



NEWSLETTER

Commission Membership

Robert Evanchick – Chair

Commissioner
Pennsylvania State Police
Dauphin County

Jarrad P. Berkihiser

Chief, Lancaster City P.D.
Lancaster County

Richard M. Bosco

Chief, Lincoln Borough P.D.
Westmoreland County

Bart E. Burne, Ed.D.

Law Enforcement Educator
Luzerne County

Robert J. Carroll

Noncommissioned Police Officer
Delaware County

Madra L. Clay

Local Government Policy Manager
Dept. of Community & Economic Dev.

Vincent J. DiCenzo, Jr.

FOP Representative
Allegheny County

Beth Dombrowsky

Director Certified School
Dauphin County

David A. Ellis

Office of Attorney General
Dauphin County

Douglas E. Grimes

Chief, Peters Township P.D.
Washington County

Barry J. Jozwiak

PA House of Representatives
Berks County

Richard W. Long, Esq.

Representative, Public at Large
Cumberland County

Joseph M. Pizano

Borough Official
Luzerne County

Guy A. Salerno

Chief, Blakely Borough P.D.
Lackawanna County

Christopher M. Werner

Chief Inspector, Philadelphia P.D.
Philadelphia County

Vacancy

City Official

Vacancy

Noncommissioned Police Officer

Vacancy

First Class Township Official

Vacancy

Second Class Township Official

Vacancy

Senate of Pennsylvania

MPOETC Operations During COVID-19

On March 6, 2020 Governor Wolf declared a state of emergency in Pennsylvania and by March 16, 2020 the offices of the Municipal Police Officers' Education and Training Commission (MPOETC) had been closed, like most other offices and businesses as the state responded to the threat of the COVID-19 pandemic. Plans were implemented to continue providing essential support to police academies, departments, cadets, and officers even as everyone across the state grappled with how the outbreak was going to affect their own operations. As of March 26, 2020, the offices at MPOETC are currently operating remotely. While all functions related to municipal police officer certifications are still being conducted, users may experience delays due to communications issues and limited access by staff members to certain resources required for processing applications. Below is some additional information addressing specific concerns related to obtaining and maintaining certification as a police officer during this situation.

MIST - Most if not all municipal police academies have cancelled classroom-based in-service (MIST) training classes. Despite this, police officers certified by MPOETC will continue to have access to MIST classes on the PA Virtual Training Network (PAVTN.net). Certified officers or their departments should follow instructions on the PAVTN website to request an account. Training that is completed on PAVTN automatically transfers to TACS for use by MPOETC to satisfy mandatory training requirements. There is no cost to access and use PAVTN for this training. Cancellation of in-class MIST instruction will not be considered a valid reason for failing to complete 2020 MIST requirements.

CPR/AED/First Aid - Based on the cancellation of refresher classes, MPOETC has extended CPR/AED/First Aid expiration dates for all officers who expire between March 16, 2020 and June 30, 2020. Any officer scheduled to expire between these dates will have until July 1, 2020 to complete their recertification. At this time the PA Department of Health does not recognize online CPR/AED/First Aid training and officers should not attempt to recertify using an online training provider.

Firearms - At this time, no accommodations are being made regarding firearms qualification since officers will have until the end of 2020 to complete their annual firearms qualification.

New Certifications – Most certification examination dates have been cancelled and this will cause delays in getting potential officers certified. MPOETC is currently only conducting certification examinations for officers who are hired or have a conditional offer of employment from a police department. These examinations are being scheduled and conducted on a case-by-case basis. Departments wishing to schedule a test date for a hired applicant should send the request via email to mpotraining@pa.gov. Applications for officers who have completed all required training and are eligible for certification will continue to be processed as normal, while applications to attend training, and the training activities of most academies, are delayed to varying degrees. Of special note, tele-health examinations for purposes of psychiatric review for Act 120 and Act 235 certifications will be permitted for the duration of the COVID-19 state of emergency, as long as they comply with guidance from the American Psychological Association (<https://www.apa.org/practice/guidelines/telepsychology>) and the requirements for telemedicine under HIPAA.

