

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
		Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 5/30/2014

2. COMAR Codification

Title Subtitle Chapter Regulation

12 04 01 07 and .17

3. Name of Promulgating Authority

Department of Public Safety and Correctional Services

4. Name of Regulations Coordinator Telephone Number

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6. Check applicable items:

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: October 29, 2013.

Repeal of Existing Regulations

12.04.01 General Regulations

Authority: Correctional Services Article, §2-109; Public Safety Article, §3-208(a);
Annotated Code of Maryland

Notice of Proposed Action

□

The Secretary of Public Safety and Correctional Services proposes to, in cooperation with the Police Training Commission, amend Regulations .01 and .17 under COMAR

12.04.01 — General Regulations.

This action was considered by the Police Training Commission during a meeting held on October 16, 2013.

Statement of Purpose

The purpose of this action is to expand existing requirements for law enforcement agency field training with details concerning requirements for:

- (1) Length of field training;
- (2) Field training monitoring and coordination;
- (3) Field training officers;
- (4) Field training officer course;
- (5) Documenting field training; and
- (6) Supervision of officers in field training.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Thomas C. Smith, Director Policy and Process Review, Maryland Police and Correctional Training Commissions, 6852 4th Street Sykesville, MD 21784, or call 410 875 3605, or email to tcsmith@dpscs.state.md.us, or fax to 410

875 3584. Comments will be accepted through 30 days after publishing.. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Police Training Commission during a public meeting to be held on to be announced, at to be announced..

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2015

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

General

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:
The increase in the required minimum hours of field training is being done to reflect the current practice for law enforcement agencies established in policy and practice. Field training has and continues to be a prerequisite to be completed by candidates for certification and recertification as a police officer. The addition of the requirement for field training officers to complete a course of training also reflects current practice. The proposal intends to update requirements to be consistent with current practice and therefore, there is no economic impact resulting from this proposal.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

These regulations affect State and local government agencies only.

G. Small Business Worksheet:

Attached Document:

Title 12 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Subtitle 04 POLICE TRAINING COMMISSION

Chapter 01 General Regulations

Authority: Correctional Services Article, §2-109; Public Safety Article, §3-208(a); Annotated Code of Maryland

.07 Police Officer Recertification.

A. The Commission may recertify an applicant for recertification as a police officer if the applicant was previously certified as a police officer when:

- (1) — (2) (text unchanged)
- (3) The applicant meets applicable Commission-required:
 - (a) Selection standards under Regulation .08 of this chapter; [and]
 - (b) Training standards under §B, C, D, or E of this regulation[.]; and
 - (c) *Field training standards under Regulation .17 of this chapter.*

.17 Field Training.

[A. Each law enforcement employee shall complete a field training program before certification by the Commission.

B. Field training:

- (1) Shall include activities designed to familiarize the individual with the duties of the police officer position, as defined and administered by the law enforcement agency;
- (2) May be conducted in conjunction with an entrance-level training program or a separate training activity provided by a law enforcement agency;
- (3) Shall be a minimum of 80 hours in duration; and
- (4) Shall be monitored by a certified police officer, the agency head, or designee.

C. Documenting Field Training.

An agency head, or a designee, shall:

- (1) Complete and submit a written statement to the Commission certifying that the individual successfully completed the field training specified under §B of this regulation; and
- (2) Date and sign the written statement.]

A. *Field Training Required.*

- (1) *An individual shall successfully complete Commission-approved field training established under this regulation before receiving police officer certification or recertification under this chapter.*
- (2) *Field training shall be successfully completed by an individual:*
 - (a) *For each law enforcement agency employing the individual; and*
 - (b) *Before a law enforcement agency submits a police officer application for certification on behalf of the individual.*

B. *When Field Training is to be Completed and Minimum Hours for Field Training.*

- (1) *Field training shall be completed by an individual after the individual meets the following requirements:*
 - (a) *Police officer entrance-level training standards;*
 - (b) *Portions of police officer entrance-level training standards under Regulation .06H or Regulation 14A or E of this chapter; or*
 - (c) *Police office recertification training standards under Regulation .07 of this chapter.*
- (2) *If an individual is employed by more than one law enforcement agency, the individual shall successfully complete field training for each law enforcement agency employing the individual before being certified as a police officer for the law enforcement agency.*

C. *Commission-approved field training shall be a minimum of:*

- (1) *250 hours for an individual who:*
 - (a) *Is required to complete the entire police officer entrance-level training required under this chapter; or*
 - (b) *Receives a waiver, as provided by Regulations .06H(2) and .14E(3)(b) of this chapter, from completing portions of police officer entrance-level training;*
- (2) *160 hours for an individual who receives a waiver, as provided by Regulation .14A or Regulations .06H(1) and .14E(3)(a) of this chapter, from completing portions of police officer entrance-level training; or*
- (3) *80 hours for:*
 - (a) *An individual for whom an application for recertification is submitted under Regulation .07B or C of this chapter; or*
 - (b) *A second and each successive law enforcement agency at which the individual is employed as a police officer.*

D. *Field Training Monitoring and Coordination.*

- (1) *Law enforcement agency field training shall be coordinated and monitored by the law enforcement agency head or a law enforcement agency employee designated by the law enforcement agency head.*
- (2) *The law enforcement agency head or the law enforcement agency employee responsible for coordinating and monitoring field training is required to have successfully completed:*
 - (a) *A Commission-approved supervisor training course under Regulation .13 of this chapter; and*
 - (b) *The law enforcement agency's Commission-approved field training.*

