

OFFICE OF INSPECTOR GENERAL



INVESTIGATIVE REPORT

ACADEMIC CHEATING WITHIN THE PENNSYLVANIA
STATE POLICE 144TH CADET CLASS

OIG-16-0043-I-PSP

Confidential

February 2, 2017



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF INSPECTOR GENERAL

Privileged and Confidential

February 2, 2017

TO: The Honorable Tyree C. Blocker
Commissioner
Pennsylvania State Police

FROM: Bruce R. Beemer *Bruce R. Beemer*
Inspector General
Pennsylvania Office of Inspector General

RE: OFFICE OF INSPECTOR GENERAL INVESTIGATIVE REPORT
Academic Cheating Within the Pennsylvania State Police 144th Cadet Class
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Pursuant to Executive Order 1987-7, the Pennsylvania Office of Inspector General (OIG) issues this *Investigative Report* for appropriate action. *Investigative Reports* issued by the OIG are PRIVILEGED and CONFIDENTIAL and may not be disseminated outside of your agency without the permission of the Governor's Office of General Counsel.

SYNOPSIS

On March 16, 2016, the Pennsylvania State Police (PSP) requested the OIG to review matters related to an academic cheating incident within the 144th PSP Academy Cadet Class (144th Cadet Class) that had been discovered in approximately December of 2015. PSP's request noted that its Internal Affairs Division had initiated an investigation into the cheating incident on December 29, 2015; that a significant number of enrolled Cadets¹ had resigned from, or had been dismissed from, the PSP Academy (Academy); and that "recent news reports" had described what might be other significant problems at the Academy, including "widespread collusive efforts of Academy staff and current troopers in promoting and encouraging cheating on exams, inadequate and outdated training and testing, and racist and discriminatory remarks made during classes."

PSP asked the OIG to conduct "a comprehensive investigation into the allegations . . . including those related not only to cheating on a particular test in the 144th Class, but also to the adequacy and effectiveness of current training and testing, and to misconduct by instructors, including racist and discriminatory behavior." PSP's request also asked the OIG to "consider

¹ Individuals enrolled at, and who matriculate through, the Academy to graduate as a PSP Trooper.

what factors may have contributed to any misconduct that is uncovered, and make recommendations for actions to address [the] OIG's findings.”

The OIG's investigation found that:

- aspects of the Academy's academic environment did not strongly act to prevent Cadets from cheating on examinations, including:
 - Academy instructors providing examination answers to Cadets; and
 - the Academy failing to adequately change or modify the contents of academic examinations in Traffic Law and Criminal Law;
- the length of the Academy's Emergency Medical Response curriculum is apparently not adequate under American Red Cross standards;
- a May 2014 internal PSP review made recommendations for certain Academy educational improvements;
- since the cheating incident arose, PSP has made changes, and has proposed future changes, to Academy academic processes; and
- Cadets and Academy staff interviewed by the OIG identified a total of three incidents of potential racist or otherwise discriminatory actions or statements within the 144th Cadet Class, which have been reviewed and adjudicated.

OIG METHODOLOGY

During its investigation, the OIG interviewed a total of 57 Cadets from the 144th Cadet Class:

- 38 who resigned, or who were dismissed, from the Academy resulting from the cheating incident and/or subsequent internal PSP Internal Affairs Division investigation;²
- one who resigned from the Academy but was not apparently implicated in the cheating incident; and
- 18 randomly selected Cadets who successfully graduated.

The OIG also interviewed 18 current and former Academy instructors; seven PSP senior staff; and 23 other individuals. Within this *Investigative Report*, the OIG has not identified individual Cadets or Academy staff by name, but rather through a random numeric identification number or through their position.

The OIG also reviewed more than 50 gigabytes of data that PSP provided to the OIG, consisting of approximately 32,000 pages of data. The data included Cadet dismissal files, test information, PSP training materials, and Academy documentation. OIG investigators also analyzed the Academy e-mail account records of 98 Cadets from the 144th Cadet Class, containing approximately 8.81 gigabytes of information and attachments (including study guides created by Cadets to assist them in preparing for Academy classroom examinations). The OIG also reviewed more than 27 hours of audio and video from PSP Internal Affairs Division's

² Four additional Cadets from the 144th Cadet Class who were dismissed or resigned from the Academy in connection with the Academy cheating incident refused to speak to the OIG.

investigation of the Cadets from the 144th Cadet Class, which generated more than 6,500 pages of interview transcripts and memoranda.

The OIG requested that PSP provide all Academy Criminal Law Examinations and Traffic Law Examinations³ that the Academy has used during the previous 10 years. The OIG analyzed the documentation that PSP provided in its response. The OIG reviewed newly-issued Criminal Law Examinations and Traffic Law Examinations that the Academy has administered to Cadet classes since the cheating incident arose. The OIG also reviewed Academy changes and modifications (both implemented and proposed) to its academic curriculum and instruction processes.

The OIG also interviewed the Commissioner of PSP after he reviewed the substance of this *Investigative Report*. The Commissioner said that before the potential cheating issue arose within the 144th Cadet Class, nobody had brought to his attention any potential problems at the Academy since he had entered his position in August of 2015.

BACKGROUND

144th Cadet Class and Discovery of the Cheating Incident

The 144th Cadet Class started on September 14, 2015, with 113 enrolled Cadets; its scheduled graduation date was March 18, 2016. Each Academy class undergoes a series of examinations (See Appendix A), including eight examinations in traffic law⁴ and eight examinations in criminal law, which were generally referred to through their respective topic and numeric order of administration (For example, “Criminal Law Examination 1,” followed by “Criminal Law Examination 2”). Between September 15, 2015 and November 29, 2015, a total of 14 Cadets resigned from the 144th Cadet Class for reasons not related to the cheating incident. On November 30, 2015, the Academy administered Traffic Examination 4 to the 144th Cadet Class; the examination consisted of 30 multiple choice questions and 20 open-book “lookup” questions.⁵ The Academy permitted Cadets to possess and use an Academy-issued “Criminal Justice Handbook”⁶ during the “lookup” portion of the examination to research Pennsylvania Vehicle Code sections and subsections, which constituted the answers to the examination’s 20 “lookup” questions.

On December 17, 2015, an Academy staff member found a folded, handwritten piece of paper in an Academy hallway that was later determined to likely be a “cheat sheet” for Traffic

³ In response, PSP also provided, and the OIG reviewed, Academy “Final Examinations” issued to Cadets.

⁴ The OIG may refer to these examinations as either a “Traffic Examination” or a “Traffic Law Examination” throughout this report.

⁵ Although 99 Cadets were enrolled in the 144th Cadet Class when Traffic Examination 4 was administered, a Cadet resigned from the Academy on December 21, 2015, to accept a law enforcement position in Ohio; resulting in 98 Cadets remaining in the 144th Cadet Class.

⁶ The *Pennsylvania State Police Criminal Justice Handbook (2015 Edition)* used at the Academy during the 144th Cadet Class was published by LexisNexis® (Matthew Bender & Company, Inc. of Charlottesville, Virginia) and contained various Pennsylvania laws related to law enforcement and criminal justice; including the Pennsylvania Vehicle Code and the Pennsylvania Crimes Code.

Examination 4. The paper appeared to contain all 20 “lookup” answers from the examination and additional handwritten information. On December 22, 2015, an Academy staff member advised the 144th Cadet Class that the cheat sheet had been found, and asked any Cadets with information concerning the cheat sheet to come forward.

On December 29, 2015, after no Cadets provided information, an Academy staff member notified the PSP Internal Affairs Division of the potential cheat sheet. On January 4, 2016, two senior PSP staff⁷ addressed the class and asked any Cadet with information to provide it by 4 p.m. on that date. On January 4, 2016, the Internal Affairs Division started investigative interviews of Cadets and others. On January 6, 2016, the Internal Affairs Division collected the Cadets’ Criminal Justice Handbooks for analysis. During the investigation, the Academy re-arranged the two platoons of Cadets within the 144th Cadet Class into two newly-formed platoons – one platoon containing Cadets suspected of cheating and the other not suspected.

During and after the PSP Internal Affairs Division’s investigation of the potential cheating incident,⁸ the Academy dismissed 16 Cadets, and another 26 Cadets resigned from the Academy prior to their graduation. Forty-eight Cadets from the 144th Cadet Class graduated as scheduled on March 18, 2016, while eight others later graduated on April 22, 2016, because of the Internal Affairs Division’s need to extend their particular investigations to determine whether they violated PSP rules or regulations. Following the investigation of each Cadet, PSP staff determined whether the evidence sustained violations. PSP records show that for the dismissed/resigned Cadets – in the case of at least 39 of the Cadets⁹ – PSP found each Cadet to have violated at least three of four particular General Requirements and Duty Requirements, including a Duty Requirement prohibiting cheating on examinations.¹⁰ The OIG has

⁷ The staff were:

- the PSP Major then in the position of Director of the PSP Bureau of Training and Education; and
- the PSP Lieutenant Colonel in the position of Deputy Commissioner for Administration and Professional Responsibility.

⁸ The Internal Affairs Division’s investigations of the Cadets included review and forensic analysis of Cadets’ Criminal Justice Handbooks, polygraphing, and/or Cadet interviews.

⁹ As of the date of this *Investigative Report*, PSP has not yet provided the OIG with information identifying the General Requirements and Duty Requirements that three of the resigned Cadets violated. On October 5, 2016, the PSP Bureau of Human Resources said that PSP had not yet concluded the investigations of the three resigned Cadets, and would have been unable to identify the specific violations that those Cadets committed.

¹⁰ The Requirements, and the Field Regulations (FR) in which they are contained, were:

- FR 1-1, General Requirement 1.02 (Unbecoming Conduct);
- FR 1-1, General Requirement 1.18 (Interference With Investigations). PSP found that some of the interviewed Cadets had interfered with the Internal Affairs Division investigation by concealing material information from investigators, such as tearing pages out of their Criminal Justice Handbooks on which they had written;
- FR 1-2, Duty Requirement 2.21 (Cheating on Examinations); and
- FR 1-2, Duty Requirement 2.30 (Providing False Information). The text of each Requirement is contained in Appendix B of this *Investigative Report*.

The Academy’s *State Police Cadet Handbook* notified Cadets of the 144th Cadet Class that the PSP Cadet Code states that “A Cadet will not lie, cheat or steal, nor tolerate those who do” and that “Violations of the Cadet Code may be cause for dismissal” (page 13). The document’s Regulation/Discipline section (page 28) also notified Cadets of two rules against cheating:

summarized the available dispositions of the 42 dismissed/resigned Cadets in Appendix C to this *Investigative Report*.

Academy Examinations and Cadet Preparation

Cadets at the Academy undergo various curriculum-based examinations, including Criminal Law and Traffic Law, which test Cadets on their knowledge of the subject matter that instructors teach during classroom sessions.¹¹ The Criminal Law examinations and Traffic examinations are in booklet form consisting of multiple-choice questions, often with four possible answers (answer choices A, B, C, and D). Traffic Examination 4 and Traffic Examination 8 include 20 “lookup” scenario-based questions, for which Academy staff permit Cadets to use their Criminal Justice Handbooks. Academy staff and Cadets told the OIG that Cadets are to record their answers on a “Scantron sheet.” Cadets fill in their answers to each numbered question on the Scantron sheet by darkening a circle/oval next to the corresponding letter of the Cadet’s selected answer.¹² Academy staff told the OIG that the Cadet Scantron sheets are graded electronically by having Academy staff feed them into a “Scantron machine,” which compares each Cadet’s answers to the answer key for the examination. Academy staff provided the OIG with corresponding Scantron answer keys for the Criminal Law and Traffic Law examinations. These answer keys consisted of at least three filled-in Scantron sheets with the Academy-determined correct answers. The answer keys often contained the handwritten word “key” on the sheet. For other examinations, Academy staff provided copies of the examination with handwritten answers to the questions.

The OIG asked Cadets to describe Academy learning and examination preparation processes. The descriptions included:

- Senior class Cadets¹³ communicating to junior class Cadets about examinations that the senior class Cadets had taken but the junior class Cadets had not; specific statutory sections that the junior class Cadets should study; concepts that junior class Cadets should know for an examination; or a specific answer to a test question;¹⁴

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- Section A7.01: A Cadet shall not cheat on any examinations or quiz. (The Handbook identifies this as a Level 3 infraction. The current Director of the PSP Bureau of Training and Education told the OIG during his interview that a Level 3 infraction may subject a Cadet to dismissal from the Academy.)
 - Section A7.02: A Cadet shall not cheat or circumvent any training procedure or activity. (The Handbook identifies this as potentially a Level 1, Level 2, or Level 3 infraction.)

¹¹ The OIG has identified several types of Academy examinations in Appendix A to this *Investigative Report*.

¹² For example: 

¹³ Academy staff told the OIG that traditionally, two separate classes matriculate through the Academy at any given time, although one class is farther along in its academic schedule. Various OIG interviewees referred to a “senior class” as the Academy class that is farther along in its schedule, while the “junior class” has more recently started its schedule.

¹⁴ An example was a senior class Cadet telling a junior class Cadet, “You need to know the difference between drag racing and regular racing” (for a Traffic Law examination). Another hypothetical example was, “you’re going to go into this test and you’re going to read these answers and you’re going to think it’s this and it’s going to be an awful answer of ‘nunchucks.’”

- Cadets using study guides obtained from other Cadets and Academy classes;¹⁵
- Cadets studying from, highlighting certain contents within, and writing notes within their Criminal Justice Handbook;
- Cadets creating flashcards to serve as study aids, and writing notes within notebooks;
- Cadets forming into small groups and quizzing one another on Academy curriculum; and
- Instructors holding “study review” sessions with Cadets shortly before Academy examinations, through which the instructors would reinforce the previously-taught academic information.