Message from the New MPOETC Acting Executive Director

Thank you for the warm welcome I have received upon my arrival at MPOETC. I extend my most sincere thanks to Colonel Robert Evanchick and the PSP Command Staff for the opportunity to serve the citizens, police agencies, officers, and LWTA agents across the Commonwealth. I have been a sworn police officer for more than 38 years, with three years of service in Leechburg Borough and Gilpin Township, Armstrong County. I graduated from the Indiana University of Pennsylvania Police Academy in 1982. Throughout my career and, most recently, as the Troop Commander at Troop D, Butler, I worked closely with our municipal police counterparts in areas of mutual concern including traffic enforcement, drug law investigations, and crowd control training. I look forward to working with members of the Commission and the thousands of dedicated and hard-working officers throughout Pennsylvania.

I began my assignment at MPOETC on March 7, 2020, the day after Governor Tom Wolf declared a state of emergency in Pennsylvania. As such, my first few weeks at MPOETC have been somewhat hectic. My first impression of the MPOETC staff is that they are an amazing group of dedicated and knowledgeable professionals. The COVID-19 emergency has, unfortunately, affected many of the processes by which MPOETC has operated for years, most notably, most of the MPOETC staff is working remotely at this time. The work is still getting done and everyone is working to ensure those we work with across Pennsylvania are receiving the services they need. In some instances, delays in returned calls or correspondence may be encountered. With that said, any officer, agent, or agency experiencing issues and unable to find the answer on the MPOETC website, www.psp.pa.gov/MPOETC can contact the MPOETC staff at 717-346-4086. Operational changes and other important information will be posted to the website as necessary.

While the length of time the country may be dealing with COVID-19 is unknown as of this writing, it is my hope that it will soon be a distant memory. I urge everyone to follow the experts leading the campaign against COVID-19 and focus on eradicating it while maintaining your own good health. We know that with good leadership, common sense, and perseverance, we will be stronger as a nation once we get through the current COVID-19 situation.

President Theodore Roosevelt, who had an impressive résumé of public service including time as the New York City Police Commissioner, referring to police work once said, "Far and away the best prize that life offers is the chance to work hard at work worth doing." That quote is still as valid today as it was more than 100 years ago. Police work is hard work, but work worth doing. It can also be hard on the family and friends of officers, as well as the officer. Please always take a few minutes to take account of yourself and those you work with. Do not be afraid to reach out when help is needed. If your department does not offer a peer counseling program, the PSP Member Assistance Program may be able to help in the form of confidential peer support. For information, call 1-877-709-7674.

While the March Commission meeting necessitated cancellation, it is hoped that the situation will have improved in time for the June meeting. Please review the MPOETC website and attend the meeting if you can. I hope to meet you there.

Very truly,

Major Steve J. Ignatz

Acting Executive Director

Track and Trace

by PA Chiefs of Police Association

In 2007, the Pennsylvania Uniform Firearm Act was amended to include the above "Firearms Tracing" provision. 18 Pa.C.S. § 6127 states local law enforcement, upon recovering a firearm from someone not permitted to possess by State or Federal law shall trace the subject firearm. By complying with this law and comprehensively tracing firearms through ATF and notifying PSP, it allows federal, state and local law enforcement to identify gun traffickers, build intelligence, strategically stop trafficking pipelines, and ensure straw purchasers are not legally permitted to buy guns again.

The easiest and most efficient way to comprehensively trace crime guns is by using the ATF's National Tracing Center's eTrace system (<https://etrace.atf.gov/etrace/>). ATF's Electronic Tracing System (eTrace) is an internet-based system that allows participating law enforcement agencies to submit required firearm traces to the ATF. Authorized users can receive firearm trace results via this same internet web site, search a database of all firearm traces submitted by their individual agency, and perform analytical functions. Opting in to collective data sharing allows more effective use of the database and allows for participating agencies to link purchasers and recoveries that cross county lines.

To request an eTrace account please contact the ATF's National Tracing Center Customer Service Group at 244 Needy Road, Martinsburg, WV 25405, 1-800-788-7133 or fax 1-800-578-7223 or email at traceadmin@atf.gov.

MPOETC Staff Updates

On January 24, 2020, Major Troy S. Lokhaiser, MPOETC Executive Director, retired from the Pennsylvania State Police, closing a long and distinguished career that began in 1988 with his assignment to the PSP Station in Media, PA. Upon his promotion and assignment to MPOETC in January 2017, Major Lokhaiser became the seventh Executive Director to lead the Commission's staff since the Commission was formed in 1974. During his time at the helm, MPOETC implemented numerous critical initiatives to improve municipal police officer and lethal weapon agent training and certification. Some of the most significant projects include the complete revision of the basic police training program, the inclusion of mental health records checks for police officers, and the development of the Training and Certification System (TACS), used by the Commission staff to track all training and certification activities of police officers, lethal weapons agents, instructors, and academies. Major Lokhaiser's tireless efforts to improve the programs he led will be missed by both the staff and members of the Commission.

