



**State of Maryland**  
**Department of State Police**  
Government Affairs Section  
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**POSITION ON PROPOSED LEGISLATION**

**DATE:** February 16, 2021

**BILL NUMBER:** House Bill 194      **POSITION:** Letter of Concern

**BILL TITLE:** Criminal Procedure – Police Officers and Public Defenders –  
Implicit Bias – Testing, Training, and Evaluation

This legislation seeks to require the Public Defender and the Maryland Police Training and Standards Commission to require tests, training and evaluation for implicit bias. This legislation also requires each unit to make data regarding implicit bias available to the public.

The Maryland State Police (MSP) firmly supports police accountability and transparency. Since 2015, the MSP has been committed to following the identified best practices recommended by President Obama's Task Force on 21st Century Policing which promotes effective crime reduction while building public trust and fostering strong, collaborative relationships between police and the communities they serve. To that end, the Department commits a substantial amount of resources, both fiscal and human, at the beginning of a police officer's career. Recruitment, selection and hiring is an essential pillar in the foundation of accountability, followed by exceptional training and active supervision. In addition to the federal guidance for 21<sup>st</sup> Century Policing, the MSP has also adopted the recommendations from the Maryland Attorney General's Office on ending discriminatory profiling in Maryland.

Regarding implicit bias testing and training, the Department supports a statewide implicit bias training and education program. The Department currently teaches both at entry level and in-service, *Fair and Impartial Policing*. This curriculum was sponsored by the Department of Justice's Community Oriented Policing Services. It was created by Dr. Lorie Fridell of the University of South Florida and is acclaimed to be the most current bias training for law enforcement.

The MSP has had extensive conversations with its medical and psychological team who have advised that current available implicit bias testing has not been validated or approved for diagnosing bias. Our experts warn that using currently available testing may result in erroneous findings and keep police officers, who may otherwise seek mental health services from doing so, which could be catastrophic to police health and wellbeing.

The MSP recommends adding language to any implicit bias testing requirement that qualifies that the test created be generally accepted/endorsed within the psychological/psychiatric community.