



NEWSLETTER

Commission Membership

Robert Evanchick – Chair
Commissioner
Pennsylvania State Police
Dauphin County

William C. Barrett
City Official
Luzerne County

Richard M. Bosco
Chief, Lincoln Borough PD
Allegheny County

Jason D. Brinker
Noncommissioned Police Officer
Dauphin County

Bart E. Burne, Ed.D.
Law Enforcement Educator
Luzerne County

Madra L. Clay
Local Government Policy Manager
Dept. of Community & Economic Dev.
Dauphin County

Anthony C. Clements
Noncommissioned Police Officer
Dauphin County

Kristen L. Denne
Township Official of the First Class
Chester County

Vincent J. DiCenzo, Jr.
FOP Representative
Allegheny County

Beth Dombrowsky
Director Certified School
Dauphin County

Barry J. Jozwiak
PA House of Representatives
Berks County

John Kitzinger
Office of Attorney General
Dauphin County

Richard W. Long, Esq.
Representative, Public at Large
Cumberland County

Corey B. Meyer
Township Official of the Second Class
Lancaster County

Joseph M. Pizano
Borough Official
Luzerne County

Senator Mike Regan
Senate of Pennsylvania
Dauphin County

Guy A. Salerno
Chief, Blakely Borough PD
Lackawanna County

Christopher M. Werner
Chief Inspector, Philadelphia PD
Philadelphia County

Vacancy
Police Department Chief

Vacancy
Police Department Chief

New MPOETC Executive Director

It is a great honor for me to be assigned as the new Executive Director of the Municipal Police Officers' Education and Training Commission (MPOETC). I would like to express my thanks to Colonel Evanchick, the Pennsylvania State Police Command Staff, and the MPOETC Commissioners.

Since my assignment commenced on January 22, 2022, I have had the pleasure of working with the men and women of MPOETC. It is clear they are a dedicated, knowledgeable and highly motivated team and will continue the important work of the Commission. Thanks to the hard work of the dedicated police academy directors, instructors, police chiefs, and officers of this Commonwealth, there is a highly professional culture of policing in Pennsylvania.

Also, MPOETC owes a debt of gratitude to those who came before us for setting the foundation for our future success. As we look to the future, MPOETC will continue to evolve and move forward and is committed to the continued success of policing in Pennsylvania.

Sincerely,

Major Michael Gaines
Executive Director



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.

Important Changes to CDL Training Effective 2022

The Federal Motor Carrier Safety Administration's Entry-Level Driver Training (ELDT) regulations will take effect on February 7, 2022 and will serve to enhance the safety of commercial motor vehicle (CMV) operations by establishing new minimum training requirements for commercial driver's license (CDL) and passenger (P), school bus (S), and hazardous materials (H) endorsement holders and applicants.

These changes require CDL holders, and P, H, and S endorsement holders to successfully complete a mandatory theory (knowledge) and behind-the-wheel (BTW) training program. Training must be provided by an entity listed on FMCSA's Training Provider Registry (TPR). The State Driver Licensing Agency (SDLA) will be required to verify the entry-level driver has completed the required training before allowing the driver to proceed to the next step.

In addition, all driving schools providing training are required to register their program with the FMCSA and self-certify that their program meets or exceeds all ELDT requirements and all federal, state, and local laws.

Who the Changes Apply to:

The ELDT regulations apply to all entry-level CMV operators in interstate and intrastate commerce who are applying for a Class A or Class B CDL, upgrading their CDL, and applying for a P, S, or H endorsement for the first time.

These requirements are not retroactive and will not affect the license status of those currently holding a valid CDL or a P, S, or H endorsement. The compliance date is set for February 7, 2022.

The training provider registry was opened to training providers beginning the summer of 2021 and was made publicly available in the fall of 2021.

Beginning February 7, 2022, training providers will be able to submit training certification information and states will begin verifying driver training certification information.

To meet ELDT requirements, drivers are required to choose a training provider from those listed on the TPR. Students who are trained by a provider not listed on the TPR will not be eligible to test for a CDL.

The ELDT regulations don't specify the order of training for CDL applicants. Training providers can choose which form of training to provide first and in what order. In addition, the new regulations don't require applicants to complete theory training before obtaining a commercial learner's permit (CLP).

Operation of Side-by-Side (SXS) Utility Task Vehicles (UTVs) on Public Streets and Highways:

In several areas of the Commonwealth, municipal police departments have been encountering off-road vehicles (SXS-UTVs/Quads/ATVs) bearing registrations from Montana (MT), and owners claiming that they can drive on Pennsylvania (PA) roadways due to reciprocity agreements. The MT registrations are being obtained by PA residents who are forming (shell) out-of-state LLCs to circumvent the PA law, as these off-road vehicles are not eligible to obtain PA registration from the Pennsylvania Department of Transportation (PennDOT) for on-highway use. Encounters with these vehicles registered under MT LLCs is becoming more frequent due to sharing of the information via social media.