A.) Cadet Study Guides

Various Cadets from the 144th Cadet Class told the OIG that they used “study guides.” In general, study guides were described as Cadet-produced typed or handwritten notes or outlines of academic material taught by instructors. Some Cadets told the OIG that during their Academy attendance and prior to the cheating incident:

- they and/or Cadets within their class shared study guides with one or more other Cadets, including Cadets within “study groups”;
- Cadets created study guides during Academy Instructor-led “test review” sessions;
- Cadets enrolled in the Academy’s Mandatory Study Program¹⁶ created study guides with an Instructor’s assistance, and subsequently disseminated them among other Cadets; and/or
- they or other Cadets received study guides created by previous Academy classes.¹⁷

Instructor 8 described study guides to the OIG as typically created by a Cadet, and as being “a combination of all their notes from day one to the end of block instruction.” Instructor

¹⁵ **OIG NOTE:** The study guides generally appear to be notes or outlines of curriculum, sometimes handwritten and sometimes typed.

¹⁶ Academy instructors told the OIG that 70 percent is considered a passing grade on Academy examinations, and that Cadets who fail to maintain an overall 70 percent average are placed in a Mandatory Study Program to assist them with their learning. The Academy’s *State Police Cadet Handbook* document (pages 17-18) notifies Cadets that they are to achieve a minimum 70 percent final average in Traffic Law and in Criminal Law, and that dismissal proceedings regarding academic standards shall be instituted when it becomes mathematically impossible for a Cadet to achieve a 70 percent average in Traffic Law or in Criminal Law; or when it becomes mathematically impossible for a Cadet to achieve an overall final average grade of 70 percent (based on the total number of points possible on the Final Examination and all Criminal Law and Traffic examinations.)

¹⁷ One Cadet from the 144th Cadet Class interviewed by the OIG admitted to receiving a study guide from a member (“one of my buddies”) of the 141st Cadet Class. Another Cadet said that the way the Academy is set up with split classes makes sharing notes and study guides tremendously easy. The senior class was ahead of the junior class so while the seniors are finishing up a section of study, the juniors are just starting that area of study. Seniors pass down their notes and study guides to the juniors. The Cadet stated he did not know a soul at the Academy who did not have or use a study guide. In March of 2016, the former Director of the Bureau of Training and Education responded (through the PSP Press Office) to a media inquiry that noted, “a number of sources said that instructors encouraged senior cadet classes to share information, including their study notes, with junior classes” and that asked “has this been Academy practice and has it since changed?”. The former Director told the Press Office “That is FALSE. Instructors encourage cadets to study in groups within their class in order to learn information . . . any other statement is false.”

15 described them as “taking notes as you are going through class and condensing those notes into the main points.” Instructor 2 described them as “sections to study that are passed down from class to class or from person to person.” Instructor 5 described them as a “compilation of notes, material, information that was obtained from an instructor during a course or block of instruction that is used or shared amongst Cadets.”

Thirty dismissed or resigned Cadets from the 144th Cadet Class said they were never told not to use materials (study guides) passed down from previous classes, while 15 out of the 18 successfully graduated Cadets (now Troopers) interviewed by the OIG also said they were never told not to use study guides passed down from previous Cadet classes.

B.) Study Reviews by Academy Instructors

Various disciplined and graduated Cadets told the OIG that some instructors engaged in “study reviews” before Academy examinations. The OIG identified 13 graduated Cadets from the 144th Cadet Class, who told either the OIG or the PSP Internal Affairs Division that instructors held study reviews in at least one of their Academy classes prior to Traffic Law examinations. These Cadets generally described study reviews as sessions in which instructors reviewed academic course material that would, or could be, contained in an upcoming Academy examination. At least 10 instructors, including traffic law and criminal law instructors, told the OIG they held study reviews with Cadets prior to examinations.

One Cadet from the 144th Cadet Class described study reviews to the OIG in the following manner:

You know, if we had, like, a block of instruction scheduled and --- let's say it would be coming up before the test. I can't say if it was, like, the very last block before the test or the day before. But they would pick a block of instruction, and they would just say okay, let's review for the test. They would just say, these are the key points, this is important, this is what you need to know. I've been through three police academies. This is my third one. And PSP did not do anything different than any other academy did where they would say, you know, this is important, you need to remember this, that kind of stuff. They would do that in all of the academies. They wouldn't flat out give you answers, but they would tell you this is important, this is what you need to focus on. If you paid attention and you wrote that stuff down, then that's how you would study.

FACTUAL SUMMARY

ASPECTS OF THE ACADEMY'S ACADEMIC ENVIRONMENT DID NOT STRONGLY ACT TO PREVENT CADETS FROM CHEATING ON EXAMINATIONS

I.) Evidence or Testimony to the OIG of Academy Instructors Providing Examination Answers to Cadets

A.) Statements of Cadets Interviewed by the OIG

During the OIG's interviews of the 57 Cadets from the 144th Cadet Class, 12 of the 18 graduated Cadets told the OIG that Academy “Instructors, Troopers, or Academy staff” provided

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them with direct test answers, or with study guides that specifically mirrored an Academy examination.¹⁸ All 39 dismissed or resigned Cadets told the OIG that this occurred.

The OIG asked Cadets of the 144th Cadet Class additional questions concerning the providing of answer sheets, test notes, and related items at the Academy from instructors or otherwise:

| | |
|--|---|
| <p><i>"Are you aware of any prior PSP Academy Class engaging in [the receipt of Academy testing information (study guides, answer codes, answer sheets, test notes or other forms of advanced test answers) after arriving at the Academy]?"</i></p> | <p>50 of 55 Cadets answered Yes ----- 13 of 17 graduated Cadets¹⁹ 37 of 38 dismissed/resigned Cadets²⁰</p> |
| <p><i>"Are you aware of any Instructors, Troopers or other Academy Staff providing [Academy testing information] to an on-going Academy class or specific Cadets?"</i></p> | <p>18 of 48 Cadets answered Yes ----- 2 of 16 graduated Cadets²¹ 16 of 32 dismissed/resigned Cadets²²</p> |
| <p><i>"Did Instructors, Troopers or other Academy Staff ever provide any direct test answers or study guides that specifically mirror a test (excluding where Instructors said, "This is important.")?"</i></p> | <p>51 of 57 Cadets answered Yes ----- 12 of 18 graduated Cadets 39 of 39 dismissed/resigned Cadets</p> |
| <p><i>"During classroom teaching, did instructors emphasize certain areas to study?"</i></p> | <p>55 of 56 Cadets answered Yes ----- 17 of 17 graduated Cadets 38 of 39 dismissed/resigned Cadets²³</p> |
| <p><i>"Did the Instructor teach the actual test?"</i></p> | <p>36 of 50 Cadets answered Yes ----- 6 of 14 graduated Cadets²⁴ 30 of 36 dismissed/resigned Cadets²⁵</p> |
| <p><i>"Did any of the Academy Instructors or Staff provide you (or other Cadets) with answers to any tests?"</i></p> | <p>52 of 57 Cadets answered Yes ----- 14 of 18 graduated Cadets 38 of 39 dismissed/resigned Cadets</p> |

Several Cadets from the 144th Cadet Class told the OIG that during test review sessions, instructors provided actual or direct test answers for upcoming Traffic Law, Taser, and Emergency Medical Response examinations.

¹⁸ 53 of 57 Cadets interviewed by the OIG generally said that they received Academy testing information (study guides, answer codes, answer sheets, test notes or other forms of advanced test answers) after arriving at the Academy (without specifying who provided them with the information).

- 55 of 56 Cadets (who answered the question) said that they knew of other Cadets who had;
- 56 of 57 Cadets said that they had heard of this occurring; and
- 43 of 46 Cadets (who answered the question) said that Academy staff were aware of this occurring.

¹⁹ One of the interviewed Cadets did not answer, or clearly answer, the question.

²⁰ One of the interviewed Cadets did not answer, or clearly answer, the question.

²¹ Two of the interviewed Cadets did not answer, or clearly answer, the question.

²² Seven of the interviewed Cadets did not answer, or clearly answer, the question.

²³ One of the interviewed Cadets did not answer, or clearly answer, the question.

²⁴ Four of the interviewed Cadets did not answer, or clearly answer, the question

²⁵ Three of the interviewed Cadets did not answer, or clearly answer, the question.

1.) General Statements Concerning Examinations

Cadet 15 said that before the scandal, the instructors would hold test review sessions where the questions asked would match examination questions. Cadet 6 said senior Cadets (from the 143rd Cadet Class) told the 144th Cadet Class, “this is how it would be,” and said, “[i]t got to the point we didn’t need to study, we knew that we would be given what we needed to know. It would never be the whole test that they [instructors] gave us, just enough to pass to three-quarters of the information that we would be tested on.” Cadet 76 said he or she did not think it was “black and white” at the Academy because a lot of direct answers are provided to the Cadets directly by the instructors.

Cadet 15 identified Instructor 4 as being very strict in how he or she handled their test review sessions by asking Cadets to answer the questions for themselves. Cadet 86 stated Instructor 4 was the only instructor that gave a “good” review and would not provide answers, but instead, explained definitions and broke the material down into “layman’s terms” for the Cadets. Cadet 17 said Instructor 15’s sessions probably came closest in reviewing what was on the test, although Instructor 15 was one of the most in-depth instructors when teaching the materials.

2.) Emergency Medical Response Examination Study Review

During the OIG’s review, at least 49 of 57 Cadets (both successfully graduated and dismissed/resigned) from the 144th Cadet Class told the OIG that instructors provided direct questions and/or answers to the Emergency Medical Response Examination during the (examination’s) test review.

Cadet 83 told the OIG that he or she lacked instruction concerning emergency medical response, and said that he or she could not properly render first aid to a victim if he or she were the first to arrive on the scene.

Cadet 91 said that any time the instructors would teach, they would actually pull up the test and read the question off, say ‘make sure you know this,’ and they’d say it three or four times. Cadet 91 said the Emergency Medical Response study guide is the exact same study guide that has been passed down from Academy class to Academy class for years, because the Academy conducts the same exact review each year. Cadet 24 said that Cadets received “straight answers” for the Emergency Medical Response examination, covering just enough material so the Cadets could pass the exam. Cadet 65 told the OIG that instructors complained about teaching the Emergency Medical Response course and expressed this sentiment to the Cadets. According to Cadet 65, instructors treated the course as “a joke” and also presented it as such.²⁶

²⁶ Cadet 65 also told the OIG that a running theme and “joke” for Emergency Medical Response was “ABC” – meaning “Ambulance Before Cop.”

Cadet 25 told the OIG that instructors basically gave the Cadets the answers to the Emergency Medical Response examination before it was administered. Cadet 72 said that the Emergency Medical Response examination was the only occasion during which he or she could remember an instructor giving direct examination answers; the instructor skimmed over much of the examination material and taught to the examination. Cadet 17 told the OIG if the instructors did not have time to review Emergency Medical Response material, the material was skipped over and Cadets were taught what to look for on the examination.

Cadet 22 identified both the Taser and the Emergency Medical Response as classes where the instructors provided the Cadets with the most test help.

3.) Taser Examination Study Review

Cadet 39 said that during the study review for the Taser Examination, the instructor asked Cadets for approximately 75% of the examination answers and continued seeking correct answers until the Cadets chose the correct one. Cadet 60 said that during the review on the proper use of a Taser, held in approximately January 2016 (after the PSP Internal Affairs Division's investigation had started) and shortly before the examination, Instructor 12 read directly from the examination during the test review session, which the Cadet discovered after taking the examination.

4.) Traffic Law Study Sessions

Cadet 11 said that the instructors usually conducted reviews for everything, but Traffic review sessions were more "direct"; most sample questions discussed during Traffic review sessions matched examination questions.

Cadet 21 said Instructor 15 would give the class 70% of traffic tests during his or her test review sessions. Cadet 60 said that instructors occasionally provided direct answers to examinations during their test review sessions, and said Instructor 15 did this "all the time."

B.) Statements of Academy Instructors

1.) Providing Examination Answers to Cadets

The OIG asked instructors whether they had provided direct examination answers to Cadets, such as "Number 6 is 'D'" or "Number 6 is 300 yards." Instructors 3, 6, 10, and 11 told the OIG that they had. Instructor 14 admitted to doing so immediately before an examination after discovering that an examination question was ambiguously worded. Instructor 13 admitted to doing so immediately before an examination after discovering that a question concerning a recently-amended law had not been updated to reflect the proper [criminal] grading for a violation of that law. Instructor 3 admitted to doing so immediately before a test if there were questions historically missed by many Cadets.

The OIG asked the instructors whether they took the actual Academy examinations into their study review sessions. Instructors 4, 5, 6, 8, and 11 said that they did. Instructor 9 said “not normally but sometimes yes.” Instructor 14 admitted to taking an examination into a study review on one occasion; two other instructors said they did not. Instructor 18 said “sometimes.” Instructors 8 and 6 admitted to reading from the examinations during their study review sessions. Instructor 5 admitted to reading specific sections of material that would be covered during an upcoming examination. Instructor 4 admitted to taking the examination into the study review session, but said that he or she “wouldn’t formulate anything I was saying in the form of a test question.” Instructor 11 admitted taking the examination into study review sessions, but would “reword . . . some of the questions.” Instructor 13 estimated that 40 percent of the material covered by the instructor during study review sessions would be on an examination, and said this would not be enough for a passing grade.

Instructor 15 said that he could not recall conducting a test review for Traffic Examination 4 for any class, including the 144th Cadet Class. However, 18 Cadets from the 144th Cadet Class (dismissed, resigned, and successfully graduated) said that Instructor 15 performed a review for Traffic Examination 4. Instructor 8 said that the Academy’s Traffic Unit did not hold a review for the 144th Cadet Class’ Traffic Examination 4 because it ran out of time.

