

**DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
FY 2020 BUDGET POLICE AND CORRECTIONAL TRAINING COMMISSIONS**

PSETC Classroom Utilization

Issue: The Department of Public Safety and Correctional Services (DPSCS) should comment on the continued decline in MSP classroom usage.

Response: The total number of trainee days does not accurately reflect classroom utilization. The number of trainee days represents the number of pupils enrolled in each course and the overall length of the course. The number of pupils has declined, but classroom utilization has increased as the frequency in courses has increased. In other words, the frequency in which physical classrooms are occupied has increased despite the fact that there are fewer pupils in each course. The Maryland State Police (MSP) currently has two ongoing courses using twice the number of Public Safety Education and Training Center classrooms, which represents an increase in classroom usage.

Graduation Rates

Issue: Given that current enrollment is still 50% below fiscal 2015, PCTC should comment on what effects the higher standards and polygraph tests are having on enrollment, as well as the department's efforts to increase CO trainee enrollment.

Response: During the Department's fiscal year (FY) 2020 Overview budget hearings, the Department of Legislative Services (DLS) discussed factors attributable to the number of correctional officer vacancies. DLS testified that correctional officer vacancies began climbing in FY 2015 which, based on their analysis, was attributable to correctional officer positions becoming less attractive as the economy ramped up. They further indicated that it was incorrect to attribute the increase in vacancies to pre-employment polygraph requirement and increase in hiring standards as correctional agencies across the state were facing similar hiring challenges. Based on this analysis and testimony, the Department cautions drawing a comparison between FY 15 enrollment rates and current enrollment rates as enrollment rates are directly related to the number of correctional officers who pass the application process.

It is important to note that, as discussed during the FY 2020 Overview and Administration Budget hearings, the Department has worked continuously to hire correctional officers resulting in an increase of the number of correctional officers hired in calendar year (CY) 2018 over CY 2017. Specifically, the number of correctional officers hired in CY 18 represents a 57% increase over CY 2017 figures. The Department is working diligently to sustain this trend into FY 19 by continuing the \$5,000 new hire bonus program, continuing to offer the \$500 bonus referral program, and by increasing the salaries of the correctional officers by nearly 10% more than December 2018 compensation levels. The Department anticipates that these efforts will assist the Department with increasing the number of correctional officers and, thereby,

increasing the number of correctional officer candidates enrolled in entry-level training at PCTC.

Grants and Special Funds

Issue: DPSCS should comment on the MPTSC Fund, what expenditures are planned in fiscal 2020, and what enhancements, if any, will be added to its current training programs.

Response: In 2018, the legislature passed House Bill 24 – Public Safety – Maryland Police Training and Standards Commission Fund – Establishment – requiring the Comptroller to pay annually \$2,000,000 of certain court costs collected by the District Court to the Maryland Police Training and Standards Commission (MPTSC) Fund. The MPTSC has developed a strategic plan for allocation of the additional funds. Specifically, MPTSC plans on using the additional funds to address the following four (4) key areas:

1. Conduct a Job Task Analysis – Statute requires both the MPTSC and the Correctional Training Commission to establish standards based on statewide job task analyses. The additional funds will enable MPTSC to move forward with the procurement of a Job Task Analysis.
2. Implement a New Records Management System – The current computer system is outdated and dysfunctional as it does not provide PCTC with an integrated system. This prevents PCTC from being able to analyze data in a manner than allows them to meet statutorily mandated reporting requirements or track certain performance measures.
3. Upgrade the Wi-Fi System – The additional funding will be utilized to upgrade the system within the Public Safety Education and Training Center to increase access points and add cabling. The additional enhancements will provide PCTC the capability to enhance training with on-line internet resources; upgrade technology utilized in the classroom; allow for interactive classroom presentations; and, on-line testing.
4. Facility Upgrades – The additional funds will allow PCTC to make upgrades and expand the Driver Training Track, which is always at full capacity and utilized by nearly every public safety agency across the State.

Baltimore City Consent Decree

Issue: PCTC should comment on any new fiscal 2020 developments regarding the consent decree and the agency's role going forward.

Response: In July of 2017, PCTC submitted a report to budget committees, as required by the FY 18 Joint Chairmen's Report (JCR), outlining the indirect role PCTC has pursuant to the Baltimore City Consent Decree. Throughout the 207-page document, the MPTSC is mentioned only three times as follows:

- Page 53, paragraph 161 – The consent decree requires that the Baltimore City Police Department (BPD) develop and implement a plan to accurately record whether its officers have met the firearms qualifications standards set by the MPTSC. As written, the provision does not require further action on the part of MPTSC as it requires BPD to develop their own plan to record firearms qualification standards that are already established by MPTSC.
- Page 100, paragraph 291 – The consent decree requires that BPD establish a “robust training program” that “may be subject to approval by the Maryland Police Training and Standards Commission (MPTSC)”. As written, the provision does not require action by the MPTSC until the BPD requests approval of a revamped training program.
- Page 101, paragraph, 294 – The consent decree requires that BPD “develop a written Training Plan” and “[w]here appropriate, provide time for obtaining any required approval from the MPTSC...” As written, the provision does not require action on the part of MPTSC unless again, BPD requests approval.

Commission to Restore Trust In Policing

Issue: PCTC should comment on any new developments regarding this commission.

Response: In 2018, the legislature passed Senate Bill 1099 – Baltimore City Police Department – Commission to Restore Trust in Policing and Audit Review – which established the Commission to Restore Trust in Policing. The Commission is tasked with reviewing, investigating and making recommendations relating to the Baltimore Police Department. The Commission released its initial report in December 2019 and must submit a final report by December 31, 2019. PCTC was not mentioned in the Commission's initial report or at any of the Commission meetings. As such, PCTC does not have any involvement regarding the Commission and is unable to comment on any new developments.