The PennDOT Chief Counsel provides guidance for officers encountering these situations. The following information is provided:

1. Registering an ATV/SXS/UTV/Quad in a state that does allow on-road use does not affect the prohibition against operation on the Commonwealth's streets and highways.
2. Unless posted to allow ATV use, operation on a public street/highway is prohibited and would be a violation of the Vehicle Code.
3. Appropriate enforcement is determined by whether the vehicle is an ATV by definition and, therefore, Chapter 77 of the Vehicle Code applies, or it is not an ATV and Chapter 13 applies.

MPOETC MIST 22-302 Control Tactics

The Control Tactics (CT) program was developed in conjunction with the Use of Force training required by Pennsylvania Act 59 of 2020. MPOETC recognized a need for some type of control tactics training for officers considering many officers have not had defensive tactics or control tactics training since they were in the police academy 10, 15, or even 20 years ago. This meant that MPOETC was going to provide a practical hands-on, in-person course that had not been done to this degree before.

Initially, the CT program identified over 1,000 Act 120 agencies with approximately 23,000 officers to be trained. In addition to those officers, another 1,500 or more non-Act120 officers would also need our control tactics training.

The goal was to train all Act 120 officers prior to the end of 2022 when their two-year certifications would expire. MPOETC staff and the CT Committee felt that this could be accomplished by providing the pre-requisite MPOETC MIST 22-301 Use of Force course made available either online or in-person and by using a tiered instructor approach to teach the in-person CT course.

The CT Committee built the CT course to begin with a short classroom section and conclude with the practical hands-on handcuffing techniques portion that would guide officers on how to gain and maintain control of a cooperative or potentially uncooperative subject. A segment of the practical handcuffing techniques focuses on the use of multiple officers (when available) helping each other to maintain control without injury to either the subject or the officers. The techniques chosen were ones that would ideally address most situations and would be easy for any officer to accomplish and replicate. However, realizing that this was a course that would be required training for all officers and acknowledging that some officers might not be in the best physical condition, the CT Committee decided to teach this course at an “awareness level” in which the student officers could participate to the best of their ability.

The first tier of instructors was the CT Committee Members that were engaged as subject matter experts in the field of Defensive Tactics (DT)/CT. There are seven CT Committee Members that represent municipal police officers from: Philadelphia, Pittsburgh, Derry Township, Lower Moreland Township, and Abington Township police departments. All members have a strong background in DT, having spent years taking numerous courses from differing disciplines in defensive tactics, control tactics, and martial arts. All are excellent classroom instructors, are rated as DT Instructors for various academies, and have instructed numerous students.

In the Fall of 2021, MPOETC held its annual Academy Instructor Workshops.

Tier II Instructors were required to be MPOETC certified Academy Instructors rated as DT Instructors. These instructors were required to attend the pre-requisite Use of Force course (Instructor’s version). They also were certified in Instructional Development and therefore could teach Use of Force in the classroom as well as the CT course. Sixty-eight Academy DT Instructors were taught by Tier I – CT Committee Members.

Tier III Instructors were identified as “Temporary MIST Instructors” for the purposes of teaching the 2022 CT course **only** and were required to be certified municipal police officers that had certification from a MPOETC approved vendor as a DT Instructor. These instructors had to apply to become a Temporary MIST Instructor through a MPOETC certified Police Academy and were required to provide a signed Code of Conduct form, a copy of their DT Certification, and pictures of the facility where they would be conducting the CT training. Instructors were vetted and sponsored by the Police Academy to whom they provided their application. Academies turned in their Temporary MIST Instructor applications to MPOETC for approval. Once approved, the Academy is then responsible to have their Tier II – Academy DT Instructors train the Tier III – Temporary MIST Instructors in control tactics after they have completed their pre-requisite MPOETC MIST Use of Force course.

In February of 2022, MPOETC approved a request from some of the larger non-Act 120 agencies to train their DT Instructors so that they could also conduct in-house training.

During March and May of 2022, Tier I – CT Committee Members will train approximately 20 MPOETC vetted and approved non-Act 120 DT officers to become Temporary MIST Instructors. They will then be able to teach approximately 500 non-Act 120 officers from Kutztown University, Villanova University, Fish and Boat Commission, Fort Indiantown Gap Police, DCNR (Parks and Forest), and the Game Commission. All other non-Act 120 officers are being trained directly through the MPOETC certified Police Academies.