An instructor supervisor told the OIG that although nothing says that an instructor may not take an examination into a test review session, the supervisor would caution instructors not to do so. The instructor supervisor said that in the spring of 2015, he or she met with unit supervisors and mentioned that he or she had noticed especially high Academy examination grades. The instructor supervisor said that he or she noted to the unit supervisors that instructors should not be reviewing the test or stomping their feet and saying, “You might want to know this answer.” The instructor supervisor said that the instructors should be teaching Cadets information that they would need as a Trooper. The instructor supervisor also said that it would be inappropriate for an instructor to solely give test answers during a review.

2.) Emergency Medical Response Examination

Instructor 3 told the OIG that if a Cadet fails the Academy’s Emergency Medical Response Examination, Academy staff allows the Cadet to meet with an Instructor; to review the questions that the Cadet incorrectly answered; and to write the questions down. According to Instructor 3, the instructor works to have the Cadet understand why the Cadet answered questions incorrectly and the Cadet is then given the same version of the examination to retake. Instructor 3 said that although the Academy maintains an “A” version and a “B” version of the examination, the Academy continues to give Cadets the “A” version until they pass the examination.

Instructor 6 told the OIG the Academy has a Test A and a Test B for the Emergency Medical Response Examination, and the Academy issues the Cadets only Test A for the “majority of the time.” If Cadets fail the examination, they are told they need to be retested and, “ninety-eight percent of the time” the Academy permits them to retake Test A, because Test B is a harder version. If the Cadet fails the second attempt, they retake Test A again. Instructor 6

said that he or she believes that four attempts has been the maximum. The instructor said, “[n]obody’s going to get kicked out of the Academy currently for failing this. They’re going to pass it eventually, in other words.”²⁷ During the week of the re-examination, the Academy permits Cadets to go to the Instructor’s office and they are handed the Emergency Medical Response examination, and are permitted to take notes on whatever they want before they re-take the examination later that week.²⁸

Instructor 5 told the OIG that the Academy has administered the Emergency Medical Response examination in two different ways:

- Cadets take Test A, then take Test B if they fail the examination; and
- Cadets take Test A, then re-take Test A if they fail.

The instructor said that he or she does not make those decisions; that those decisions were made above his or her level; and that he or she just does what he or she is told. Instructor 5 said that American Red Cross rules require Cadets who fail Test B to re-take the entire 40 hours of curriculum. Instructor 5 said, “We don’t have the manpower to take eight or ten Cadets or however many who fails and teach them 40 hours again.”

3.) Definition of Cheating from Academy Instructors

The OIG asked instructors to define cheating. Among the answers provided were:

| | | |
|--|---|---|
| <i>A Cadet at the Academy would cheat if he got answers to any particular test, whether it be through an Instructor or through a former Cadet.</i> | <i>Information being passed on from one individual to another in the form of a written document that would give you answers, whether it be multiple choice or written down, as the one in question, sections of a Vehicle Code.</i> | <i>Having the exact answers for the test.</i> |
| <i>If you have information relative to specific questions and answers – “here is the question, here is the answer.”</i> | <i>Somebody provided with the answers on a test, numerically like right down the line, this is what’s on the test, this is what you have.</i> | <i>Coming into a test with answers and questions that were provided by another means than studying.</i> |

²⁷ The OIG asked the American Red Cross whether it would be proper for individuals who failed a “Version A” of its test to re-take “Version A” rather than taking “Version B.” In response, an American Red Cross representative told the OIG, “[t]he intent is that a participant will not take the same exam twice although this is not specified in the course materials. Order of first exam and re-test exam (first “A” then “B”) is neither specified nor intended – two exams are provided for the purposes of re-test and as a tool to limit the potential for copying.” The OIG also asked whether it would be permissible for PSP to use only “Version A” of examinations to administer re-testing, regardless of how many times a particular Cadet fails the examination. The American Red Cross representative answered, “This is not strictly prohibited in course materials however the intention is to not exclusively use one version of the exam.”

²⁸ The OIG asked the American Red Cross whether it would be proper for PSP to provide test answers to Cadets in advance of the Emergency Medical Response, or the CPR/AED examinations. The American Red Cross representative responded by e-mail, “Exam security standards listed in the EMR Instructor’s Manual: ‘Exam security is your responsibility. It is not recommended that participants be allowed to see the written exam before it is distributed.’”

| | | |
|---|--|--|
| <i>Anything that undermines them truly learning the material.</i> | <i>That's kind of hard to put into a . . . I mean, I guess what I would say having the answers and knowingly and intentionally using those answers to gain an advantage.</i> | <i>Obtaining information on a test that was directly pertinent to that test in a suspicious way.</i> |
|---|--|--|

C.) PSP Field Regulation Prohibiting Member Cheating on Examinations

PSP Field Regulation 1-2 (Duty Requirement 2.21) (*See Appendix B*) prohibits Members (defined as “a sworn PSP Trooper”)²⁹ from furnishing . . . or attempting to . . . furnish answers or questions to examinations.

D.) PSP Investigated an Instructor Providing 48 of 50 Examination Questions to the 142nd Cadet Class; and also a Trooper Who Provided the Resulting Study Guides to Members of the 144th Cadet Class

During the PSP Internal Affairs Division’s investigation of potential cheating in the 144th Cadet Class, it found that a current Trooper (and member of the 142nd Cadet Class) had forwarded to two members of the 144th Cadet Class a study guide that consisted of 48 of the 50 questions from the Academy’s Traffic Examination 7. The Internal Affairs Division investigated the instructor who performed the study review and investigated the Trooper who forwarded the study guide to the 144th Cadet Class members.³⁰

The resulting June 2, 2016 investigation report concluded that on July 23, 2015, the instructor had conducted a test review with Cadets of the 142nd Cadet Class (prior to Traffic Examination 7) while Cadets had access to personal computers, on which they took detailed notes. Following the review, a Cadet from the 142nd Cadet Class received two study guides from fellow students, used them to study for the test, and provided them to two Cadets from the 144th Cadet Class. The investigation concluded that the study guide contained 48 of 50 questions from Traffic Examination 7.³¹ The questions and answers were not written verbatim “but they clearly represented the content of the exam.” The investigation report also states that “the investigation

²⁹ Pennsylvania State Police Administrative Regulation 1-1 (Organization), § 1.01 (Table of Organization), ¶ B (Definitions), ¶¶ 2(d). The PSP Bureau of Human Resources provided this Administrative Regulation in response to the OIG’s request that it provide a regulation, if any, that defines the word “Member,” as used in PSP Field Regulation 1-2, Duty Requirement 2.21.

³⁰ The Bureau of Integrity and Professional Standards discovered the existence of the study guide on January 25, 2016. The Academy scheduled the 144th Cadet Class to take Traffic Examination 7 on February 22, 2016. The OIG’s review of Academy examinations found that the Academy subsequently changed Traffic Examination 7 on February 2, 2016 (before it was administered to the 144th Cadet Class), by replacing four of the multiple choice questions with new questions (and answer sets), and also by re-ordering many of the remaining unchanged multiple choice questions. The Academy retained the same language of the unchanged questions, the language of the four multiple choice answers, and the order of the four answers.

³¹ The interview transcript of a Cadet from the 142nd Cadet Class, interviewed by PSP Internal Affairs Division regarding this matter reads, “[h]e -- We were in the computer lab. He read the full entire test off to us and gave us every single answer. It was no --. There was no hiding it. He gave everybody ---. Everybody in the entire class knew that he was giving answers to us.”

found no evidence that the content of the study guides came from any source other than that of the test review that the Instructor conducted prior to the exam.”

The investigation report notes that the instructor confirmed performing an in-depth study review for A Platoon and B Platoon in the Academy computer lab the day before Traffic Examination 7 was administered. The instructor believed he or she likely rephrased and covered 48 of the 50 test questions during the review while knowing that the Cadets were typing or writing. The report notes that the instructor said that he or she “never received guidance on how to conduct test reviews, and there is no Academy policy regarding them.” The report notes that the Trooper initially received the two study guides by e-mail from two Academy Cadets on July 23, 2015, and admitted to subsequently e-mailing those two study guides (and 21 other ‘legitimate’ study guides) to two Cadets (Cadets 86 and 35) in the 144th Cadet Class to assist them with their Academy studies.

The Cheating Allegation Was Not Sustained Against the Instructor or the Trooper/Former Cadet

Despite the conclusions of the investigation report, and on the existence of PSP Field Regulation 1-2 (Duty Requirement 2.21), a Captain in the Bureau of Training and Education who reviewed the evidence following the investigation found:

- allegations of cheating on an exam and unbecoming conduct by [the Trooper/former Cadet] to be not sustained; and
- allegations of cheating on an exam and inappropriate action on duty [by the Instructor] to be not sustained.

The Director of the PSP Bureau of Training and Education (a PSP Major) concurred with the findings.

The Captain stated in the investigative report that,

“[A]lthough a judgment of misconduct was not found in this case, there remains a serious concern that the Bureau of Training and Education lacks administrative regulations that govern how a test review is conducted. Therefore, I am directing the Education, Testing, and Curriculum Section Commander to draft a standardized test review policy to submit to the Bureau Director for approval. I am also adding regulations to the next issue of the cadet handbook that will prohibit the sharing of study guides or material between cadets or cadet classes without the approval of Basic Training Section Commander.”³²

The PSP Bureau of Training and Education’s subsequent letter to the instructor, which notified the instructor that allegations of cheating and “inappropriate action on duty” were not sustained, also noted to the Instructor, “. . . during the test review you covered 48 out of the 50 questions on Traffic Law Test #7 in such detail that cadets knew the content of the exam. Furthermore, you permitted them to take notes on the review which resulted in what resembled an answer key more than a study aid.” The letter also stated:

³² The Captain authored a June 2, 2016 letter to the Trooper (former Cadet from the 142nd Cadet Class), in which he notified the Trooper of the disposition of the allegations against the Trooper. The letter states, “. . . I also found that there was no regulation that prohibited the sharing of notes between cadets and/or cadet classes.”

I would caution you that although a finding was not sustained in this incident, your actions, although they may not have been intended, were in direct opposition to the mission of cadet training in the Basic Training Section. Cadets must be fairly evaluated to ensure that they have mastered and possess the necessary skills and knowledge to be successful in the field. Your review did nothing to require them to further study the entirety of the material that was covered by the instructors rather it permitted them to focus on a very narrow section of it. I expect you to exercise better judgment in the future.

The instructor told the OIG, in reference to his or her adjudication, that the Internal Affairs Division had found that a study guide was passed down from the [142nd] Cadet Class³³ to the 144th Cadet Class through the Internal Affairs Division's review of e-mails of the 144th Cadet Class. The instructor said the Internal Affairs Division found, through Cadet interviews, that the study guide was created during an Academy test review the instructor conducted in the computer lab. The instructor said he or she had the actual test; went over direct questions and answers during a test review; rephrased questions but provided what was called a "generous review"; and realized after the fact that scores were higher than average for Traffic Examination 7. According to the Instructor, at that point, he or she decided to engage in "self-polic[ing]" the way test reviews should be conducted.

E.) OIG Review of Cadet Study Guides -
The OIG Used Study Guides to Pass Academy Examinations

The OIG reviewed the e-mails of Cadets from the 144th Cadet Class and found various so-called study guides that appeared to contain at least some Academy examination questions and/or examination answers, whether for the Academy Traffic Examinations, Criminal Law Examinations, or Emergency Medical Response Examinations. Other study guides reviewed by the OIG did not use or contain the specific words "question" or "answer," yet appeared to contain particularly targeted points of information or applications of law. The OIG provided a few of these study guides to some of its investigative staff (without previous law enforcement training) and asked them to take the corresponding examinations using only those study guides.

A page from one particular study guide for the Emergency Medical Response Examination (entitled "EMR Study Guide") consists of 36 numbered sentences or clauses, some containing bolded language such as "# 10 on Test" followed by a fact. Other numbered rows contain the bolded words "Test Question: *(followed by a written question)*" and "Answer: *(followed by words appearing to be responsive to the question)*." Other numbered rows contain what purport to be medical definitions or medical facts. An OIG investigator, using only this study guide, passed the examination.³⁴ Another OIG investigator reviewed a handwritten Cadet study guide (entitled "EMR Review") for the Emergency Medical Response Examination, which consists of 41 numbered phrases or clauses, as well as 15 additional phrases contained within a section labeled "CPR/AED." The OIG review found that the study guide provided answers to a

³³ The Instructor incorrectly identified the Academy class as the 141st.

³⁴ The top of the study guide contains the language "Need 80% or higher to Pass" and states that the examination consists of: "75 Questions on First Response" and "25 Questions on CPR/AED" [the OIG presumes these initials stand for the medical terms "Cardiopulmonary Resuscitation/Advanced External Defibrillator."]

total of 57 questions from the examination; and that although the study guide did not appear to answer some of the 100 examination questions, the answers that were provided were all in a progressive order in relation to the examination. For example, the answer to question 1 came first, followed by the answers to numbers 2, 4, 5, 6, 9, etc.

An OIG investigator (with no prior law enforcement experience) obtained passing scores on versions of the Academy's Traffic Examination 7 administered to the 142nd Cadet Class (on July 24, 2015) and to the 144th Cadet Class (on February 22, 2016).³⁵ The OIG investigator only used two study guides that an instructor allowed Cadets from the 142nd Cadet Class to create on July 23, 2015. PSP Internal Affairs Division records show that these were later shared with Cadets from the 144th Cadet Class.

