

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 542

(Senator Muse, *et al.*)

Judicial Proceedings

Judiciary

**Law Enforcement Officers - Entrance-Level and In-Service Training
Requirements (Christopher's Law)**

This bill alters the entrance-level and in-service training for law enforcement officers conducted by the State and each county and municipal training school. Specifically, the training curriculum and minimum courses of study must include, consistent with established standards and constitutional provisions, (1) training in lifesaving techniques, including cardiopulmonary resuscitation (CPR); (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 and intellectual and developmental disabilities.

Fiscal Summary

State Effect: Minimal. Most State agencies already meet or nearly meet the bill's requirements. Any additional costs for some agencies are assumed to be absorbable with existing budgeted resources.

Local Effect: Some jurisdictions that do not already incorporate the bill's training requirements may incur additional minimal costs to alter current training programs.

Small Business Effect: Minimal or none.

Analysis

Current Law: The Police Training Commission (PTC) 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. 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probationary period may not be employed as a police officer, and a police officer may not serve after certification has been revoked, suspended, or allowed to lapse.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 the criminal laws concerning rape and sexual offenses, including the sexual abuse and exploitation of children and related evidentiary procedures. 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.

In accordance with Chapters 370 and 371 of 2010, PTC, in consultation with the Maryland State Department of Education, has developed a cultural competency model training curriculum for law enforcement officers assigned to public schools. A law enforcement officer assigned to patrol a school building or school grounds is encouraged to complete the cultural competency model training curriculum before beginning the assignment.

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 16,000 certified police officers in Maryland.

State Fiscal Effect: The bill has no fiscal impact on PTC. Any new training requirements can be accommodated with existing budgeted resources. PTC regulations address police officer entrance-level training and include requirements for training in emergency medical care, protective strategies and tactics, health and wellness, and firearms training and qualification. Regulations specifically require that an entrance-level applicant “meet the minimum qualification standard for certification in an emergency medical care program that has been approved by the Commission.” The proper use of force with a firearm and an electronic control device (such as a taser) is also required. In addition to these regulatory provisions, PTC’s detailed *Entrance-Level Training Objectives* require training on rendering medical care and on the application of “deadly force” and “reasonable force.”

The Training Division of the Department of State Police already facilitates most of the training requirements cited in the bill, specifically including training in lifesaving techniques (including CPR), the proper level and use of force, and training regarding sensitivity to cultural and gender diversity.

The Maryland Department of Transportation (MDOT) reports that the bill may have an impact on the Maryland Transportation Authority police training by reducing the training hours available for other courses of instruction and potentially lengthening the overall time requirement for the entire in-service training program. However, MDOT advises that any impact can be accommodated with existing resources. MDOT also advises that the Maryland Transit Administration can implement the bill with existing resources.

Training adaptations for police officers employed by the Department of General Services and the Department of Natural Resources can be handled with existing budgeted resources.

Local Fiscal Effect: The required minimum 18-hours of police in-service training is determined by a local police officer's employing agency. The various local government agencies that conduct police entrance-level training and in-service training may need to modify existing training programs to meet the bill's requirements. Some local governments can modify their training programs with existing resources, while others may incur some additional minimal costs. Some jurisdictions, such as Montgomery County, report that the Montgomery County Police Department training program is already in compliance with the bill's requirements.

Additional Information

Prior Introductions: HB 1281 of 2013, a similar bill, passed the House but received an unfavorable report by the Senate Judicial Proceedings Committee.

Cross File: HB 294 (Delegate Carter, *et al.*) - Judiciary.

Information Source(s): Maryland Association of Counties, Maryland Municipal League, Harford and Montgomery counties, Town of Berlin, Department of Natural Resources, Department of General Services, Comptroller's Office, Department of State Police, Department of Public Safety and Correctional Services, Maryland Department of Transportation, University System of Maryland, Department of Legislative Services

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