limitations to file a claim from 90 days to 1 year.
- Expand or eliminate notary requirement.
- Streamline and publicize complaint process on department websites.
- Non-punitive peer review of serious incidents, separate from administrative and criminal investigations, including sworn officers, community and department leadership for recommendations on training, administrative procedures.

Hiring/Recruitment

- Residency incentives to live in local jurisdiction.
- Specific media strategy for recruiting African-Americans, Latinos, and women.
- School strategies to discourage activities that would preclude youngsters from being officers in the future.
- Need uniformity on entrance polygraphs and drug use permitted at youth. (If used within some recent time period, random drug screenings?)
- Certification transferrable between departments.

Mental Health

- Mandated psychological evaluation after traumatic situation (shooting, in-custody death) or mental health check for transfer or promotion.
- Create a public safety mental health hotline at DHMH to confidentially advise and treat officers that voluntarily seek counseling and assistance.
- Early intervention screenings (Frederick). After three use of force/citizen complaints within a single year, C.O. sits down with officer.

Transparency

- Put all department policies and collective bargaining agreements online.
- Implement community relations programs in schools, particularly in high crime areas?
- Ask MPTC to study and create systems to collect, maintain, and analyze demographic data on all detentions (citations/summons and arrests) for 2017/18 implementation.
- Annual reporting on numbers of officers disciplined and type of discipline.
- Removal of statutory barriers to civilian engagement allowing each jurisdiction to determine appropriate means for engagement.