Another OIG investigator, using only a Cadet's handwritten study guide for Traffic Examination 4, found approximately 22 of the examination's 30 answers through the study guide. Another OIG investigator, using a typewritten version of a study guide for the Traffic Examination 4, found approximately 23 of the examination's 30 answers. Approximately 18 of the 24 numbered points on the study guide contained at least one examination answer.

Another OIG investigator, using only a Cadet's handwritten study guide from the Traffic Examination 4 (entitled "Traffic #4 Review"), found 24 of the examination's 30 answers through the study guide. Virtually every handwritten row of the study guide contained one or more examination answers. Cadet 75, who provided this study guide to the OIG, told the OIG that he or she compiled the document in an Academy class.

F.) Statements of Academy Leadership

The former Director of the PSP Bureau of Training and Education, who told the OIG that he supervised³⁶ the Academy from February 2013 to March 2016, told the OIG that instructors should not overuse the practice of telling Cadets "this is important" or "you will see this again," but might make limited use of those practices. The former Director said that he felt it would be inappropriate for instructors to read directly from an examination.

The former Director said that the body of the Academy's lesson plans have been inherited for decades because it is not productive to re-write the material, although the material is occasionally revised, most often due to changes in law or judicial decisions interpreting the law. The former Director said that the Criminal Law Unit may have 50 or 60 lesson plans that are updated as the law changes. According to the former Director, the Academy has 200 Cadets in the building every day because of overlapping classes.

³⁵ As noted on page 21 of this *Investigative Report*, the Academy revised the examination for the February 2, 2016 administration of the test given to an Academy class. The OIG found that numerous Cadets from the 144th Cadet Class placed the date February 22, 2016 on their Scantron sheets for Traffic Examination 7. [OIG NOTE: The apparent reference to "February 2, 2016" in this footnote should have properly read "February 22, 2016." The OIG identified this typographical error after PSP had issued its Response to the OIG's *Interim Report*.]

³⁶ The former Director also told the OIG that he worked as an Academy Instructor from approximately 1995 to 1997, and as Director of the Academy's Training Division from 2011 to 2013.

The former Director also said that:

- he did not believe that instructors should take Academy examinations into study review sessions;
- he was not aware of an Academy prohibition against sharing study guides between Cadet classes;
- he was not aware of instructors providing answers to Cadets while he was [Director at the Academy], but it would be problematic if that occurred;
- it would be proper for an Academy instructor to tell Cadets “speeding will be on the test” or “make sure you look at the speeding section” before a test; but inappropriate to say things like “[Question] number 6 is [letter] D” or “[Question] number 6 is 300 yards”; and
- it would be inappropriate before a test for an instructor to cover only those items that the instructor knew was included on the test.

G.) Additional OIG Observation

In March of 2016, the former Director of the Bureau of Training and Education told the PSP Press Office in writing – in response to a media inquiry alleging that a number of sources said instructors provided students with questions and answers pulled directly from written exams within days of tests (up to two-thirds of the test content in some cases) – that it has not been an Academy practice for instructors to provide students with questions and answers directly from Academy examinations.

II.) The Academy Has Not Frequently Changed the Questions/Answers Contained on Traffic Law, Criminal Law, or Final Cadet Examinations

A.) Statements of Academy Staff

In February of 2016, a former Academy supervisor (of the Traffic Unit) told PSP’s Internal Affairs Division that he or she had worked in the Academy Traffic Unit since 1995 until his 2016 retirement. He said that the Academy rarely changed or revised the questions on the Traffic Examinations during his or her employment.³⁷ According to the supervisor, “[t]here may have been a few questions changed periodically but again I don’t recall.” The supervisor said that the Traffic Unit changed examination questions to reflect changes in the law, but did not change the order of Traffic examination questions.

The OIG asked the Criminal Law and Traffic Law instructors when their examinations had been last updated. Two instructors did not know or could not provide dates. Instructor 13 said that prior to the cheating scandal, nothing was changed other than typographical errors or the removal of questions that were no longer relevant. Instructor 13 said that the Instructor’s course material was developed well before 1998, but that much of the course material was based

³⁷ The supervisor told PSP’s Internal Affairs Division that the Academy “never changed for the purpose of changing and . . . the reason behind that was . . . you only have a number of pertinent questions.”

on case law. Most of the instructors interviewed by the OIG said that they did not create their course materials, but inherited them as instructors.

Instructor 10 told the OIG that in his or her opinion, the Academy's revision of examinations is probably "not as current . . . as universities and such are doing right now." Instructor 10 said that when changes are made to examinations, ". . . [w]e need it to be secure and confidential, it has to go to our Reproduction Division over at Department Headquarters. We need 150 new tests because of one question change, but that kind of stuff does happen." Instructor 10 said that some new material may be taught but not placed into examinations, depending on the "importance and the severity and the impact of new material."

Many instructors told the OIG the Academy's lesson plans from which they teach were inherited; one instructor stated they have not changed a great deal in 12 years. Instructor 13 told the OIG that, "A lot of it is very similar to what I taught 12 years ago. There's been some changes, there's been more advances in technology as far as ways to present it, but basically it's very similar to what it was 12 years ago. And I can tell you, during the time I was there 12 years ago we taught what was on file. So they gave us a lesson plan, we prepared based off of that lesson plan, and then went into the class and taught based on that lesson plan. So I haven't ever participated in creating a class at the Academy."

Various instructors offered their understanding of the Academy's examination and curriculum modification process:

- Instructor 4 told the OIG that within the Academy's Crime Unit, the Crime Unit supervisor has the initial authority to make revisions without going to the Basic Training Sergeant. Instructor 4 also said that the Basic Training Lieutenant and/or Basic Training Captain review the change;
- Instructor 17 (a supervisor within the Bureau of Training and Education) said that day-to-day changes are made at the Unit level between Troopers and Corporals, before Corporals would speak to the Basic Training Sergeant about the change. According to Instructor 17, "major lesson plan changes" go to the Director of the Bureau of Training and Education; and
- Instructor 10 (a supervisor within the Academy's Basic Training Division) said the Academy's Units are responsible for evaluating the Cadets' knowledge and determining whether they are developing skills correctly.

PSP records show that in November of 2013, the PSP Internal Affairs Division conducted an investigation of an Academy instructor for an unrelated matter. During the Instructor's December 12, 2013 interview with the Internal Affairs Division, the instructor told the investigators that recycled Cadets are typically "leaps and bounds" ahead of other Cadets because the Academy does not change test questions between classes, so when the recycled Cadets return to the Academy, they are taking the same test questions they previously took.

B.) Examination Revision Data Provided to the OIG by the Academy

PSP records show that in February of 2016, a PSP staff member asked the Academy’s Basic Training Section “When were the [Traffic examinations and Criminal Law examinations] changed prior to [the January 2016 PSP Internal Affairs Division] investigation?” The Basic Training Section’s answers are contained within Chart 1, and contain dates from 2006 to 2015.

Chart 1. - Academy Examination Modification Dates Identified by the Basic Training Section in February 2016

| Test | Modification Date | Test | Modification Date |
|-----------|--|----------------|-------------------|
| Traffic 1 | May 2014 | Criminal Law 1 | December 2013 |
| Traffic 2 | December 2009 | Criminal Law 2 | December 2013 |
| Traffic 3 | April 2015 | Criminal Law 3 | December 2013 |
| Traffic 4 | February 2006 (Lookup portion); December 2009 (Multiple Choice) | Criminal Law 4 | December 2013 |
| Traffic 5 | December 2009 | Criminal Law 5 | December 2013 |
| Traffic 6 | December 2014 | Criminal Law 6 | December 2013 |
| Traffic 7 | March 2012 | Criminal Law 7 | April 2015 |
| Traffic 8 | January 2007 (Lookup portion); March 2012 (Multiple Choice) | Criminal Law 8 | December 2013 |

The Basic Training Section also told the staff member that for at least the previous 10 years, the Section used a “single test system” rather than a “2 test system.” In response to two other questions from the staff member, the Basic Training Section said:

“Were tests changed since Academy Investigation initiated? The Basic Training Section has modified all Traffic Law and Criminal Law examinations since late December, 2015. New questions have been added, while other questions had the incorrect answers modified. There are some existing questions that are pertinent to the Cadets to have knowledge of that must remain, but the order of questions in those cases were shuffled.”

“Do we now have multiple tests or still a single test system? The Bureau still utilizes a single test system. The Bureau will be implementing a system where there are four versions of each examination. Each Cadet Class will receive the same version of a test, but the other versions will be given in successive order by class. Every four classes will represent the recycling of examinations.”

On February 9, 2016, the former Director of the PSP Bureau of Training and Education issued Special Order 2016-02, ordering the Bureau to establish “four versions of all Cadet Traffic and Crime examinations.” The Order directed that “every four classes will represent the recycling of the examinations.”³⁸ The Order also stated, “[i]t shall be the goal of the Bureau of Training and Education to identify, procure, and implement a system that automates test examinations. Such a system should vary tests using Academy-approved subject matter and be one which makes test implementation efficient for teaching cadre.”³⁹

³⁸ The Order explained this process as, “Crime Test 1, Version A” will be given to the 146th Cadet Class, “Crime Test 1, Version B” shall be given to the 147th Cadet Class, etc. This practice shall stay in effect until a better system is identified and obtained in the future.”

³⁹ On August 4, 2016, the current Director of the Bureau also told the OIG that the Academy intends to create and cycle through four versions of Academy examinations until the Academy can test Cadets through a (computer-based) Learning Management System.

C.) The OIG's Review of the Academy Examinations

On June 24, 2016, the OIG requested that PSP provide a copy of every Criminal Law Examination and Traffic Examination administered at the Academy from 2005 through 2015.⁴⁰ In response, PSP provided the OIG with multiple versions of the eight Academy Traffic examinations, eight Criminal Law examinations, and the Cadet Final Examination. A single version of these 17 examinations contain a total number of 1,000 questions. See Chart 2. The OIG analyzed PSP's responsive examination documents to determine how many of the examination questions had been revised or changed (at least once) from version to version.

Some of the examination documents provided to the OIG did not appear to clearly evidence the creation/revision date of either the entire document or, in some apparent cases, the revision date of a particular page of a document. As a result, the OIG cannot be certain that all of the responsive documents were used entirely within the last 10 years; some of the dates appear to be as early as 2000, while some documents have no apparent dates. Additionally, some of the apparent revision dates on the documents do not appear to match the revision dates provided by the Academy.⁴¹

Chart 2. - Academy Examination Versions
Reviewed by the OIG

| | |
|-------------------------|------------------------|
| Criminal Law 1 | 50 Questions |
| Criminal Law 2 | 50 Questions |
| Criminal Law 3 | 50 Questions |
| Criminal Law 4 | 50 Questions |
| Criminal Law 5 | 50 Questions |
| Criminal Law 6 | 50 Questions |
| Criminal Law 7 | 50 Questions |
| Criminal Law 8 | 50 Questions |
| TOTAL | 400 Questions |
| Traffic Law 1 | 50 Questions |
| Traffic Law 2 | 50 Questions |
| Traffic Law 3 | 50 Questions |
| Traffic Law 4 | 50 Questions |
| Traffic Law 5 | 50 Questions |
| Traffic Law 6 | 50 Questions |
| Traffic Law 7 | 50 Questions |
| Traffic Law 8 | 50 Questions |
| TOTAL | 400 Questions |
| Cadet Final Examination | 200 Questions |
| GRAND TOTAL | 1,000 Questions |

Overall Results of the OIG's Review of Traffic Law, Criminal Law, and Cadet Final Examinations – 82 Percent of Examination Questions Have Remained Completely Unchanged

The OIG's review of the examination versions shows that:

- 828 of the 1,000 questions have remained unmodified, with the same four multiple-choice answer options in the same order;
- 141 of the questions have been modified, and
- 31 questions were unmodified, but were moved to a different position within the question list (for example, changing the location of a particular question from "Question 2" to "Question 1").

⁴⁰ The OIG's request asked for a "copy of each crime and traffic test administered to each Cadet class from January 2005 through the graduation of Cadet Class 143." The 143rd Cadet Class graduated on December 4, 2015.

⁴¹ For example, the PSP information within Chart 1 shows:

- A May 2014 revision date for the Traffic Examination 1. However, the responsive documents from PSP do not include a version with a May 2014 modification date, but rather three apparent versions of the examination, each identifying a December 2009 modification date.
- A December 2009 revision date for the Traffic Examination 5. However, PSP provided three versions of the Traffic Examination 5; one appears to identify both December 2009 and April 12, 2011 as modification dates. The other two identify May 2009 and December 2009, respectively, as the modification date.

Of the 141 modified questions, the OIG found that 129 questions had substantive changes; and 12 questions contained only grammatical changes. Of the 141 modified questions, 71 appeared in Criminal Law examinations; 50 appeared in Traffic examinations; and 20 appeared in the Cadet Final Examinations.

OIG's Review of the February 2, 2016 Traffic Examination 7

For the February 2, 2016 version of Traffic Examination 7 (the version administered after the PSP Internal Affairs Division discovered the study guide from the study session wherein an instructor provided Cadets with answers to 48 of the 50 examination questions), the Academy:

- completely changed/replaced four questions (and answer sets) of the 50;
- re-ordered 31 of the remaining 46 unchanged questions (and answer sets) [for example, changing the number of a particular unchanged question from “Question 1” to “Question 2”]; and
- retained the remaining 15 unchanged questions (and answer sets) at their previous locations within the examination.

D.) Statements of Academy Leadership

The former Director of the PSP Bureau of Training and Education, who supervised the Academy from approximately 2013 to 2016, told the OIG that Academy examinations may have been created in approximately 1994 or 1995, although they have evolved to reflect changes in the law (like the curriculum). The former Director said that instructors or a PSP Corporal (acting as an instructor supervisor) can authorize small changes to Academy tests, and that test questions will change if the Academy finds that the question is inartfully drawn, or if an inordinate number of Cadets get a particular question wrong.

