Unofficial Copy E4 1999 Regular Session 9lr1538

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

Assigned to: Judiciary

A BILL ENTITLED

4	4 % T	1 000	•
1	AN	ACT	concerning

2	Law Enforcement -	· Police Training	 Recognition of 	f 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	(2) employees thereof act			eans the Police Training Commission or officers or
3	(3) have a law enforceme			any county which within its jurisdiction has or will in this section.
5 6	(4) PSYCHOLOGICAL I	(I) DISORDI		ILITY" MEANS ANY PHYSICAL, MENTAL, OR
7		(II)	"DISAB	ILITY" INCLUDES:
8 9	IMPAIRMENT; AND)	1.	A LEARNING, ORTHOPEDIC, VISUAL, SPEECH, OR HEARING
10			2.	A CONTAGIOUS OR NONCONTAGIOUS DISEASE.
11		(III)	"DISAB	ILITY" DOES NOT INCLUDE:
			ISM, GE	TRANSVESTISM, TRANSSEXUALISM, PEDOPHILIA, NDER IDENTITY DISORDERS NOT RESULTING FROM HER SEXUAL BEHAVIORAL DISORDERS;
15 16	OR		2.	COMPULSIVE GAMBLING, KLEPTOMANIA, OR PYROMANIA;
17 18	FROM ILLEGAL US	SE OF CO		PSYCHOACTIVE SUBSTANCE USE DISORDERS RESULTING LED DANGEROUS SUBSTANCES.
21		ty which	orce or la	forcement unit" means any governmental police force, aw enforcement organization of the State, atute, ordinance, or common law, the authority of this State.
25 26	Department, and who	uard who	are unde	orcement unit does not mean those members of the er the control and jurisdiction of the Military exercising police powers in and for the nn L. Martin State Airport, to which they are
	[(5)] within its jurisdiction section.			pality" means any incorporated city of any class which, law enforcement unit as defined in this
	[(6)] who has satisfactorily as a police officer.	(7) met the		ent appointment" means the appointment of a person a standards of the Commission and is certified
34 35	[(7)] governmental agency	(8) having a		official" means a full-time police officer employed by a ative responsibility.

		(i) vs of this	"Police officer" means a person who has the authority to state and is a member of any of the following	
4		1.	Department of State Police;	
5		2.	Baltimore City Police Department;	
6		3.	Police department, bureau, or force of a county;	
7 8	or town;	4.	Police department, bureau, or force of an incorporated city	
			Mass Transit Administration Police Force, the Maryland Department of Transportation, or the ice Force;	
12 13	State University;	6.	Police Force of the University of Maryland or Morgan	
14		7.	Sheriff's department of any county or Baltimore City;	
15 16	Service Police Force of the De	8. partment	Natural Resources Police Force or the Forest and Park of Natural Resources;	
			Security Force of the Department of General Services; or orce if the special police officers are appointed article;	
20		10.	Housing Authority of Baltimore City Police Force;	
21		11.	Baltimore City School Police Force; or	
22		12.	Crofton Police Department.	
25 26 27 28 29 30 31 32 33	(ii) Police officer does not mean a person serving as such solely by virtue of his occupying any other office or position, nor does the term include a sheriff, Secretary of the State Police, commissioner of police, deputy or assistant commissioner of police, chief of police, deputy or assistant chief of police, or any person having an equivalent title who is appointed or employed by a government to exercise equivalent supervisory authority. The term also does not mean any member of the Maryland National Guard who is under the control and jurisdiction of the Military Department, and who is charged with exercising police powers in and for the military property, designated as the Glenn L. Martin State Airport, to which the individual is assigned. However, any person who is exempt under this provision may be certified as a police officer if that person meets the selection and training standards of the Commission.			
35	(iii)	"Police o	officer" includes:	

