
By: **Delegates Guns, Owings, and Hubbard**
Introduced and read first time: February 12, 1999
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Law Enforcement - Police Training - Recognition of Disabilities**

3 FOR the purpose of requiring certain police training schools to include instruction on
4 the nature and characteristics of individuals with disabilities as part of their
5 courses of study; requiring the Police Training Commission to consult with
6 certain universities, colleges, and institutions in the development of specialized
7 courses of study for police officers on recognition and response to individuals
8 with disabilities; defining a certain term; and generally relating to law
9 enforcement training.

10 BY repealing and reenacting, without amendments,
11 Article 41 - Governor - Executive and Administrative Departments
12 Section 4-201(b)
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 1998 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article 41 - Governor - Executive and Administrative Departments
17 Section 4-201(a) and (d)
18 Annotated Code of Maryland
19 (1997 Replacement Volume and 1998 Supplement)

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

22 **Article 41 - Governor - Executive and Administrative Departments**

23 4-201.

24 (a) As used in this section:

25 (1) "Approved police training school" means a school approved and
26 authorized by the Police Training Commission to offer police training programs as
27 prescribed in this section.

1 (2) "Commission" means the Police Training Commission or officers or
2 employees thereof acting on its behalf.

3 (3) "County" means any county which within its jurisdiction has or will
4 have a law enforcement unit as defined in this section.

5 (4) (I) "DISABILITY" MEANS ANY PHYSICAL, MENTAL, OR
6 PSYCHOLOGICAL DISORDER.

7 (II) "DISABILITY" INCLUDES:

8 1. A LEARNING, ORTHOPEDIC, VISUAL, SPEECH, OR HEARING
9 IMPAIRMENT; AND

10 2. A CONTAGIOUS OR NONCONTAGIOUS DISEASE.

11 (III) "DISABILITY" DOES NOT INCLUDE:

12 1. TRANSVESTISM, TRANSSEXUALISM, PEDOPHILIA,
13 EXHIBITIONISM, VOYEURISM, GENDER IDENTITY DISORDERS NOT RESULTING FROM
14 PHYSICAL IMPAIRMENTS, OR OTHER SEXUAL BEHAVIORAL DISORDERS;

15 2. COMPULSIVE GAMBLING, KLEPTOMANIA, OR PYROMANIA;
16 OR

17 3. PSYCHOACTIVE SUBSTANCE USE DISORDERS RESULTING
18 FROM ILLEGAL USE OF CONTROLLED DANGEROUS SUBSTANCES.

19 (5) (i) "Law enforcement unit" means any governmental police force,
20 sheriff's department, security force or law enforcement organization of the State,
21 county, or municipality which has by statute, ordinance, or common law, the authority
22 for enforcing the general criminal laws of this State.

23 (ii) Law enforcement unit does not mean those members of the
24 Maryland National Guard who are under the control and jurisdiction of the Military
25 Department, and who are charged with exercising police powers in and for the
26 military property, designated as the Glenn L. Martin State Airport, to which they are
27 assigned.

28 [(5)] (6) "Municipality" means any incorporated city of any class which,
29 within its jurisdiction has or will have a law enforcement unit as defined in this
30 section.

31 [(6)] (7) "Permanent appointment" means the appointment of a person
32 who has satisfactorily met the minimum standards of the Commission and is certified
33 as a police officer.

34 [(7)] (8) "Police official" means a full-time police officer employed by a
35 governmental agency having administrative responsibility.

1 (3) To prescribe the curriculum, the minimum courses of study,
2 attendance requirements, eligibility to attend, equipment and facilities, and
3 standards of operation for such training schools, and to require that the curriculum
4 and minimum courses of study for entry police training and, at least every 3 years, for
5 in-service level police training conducted by the State and all county and municipal
6 police training schools include special training, attention to, and study of:

7 (I) [the] THE application and the enforcement of the criminal laws
8 concerning rape and sexual offenses, including the sexual abuse of children, related
9 evidentiary procedures, and also the contact with and treatment of victims of these
10 crimes; AND

11 (II) THE NATURE AND CHARACTERISTICS OF INDIVIDUALS WITH A
12 DISABILITY, AS WELL AS AN AWARENESS OF PROPER PHYSICAL AND EMOTIONAL
13 SUPPORT FOR THE PURPOSE OF GIVING INDIVIDUALS WITH A DISABILITY
14 APPROPRIATE ACCESS TO POLICE SERVICES;

15 (4) To prescribe minimum qualifications for instructors at such schools
16 and to certify, as qualified, instructors for approved training schools and to issue
17 appropriate certificates to such instructors;

18 (5) To verify that officers have satisfactorily completed training
19 programs and to issue diplomas to those officers;

20 (6) To certify persons as police officers who have:

21 (i) Satisfactorily met the Commission's standards; or

22 (ii) Provided the Commission with sufficient evidence that he or
23 she has satisfactorily completed a training program in another state of equal quality
24 and content as required by the Commission;

25 (7) To suspend or revoke the certification, provided for in paragraph (6)
26 of this subsection, if the police officer has violated or has failed to meet the
27 Commission's standards, including having knowingly failed to report suspected child
28 abuse in violation of § 5-704 of the Family Law Article;

29 (8) To conduct and operate approved police training schools as defined in
30 this subtitle;

31 (9) To appoint, with the approval of the Secretary of Public Safety and
32 Correctional Services, an executive director, a deputy director, and such other
33 employees as it shall deem necessary, to serve at its pleasure, who shall perform
34 general administrative and training management functions, and to fix their
35 compensation;

36 (10) To employ such other persons as may be necessary to carry out the
37 provisions of this section, upon approval of the Secretary of Public Safety and
38 Correctional Services and the legislature;

1 (11) To make such rules and regulations as may be reasonably necessary
2 or appropriate to accomplish the purposes and objectives of this section;

3 (12) To make a continuous study of entrance-level and in-service training
4 methods and procedures and to consult with and accept the cooperation of any
5 recognized federal, State, or municipal law enforcement agency or educational
6 institution;

7 (13) To consult and cooperate with universities, colleges and institutions
8 in the State for the development of specialized courses of study for police officers in
9 police science, [and] police administration, AND RECOGNITION AND RESPONSE TO
10 INDIVIDUALS WITH DISABILITIES;

11 (14) To consult and cooperate with other departments and agencies of the
12 State concerned with police training;

13 (15) To adopt regulations to establish and enforce standards for prior
14 substance abuse by persons applying for certification as a police officer; and

15 (16) To perform such other acts as may be necessary or appropriate to
16 carry out its functions and duties as set forth in this section.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1999.