School Resource Officers

Issue: PCTC should comment on the progress made regarding MCSS and the SRO training curriculum and whether the due dates required by the legislation will be met. In addition, PCTC should update the budget committees on its overall plan to facilitate SRO training and whether funding is adequate to provide the training to law enforcement personnel.

Response: In 2018, the legislature passed Senate Bill 1265 – the Maryland Safe to Learn Act of 2018 (the “Act”). A breakdown of the provisions involving PCTC along with the status of these requirements is provided below.

- The Maryland Center on School Safety (MCSS), in consultation with local school systems, must develop a specialized curriculum to be used in training Student Resource Officers (SROs) and school security employees that addresses specified issues. The curriculum must be submitted to the Maryland Police Training and Standards Commission (MPTSC) for approval. MPTSC approved the training curriculum for SRO training offered by MCSS in July of 2018.
- By March 1, 2019, MCSS must develop and submit to MPTSC for approval a model training program based on the curriculum. Each local law enforcement agency must enroll SROs and school security employees either in the MCSS model training program or a local training program approved by MPTSC that is consistent with the approved curriculum. All SROs and school security employees must complete an approved specialized training program by September 1, 2019. MPTSC believes that the MCSS is on track for the submission of the training materials and scheduling of training to comply with the September 1, 2019 deadline.

PCTC is not in a position to comment on funding for training as funding is included in MCSS’s budget and not PCTC’s.

Psychological Evaluations

Issue: PCTC should comment on the effect that this legislation will have on its current officer psychological evaluation process.

Response: In 2018, the legislature passed House Bill 190 – Department Public Safety – Maryland Police Training and Standards Commission – Psychological Consultation and Evaluation. The bill altered the requirement that a law enforcement officer undergo a psychological consultation, rather than an evaluation, when involved in a serious incident. The bill also removes the stipulation that the MPTSC must select the psychologist who conducts the pre-employment psychological evaluation or post-employment psychological consultation, since the Maryland Health General Article,

which defines the various providers who can conduct psychological evaluations and consultations. The Department sponsored the bill at the behest of the MPTSC.

The MPTSC has been working diligently on updating the regulatory standards to ensure the changes under House Bill 190 are implemented correctly and uniformly. This item will be brought before the MPTSC at the April 2019 meeting, allowing for consideration of action at the July 2019 meeting.

Competency Rating Evaluations

Issue: DPSCS should comment on higher competency rates for CO trainees as well as to why there were no entry-level police training courses in fiscal 2018.

Response: PCTC is encouraged by the increase in competency ratings for those correctional officers who graduate from the entry-level training (ELT) program. The Department attributes the increase to recent enhancements to the ELT program, including extending the length of the program from five (5) weeks to (7) weeks, upgrading classroom technology, and increasing administrative support.

With respect to police entry-level (PEL) classes, an academy was conducted from January 3rd through July 20th of 2018. Since the academy ended in FY 2019 this data will be captured as part of the FY 2019 reported data. The data that was collected related this to academy indicated an effectiveness rating of 83% which exceeds the established goal of 75%. An additional PEL class began in January 2019. The delay in the start of the PEL academy in 2018 was due to the need to completely update the PEL curriculum in order to align it with modern standards, update lesson plans, and incorporate scenario-based learning techniques.

Issue: As changes are currently being made to the survey system, PCTC should comment on the changes and whether there has been an impact on the number of surveys received. In addition, the Department of Legislative Services recommends that the department submit a report providing data on trainee competency surveys and ratings.

Response: PCTC made several modifications to the survey system in FY 2017 by adjusting the wording of the supervisor survey question used to report effectiveness and decreasing the amount of time a supervisor has to submit the survey response. The previously reported question asked supervisors to “rate the effectiveness of the [academy] in preparing him/her to perform essential job functions with appropriate supervision.” The revised phrase asks supervisors to “rate the effectiveness of the [academy] in appropriately preparing the graduate for on-the-job training.” In addition, the survey response time was decreased from six weeks to four weeks to coincide with the field training officer programs for each discipline. The percentage of surveys

received out of the number of surveys sent has remained fairly consistent; however, the competency ratings contained in the surveys has increased.

Recommended Actions:

1. Adopt the following narrative:

Police and Correctional Training Commissions Trainee Competency Report:

All of the agency's professional competency ratings for entry-level police and correctional officer (CO) trainees are based on survey responses received from supervisors who currently oversee the trainees at their place of employment after they graduate from the academies. Because a small number of supervisors complete the surveys, a proper determination of trainee competency is difficult. Therefore, the budget committees request that the department provide additional data on trainee competency ratings by December 15, 2019. The report should include the following for the last five fiscal years:

- competency ratings for Police and Correctional Training Commissions (PCTC) graduates in each police officer and CO category;
- the total number of candidates and graduates in each mandatory entry-level police and CO class;
- a copy of the survey that was sent to supervisors for each fiscal year;
- the total number of professional competency surveys returned to the agency;
- a briefing on current efforts to improve the competency survey process;
- details on whether the department evaluates its COs for competency and how often; and,
- given that CO vacancies continue to rise and employee retention remains difficult, PCTC should evaluate the possibility of conducting these surveys later on in the careers of police and CO candidates to get a better idea of their competency level and present the results of that evaluation in the report.

Response: The Department concurs with the recommended action.