Troy, we thank you and wish you an enjoyable retirement!



This past January MPOETC said farewell to Bill Kaiser. Bill was employed with the Carnegie Mellon Police Department for over 15 years as an uniformed officer, detective, firearms instructor, departmental training coordinator, and police academy and in-service training instructor.

Later, he served in the Training Unit at MPOETC as a Police Training Education Specialist and curriculum developer for over 21 years. Bill was an adjunct criminal justice instructor for six years, and is currently the founder and director of Sanegor Protective Services, LLC. Sanegor provides security assessments, consultation and training services to faith-based organizations, houses of worship and ministries.

Thank you Bill for your dedication!

The office of the Municipal Police Officers' Education & Training Commission will be closed on the following date for the purpose of transacting public business:

Memorial Day: May 25, 2020

Regular office hours are from 8:15 A.M. to 4:15 P.M.
Monday through Friday



Quarterly Legal Updates

The Commission recognizes that both statutes and case law can change frequently and throughout the year. While officers take mandatory Legal Update training, many times the officers would have benefitted from knowing about the changes when they happened rather than waiting months to attend the class. To help reduce the time it takes for officers to hear about recent changes to the law, the Commission's quarterly newsletter now includes a synopsis of the most significant recent changes.

Commonwealth v. Bowens, ___A.3d___, (Pa.Super. Jan 17, 2020)

"Based on the ruling in this case, any extraction of electronic media from an electronic device seized prior to October 1, 2017 MUST occur within the 48 hours allowed by the search warrant or a new search warrant must be obtained. For electronic devices seized after October 1, 2017, Officers should contact their local District Attorneys for guidance if the extraction cannot occur within the time constraints of the search warrant. Officer should remember to follow MPJA and Pa. Rules of Criminal Procedures guidelines."

Act 100 of 2019 (House Bill 1402) (effective January 26, 2020)

Pennsylvania's new law defines sexual extortion as knowingly or intentionally coercing or causing someone to: engage in or simulate sexual conduct; become nude; or make, produce, or disseminate images that depict the person naked or performing or simulating a sexual act.

The law also lists five ways that a person could be considered to have extorted someone for sexually explicit images or conduct:

1. Harming or threatening to harm the individual, their reputation, their property, or anything of value to them
2. Making or disseminating, or threatening to make or disseminate, a video or image of the individual naked or engaged in a sexual act
3. Exposing or threatening to expose information that would result in the individual becoming involved in a criminal or civil proceeding, or would subject them to hatred, embarrassment, or ridicule
4. Withholding or threatening to withhold a service, job, or anything of value from the individual
5. Causing or threatening to cause a loss or injury to the individual or their family or household member

Commonwealth v. Cost, ___A.3rd___ (Pa.Super. Jan 22, 2020)

On January 22nd, 2020 the Pennsylvania Supreme Court decided, Commonwealth v. Cost. The brief facts of the case are as follows: Philadelphia Police initiated an interaction with Harold Cost when he was observed in an alley of a residential block. During the interaction the police asked for, and received, identification from Cost. One officer checked Cost through the usual databases, while the other officer talked to Cost. During the talk, the officer inquired if there was anything of concern in Cost's backpack. Cost responded that he had a gun in the backpack. Cost was subsequently arrested for firearms violations.

Cost argued that when the police asked for his ID, and retained it for the purpose of checking his criminal want/warrant status, the interaction transformed from a mere encounter to an investigative detention and that the detention was not supported by reasonable suspicion.

The Supreme Court agreed and opined that, when an officer asks for and retains identification for the purpose of conducting a warrant check, the citizen would not feel free to leave and thus the mere encounter becomes an investigative detention.

Officers should be mindful that, in light of this opinion, asking a citizen for ID is still within the scope of a mere encounter but retention of the ID to conduct a want/warrant check would create an investigative detention situation.

When the request for ID is made during the mere encounter the police officer may be able to mitigate impression of detention by:

1. Explaining that the ID will be briefly retained in order to record the citizen's information for documentation purposes.
2. Asking the citizen for consent to run a want/warrant check.