In response to the OIG's question of whether the Academy used multiple versions of examinations, the former Director said that when he was an instructor, the Academy used a “Version A” and a “Version B” of examinations, but provided each alternate class with the same version, to ensure that it would not inadvertently score someone incorrectly.⁴²

E.) Additional OIG Observation

In March of 2016, the former Director told the PSP Press Office in writing – in response to media requests concerning allegations that the Academy tests had not changed in years – that “[t]ests are in fact changed. Every time laws change, or more frequently case precedent changes the test must be updated.”

⁴² Notwithstanding the former Director's statement, the OIG asked the Academy to provide all Criminal Law and Traffic examinations used at the Academy within the last 10 years. Although numerous documents were labeled as “Version A,” the OIG did not find any that contained the letter “B” or “Version B” in the label (other than for the EMR examination and for the CPR/AED examination, both of which the Academy provided with clearly-labeled “Version A” and “Version B” examinations).

**THE LENGTH OF THE ACADEMY'S EMERGENCY MEDICAL RESPONSE CURRICULUM
IS APPARENTLY NOT ADEQUATE UNDER AMERICAN RED CROSS STANDARDS**

Based in part on statements made by one or more instructors during their OIG interviews, the OIG reviewed certain matters related to Academy curriculum requiring American Red Cross (ARC) certification.

*The Academy Has Lessened the Number of Overall
Course Hours for Emergency Medical Response Curriculum*

The ARC *Emergency Medical Response Instructor's Manual* states that the Emergency Medical Response course is estimated to take 51 hours, and that its length is based on the skill of the participants rather than on a "set number of hours."⁴³ A retired instructor supervisor, who has since acted as a contracted instructor at the Academy, told the OIG that Emergency Medical Response courses should last 51 hours. The OIG reviewed syllabi from the Academy's 143rd through 146th Cadet Classes. Those records appear to show that the Academy allotted 40 hours for Emergency Medical Response training for the 143rd Cadet Class (in 2015), and further reduced the number to 34 hours for the 144th through 146th Cadet Classes (during 2015 and 2016).⁴⁴

Joshua Rowland, Manager (of) Instructor Engagement & Quality Assurance, ARC, told the OIG that "34 hours would not be acceptable. The course outline is for 51 hours and does not include breaks, time to transition from one activity to another and set up. The course should take at least 51 hours."

*The Academy Apparently Does Not Receive Notice
of the ARC Certification Compliance of its Instructors*

An Academy clerical employee told the OIG that after an instructor successfully completes a course, the ARC e-mails the corresponding certificate directly to the instructor. The clerical employee said that the Academy does not maintain a separate file or system to manage or track certifications. Rowland said that Third Party Administrators, such as PSP, may request reports from ARC concerning their instructors' certification status at any time by calling ARC's Call Center, or by e-mailing a request.

⁴³ ARC *Emergency Medical Response Instructor's Manual*, Chapter 3 (Setting Up and Running the Course), "Course Length" section (p. 15).

⁴⁴ The Academy syllabi also appear to show that, while the Academy allotted two hours of Emergency Medical Response curriculum time to the 143rd Cadet Class for a "Final Skills" component, the Academy removed that component for the 144th through 146th Cadet Classes and substituted a two-hour "Test Review." The ARC *Emergency Medical Response Instructor's Manual* requires that an individual "[d]emonstrate competency in the final skills scenario" in order to successfully complete the course. ARC *Emergency Medical Response Instructor's Manual*, Chapter 4 (Requirements for Successful Course Completion), "Criteria for Course Completion and Certification" section (p. 18).

**A MAY 2014 INTERNAL PSP REVIEW MADE RECOMMENDATIONS
FOR CERTAIN ACADEMY EDUCATIONAL IMPROVEMENTS**

In May of 2014, the PSP Bureau of Integrity and Professional Standards issued a report that reviewed various aspects of the Academy's operation and educational training, as part of a larger review of the agency's ability to retain individuals from Cadet candidates through to probationary PSP Troopers. The report noted, among other things, that "self-examination of [Academy] curriculum, procedures and policies are necessary to keep pace with the demands of providing cutting edge and contemporary basic training" and recommended that Academy instructors "not solely rely on PowerPoint and one-way, instructor-to-student interaction. The generation of Cadets entering the Academy is older and technology savvy."⁴⁵

The report provided recommendations to PSP, which included "implement Instructor term limits"; "provide Instructors with continuing education regarding contemporary teaching methodologies for adult learners"; "provide Instructors with training and policy direction regarding the rebuilding phase of Cadet training"; and a recommendation to evaluate the subject matter within the Academy Basic Training curriculum. The report also stated that "[i]nterviews with newly graduated Troopers, Station Commanders, Crime and Patrol Unit Supervisors and responses from experienced Field Training Officers indicate that a thorough examination of current Cadet curriculum is warranted."

The former Director of the Bureau of Training and Education told the OIG that to the best of his belief, the May 2014 review was not authorized by the ostensible former Deputy Commissioner for Administration and Professional Responsibility,⁴⁶ whom the report claimed authorized the review;⁴⁷ and much of its contents and allegations were unsubstantiated. The former Director said the reviewers did not talk to any Academy staff above the PSP rank of Corporal.

The former Director also told the OIG that, although the author of the report made many recommendations to the effect that the Academy should operate like the Maryland State Police Academy, the author's motivation in reaching those conclusions was to ingratiate herself to

⁴⁵ The report noted that "Probationary Troopers related that it was 'death by PowerPoint' and Academy staff would read word-for-word from the Vehicle and Crimes Codes. This teaching methodology is antiquated and does not challenge or encourage Cadets to actively participate in the learning process."

⁴⁶ Although the report did not identify the Deputy Commissioner by name, the report states, "The Systems and Process Review Division (SPRD) was requested by the Deputy Commissioner of Administration and Professional Responsibility to evaluate the Department's Cadet-to-Trooper process from recruiting, processing of applicants, Academy training, as well as an assessment of the Field Training Program."

⁴⁷ The Director of the PSP Bureau of Integrity and Professional Standards told the OIG that a former PSP Lieutenant Colonel authorized his office to conduct the review; and that although he was somewhat surprised by the ultimate breadth of the report, he believed that all areas reviewed were pertinent and important. The current PSP Major who authored the report told the OIG that, when an SPRD Lieutenant arrived on Academy grounds to interview Academy employees, Academy staff escorted her off the grounds and required her to submit any questions in writing to Academy leadership, who would then funnel the questions to appropriate staff members to answer before returning the answers through Academy leadership. The Director of the PSP Bureau of Integrity and Professional Standards confirmed this.

future PSP Commissioner Marcus Brown. The former Director told the OIG that the Academy is the premiere institution for law enforcement in the country, and that the Academy had already implemented at least some of the proposed recommendations contained in the review. However, the former Director was unable to recall any specific examples when the OIG asked the former Director to provide one.

SINCE THE CHEATING INCIDENT AROSE, PSP HAS MADE CHANGES, AND HAS PROPOSED FUTURE CHANGES, TO ACADEMY ACADEMIC PROCESSES

During the OIG's investigation, PSP staff and Academy staff told the OIG that the Academy has already started implementing, or planning future implementations of, changes to the Academy's processes for teaching curriculum and educating/testing Cadets.

On April 25, 2016, the current Director of the Bureau of Training and Education provided the OIG with a list of short-term and long-term modifications to the Academy's training policies and procedures.⁴⁸ See Appendix D. On August 4, 2016, the current Director said that this was not an all-inclusive list, and said that the Academy was adding new revisions (items) every day. The current Director discussed several specific areas of changes with the OIG.

Academy Issuance of Computers to Cadets / Computer-Based Examinations

In August of 2016, the current Director said that the Academy will be receiving approximately 200 laptop computers to issue to enrolled Cadets, although their distribution may wait until the start of the 148th Cadet Class in October of 2016. The Director said that the Academy intends to create an electronic testing system, through which the Academy will create a large, computer-accessible "test bank" of examination questions that pertain to the Academy curriculum. During Cadet examinations, the Academy will use Learning Management System [computer] software to administer each examination, through which Cadets will be asked randomly-selected questions. The Director said that [computer] software has the ability to alter the form of existing examination questions.⁴⁹ According to the Director, the Academy has started taking a "hard look" at what is being tested within the Academy.

The Director said that the Academy has sent surveys to PSP Field Training Officers to solicit their opinions as to the 30 most important Vehicle Code sections for PSP, and the Director will focus on those sections within the curriculum. The Director said that the Academy may also consider testing through essay questions.

Instructor Conducting of Test Reviews / Teaching to Examinations

The current Director told the OIG that since the cheating issue arose, the Bureau has told instructors that they cannot "teach to the test." According to the Director, a Bureau supervisor

⁴⁸ The Director said that the list was not created in response to the OIG's inquiry, but had been previously created for another purpose.

⁴⁹ Such as converting a question from a "true/false" format into a "multiple choice" format.

(Lieutenant) had verbally communicated this to the members of the Academy's Police Skills Unit (on April 26, 2016); the Criminal Law Unit (on May 4, 2016); and the Traffic Law Unit (on May 5, 2016). The Director provided the OIG with a summary from the Lieutenant of the notification, which read:

With regards to test reviews, we discussed the review process for testable material (provided to the Police Skills Unit, Traffic Law Unit and Criminal Law Unit):

I told them it is inherent to teach tests as the tests for a topic generally cover the important material and I told them that was okay as long as material during class was not specifically referred to as a "test question." An example I gave them is if they got to certain information they know is a test question, simply teach it as being important but do not label it as material the cadets will see again or as material being on the test.

They were told if reviews were held prior to tests NO testing material can be in the classroom during the review. They were also told their reviews should cover the general topics that are testable along with important information cadets should know. They were told to review the important material as being important for their eventual jobs as Troopers, not as being important because it will be on the test.

According to the Director, the Academy has approved a form through which Academy Sergeants and Lieutenants will now review instructor performance in teaching Academy curriculum. Among the areas on which instructors will be rated will be (1.) whether they meet their instruction objectives and expectations, (2.) whether lesson plans are current and appropriate, (3.) maintaining Cadet attention and soliciting input during classes, and (4.) use of audio/video and handouts within the instruction.

Use of Multiple Academy Examinations for Traffic Law and Criminal Law Curriculum

Although on February 9, 2016, the former Director of the PSP Bureau of Training and Education directed the creation of four versions of the Academy's Criminal Law examinations and Traffic examinations; on October 11, 2016, an instructor supervisor told the OIG that the Academy had not yet completed updating all four versions ("A" through "D") of its Criminal Law examinations and Traffic examinations.

Reorganization of the PSP Bureau of Training and Education

On August 4, 2016, the current Director of the PSP Bureau of Training and Education told the OIG that approximately three weeks prior, the Governor's Office of Administration approved the reorganization of the Bureau of Training and Education. According to the Director, under the reorganization, PSP Sergeants will now supervise units with PSP Corporals and Troopers as instructors at the Academy, as opposed to the former Bureau structure in which PSP Corporals supervised units, and in some cases, other PSP corporals.

The Director said that the Bureau has created an "Operational Training Division," which will now oversee the Bureau's regional training centers; its in-service training to PSP Members; and some professional development training and orientation training. The Basic Training Division will now contain PSP Cadet training units; the firearms unit; the physical education

unit; the ceremonial unit; food and administrative support units; the transportation unit; the Academy nurse; and the procurement/supply unit.

According to the Director, prior to the reorganization, one PSP Captain supervised all training initiatives, while another Captain supervised all administrative functions. After the reorganization, multiple Captains will divide training responsibilities. The Director also said that he has created an additional Lieutenant position to supervise units within the Basic Training Division “to mirror the Operational Training Division”; otherwise, one Lieutenant would have “way too much.”

The Director also said that training unit supervisors will be responsible for reporting on the anticipated activity and significant activity of themselves and subordinate instructors.

Formulation of Instructor Manual for Academy Instructors

Instructor 17, a senior Academy instructor supervisor, told the OIG that as of August 22, 2016, the Academy was in the process of developing an Instructor Manual for instructors, through which the Academy will notify instructors of policies and procedures, potentially including issues related to Cadet study guides. Instructor 17 said that he would value the OIG’s input, based on the knowledge it obtained through its current review of the Academy.

Term Limits For Academy Instructors

In response to the OIG’s question of why the Academy has implemented a three-to-five-year term limit for instructors, the current Director of the PSP Bureau of Training and Education said that it is important that folks stay “relevant” as instructors. A term limitation forces instructors to stay current on PSP practices.

Other Revisions to Academy Instruction and Testing Processes

On August 4, 2016, the current Director told the OIG that the Academy is reviewing the adequateness of its current one-week Instructor Development Course. The Director said that the Academy wants to start incorporating “adult learning” concepts into its instructor training and getting away from the “death by PowerPoint.”

ALLEGATIONS AND OIG REFERRALS OF RACIST AND OTHER DISCRIMINATORY BEHAVIOR BY ACADEMY STAFF

At the start of the OIG’s investigation, the OIG and PSP agreed that the OIG would seek information concerning potential racist and discriminatory behavior by Academy staff. The OIG would then immediately and directly refer such allegations to the PSP Internal Affairs Division for its own investigation of the matter(s). The OIG asked Cadets and Academy staff to identify any such acts or statements of which they witnessed or knew, including sexual harassment.

