



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 P.D.
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 P.D.
Lackawanna County

Christopher M. Werner
Chief Inspector, Philadelphia P.D.
Philadelphia County

Vacancy
City Police Department Chief

Vacancy
Township Police Department Chief

Adding New Officers to the TACS Roster by Christopher Clark, MPOETC Director of Certification

It has recently come to light that some departments are adding officers to their Training and Certification System (TACS) roster only to keep an officer's MPOETC certification active, even where the officers added to TACS were never officially hired by the municipality.

The submission of an application requesting certification of an officer who is not hired or employed by a department is a violation of 37 Pa. Code 203.14 (a)(7), "Submission to the Commission of a document that the police officer knows contains false information including fraudulent application" and the Commission maintains the right to revoke that individual's certification. Further, 37 Pa. 203.13 (a)(1) states, "The Commission will supply written verification to the applicant's employing police department upon the applicant's completion of the Commission's requirements for certification as a police officer." The key words in this section are "**employing police department.**" This means that an officer must be hired or employed by a department before MPOETC can issue a certification. If an officer is not employed, their certification will remain inactive for a period of up to two years, after which time the officer must take and pass the MPOETC certification exam and submit to a physical and psychological exam and fingerprint-based criminal history check.

MPOETC also provides an identification card to a certified officer that verifies an officer is employed as a police officer with that particular department. Use of this card by an officer who is not employed is deceptive and fraudulent, and could be a violation of Title 18 § 4912 (Impersonating a Public Servant), which is a disqualifying offense and would render the officer ineligible for future certification as a police officer.

Additionally, this practice could result in certification revocation of a chief or TACS administrator.

Please help us maintain the integrity of TACS by continuing to abide by the rules and regulations that govern MPOETC and all municipal police officers.

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.

In December of 2018, the Juvenile Justice Reform Act (JJRA) of 2018 was signed into law, reauthorizing and substantially amending the Juvenile Justice and Delinquency Prevention Act (JJJPA) originally enacted in 1974. The JJJPA established the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) within the Department of Justice (DOJ) to support local and state efforts to prevent delinquency and improve the juvenile justice system. Although there are several significant amendments provided by the JJRA, one of the most impactful is the requirement that any child under the age of 18 who is being processed through criminal proceedings must be separated by sight and sound from adult inmates and may no longer be held greater than six hours upon arrest. See 34 U.S.C. § 11133(a)(11)(B).

Outlined below are the important factors of this mandate:

1. The rule is in effect immediately for all juveniles who are arrested/charged as adults who are securely detained and non-securely detained within your department.
2. A juvenile who is arrested/charged as an adult can be securely detained and non-securely detained in a lockup (police department) pursuant to the 6-hour exception, as long as the juvenile remains sight and sound separated from adult inmates.
3. The court order/arraignment must occur prior to the end of the six-hour exception in order for the juvenile to continue to be detained within the police department without a federal violation. Juveniles detained greater than six hours must be reported to ChildLine.
4. Juveniles who are arrested/charged as an adult must be reported in the PCCD electronic system.
5. The rule applies to all juveniles who enter the police department upon arrest. Juveniles who are detained at the scene and then are taken to a booking and processing or jail will be reported by that detaining department.

As efforts continue to clarify these matters through legislative or procedural rule amendment, you will be kept advised.

If you have any questions or need technical assistance on these new provisions, please contact Seth Bloomquist at (717) 706-5437 or by email at swbloomquist@ship.edu.



23-201 Legal Update Part 1 Course - Available Now on PAVTN

In order to provide timely information regarding significant pieces of legislation and pertinent court decisions that affect police operations, MPOETC is releasing Legal Update 23-201 in two parts.

Part 1 of this course is available and will address updates that occurred between July 2021 and July 2022. This Part 1 training will address changes and updates to the Pennsylvania Crimes Code, Vehicle Code, and Rules of Criminal Procedures, as well as decisions from Pennsylvania’s Commonwealth, Superior and Supreme Courts, various Federal Courts, and the United States Supreme Court. Information will be presented in several modules. Modules may be related to the time of the update, focus on specific concepts, or are centered around court cases.

To receive credit for Legal Update 23-201, you must complete both parts of the course on PAVTN. Please note, that once all of Legal Update Part 1 has been completed, no grade or completion status will be sent to TACS. Completion status of Legal Update 23-201 will be sent to TACS upon completing the second part of this course.

Part 2 of Legal Update 23-201 will be available for completion in PAVTN in January of 2023. There will not be a test associated with the online version of Legal Update 23-201. You are responsible for learning the provided content.

Grant Reimbursement Information

Each year the Commission is awarded a \$5 million grant to reimburse municipalities for the training costs incurred complying with police officer training requirements. Title 53 § 2170 permits the Commission to reimburse municipalities for the tuition and salary they pay for officers who attend required training. This article provides information about available funds and explains the two ways municipalities can apply for reimbursement.

Municipalities that hire an applicant before basic training and pay a salary to the cadet during training can be reimbursed 45% of the salary paid while the cadet attended the required basic training. Municipalities that also pay the cost of the tuition can be reimbursed 75% of the approved tuition, but not additional fees paid to the certified training academy. These municipalities will be required to complete a Basic Training Application in the Training and Certification System (TACS) to enroll the cadet in the academy. Any requested documents related to reimbursement that are unavailable when the Basic Training Application is being completed can be replaced with a letter explaining why the document is not yet available.

