

Department of Legislative Services  
 Maryland General Assembly  
 2017 Session

FISCAL AND POLICY NOTE  
 Third Reader - Revised

House Bill 899  
 Judiciary

(Delegate Anderson, *et al.*)

Judicial Proceedings

Public Safety - Maryland Police Training and Standards Commission -  
 Psychological Assessments of Law Enforcement Officers

This bill requires the Maryland Police Training and Standards Commission (MPTSC) to develop standards for the periodic psychological assessment of all law enforcement officers, if determined by the commission to be appropriate.

Fiscal Summary

**State Effect:** General fund expenditures increase by *at least* \$500,000 in FY 2018 only for MPTSC to purchase a new management system to track assessments conducted pursuant to the bill. State expenditures (multiple fund types, shown as “Other Exp.”) increase to conduct assessments, but any such impact depends on the standards developed by MPTSC and cannot be reliably estimated at this time. Revenues are not directly affected.

(in dollars)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	500,000	0	0	0	0
Other Exp.	-	-	-	-	-
Net Effect	(\$500,000)	(-)	(-)	(-)	(-)

*Note: ( ) = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** Local expenditures increase, potentially significantly, for local law enforcement agencies to conduct the required psychological assessments. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Potential meaningful impact on small business psychologists who benefit from an increase in the demand for their services.

## Analysis

**Current Law:** Chapter 519 of 2016 reconstituted the former Police Training Commission as MPTSC, an independent commission within the Department of Public Safety and Correctional Services. MPTSC operates approved police training schools and prescribes standards for and certifies schools that offer police and security training. In consultation and cooperation with various entities, it also sets minimum qualifications for instructors and certifies qualified instructors for approved training schools.

MPTSC certifies persons as police officers who have met commission standards, including submission to a criminal history records check and a psychological evaluation by a psychologist approved by the commission. 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.

MPTSC is required to develop standards for the mandatory psychological evaluation of a law enforcement officer who was actively involved in an incident when another person was seriously injured or killed as a result of an accident or a shooting or has returned from combat deployment.

**Background:** Training for the certification of law enforcement officers in the State may be conducted at MPTSC facilities or at any of 20 police training academies in the State certified by MPTSC. There are approximately 16,500 certified police officers in Maryland.

### State Expenditures:

#### *Department of Public Safety and Correctional Services*

General fund expenditures increase by at least \$500,000 for MPTSC in fiscal 2018 only. This estimate reflects the cost to develop a new management system to track the assessments conducted pursuant to the bill. MPTSC may also require the assistance of a psychologist to determine the appropriate criteria and frequency for psychological assessments. The cost to hire a psychologist is estimated to cost between \$5,000 and \$50,000, depending on the amount of time the psychologist is needed. Thus, the increase in general fund expenditures is likely more than \$500,000.

#### *Costs for State Law Enforcement Agencies to Conduct Periodic Assessments*

The bill does not specify the criteria or define a specific frequency for the periodic psychological assessments required; thus, the standards developed by MPTSC pursuant to the bill will govern the criteria for and how often the assessments must be conducted. Accordingly, a reliable estimate of the increase in costs for State law enforcement agencies

to conduct the assessments cannot be made at this time. However, State expenditures (multiple fund types) increase for many State agencies with law enforcement units. State agencies that provided information relating to the fiscal impact of the bill report varying costs for such assessments. For example, the Department of State Police advises that its costs total as much as \$240 per assessment. Other State law enforcement agencies report costs of up to \$500 per assessment. Other State agencies with law enforcement units, such as the Maryland Transportation Authority, the University System of Maryland, and the Comptroller's Office, among others, also incur increases in expenditures to conduct the required assessments.

**Local Expenditures:** As noted above, the bill does not specify the criteria or define a specific frequency for the periodic psychological assessments. However, most local jurisdictions report that the bill results in a significant increase in local expenditures for law enforcement agencies to conduct the assessments. For example, the City of Havre de Grace and Montgomery County report that the bill results in a significant increase in local expenditures to conduct the required assessments. The City of Frederick advises that the bill increases expenditures and that it may impact operations by requiring officers to vacate active assignments pending the required assessment. Frederick County reports that local expenditures may increase by approximately \$140,000 annually for the county police department to conduct the assessments.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Charles, Frederick, and Montgomery counties; cities of Frederick and Havre de Grace; Comptroller's Office; University System of Maryland; Morgan State University; Department of General Services; Department of Natural Resources; Department of Public Safety and Correctional Services; Department of State Police; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - February 19, 2017  
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