PSP records show that on December 21, 2015 (four days after Academy staff found the cheat sheet), the 144th Cadet Class consisted of 98 enrolled Cadets,⁵⁰ nine of which were identified as either African-American or of some ethnic/racial background other than White. *See* Appendix E. During the 144th Cadet Class, the Academy employed 32 instructor staff (including supervisors); one of which was a White female, one who was an African-American male, the 30 who were White/Caucasian males. *See* Appendix E.

During the OIG's investigation, the OIG obtained allegations concerning three separate incidents of such behavior,⁵¹ and immediately referred the allegations to the PSP Internal Affairs Division. PSP has informed the OIG that it completed investigations of these allegations through either a PSP EEO investigation, or through a PSP Internal Affairs Division investigation.

The current Director of the Bureau of Training and Education told the OIG that he or she does not believe that most Cadets would be naturally inclined to register complaints about Academy staff, regardless of how offended they found a staff member's statements or actions.

RECOMMENDATIONS

Concerning Academy Examinations and Instruction

1.) The OIG recommends that the Academy – immediately or as soon as possible – obtain and implement a computer-based electronic testing system⁵² that randomly places differing questions within each separate Cadet's examination in the Traffic Law, Criminal Law,

⁵⁰ The class consisted of 99 enrolled Cadets on December 17, 2015 (the date that Academy staff found the cheat sheet), but one Cadet resigned on December 21, 2015 to accept a law enforcement position in Ohio.

⁵¹ The separate allegations were that:

1.) An Academy staff member appeared to be intoxicated during a particular work day (after hours);

2.) Another Academy staff member had made ethnically-inappropriate statements to one or more Cadets of Indian background. The OIG subsequently found that PSP had already investigated this matter after the current Director of the Bureau of Training and Education reported the allegation to the PSP Internal Affairs Division (despite the former Bureau Director's failure to do so) after that matter had been referenced in a news article. Following a PSP Equal Employment Opportunity (EEO) investigation, PSP transferred the staff member away from the Academy. The PSP Lieutenant Colonel for Administration and Professional Responsibility told the OIG that she was not certain the incident necessitated a Blue Team entry as much as at least an EEO Office investigation and at a minimum, the former Director should have notified the PSP EEO Office. The PSP Lieutenant Colonel for Administration and Professional Responsibility also said that the PSP EEO Office will be looking into the former Director's failure to notify the EEO Office; and at a minimum, she felt the former Director at least made a mistake in not notifying the EEO Office and was "negligent" in not doing so. In March of 2016, the former Director wrote to the PSP Press Office – in response to a media inquiry as to whether racist, sexist, or otherwise derogatory remarks were made to Indian-American Cadets during class – that "such behavior is not tolerated by the Pennsylvania State Police and if any allegation is made, it will be investigated fully. A complaint may be made by contacting Internal Affairs"; and

3.) Another Academy staff member had inappropriately fraternized with a Cadet.

⁵² **OIG NOTE:** On January 4, 2017, the Director of the PSP Bureau of Training and Education told the OIG that the Governor's Office of Administration had recently given approval to move forward with the purchase of an electronic testing system and PSP was "currently working with the vendor to address [information technology] security concerns and to finalize the contract for purchase." The Director hoped to have the system purchased by the following month.

and Final Cadet Examinations. These should be drawn from a collection of potential questions that greatly outnumbers the amount of questions on the examination.

2.) Following the implementation of the aforementioned testing system, the OIG recommends that the Academy consider whether it would be prudent to permit Cadets to exchange / share study guides (whether among a single class or between classes); and establish enforceable and reasonable common-sense rules as to the sharing of study guides.

3.) The OIG recommends that the Academy prohibit instructors from providing examination questions and/or answers to Cadets within study review sessions and regular classroom sessions. The OIG also recommends that the Academy complete its intended Instructor Manual as soon as possible, and stands ready to provide input to PSP in the formation of the document.

4.) The OIG recommends that the Academy implement an aggressive and constant review of instructor competence in the future, including measuring the ability of instructors to cohesively create, modify, and teach lesson plans; and to adequately communicate curriculum to Cadets.

5.) The OIG recommends that the Bureau of Training and Education review the teaching and academic instruction methods of other state police academies, and confer with appropriate educational institutions to identify effective teaching and educational methods for Academy curriculum (both classroom-based and otherwise). The OIG recommends that the Bureau implement appropriate methods and train instructors to effectively perform such methods.⁵³

***Concerning Short-Term Revisions to Academy Testing Protocol
(Until Computer-Based Testing Is Implemented)***

1.) The OIG recommends that the Bureau of Training and Education finalize its four new versions of Traffic examinations and Criminal Law examinations, and drastically vary the content (questions and answers) of each particular version. This should include numerous different questions and answer sets appearing between examinations. For those multiple choice questions that the Bureau decides to place on multiple examination versions, the Bureau should offer different answer sets and should reorder the multiple choice answers on each version.

2.) The OIG recommends that the Bureau of Training and Education also consider the inclusion of essay questions on current Academy examinations, including within any future computer-based electronic testing systems.

3.) The OIG recommends that the Bureau of Training and Education clearly identify its revision dates on Academy examinations for Cadets.

⁵³ The current Director of the Bureau of Training and Education told the OIG that he has been asked to implement an adult learning environment within the Academy.

*Periodic Monitoring of the Academy Examination Process by the OIG
and by the PSP Bureau of Integrity and Professional Standards*

The OIG recommends that the OIG conduct periodic reviews of the Academy's examinations and testing systems until the Academy obtains and fully implements the aforementioned electronic computer-based examination system. Subsequently, the OIG recommends that the Systems and Process Review Division of the PSP Bureau of Integrity and Professional Standards conduct such reviews.

Concerning Academy Instructor Term Limits

The OIG recommends that the Academy apply its three-to-five year Academy teaching limitations to all Academy instructors, including all current instructors. The OIG further recommends that, if the Bureau of Training and Education believes that certain instructors are especially competent, the Bureau considers reassigning those instructors to Advanced Training curriculum. The OIG also recommends that the Bureau establish a minimum time period after which former highly competent instructors will be eligible to return as instructors.

*Emergency Medical Response Curriculum and
American Red Cross Certification for Instructors*

1.) The OIG recommends that the Bureau of Training and Education immediately review the length of its Emergency Medical Response curriculum to ensure that it adheres to American Red Cross standards.⁵⁴

2.) The OIG further recommends that the Bureau immediately require Academy and Bureau instructors to provide it with copies of all required American Red Cross (and other applicable) certification documents; and that the Bureau retain a current available file of such certifications to ensure that instructors are properly teaching curriculum to each new Cadet class.

Investigation of Instructors' Providing of Examination Questions or Answers

The OIG recommends that PSP strongly consider whether the actions of certain Academy instructors, in providing examination questions and answers to Cadets prior to examinations (including re-examinations), warrants additional internal review and/or investigation by the PSP Internal Affairs Division for potential violations of Field Regulation 1-2 (Duty Requirement 2.21 - Cheating on Examinations) or other applicable PSP regulations.

⁵⁴ An American Red Cross representative told the OIG that the organization will conduct audits/reviews of training entities for which it is made aware of potential quality assurance issues or violations of the *Instructor Agreement* and *Code of Conduct*. The representative said that, to date, the organization has not conducted such a review of PSP.

Establishment of a Distinct PSP Cadet Complaint Protocol

The OIG recommends that PSP consider whether Academy Cadets should be able to anonymously report potential wrongdoing by Academy staff to the PSP Internal Affairs Division; and if so, establish a system through which Cadets may report Academy staff without their identities being disclosed to the subject(s) of such complaints.

PENNSYLVANIA STATE POLICE RESPONSE(S) TO THE OIG INVESTIGATIVE REPORT

On December 15, 2016, PSP issued the following written response to the contents of this *Investigative Report* and attached Appendices:

On March 16, 2016, the Pennsylvania State Police (PSP) requested the Office of Inspector General (OIG) to review matters related to academic cheating within the 144th Pennsylvania State Police Academy Cadet Class. Due to the nature and extent of this cheating incident, the Department sought an independent review by the OIG. Although substantial changes had already been implemented within the Bureau of Training and Education (BTE), PSP believed an independent review may be beneficial in improving future training operations as well as reducing the probability of reoccurrence. PSP is committed to enhancing and improving the training environment for prospective and existing Troopers and believes training is one of the top priorities for the agency in pursuit of effective 21st century policing.

Immediately following the discovery of the cheating incident, an internal investigation was self-initiated by the Pennsylvania State Police. The investigation identified the cadets involved, who were subsequently dismissed from the program or resigned prior to dismissal proceedings being initiated. The remaining cadets, who were investigated and found to have no involvement in the cheating incident, were able to successfully graduate from the Academy program. All internal investigations pertaining to the academic cheating, as well as the three incidents involving potentially racist or otherwise discriminatory actions or statements at the Academy, have been reviewed and adjudicated.

In response to the findings in the review by the OIG, the PSP has already implemented considerable improvements to the Academy organizational structure, command and instructional staff, as well as operational procedures within the BTE, to prevent cadets from cheating on examinations and to improve the quality of Academy training. Although PSP believes the integrity of cadets in the Academy program should far exceed the norm, we do recognize that substantial steps are needed to eliminate future cheating incidents, such as those that occurred in the 144th cadet class. PSP does acknowledge that in some instances instructors provided test answers to cadets; however, the cadets involved in the cheating incident within the 144th cadet class used a cheat sheet for a specific test, complete with test answers, including sections and subsections, which was not provided by the instructors.

Responses to Recommendations made by the Office of Inspector General*Academy Examinations and Instruction*

Since this matter came to light, PSP recognized an issue with examinations at the Academy and began taking the necessary steps to implement a learning management software program into the academic environment prior to the OIG review. The implementation of the learning management software program is awaiting final approval from the Office of Administration and will hopefully be applied prior to the start of the next cadet class. The learning management system will create “test banks” of questions, allowing for randomized questions for each class, and eliminating the ability for future cadet classes to cheat on examinations. Although the primary use of the learning management software program will be for cadet testing, the program will allow the Academy staff to communicate information to the cadets in multiple formats similar to any educational institution of higher learning. A new Academy policy regarding the exchange of information will be established and published after the learning management software program is implemented. In addition, a newly created Education, Testing, and Curriculum Development position was created to oversee course content, cadet instruction, and examinations.

BTE has already taken steps to provide proper guidance for instructors on future test reviews. As previously communicated with the OIG, the Academy is developing an operations manual to better establish guidelines for instructors and Academy staff. Included in the manual will be a required periodic supervisory review of instructor competence by the unit supervisors and the proper procedures for lesson plan and curriculum development. The organizational restructure of the Bureau included additional supervisors to ensure proper supervision, direction, and oversight in each unit that facilitates cadet training. Instructors will be continually evaluated for competency, with additional instructor training provided when needed.

BTE has been in discussion with educational institutions of higher learning to provide training to the Academy staff. The instruction will include adult learning concepts, generational differences, goals and values, learning outcomes, active learning, group work and collaboration, assessment and test writing, and using rubrics to facilitate adult learning. In addition, BTE has made numerous contacts with surrounding state police agencies to assess their academic instructional methods. The PSP recognizes the value of educational institutions of higher learning and remains committed to collaborations in order to improve our service to the Commonwealth.

*Short-Term Revisions to Academy Testing Protocol
(Until Computer-Based Testing Is Implemented)*

The drastic change of the cadet examinations requires significant changes in the lesson plans and curriculum. Providing new or obscure questions on cadet examinations does not, in and of itself, improve cadet training. BTE has identified specific, key objectives for cadet training and will use those objectives to make significant changes to the cadet basic training program. In addition, the entire cadet curriculum will be under review beginning in January 2017, after the graduation of the current senior cadet class. BTE is currently in negotiations with Elizabethtown College to evaluate and modify the entire traffic and criminal law curriculum and test content, as well as the way cadets will be tested and evaluated moving forward. BTE has already implemented procedures to accurately identify revision dates of both lesson plans and examinations.

*Periodic Monitoring of the Academy Examination Process by the OIG
and the PSP Bureau of Integrity and Professional Standards*

The role of the Systems and Process Review Division of PSP's Bureau of Integrity and Professional Standards (BIPS) is to conduct periodic checks of all entities within PSP to ensure standards are being maintained. If issues regarding the Academy examination process are identified during inspections, BIPS modifies its review process timetable to include new or specific items to be monitored. BTE has already begun discussions with BIPS to modify the timetable of the Academy review process, to include more specific scrutiny and monitoring of the examinations, testing systems, and revision dates. The modified review timetable will continue until the implementation of the learning management software system at the Academy.

Academy Instructor Term Limits

When the current BTE command staff assumed command, significant changes were implemented, including a complete reorganization of the Bureau, which was approved by the Office of Administration. PSP also instituted three-to-five year term limitations to all positions within the Bureau. The Department and the Pennsylvania State Troopers Association (PSTA) discussed the current collective bargaining agreement and entered into a side letter of agreement, which provided that instructors in specialized positions, who held their positions within BTE prior to the implementation of the three-to-five year term limits, would not be subject to the new term limitations.

Previous instructors may apply to return to BTE, when vacancies exist, only after serving time in another assignment.

Emergency Medical Response Curriculum and American Red Cross Certification for Instructors

In February 2015, BTE held discussions with the Training Specialist at the American Red Cross regarding the length of time of instruction devoted to the Emergency Medical Response Program. The newer version of the course was scheduled for 51 training hours. Based on the additional training provided at the Academy, BTE was advised by the Training Specialist that the Emergency Medical Response Program should not require the full 51 hours to instruct at the Academy. BTE was not made aware that the American Red Cross had changed its position on Academy training. BTE will immediately ensure all cadets receive 51 hours of Emergency Medical Response training in compliance with the American Red Cross standards. BTE will also comply with all testing and re-testing guidelines outlined by the American Red Cross.