E. *Field Training Officer Requirements.*

- (1) *Except under provisions of §E(4) of this regulation, a field training officer shall:*
 - (a) *Meet the requirements established under this regulation and the Commission;*
 - (b) *Be a police officer for at least two years immediately prior to being approved by the Commission to be a field training officer;*

- (c) Successfully complete a Commission-approved field training officer course;
 - (d) Every three years following initial completion of a field training officer course, successfully complete a minimum of 7 hours of instruction that has been approved by the Commission for an individual who has been approved as a field training officer; and
 - (e) Be approved by the Commission as a field training officer.
- (2) To successfully complete an initial field training officer course, the individual shall:
- (a) Attend a minimum of 90 percent of the total hours of instruction established for the field training officer course; and
 - (b) Achieve at least a score of 70 percent on each test given as part of the field training officer course.
- (3) The agency conducting the field training officer course shall report to the Commission the name of each individual who successfully complete the field training officer course.
- (4) The Deputy Director may excuse an individual from completing all or a portion of the minimum requirements for a Commission-approved field training officer course required by this regulation if:
- (a) The individual submits to the Deputy Director documentation that the individual has successfully completed training that is the equivalent to all or the portion of the minimum requirements for a Commission-approved field training officer course; and
 - (b) The Deputy Director finds the documentation provided verifies that the completed training is equivalent to all or the portion of the minimum requirements for a Commission-approved field training officer course.

F. Field Training Officer Course.

- (1) A field training officer course shall be approved by the Commission.
- (2) An application for approval of a field training officer course shall be submitted to the Commission:
 - (a) At least 20 days before the field training officer course begins; and
 - (b) In the format required by the Commission.
- (3) The application for approval for a field training officer course shall include the:
 - (a) Number of hours of instruction to be provided;
 - (b) Names of the instructors; and
 - (c) Testing and evaluation methods for an individual in the field training officer course.
- (4) If the Commission approves the field training officer course:
 - (a) The Commission shall assign the approved field training officer course an identification number; and
 - (b) Commission approval of the field training officer course is valid for 3 years following the date of approval.
- (5) If a law enforcement agency intends to change the format or content of a Commission-approved field training officer course, an application for approval of the changes shall be submitted by the law enforcement agency to the Commission at least 20 days before the changes to the field training officer course are implemented.
- (6) An approved field training officer course shall provide instruction:
 - (a) Conducted only by individuals who are certified by the Commission under COMAR 12.04.06.08 or who possesses an exemption under COMAR 12.04.06.04.
 - (b) For a minimum of 21 hours; and
 - (c) On the training objectives required by the Commission for the Commission-approved field training officer course.

G. Agency Field Training and Field Training Officer Course Policy Required.

- (1) A law enforcement agency shall adopt written policy on the agency's field training and field training officer course based on a model policy approved by the Commission.
- (2) The policy, at a minimum, shall include:
 - (a) Length of the agency's field training;
 - (b) An outline of the training subjects, orientation and other activities to be provided as part of field training;
 - (c) Responsibilities of the individual supervising field training;
 - (d) Selection process for field training officers;
 - (e) Training of field training officers;
 - (f) Guidelines for a field training officer's evaluation of the performance of an individual participating in field training;
 - (g) Reporting responsibilities of field training officers; and
 - (h) Guidelines for evaluation of field training officers.

H. Supervising an Individual During Commission-Approved Field Training.

- (1) Except for provisions under §§H(2) and (3) of this regulation, during Commission-approved field training, the individual shall be under direct supervision of:
 - (a) A law enforcement agency field training officer; or
 - (b) A law enforcement agency police officer of supervisory rank if a field training officer is not available.
- (2) Under extenuating circumstances and for a period that does not exceed 10 percent of the total time of the individual's field training, during Commission-approved field training the individual may be under the direct supervision of an agency police officer who is not a field training officer or police officer of supervisory rank.
- (3) During field training, an individual who is engaged in specialized training or orientation duties that do not entail enforcement functions:

(a) May engage in that training or those duties for up to five percent of the total time of the individual's field training; and

(b) While engaged in that training or those duties is not required to be under the direct supervision of a field training officer or police officer of supervisory rank.

(4) If an individual successfully completes the law enforcement agency's field training, the law enforcement agency head, or the individual designated to supervise field training shall:

(a) Complete and submit a written statement to the Commission indicating that the individual has successfully completed the required Commission-approved field training; and

(b) Sign and date the statement.

I. A law enforcement agency shall maintain the following documentation related to the law enforcement agency's field training and field training officer course for a minimum of 3 years:

(1) For field training:

(a) The agency's written policy for field training;

(b) Rosters of individuals participating in field training;

(c) The tests, test scores and evaluations of individuals participating in field training;

(d) Description of the evaluation process for individuals participating in field training;

(e) Field training lesson plans and guides;

(f) An outline of the training for individuals participating in field training;

(g) Bi-weekly summaries of the performance of each individual participating in field training;

(h) The field training officer's final competence report on each individual participating in field training; and

(i) Other documentation required by the Commission.

(2) For a field officer training course:

(a) Rosters of individuals participating in field officer training course;

(b) The tests, test scores and evaluations of individuals participating in field officer training course;

(c) Description of the evaluation process for individuals participating in field officer training course;

(d) Field officer training course lesson plans; and

(e) Other documentation required by the Commission.

J. Audit.

(1) A Commission-approved field officer training course and Commission-approved field training is subject to review and audit by the Commission.

(2) The Commission may suspend or revoke approval of a field officer training course or field training if the Commission determines that the field officer training course or field training fails to meet the Commission requirements.

Gary D. Maynard

Secretary

Department of Public Safety and Correctional Services