MPOETC has not set an end date to accept Temporary MIST Instructor applications. Presently, MPOETC has received and approved over 700 Temporary MIST Instructor applications which represent 350 different agencies across the Commonwealth. Approximately 93% of the Tier III department instructors have completed their training as a Temporary MIST Instructor, have received their certificates of completion, and can now train the 2022 MIST CT course to the other officers in their own departments. Many of those Temporary MIST Instructors have agreed to teach officers in neighboring jurisdictions and/or to assist the Police Academy in teaching other officers.

The feedback received so far regarding the practical in-person CT course has been overwhelmingly positive. The majority of officers have reported that they enjoyed the interaction with fellow officers, as well as the practical handcuffing techniques they were able to practice on each other. However, some officers are taking advantage of the fact that they aren't being mandated to participate. Participation or lack thereof is being documented and as informational surveys are completed and submitted, MPOETC will have a better picture of all officers' participation levels.

MPOETC Staff Updates

MPOETC welcomes Lieutenant David L. Devitt as the Assistant Director. Lieutenant Devitt has proudly served with the Pennsylvania State Police for over 24 years. He recently was assigned as the Staff Services Section Commander at Troop T, Highspire.

Lieutenant Devitt has worked in various aspects of law enforcement over his career including as a Criminal Investigator, Patrol Supervisor, Assistant Amber Alert Coordinator, and Station Commander. Lieutenant Devitt is a graduate of the 64th Municipal Police Academy and previously served as an officer with Lower Paxton Township Police.

Lieutenant Devitt is grateful for the opportunity to begin anew in his career by joining and supporting a team of talented and friendly staff in maintaining MPOETC's high standards for education and training while providing exceptional service to the law enforcement community and its stakeholders.

Welcome to the MPOETC team, Lieutenant Devitt!

MPOETC said farewell to Lieutenant Rahn Richards who retired with an Honorable Discharge of 26 years of service from the PA State Police on January 7, 2022.



Photo taken by: Leah Napoli, MPOETC

Congratulations and enjoy your retirement, Rahn!

Highlights from the March 2022 Commission Meeting

The Commission conducted its regular quarterly meeting on March 23-24, 2022. On Wednesday afternoon, March 23, 2022, the Commissioners gathered at the MPOETC office in Harrisburg and held committee meetings to discuss the business of the Commission. On Thursday morning, March 24, 2022, the Commissioners met in an Executive Committee meeting followed by the formal meeting of the full Commission where they took action on several items.

The Commission approved new officer, instructor, and academy director applications and revoked and suspended several certifications. Five officer revocations were for convictions of disqualifying criminal offenses including terroristic threats, firearms not to be carried without a license, possession of child pornography, simple assault, possession of instruments of crime, and unlawful use of a computer. One officer was revoked for violation of the Commission's policy on Medical Marijuana cards. Three officers were revoked for permanent physical or psychological impairment that rendered them unable to perform the essential job functions of a police officer. One academy instructor was revoked for conduct which reflects unfavorably upon a certified school or the Commission. Two officers were suspended because they are subject to active protection from abuse orders and one officer was suspended because of a firearms prohibition as an unlawful user of a controlled substance.

The Commission approved a reduction of the tuition at the Johnstown Regional Police Academy located at the Pennsylvania Highlands Community College. The new tuition of \$6,500 will be the only tuition charged by the academy when they are approved to conduct classes.

The Commission approved the addition of a list of law enforcement agencies required to comply with Act 57 within the final version of the regulations that will be moved forward for approval later this year.

The next meeting of the Commission is projected for June 2022 and information regarding this meeting will be posted on the MPOETC website <https://mpoetc.psp.pa.gov/Pages/about-us.aspx>.



Questions, 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 Executive Director, Major Michael Gaines 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 About Us > Quarterly Newsletters.



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

Memorial Day: May 30, 2022

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

New Agency Executives

Chief Tony Alsleben	Alburtis Borough PD Lehigh County
Chief Jason B. Apgar	Emmaus Borough PD Lehigh County
Chief Kristopher L. Chappell	SW Greensburg Borough PD Westmoreland County
Chief David J. Erenius	North Wales Borough PD Montgomery County
Chief Craig E. Johnson	Benton Borough PD Columbia County
Chief Michael A. Krolikowski	Main Township PD Columbia County
Chief Timothy Kromer	Palmerton Borough PD Carbon County
Chief Brian E. Marshall	Phoenixville Borough PD Chester County
Chief Anthony J. Minium	West Shore Regional PD Cumberland County
Chief Stephen D. Powell	Spring Township PD Berks County
Chief Dale W. Ulshafer	Fleetwood Borough PD Berks County
Chief Derrick E. Wood	Norristown Borough PD Montgomery 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