BTE previously maintained a spreadsheet of the American Red Cross instructor certifications; however, it did not maintain paper copies of the documents, as they could be accessed through the American Red Cross website. BTE, with assistance from the American Red Cross, has since obtained paper copies of the documents and now maintains a file for paper copies of instructor certifications. BTE will also require instructors to submit paper copies after each training/certification cycle which will be maintained in a paper file and be subject to review during the Systems and Process Review inspection.

In Response to Dissemination of Examination Questions and Answer

BIPS, Internal Affairs Division, has fully investigated all alleged violations of Field Regulations or other applicable PSP regulations regarding instructors' roles in the academic cheating incident. All allegations brought to the attention of the Internal Affairs Division by the OIG have been fully investigated and adjudicated. If the OIG has additional information to provide regarding the academic cheating incident, the Internal Affairs Division will absolutely investigate the alleged behavior. PSP is committed to investigate any improper actions taken by Academy staff.

Establishment of a Distinct PSP Cadet Complaint Protocol

BIPS, Internal Affairs Division, has a mechanism in place to report complaints against members both internally and externally. The instructional segments provided by the Internal Affairs Division and the Equality and Inclusion Office, Equal Employment Opportunity Section, to the cadets have been moved to the beginning of the cadet training cycle.

Both instructional segments will emphasize the complaint process and the protections afforded by the department when making complaints.

Summary

PSP is very appreciative of the review conducted by the OIG and will take all of the recommendations under advisement for consideration. The BTE command staff is committed to partnering with educational institutions of higher learning and other similar state police agencies to improve academic integrity within the cadet training program and other training courses provided.

OIG REPLY TO PENNSYLVANIA STATE POLICE RESPONSE

The OIG is encouraged by PSP's recognition of potential systematic shortcomings within the Academy's educational system, and of the actions that PSP has planned, and had already taken – even during the OIG's investigation – to address those potential shortcomings. The OIG offers the following reply to four components of PSP's response, and an additional recommendation.

I.) Cadets' Actions Within the Academy's Culture as it Appears to have Existed Prior to the 144th Cadet Class. PSP noted in its reply that “. . . PSP does acknowledge that in some instances instructors provided test answers to cadets; however, the cadets involved in the cheating incident within the 144th cadet class used a cheat sheet for a specific test, complete with test answers, including sections and subsections, which was not provided by the instructors.” The OIG is not certain that this point entirely acknowledges the primary issue: that the evolved culture within the Academy up to the 144th Cadet Class appears to have permitted the sharing within cadet classes and between cadet classes of information concerning Academy examinations, in some cases questions and answers. This is shown through some of the so-called “study guides” that the OIG found during its review, some of which members of earlier Academy classes passed to members of the 144th Cadet Class. Because over time the Academy rarely changed examination questions and correct answers, this essentially transformed some

study guides into cheat sheets for future Academy classes. Since Academy Cadets were apparently encouraged to freely write within their Criminal Justice Handbooks, these aspects of Academy culture would not necessarily have dissuaded Cadets from writing the information contained on any such “cheat sheet” within their own Handbooks, to the extent that they received the information from other Cadets, former Cadets, or from Academy staff. The fact that the answers in question were found on a “cheat sheet” separate from the Handbook does not seem to be a particularly poignant fact when one considers this Academy culture. It is unclear to the OIG whether the PSP investigators who initially reviewed the Cadets’ actions were aware of, and appreciated, this culture at the time of their investigations, notwithstanding the fact that the dismissed/resigned Cadets were found to have violated other PSP Field Regulations in addition to cheating.

II.) PSP Should Frequently Provide New Questions and Answers to Cadets Within Academy Examinations. PSP noted in its reply that “*Providing new . . . questions on cadet examinations does not, in and of itself, improve cadet training.*” The OIG points out that the frequent revising of questions (and answers) does diminish or remove the value of cheat sheets or answer keys, which will lessen the future motivation of Cadets to create such documents; will remove the temptation of Cadets to use pre-existing documents to the extent they may still exist; and will require Cadets to more effectively learn the Academy’s overall academic curriculum, which will benefit Cadets in their future PSP Trooper positions.

III.) The Academy Should Permit Cadets to Academically Collaborate After it Fully Implements an Electronic Testing System. The OIG recommends that after PSP fully implements an electronic academic testing system at the Academy that randomly assigns to Cadets varied types of test questions within Academy examinations, that the Academy permit Cadets to academically collaborate with class members or with members of other Academy classes. This collaboration is a valuable component of a Cadet’s academic preparation and also creates and fosters camaraderie and teamwork between Cadets and their future fellow PSP Troopers.

IV.) PSP Should Review Instructor Actions. The OIG believes that it has provided sufficient information to PSP within this *Investigative Report* to identify specific problematic statements made by instructors as to the providing of examination questions and answers. Although it was suggested to the OIG during this investigation that the Field Regulation prohibiting cheating might not apply to Instructors because of the fact that the word “Instructor” is not contained in the Field Regulation, the OIG notes that the Commonwealth personnel system does not identify a specific PSP rank or title of “Instructor,” and that those PSP Members who teach at the Academy are officially identified within the system through their traditional PSP ranks, such as “Trooper,” “Corporal,” and “Sergeant.”

Appendix A – *Partial List of Examinations for Cadets at the Pennsylvania State Police Academy*

Appendix B – *Pennsylvania State Police Regulations Implicated by Cadets' Actions in the 144th Cadet Class Cheating Matter and/or in the Subsequent PSP (Internal) Investigation*

Appendix C – *Summary of Dismissed and Resigned Cadets from the 144th Cadet Class*

Appendix D – *Academy Training and Education Revisions [Initially Identified to the OIG in April 2016; Further Explained in August 2016]*

Appendix E – OIG charts:

- *Demographic Summary of the 99 Enrolled Cadets Within the 144th Cadet Class on the Date that the PSP Internal Affairs Division's Investigation Started and*
- *Demographic Summary of the Academy Instructors During the 144th Cadet Class*

cc: Anne Gingrich Cornick
Deputy General Counsel
Governor's Office of General Counsel

Joanna N. Reynolds
Chief Counsel
Pennsylvania State Police

APPENDIX A

**PARTIAL LIST OF EXAMINATIONS FOR CADETS
AT THE PENNSYLVANIA STATE POLICE ACADEMY**

| | |
|-----------------------|----------------------------|
| Traffic Examination 1 | Criminal Law Examination 1 |
| Traffic Examination 2 | Criminal Law Examination 2 |
| Traffic Examination 3 | Criminal Law Examination 3 |
| Traffic Examination 4 | Criminal Law Examination 4 |
| Traffic Examination 5 | Criminal Law Examination 5 |
| Traffic Examination 6 | Criminal Law Examination 6 |
| Traffic Examination 7 | Criminal Law Examination 7 |
| Traffic Examination 8 | Criminal Law Examination 8 |

Emergency Medical Response (EMR)
Cardiopulmonary Resuscitation (CPR) / Automated External Defibrillator (AED) for
Rescuers Examination

TASER

Standardized Field Sobriety - Driving Under the Influence (DUI) Examination

Driving Examination

Cadet Final Examination

(Cadets also undergo additional skills-related examinations and testings)

APPENDIX B

**PENNSYLVANIA STATE POLICE REGULATIONS IMPLICATED BY CADETS' ACTIONS
IN THE 144TH CADET CLASS CHEATING MATTER AND/OR
IN THE SUBSEQUENT PSP (INTERNAL) INVESTIGATION**

| | |
|---|---|
| <p style="text-align: center;">Field Regulation 1-1 General Requirement 1.02 UNBECOMING CONDUCT -----</p> <p>Unbecoming conduct is that type of conduct which could reasonably be expected to destroy public respect for Pennsylvania State Police officers and/or confidence in the Department. Members shall not conduct themselves in a manner which is unbecoming to a police officer.</p> | <p style="text-align: center;">Field Regulation 1-2 Duty Requirement 2.21 CHEATING ON EXAMINATIONS -----</p> <p>Members <u>shall not cheat on</u> or tamper in any manner with an official examination either conducted or sponsored by the Department by obtaining, <u>furnishing</u>, <i>accepting</i>; or attempting to obtain, furnish, or accept answers or questions to such examinations. Furthermore, members shall not copy, photograph, or otherwise remove examination contents; <i>nor shall they use any misrepresentation or dishonest method while preparing</i>, administering, <u>or participating in such examinations</u>. (Emphasis added)</p> |
| <p style="text-align: center;">Field Regulation 1-2 Duty Requirement 2.30 PROVIDING FALSE INFORMATION -----</p> <p>Members shall not knowingly provide false information concerning matters that can be related to their duties as a member of the PSP, either verbally or in writing.</p> | <p style="text-align: center;">Field Regulation 1-1 General Requirement 1.18 INTERFERENCE WITH INVESTIGATIONS -----</p> <p>A. Members shall not interfere with an investigation assigned to another member for investigation without the consent of the assignee, except by order of their supervisor; nor shall they interfere with the operation of any Bureau, Office, Division, Section, or Unit.</p> <p>B. Members shall not interfere with an investigation assigned to another agency for investigation without the consent of that agency, except by the order of their Troop Commander or Bureau/Office Director, or designee. Any such action by a designee shall be reported to the Troop Commander or Bureau/Office Director, as soon as practicable.</p> <p>C. For purposes of this regulation, <i>interference with investigations shall include, but not be limited to: concealing information material to the investigation from investigators; or taking any other action that impedes the discovery of information material to the matter being investigated and/or the successful resolution of the allegations made against suspects or subjects of an investigation.</i> There is an exception to this section when the member is performing official police duties within the scope of employment. (Emphasis added)</p> |

**APPENDIX C – SUMMARY OF DISMISSED AND RESIGNED CADETS¹ FROM THE 144TH CADET CLASS
REFERENCES TO “ANSWERS” IN THIS CHART PERTAIN TO ANSWERS FOR ONLY
THE 20-QUESTION “LOOKUP SECTION” OF THE ACADEMY’S TRAFFIC EXAMINATION 4**

| OIG Identification | Cadet Disposition | Violations Found (“X”) | | | | Summary or Examples of Evidence Found During PSP-Internal Affairs Division Investigation of Cadet |
|--------------------|-------------------|---|---------|---------|---------|--|
| | | FR 1.02 | FR 1.18 | FR 2.21 | FR 2.30 | |
| Cadet 83 | Resigned | X | X | X | X | Marked Criminal Justice Handbook (C.J.H.) with advanced answers prior to Traffic Examination 4 (said he or she received them from a former Cadet from the 143 rd Cadet Class); knowingly had answers to Traffic Examination 4. |
| Cadet 94 | Dismissed | X | X | X | X | Marked sections in back of C.J.H. with advanced answers (17 of 20) before Traffic Examination 4. Took blurry picture of Cadet 62’s answer key for test. |
| Cadet 22 | Resigned | X | X | X | X | Marked C.J.H. with advanced answers from Cadet 91 and tried to cover up fact. Other Cadet identified those answers as “things we should look over and know for the test.” |
| Cadet 6 | Resigned | X | X | X | X | Marked C.J.H. with advanced answers from Cadet 18 before Traffic Examination 4. Admitted to lying to Internal Affairs Division (I.A.D.). |
| Cadet 18 | Resigned | X | X | X | X | Before Traffic Examination 4, marked C.J.H. with advanced answers using a caret. Admitted receiving answers from unspecified Cadet. |
| Cadet 84 | Resigned | X | X | X | X | Marked C.J.H. with advanced answers (received from Cadet 62) using a blue dot before Traffic Examination 4, then went back and tried to cover it up. |
| Cadet 41 | Resigned | <i>As of date of this Report, PSP has not provided specific violation information to the OIG.</i> | | | | Marked C.J.H. before Traffic Examination 4. Admitted to seeing Cadet 62 with a study guide or a sheet. Did not admit having advanced answers, stating sheet looked like a bunch of notes from a review session. Did not come forward with information. |
| Cadet 8 | Dismissed | X | X | X | X | Admitted to having advanced answers to test (received from Cadet 62), cheating and studying the information provided to him/her for the test. |
| Cadet 7 | Dismissed | X | X | X | X | Admitted to having advanced answers to test (received from Cadet 62) and studying the information again with Cadet 91 before the test. |

¹ Within this report, the OIG has not identified individual Cadets of the 144th Cadet Class by name, but rather through a numeric identification number.

