

HOUSE BILL 1632

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By: **Delegate M. Washington**

Introduced and read first time: March 7, 2016

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City School Police Officers – Guidelines and Training – Discipline**
3 **and Public Safety**

4 FOR the purpose of authorizing a Baltimore City school police officer to act in an official
5 capacity in a school–based infraction only in a certain situation and in a certain
6 manner; prohibiting a Baltimore City school police officer from engaging in certain
7 discipline or acting in an official capacity in a school–based infraction that involves
8 a certain student or constitutes a misdemeanor; requiring the Baltimore City Civil
9 Service Commission, in consultation with a certain Parent and Community Advisory
10 Board, to adopt certain complaint procedures, certain requirements for collecting and
11 maintaining digitized records of certain school–based incidents, and a certain
12 memorandum of understanding between a certain labor negotiating unit and the
13 Baltimore City Public School System; requiring the Civil Service Commission to
14 require that certain training include certain information; requiring the Baltimore
15 City Board of School Commissioners to conduct an annual analysis of certain
16 complaints involving Baltimore City school police officers and provide public access
17 to the analysis; and generally relating to guidelines and training for Baltimore City
18 school police officers.

19 BY repealing and reenacting, with amendments,
20 Article – Education
21 Section 4–318
22 Annotated Code of Maryland
23 (2014 Replacement Volume and 2015 Supplement)

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

26 **Article – Education**

27 4–318.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this section, “Baltimore City school police officer” means any person who,
2 when acting in an official capacity, is authorized by law to make arrests and who is a
3 member of the Baltimore City School Police Force.

4 (b) There is a Baltimore City School Police Force.

5 (c) The members of the Baltimore City School Police Force shall be employees of
6 and be appointed by the Baltimore City Board of School Commissioners.

7 (d) (1) Except as provided in paragraph (3) of this subsection, a Baltimore City
8 school police officer has all the powers of a law enforcement officer in the State.

9 (2) (i) A Baltimore City school police officer may act in an official
10 capacity only:

11 1. **[on] ON** the premises of schools and any other property
12 used for educational purposes owned, leased, or operated by, or under the control of the
13 Baltimore City Board of School Commissioners;

14 2. **IN A SCHOOL–BASED INFRACTION IN A SITUATION**
15 **THAT POSES AN IMMINENT THREAT OF SERIOUS HARM TO ANOTHER STUDENT OR A**
16 **FACULTY MEMBER; AND**

17 3. **IN A MANNER THAT IS FAIR, EQUITABLE, AND**
18 **CONSISTENT WITH DUE PROCESS PROTECTIONS.**

19 **(ii) A BALTIMORE CITY SCHOOL POLICE OFFICER MAY NOT:**

20 1. **ENGAGE IN HARSH OR EXCLUSIONARY DISCIPLINE;**
21 **OR**

22 2. **ACT IN AN OFFICIAL CAPACITY IN A SCHOOL–BASED**
23 **INFRACTION THAT INVOLVES A DISRUPTIVE STUDENT OR CONSTITUTES A**
24 **MISDEMEANOR.**

25 **[(ii)] (iii)** A Baltimore City school police officer may not act in an
26 official capacity on any other property unless:

27 1. Engaged in fresh pursuit of a suspected offender;

28 2. Requested or authorized to do so by the Police
29 Commissioner of Baltimore City;

1 3. The exercise of power is necessary to facilitate the orderly
2 flow of traffic to and from property owned, leased, operated by, or under the control of the
3 Baltimore City School System; or

4 4. Ordered to do so by the Mayor of Baltimore City.

5 (3) (i) Notwithstanding any other provision of law, a Baltimore City
6 school police officer whose permanent or temporary assignment is at a school or on school
7 property may carry a firearm on the premises of the school to which the officer is assigned
8 before or after regular school hours on school days and on days other than school days.

9 (ii) The Baltimore City Board of School Commissioners shall
10 establish policies to implement the provisions of subparagraph (i) of this paragraph.

11 (e) (1) In consultation with **THE PARENT AND COMMUNITY ADVISORY**
12 **BOARD ESTABLISHED UNDER § 4-308 OF THIS SUBTITLE AND** the Maryland Police
13 Training Commission, the Civil Service Commission of Baltimore City shall adopt:

14 (i) Requirements for education, training, human and public
15 relations skills, and moral character that an applicant must meet to qualify for employment
16 as a Baltimore City school police officer; [and]

17 (ii) Standards for the performance of duties;

18 **(III) UNIFORM PROCEDURES FOR FILING A COMPLAINT**
19 **INVOLVING A BALTIMORE CITY SCHOOL POLICE OFFICER;**

20 **(IV) REQUIREMENTS FOR COLLECTING AND MAINTAINING**
21 **DIGITIZED RECORDS OF EACH SCHOOL-BASED INCIDENT THAT INVOLVES A**
22 **BALTIMORE CITY SCHOOL POLICE OFFICER; AND**

23 **(V) A MEMORANDUM OF UNDERSTANDING BETWEEN THE**
24 **BALTIMORE CITY SCHOOL POLICE OFFICERS LABOR NEGOTIATING UNIT AND THE**
25 **BALTIMORE CITY PUBLIC SCHOOL SYSTEM THAT FORMALIZES THE RELATIONSHIP**
26 **BETWEEN THE TWO ENTITIES.**

27 **(2) IN CONSULTATION WITH COMMUNITY ORGANIZATIONS,**
28 **BALTIMORE CITY EXECUTIVE BRANCH AGENCIES, AND STATE EXECUTIVE BRANCH**
29 **AGENCIES, THE CIVIL SERVICE COMMISSION OF BALTIMORE CITY SHALL REQUIRE**
30 **THAT THE TRAINING REQUIREMENTS TO QUALIFY FOR EMPLOYMENT AS A**
31 **BALTIMORE CITY SCHOOL POLICE OFFICER SPECIFIED UNDER PARAGRAPH (1) OF**
32 **THIS SUBSECTION INCLUDE:**

33 **(I) MEDIATION AND CONFLICT RESOLUTION;**

- 1 **(II) CHILD AND ADOLESCENT DEVELOPMENT;**
2 **(III) ALCOHOL AND DRUG ABUSE AWARENESS;**
3 **(IV) MENTAL HEALTH FIRST AID; AND**
4 **(V) THE MARYLAND GUIDELINES FOR A STATE CODE OF**
5 **DISCIPLINE.**

6 **(3) THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS**
7 **SHALL:**

8 **(I) CONDUCT AN ANNUAL ANALYSIS OF COMPLAINTS**
9 **INVOLVING BALTIMORE CITY SCHOOL POLICE OFFICERS; AND**

10 **(II) PROVIDE PUBLIC ACCESS TO THE ANALYSIS CONDUCTED**
11 **UNDER ITEM (I) OF THIS PARAGRAPH.**

12 **[(2)] (4)** Any requirements adopted by the Civil Service Commission on
13 or after July 1, 1991 may not affect the status of any individual who is a qualified Baltimore
14 City school police officer on that date.

15 (f) The Baltimore City Board of School Commissioners shall adopt regulations
16 governing the:

17 (1) Operation of the Baltimore City School Police Force; and

18 (2) Conduct of each Baltimore City school police officer.

19 (g) This section does not:

20 (1) Make a Baltimore City school police officer a member of the Baltimore
21 City Police Department; or

22 (2) Affect the salary, benefits, or retirement program of an employee of
23 Baltimore City or the Baltimore City Board of School Commissioners.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2016.