1 2 Cor	mptroller's Office; and	1.	A member of the Investigative Services Unit of the
3 4 insp	pection assistant of the Offic		The State Fire Marshal or a full-time investigative and State Fire Marshal.
5 6 offi 7 duti	cers who have been promote		supervisors" means those police or law enforcement he patrolman rank to first-line supervisory
		ed from t	administrator" means those police or law enforcement he noncommissioned rank to first-line eding the rank of captain.
			d in the Department of Public Safety and g Commission whose membership shall consist
16 En: 17 Sec 18 the 19 Bal 20 rep 21 Sec 22 Sta 23 wit 24 rep 25 teri	esident of the Maryland Sher forcement Officers, Inc.; the cretary of the State Police; the chancellor of the Universit ltimore office of the F.B.I.; to presentative of the Maryland cretary of Public Safety and atte to be appointed by the Se th the approval of the Govern present the State geographical	Attorne are Commy System he Preside State Loc Correction cretary on nor, and ally, the atterm, on	the Maryland Chiefs of Police Association; the ociation; the President of the Maryland Law by General of the State of Maryland; the hissioner, Baltimore City Police Department; and Maryland; the agent in charge of the dent of the Eastern Shore Police Association; and dge of Fraternal Order of Police; the Deputy onal Services; and three police officials of the f Public Safety and Correctional Services, with the advice and consent of the Senate, to appointments to be made for a three-year the official shall be appointed for a term of one me for a term of three years.
29 ass	all meetings of the Commiss sociation, office, department,	ion or m univers	e officeholders may elect to serve personally at any ay designate a member of their respective ity or agency to represent them and to act for fect as if they were personally present.
31 32 Ser 33 dut	rvices, the Commission is ve		the Secretary of Public Safety and Correctional in the following authority, responsibility and
36 this	entrance-level and in-service	schools includin	dards for the approval and continuation of approval at which police training courses required by ag but not limited to present existing State, raining schools;
		ne to tin	ssue certificates of approval to such training schools, ae, and to revoke for cause any approval or

3 4 5	(3) To prescribe the curriculum, the minimum courses of study, attendance requirements, eligibility to attend, equipment and facilities, and standards of operation for such training schools, and to require that the curriculum and minimum courses of study for entry police training and, at least every 3 years, for in-service level police training conducted by the State and all county and municipal police training schools include special training, attention to, and study of:					
9		pe and se ocedures		[the] THE application and the enforcement of the criminal laws enses, including the sexual abuse of children, related to the contact with and treatment of victims of these		
13	SUPPORT F	Y, AS W OR THE	E PURPO	THE NATURE AND CHARACTERISTICS OF INDIVIDUALS WITH A AN AWARENESS OF PROPER PHYSICAL AND EMOTIONAL SE OF GIVING INDIVIDUALS WITH A DISABILITY POLICE SERVICES;		
		, as qual	ified, ins	cribe minimum qualifications for instructors at such schools tructors for approved training schools and to issue instructors;		
18 19				y that officers have satisfactorily completed training as to those officers;		
20	((6)	To certif	fy persons as police officers who have:		
21			(i)	Satisfactorily met the Commission's standards; or		
	she has satisf	actorily		Provided the Commission with sufficient evidence that he or ed a training program in another state of equal quality Commission;		
27	To suspend or revoke the certification, provided for in paragraph (6) of this subsection, if the police officer has violated or has failed to meet the Commission's standards, including having knowingly failed to report suspected child abuse in violation of § 5-704 of the Family Law Article;					
29 30	this subtitle;	(8)	To cond	uct and operate approved police training schools as defined in		
33 34	To appoint, with the approval of the Secretary of Public Safety and Correctional Services, an executive director, a deputy director, and such other employees as it shall deem necessary, to serve at its pleasure, who shall perform general administrative and training management functions, and to fix their compensation;					
	To employ such other persons as may be necessary to carry out the provisions of this section, upon approval of the Secretary of Public Safety and 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.