ATTACHMENT C – SUMMARY OF THE DISMISSED AND RESIGNED CADETS FROM THE 144TH PSP CADET CLASS

| OIG Identification | Cadet Disposition | Violations Found (“X”) | | | | Summary or Examples of Evidence Found During PSP-Internal Affairs Division Investigation of Cadet |
|--------------------|-------------------|------------------------|---------|---------|---------|---|
| | | FR 1.02 | FR 1.18 | FR 2.21 | FR 2.30 | |
| Cadet 91 | Dismissed | X | X | X | X | Received and studied test answers prior to Traffic Examination 4 (said he or she received them from a former Cadet from the 143 rd Cadet Class). Also admitted to having answers to additional Academy tests. |
| Cadet 44 | Resigned | X | X | X | | Marked C.J.H. with advanced answers (said he or she received them from Cadet 62) before Traffic Examination 4. |
| Cadet 19 | Dismissed | X | X | X | | Marked C.J.H. with advanced answers (said he or she received them from Cadet 44) before Traffic Examination 4, then went back and tried to cover it up. |
| Cadet 62 | Resigned | X | X | X | X | Received advanced answers from a former Cadet from the 143 rd Cadet Class and marked C.J.H. accordingly before Traffic Examination 4. Was identified by other Cadets as a source of Traffic Examination 4 answers. |
| Cadet 20 | Dismissed | X | X | X | X | Marked C.J.H. with advanced answers from Cadet 62 before Traffic Examination 4. Admitted to getting answers to a different Academy test from Cadet 89. |
| Cadet 93 | Resigned | X | X | X | X | Marked C.J.H. before Traffic Examination 4 with advanced answers from Cadet 62. Admitted to hearing two Cadets discussing answers. |
| Cadet 96 | Dismissed | X | X | X | X | Marked C.J.H. with arrows before Traffic Examination 4 indicating advanced answers received from Cadet 62. Said he or she marked his or her C.J.H. while Cadet 83 also marked his or hers. |
| Cadet 47 | Resigned | X | X | X | X | I.A.D. found Cadet’s explanations to be deceptive. Every correct answer to the test was marked in Cadet’s C.J.H., although Cadet did not admit to any wrongdoing. |
| Cadet 5 | Resigned | X | X | X | X | Heard rumor after the exam of a potential cheat sheet, but did not come forward with information. Every correct answer from test marked in Cadet’s C.J.H. I.A.D. questioned Cadet’s annotations in Cadet’s C.J.H. |
| Cadet 89 | Dismissed | X | X | X | X | Before Traffic Examination 4, marked C.J.H. with carets indicating advanced answers to the test (said he or she received them from Cadet 62). |
| Cadet 42 | Resigned | X | X | X | X | Before Traffic Examination 4, marked C.J.H. with stars indicating advanced answers to the test received from Cadet 89. |

ATTACHMENT C – SUMMARY OF THE DISMISSED AND RESIGNED CADETS FROM THE 144TH PSP CADET CLASS

| OIG Identification | Cadet Disposition | Violations Found ("X") | | | | Summary or Examples of Evidence Found During PSP-Internal Affairs Division Investigation of Cadet |
|--------------------|-------------------|---|---------|---------|---------|--|
| | | FR 1.02 | FR 1.18 | FR 2.21 | FR 2.30 | |
| Cadet 67 | Dismissed | X | X | X | X | Before Traffic Examination 4, marked C.J.H. with advanced answers. Cadet's C.J.H. was found to be missing pages. A writing impression test showed test answers had been written in C.J.H. (17 of 20 answers). |
| Cadet 76 | Dismissed | X | X | X | X | Cadet removed page from C.J.H. Section titles and pages marked in back of Cadet's C.J.H., 15 of which were answers to Test. Cadet placed orange highlights next to all 20 "lookup answers" to Traffic Examination 4 examination. |
| Cadet 79 | Dismissed | X | X | X | X | Implicated by another Cadet; had all 20 sections (representing test answers) marked differently in C.J.H. from other materials; did not admit to cheating. |
| Cadet 75 | Resigned | X | X | X | X | Admitted to having advanced answers to Traffic Examination 4 (said he or she received them from Cadet 91). |
| Cadet 24 | Resigned | X | X | X | X | I.A.D. questioned annotations in Cadet's C.J.H., especially pencil erasures Cadet claimed to make during test (for the purpose of checking answers after the test). Cadet neglected to mention them during initial I.A.D. interview. |
| Cadet 56 | Resigned | <i>As of date of this Report, PSP has not provided specific violation information to the OIG.</i> | | | | Before Traffic Examination 4, wrote 12-15 (test answer) sections in back of C.J.H. from another Cadet's paper. Said he or she received answers from Cadet 39. |
| Cadet 39 | Resigned | X | X | X | X | Before Traffic Examination 4, highlighted and starred sections based on examination answers received from Cadet 18. |
| Cadet 71 | Resigned | X | X | X | X | Before Traffic Examination 4, received advanced answers (he or she said from Cadet 49), and marked C.J.H. accordingly. Ripped page out of back of C.J.H. |
| Cadet 81 | Resigned | X | X | X | X | Before Traffic Examination 4, marked C.J.H. with asterisks (based on receiving advanced answers to test). Found to have admitted to cheating and other Field Regulation violations. |
| Cadet 9 | Resigned | X | X | X | X | Before Traffic Examination 4, marked back of C.J.H. with sections (some of which were answers to the Traffic Examination 4 questions). Removed these pages from the back of the C.J.H. |

ATTACHMENT C – SUMMARY OF THE DISMISSED AND RESIGNED CADETS FROM THE 144TH PSP CADET CLASS

| OIG Identification | Cadet Disposition | Violations Found (“X”) | | | | Summary or Examples of Evidence Found During PSP-Internal Affairs Division Investigation of Cadet |
|--------------------|-------------------|------------------------|---------|---------|---------|---|
| | | FR 1.02 | FR 1.18 | FR 2.21 | FR 2.30 | |
| Cadet 64 | Dismissed | X | X | X | X | Before Traffic Examination 4, received advanced answers from Cadets 49, 81, and 71, and marked C.J.H. accordingly. Had approximately 30 sections marked in C.J.H. (20 of which were answers to the Traffic Examination 4). The Cadet claimed that the Cadet did not know these were test answers until the Cadet took the Traffic Examination 4, and claimed not to have known that Cadets 49, 81, and 71 had advanced answers to the test. |
| Cadet 49 | Resigned | X | X | X | X | Before Traffic Examination 4, Cadet had many highlighted and starred sections and a “questionable” list of information in the back of the C.J.H. Cadet removed pages from the C.J.H. |
| Cadet 95 | Dismissed | X | X | X | X | Before Traffic Examination 4, Cadet received advanced answers to test from Cadet 95 and marked C.J.H. accordingly. Cadet admitted receiving advanced answers 30-50 minutes before test. Cadet removed pages from the C.J.H. |
| Cadet 65 | Resigned | X | X | X | X | Before Traffic Examination 4, Cadet marked C.J.H. sections with dash marks received from Cadet 97. Tried to erase these after the Traffic Examination 4 was administered. |
| Cadet 97 | Resigned | X | X | X | X | Cadet lied to I.A.D.; Cadet claimed marking C.J.H. before Traffic Examination 4 (during class sessions and reviews), and not with specific answers. Said markings in C.J.H. represented sections that a former Academy Cadet (from the 143 rd Cadet Class) suggested that the Cadet study. Admitted to giving information to Cadets 21 and 65. |
| Cadet 21 | Resigned | X | X | X | X | Before Traffic Examination 4, Cadet received advanced answers from Cadet 97 and marked C.J.H. accordingly. |
| Cadet 35 | Resigned | X | X | X | X | Before Traffic Examination 4, Cadet admitted to seeing advanced answers from Cadet 97 and marking C.J.H. accordingly. Cadet removed page from C.J.H. Cadet admitted to I.A.D. (during the latter of five interviews) that Cadet saw lookup answers and provided them to Cadet 60. |

ATTACHMENT C – SUMMARY OF THE DISMISSED AND RESIGNED CADETS FROM THE 144TH PSP CADET CLASS

| OIG Identification | Cadet Disposition | Violations Found (“X”) | | | | Summary or Examples of Evidence Found During PSP-Internal Affairs Division Investigation of Cadet |
|--------------------|-------------------|---|---------|---------|---------|---|
| | | FR 1.02 | FR 1.18 | FR 2.21 | FR 2.30 | |
| Cadet 60 | Resigned | X | X | X | X | <p>Cadet claimed to marking sections in C.J.H. before Traffic Examination 4, based from reviews and class sessions; claimed to have marked Traffic Examination 4 answers in C.J.H. after the test was administered to study them at a later date. Received sections from Cadet 97, which were identified as sections to study.</p> <p>After failing polygraph examination, Cadet admitted recalling (during the polygraph) a potential issue concerning a certain page of Cadet’s C.J.H., but of failing to tell I.A.D. of this during the polygraph.</p> |
| Cadet 59 | Resigned | <i>As of date of this Report, PSP has not provided specific violation information to the OIG.</i> | | | | <p>Only items underlined in Cadet’s C.J.H. were 20 test answers . I.A.D. believed Cadet had advanced answers and marked C.J.H. before Traffic Examination 4 was administered.</p> |
| Cadet 54 | Dismissed | X | X | X | X | <p>Before Traffic Examination 4, Cadet received advanced answers from Cadet 62 and from a Cadet from 143rd Cadet Class and marked C.J.H. accordingly.</p> |
| Cadet 3 | Dismissed | X | X | X | X | <p>Before Traffic Examination 4, Cadet marked ‘practice lookups’ in back of C.J.H., and Cadet’s C.J.H. also had 18 of 20 lookup answers identified. Cadet removed page from C.J.H.</p> |
| Cadet 82 | Dismissed | X | X | X | X | <p>Before Traffic Examination 4, Cadet received advanced answers from Cadet 91 and marked C.J.H. accordingly.</p> |

APPENDIX D

ACADEMY TRAINING AND EDUCATION REVISIONS

[INITIALLY IDENTIFIED TO THE OIG IN APRIL 2016; FURTHER EXPLAINED IN AUGUST 2016]

Bureau Of Training And Education Organizational Structure

- Placement of a newly promoted Command Staff within the PSP Bureau of Training and Education.
- A complete re-organization of the Bureau of Training and Education into two training segments:
 - the Basic Training Division; and
 - the Operational Training Division.
- Complete re-structure of Academy clerical staff to improve efficiency with Cadets throughout their training process.
- The elimination of all services provided by the Bureau that did not involve training and education (such as recruiting, drug testing, awards programs).
- Creation of a new Lieutenant Position for Education, Testing and Curriculum Development to specifically oversee the Academy's Traffic Law Unit, Criminal Law Unit and Police Skill Unit. This position will be responsible for annually updating Academy lesson plans, curriculums and testing processes, as well as instructor development.
- Utilize current Academy vacancies at the rank of Trooper and replace them with Sergeant positions to increase supervision and oversight of the current Instructors. These Sergeants will oversee all training segments to monitor Instructor behavior, interactions and instruction of Cadet training to ensure a high level of instruction is provided. They will also be responsible for monitoring the administration of tests and the testing processes as well as Academy curriculum development.
- The creation of a new "Use of Force Section" within the Bureau of Training and Education to oversee cadet training regarding use of force as well as to review use of force incidents within the department as needed.

Short-Term Academy "Testing Process Modifications"

- The Academy Command Staff has ordered a new test be prepared in all Academy Basic Training Sections.
- Four versions of each test are to be prepared and cycled between Cadet classes.
- A new Academy "study guide" policy is being implemented:
 - Cadets are prohibited from disseminating study guides between students.
 - Classes are not permitted to pass on study materials to future classes.

- Additional instructors will be utilized during the administration of tests to Cadets to provide more direct oversight.
- The Academy will conduct a review of Instructor training approaches to ensure that members are covering the subject matter and not teaching to the test.

Long-Term Academy "Testing Process Modifications"

- An Academy Staff Testing Committee has been formed to identify and evaluate (computerized) learning management system software for future implementation, which will:
 - Modernize Academy testing processes by moving tests online.
 - Improve integrity and security by varying test questions from student to student (so that each student essentially takes a different test).
 - Permit instant grading of results for both the Cadet and the Instructor.
 - Provide test result analysis, which can be used to improve instruction and identify patterns.
 - Propose various Learning Management Systems for evaluation, including one system currently being piloted at the Pennsylvania State University.
- Restructuring of the Cadet academic calendar to move ethics courses and the role of the Bureau of Professional Responsibility to the beginning of Cadet training.
- Performing a review of best practices and lessons learned from other academic institutions that have experienced similar incidents.
- Performing mandated monthly reviews of Academy Instructors by Academy Sergeants and Lieutenants.
- Adult Learning classes for Academy Instructors.
- Term limits for Academy Instructors (consisting of a three-year minimum commitment as an Academy Instructor, but also a five-year maximum term).

**APPENDIX E – DEMOGRAPHIC SUMMARY OF THE 99 ENROLLED CADETS WITHIN THE 144TH CADET CLASS
ON THE DATE THAT THE PSP INTERNAL AFFAIRS DIVISION’S INVESTIGATION STARTED**

| Ethnic Origin | Gender | Total Class | | Cleared | | Dismissed | | Resigned | |
|--------------------|--------------|-------------|------------|-----------|------------|-----------|------------|-----------|------------|
| | | Number | Percentage | Number | Percentage | Number | Percentage | Number | Percentage |
| White | Female | 6 | 7% | 2 | 33% | 2 | 33% | 2 | 33% |
| | Male | 84 | 93% | 48 | 57% | 12 | 14% | 24 | 29% |
| | Total | 90 | 91% | 50 | 56% | 14 | 15% | 26 | 29% |
| African American | Female | 0 | 0 | 0 | 0% | 0 | 0% | 0 | 0% |
| | Male | 5 | 100% | 3 | 60% | 2 | 40% | 0 | 0% |
| | Total | 5 | 5% | 3 | 60% | 2 | 40% | 0 | 0% |
| Other | Female | 0 | 0 | 0 | 0% | 0 | 0% | 0 | 0% |
| | Male | 4 | 100% | 3 | 75% | 0 | 0% | 1 | 25% |
| | Total | 4 | 4% | 3 | 75% | 0 | 0% | 1 | 25% |
| <hr/> | | | | | | | | | |
| Total Class | | 99 | | 56 | 57% | 16 | 16% | 27 | 27% |

DEMOGRAPHIC SUMMARY OF THE ACADEMY INSTRUCTORS DURING THE 144TH ACADEMY CLASS

| Ethnicity | Gender | Number of Personnel | Percentage of Overall Academy Instructor Staff |
|------------------|--------------|---------------------|--|
| White | Female | 1 | 3% |
| | Male | 30 | 94% |
| | Total | 31 | 97% |
| African American | Female | 0 | 0% |
| | Male | 1 | 0% |
| | Total | 1 | 3% |
| Other | Female | 0 | 0% |
| | Male | 0 | 0% |
| | Total | 0 | 0% |