

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 391

(Senator Smith)

Judicial Proceedings

Judiciary

**Maryland Police Training and Standards Commission - Review of Report and
Recommendations**

This bill requires the Maryland Police Training and Standards Commission (MPTSC) to (1) annually review the report published by the Independent Investigations Division (IID) of the Office of the Attorney General (OAG) and (2) make any recommendations that MPTSC determines are appropriate based on its review.

Fiscal Summary

State Effect: MPTSC can handle review of the IID report and make recommendations with existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law:

Maryland Police Training and Standards Commission

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 (1) a criminal history records check; (2) a specified mental health screening; and (3) a specified physical agility assessment. 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probationary period may not be employed as a police officer, and a police officer may not serve after certification has been revoked, suspended, or allowed to lapse.

Independent Investigations Division

IID is the primary investigative unit for police-involved incidents that result in the death of individuals or injuries likely to result in death. OAG must determine whether an incident is police-involved and whether an injury is likely to result in death. In addition, IID must investigate all police-involved incidents that result in the death of individuals or injuries that are likely to result in the death of an individual. IID may investigate any other crimes related to police misconduct that are discovered during an investigation of these incidents. A State's Attorney may refer, for investigation by IID, a police-involved incident resulting in serious bodily injury to an individual that is not otherwise within IID's jurisdiction; however, IID may decline to investigate the referred incident. IID may investigate any other crime related to police misconduct that is discovered during these investigations (*i.e.*, investigations under IID's main jurisdiction and investigations of police-involved incidents referred to IID by a States' Attorney). In conducting these investigations, IID may act with the full powers, rights, privileges, and duties of a State's Attorney, including the use of a grand jury in any county. To investigate alleged criminal offenses committed by police officers, IID may (1) detail one or more police officers employed by the Department of State Police and (2) employ other civilian personnel as needed.

By January 31 each year, IID must report to the Governor and the General Assembly on the activities of the division in the prior calendar year, including (1) the number of investigations that were conducted by IID and (2) the number of prosecutions that were initiated as a result of an investigation by or a referral to IID.

Additional Comments: IID's second annual report, which covers October 1, 2022, through December 31, 2023, can be found [here](#). During calendar 2024, IID conducted 22 [investigations](#) involving law enforcement. To date, no investigation from an incident in calendar 2024 has resulted in a prosecution.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services; Office of the Attorney General; Department of Legislative Services

Fiscal Note History: First Reader - January 28, 2025
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