Officers should remember that:

1. When the request for ID is made the citizen has the right to refuse the request.
2. If the citizen does consent to the request and gives the officer the ID, the information should be recorded quickly to comply with the stated reason for the request (documentation purposes).
3. If the person does not consent to being "run" through the warrant databases the officer cannot "run" the citizen.
4. If the person consents to being "run" and there is a "hit" then, at a minimum, reasonable suspicion of criminal activity has been developed.

Information Regarding the June 2020 Commission Meeting

The next scheduled meeting of the Municipal Police Officers' Education and Training Commission is on June 10 and 11, 2020 at the Omni Bedford Springs, 2138 Business 220, Bedford, Pennsylvania 15522. Phone: 814-623-8100.

The Committee meetings begin on Wednesday, the 10th at 12:30 P.M.

The Executive Committee meeting will begin on Wednesday, the 10th at 3:30 P.M.

The School Directors meeting will begin on Thursday, the 11th at 8:00 A.M.

The Full Commission meeting will begin on Thursday, the 11th at 10:00 A.M.

The Commission encourages attendance by police chiefs, law enforcement officers, police academy directors, instructors and other interested parties. If you have further questions concerning the meetings, please feel free to contact the Executive Director.

The Executive Committee will hear reports from all committees. In addition, the Executive Committee will also open their meeting to comments from the audience. If you would like to make a presentation to any committee, please contact the Executive Director in order to be placed on the agenda for the appropriate committee. This is your opportunity to have your concern or suggestion heard by the Commission.



uestions, comments and information for inclusion in the *Newsletter* are always welcome. This is your opportunity to submit your concerns or suggestions to the Commission. To do so, please contact the Acting Executive Director, Major Steve J. Ignatz or the Editor, Mr. Craig L. Hevalow, by calling toll-free at 1-800-342-0858. The Commission can be contacted using the email addresses on page 6. You may also write to:

MPOETC Newsletter
Municipal Police Officers' Education & Training Commission
8002 Bretz Drive
Harrisburg, PA 17112-9748

The Municipal Police Officers' Education & Training Commission was established in 1974 to set hiring and training standards for police departments in the Commonwealth of Pennsylvania through strict certification procedures and standardized basic and continuing professional in-service training for police officers. The Commission needs the support of the entire law enforcement community, state and local government officials, and the general public to be successful. Please circulate this Newsletter throughout your agency and to the government officials in your municipality. The quarterly newsletter is also available on the MPOETC website at www.psp.pa.gov/MPOETC, under Newsletters.

New Agency Executives

Chief Jason L. Bowen	Knox Borough PD Clarion County
Chief Bradley P. Hare	Sunbury City PD Northumberland County
Chief Steven J. LeCompte	Northampton Township PD Bucks County
Chief John M. Marhefka	Lower Burrell City PD Westmoreland County
Chief David A. Mettin	Plumstead Township PD Bucks County
Chief Thomas J. Murray	Parkside Borough PD Delaware County
Chief Osborne Robinson III	York City PD York County
Chief Michael L. Roke	Nanticoke City PD Luzerne County
Chief Louis J. Sacco	Clymer Borough PD Indiana County
Chief Robert A. Schurr	Perkasie Borough PD Bucks County

Congratulations!



Areas of Responsibility and Contact Information for Commission Staff

The following resource accounts are provided to allow your questions and concerns to reach the Executive Director, Staff Member, or Members of the Commission.

ADMINISTRATION AND CERTIFICATION

Act 120 Applications and Certification, Act 120 Instructor Application and Certification

Email: mpocertification@pa.gov
 Telephone: (717) 346-4086
 Fax: (717) 346-7781 or (717) 346-7782

TRAINING

Basic Training Curriculum, Mandatory In-Service Training, Instructor Training, Retired Law Enforcement Identification Act

Email: mpotraining@pa.gov
 Telephone: (717) 346-4086
 Fax: (717) 346-7781 or (717) 346-7782

GRANT REIMBURSEMENT

Continuing Law Enforcement Education Reimbursement (Mandatory In-Service Training), Basic Training Tuition and Salary

Email: RA-SPMPOFSS@pa.gov
 Telephone: (717) 346-4086
 Fax: (717) 346-7781 or (717) 346-7782

PROFESSIONAL STANDARDS AND INSPECTIONS

Regulatory Compliance, School Inspections

Email: mpostandards@pa.gov
 Telephone: (717) 346-4086
 Fax: (717) 346-7781 or (717) 346-7782