TACS will automatically generate a Reimbursement Application when the cadet graduates and will notify the municipality. The draft application will be in TACS located at Inbox > Act 89 Reimbursement (tab). The municipality must submit the application with appropriate documentation to receive reimbursement. Be sure to replace any carryover letters from the Basic Training Application and provide the following documentation in the reimbursement application.

- Invoice from the academy for tuition
- Proof of tuition payment (copy of a cancelled check, Purchase Order, etc.)
- Officer applicant (cadet's) first pay stub or any other official documentation showing the starting hourly rate of pay upon entry to the academy

Municipalities that offer conditional employment to a cadet (pending academy graduation) and pay the tuition for the cadet's attendance of basic training at an academy can be reimbursed 75% of the approved tuition, but not additional fees, paid to the certified training academy. These municipalities will NOT do a Basic Training Application but instead the academy will enroll the cadet with a Pre-Service Application. When the cadet graduates, the municipality will complete a Waiver of Training Application in TACS to request certification of the officer. When the officer is certified, the municipality will complete a Reimbursement Application in TACS and submit the application with appropriate documentation to receive reimbursement. Municipalities will need to provide the following documentation in the reimbursement application.

- Invoice from the academy for tuition
- Proof of tuition payment (copy of a cancelled check, Purchase Order, etc.)

Once the Commission receives the completed application, it is submitted to the Commonwealth Treasury Department for approval. Approximately 30 days after it is approved by Treasury, the municipality will either receive an ACH (direct deposit if your department has that set up with the Commonwealth) or a check in the mail.

For additional information visit <https://mpoetc.psp.pa.gov/training/Pages/Grant-Reimbursement.aspx>.

Questions, especially those addressing unique scenarios not described above, can be emailed to the resource account at ra-spmpofss@pa.gov.



**Don't stop
be-leafing**

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

- Columbus Day: October 10, 2022**
- Veterans' Day: November 11, 2022**
- Thanksgiving Holiday: November 24 and 25, 2022**

Regular office hours are from 8:00 A.M. to 4:00 P.M. Monday through Friday

Highlights from the September 2022 Commission Meeting

On September 14-15, 2022, the Municipal Police Officers' Education and Training Commission held its regular quarterly meeting in Harrisburg, PA. On Wednesday, September 14 the Commissioners held committee meetings to discuss the business of the Commission. On Thursday morning, September 15, 2022, the Commissioners met in an Executive Committee meeting followed by the formal meeting of the full Commission where they took the following actions.

The Commission approved new certifications for municipal police officers and police academy instructors and revoked the certification of one officer for an involuntary mental health commitment and four officers for various disqualifying convictions including Official Oppression, Aggravated Assault by Vehicle While DUI, Criminal Mischief, Recklessly Endangering, Simple Assault, Robbery, and Criminal Conspiracy.

The Commission also approved 2024 MIST course development and the reinstatement of the CLEE program for elective courses in 2024.

Finally, the Commission approved eligibility criteria for the Accelerated Basic Training Course that will permit Federal, Military, Out of State, and In-State law enforcement officers who meet minimum standards to challenge an Assessment Test and, if successful, to attend the Accelerated Basic Training Course to satisfy Title 53, Chapter 21, Subchapter D (Act 120) training requirements. This course will be developed in the coming months and is expected to be piloted in 2023. The current partial waiver processes will remain in place until the new course is available. At the next meeting, the Commission will discuss when the new course will be ready to pilot and will establish a timeline for ending the current partial waiver process and replacing it with the new course for experienced officers.

Information Regarding the December 2022 Commission Meeting

The next scheduled meeting of the Municipal Police Officers' Education and Training Commission is on December 7 and 8, 2022 at the Municipal Police Officers' Education & Training Commission (MPOETC), 8002 Bretz Drive, Harrisburg, Pennsylvania 17112. Phone: 717-346-4086. Further information about the meeting, including a topical agenda, will be available at <https://mpoetc.psp.pa.gov/Pages/about-us.aspx>. *Please note that a public notification will be made if this meeting is rescheduled.*

- Committee meetings begin on Wednesday, the 7th at 12:30 P.M.
- Executive Committee meeting begins on Thursday, the 8th at 9:00 A.M.
- Full Commission meeting begins on Thursday, the 8th 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.

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 5. 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.

New Agency Executives

Chief Matthew Egan	Media Borough PD Delaware County
Chief Wayne W. Holben	West Reading Borough PD Berks County
Chief Nicholas M. Jastrab	Cresson Borough PD Cambria County
Chief Dennis W. Long	Slatington Borough PD Lehigh County
Chief Robert J. Matalavage	Limerick Township PD Montgomery County
Chief Stephen A. Mazzeo	Kulpmont Borough PD Northumberland County
Chief Scott T. Miller	Shippensburg Borough PD Cumberland County
Chief Chris R. Prescott	Luzerne Borough PD Luzerne County
Chief Michael G. Weaver	Nesquehoning Borough PD Carbon 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

