



# NEWSLETTER

## Commission Membership

### Robert Evanchick – Chair

Commissioner  
Pennsylvania State Police  
Dauphin County

### Jarrad P. Berkihiser

Chief, Lancaster City P.D.  
Lancaster County

### Jacob A. Bierling, Jr.

First Class Township Official  
Delaware County

### Richard M. Bosco

Chief, Lincoln Borough P.D.  
Westmoreland County

### Bart E. Burne, Ed.D.

Law Enforcement Educator  
Luzerne County

### Robert J. Carroll

Noncommissioned Police Officer  
Delaware County

### Christopher J. Delozier

Noncommissioned Police Officer  
Dauphin County

### Vincent J. DiCenzo, Jr.

FOP Representative  
Allegheny County

### Beth Dombrowsky

Director Certified School  
Dauphin County

### David A. Ellis

Office of Attorney General  
Dauphin County

### Douglas E. Grimes

Chief, Peters Township P.D.  
Washington County

### Barry J. Jozwiak

PA House of Representatives  
Berks County

### Richard W. Long, Esq.

Representative, Public at Large  
Cumberland County

### Joseph M. Pizano

Borough Official  
Luzerne County

### Guy A. Salerno

Chief, Blakely Borough P.D.  
Lankawanna County

### Christopher M. Werner

Chief Inspector, Philadelphia P.D.  
Philadelphia County

### Vacancy

City Official

### Vacancy

Dept. of Community & Economic Dev.

### Vacancy

Second Class Township Official

### Vacancy

Senate of Pennsylvania

## Heritage Affairs

by Colonel Robert Evanchick, Commissioner

Part of the mission of the Pennsylvania State Police is to support Municipal Police Departments throughout the Commonwealth in the work they do to keep their communities safe. The Department provides all types of assistance to prevent and investigate crime, including Major Case Team activations, evidence processing, DNA testing, aviation support, hazardous device and explosive removal, clandestine laboratory response, and more.

But our help does not end once the crime scene tape comes down. The Department is also committed to supporting our partners in the wake of serious incidents; particularly those involving historically underserved populations. The Heritage Affairs Section within the Equality and Inclusion Office works closely with municipal, state, and federal agencies to mitigate issues between law enforcement and the community which, if handled improperly or ignored, can lead to civil unrest or major confrontations.

The Heritage Affairs Section and its Tension Response Teams respond to significant situations, including hate or bias incidents and officer-involved shootings. A hate or bias incident is an act committed against a person or property which is motivated by the actor's hatred or bias toward a particular group of people. The Heritage Affairs Section also supports Municipal Police Departments by providing various levels of police training, in addition to pre/post event response recommendations if the civil tension or a significant degree of public interest is anticipated. The Heritage Affairs Section is comprised of a Section Commander and three Heritage Affairs Liaison Officers strategically located throughout the Commonwealth. In 2018, notable Tension Response Team activations included the Tree of Life Synagogue shooting in Pittsburgh, the shooting of an unarmed black teenager by a white police officer in East Pittsburgh, and the shooting of a Hispanic man by a white police officer in Whitehall Township.

In these and other activations, the Heritage Affairs Section met with protest groups, law enforcement representatives, community leaders, and political officials to maintain a dialogue and ensure all parties knew their concerns were being heard. By keeping the lines of communication open, volatile situations were tamped down, and protesters exercised their first amendment rights peacefully.

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*Continued from page 1...Heritage Affairs*

Thanks to its record of success, the Heritage Affairs Section has built a reputation among community leaders as a reliable liaison in their time of need. The Heritage Affairs Section works closely with the Legislative Black Caucus and Governor's Advisory Commissions on African American Affairs, Asian Pacific American Affairs, and Latin American Affairs. Members also regularly interact with the National Organization of Black Law Enforcement Executives, NAACP, and several Department of Justice Community Relations Divisions. The Heritage Affairs Section regularly provides subject matter experts to the Pennsylvania Human Relations Commission, and its Commander was recently the recipient of the Commission's prestigious STAR Award for his commitment to this valued partnership.

Municipal Police Departments should never hesitate to contact the Heritage Affairs Section for assistance in working with the many diverse populations within the Commonwealth. Early involvement in incidents related to hate or bias crimes, race, or other historically underserved communities demonstrates that law enforcement takes these matters seriously and helps to ensure perpetrators of hate or bias crimes are charged appropriately.

Questions or requests for more information may be directed to Sergeant William C. SLATON, Heritage Affairs Section Commander, Equality and Inclusion Office, 717-562-5808, or [wslaton@pa.gov](mailto:wslaton@pa.gov).

## **Money for Training**

Act 89 of 2013 authorized an annual grant of \$5,000,000 for the Municipal Police Officers' Education and Training Commission (MPOETC) to reimburse certain expenses related to training municipal police officers. Reimbursement under this grant will only be considered for police officers who are trained and certified through the Act 120 program.

Currently, MPOETC will reimburse a department 75% of the tuition and 45% of the hourly wage (for the required hours of training) for any cadet hired by the department and paid to attend a certified municipal police academy. Reimbursement applications are generated in TACS when a cadet who was hired graduates from the basic academy. The department must provide all required documentation and submit the application in TACS to be considered for reimbursement.

MPOETC also reimburses certified municipal police academies for providing annual in-service training to certified municipal police officers. Certified academies provide this required in-service training at no cost to certified officers and then receive funds biannually from MPOETC. Only certified municipal police officers are eligible for reimbursement, so academies charge the established tuition to non-certified officers who attend in-service training at a police academy.

If you have any questions about the Act 120 grant, please contact the main MPOETC number at (717) 346-4086 or email [RA-SPMPOFSS@pa.gov](mailto:RA-SPMPOFSS@pa.gov).

## **Highlights from the September Commission Meeting**

On September 19, 2019, the Municipal Police Officers' Education and Training Commission met at the Toftrees Resort & Conference Center, State College, PA for their regularly scheduled quarterly meeting. Colonel Robert Evanchick, Commissioner of the PA State Police, called the meeting to order and reviewed the minutes from the June 13, 2019 meeting.

Major Troy Lokhaiser, the Commission's Executive Director, reported on staff activities from the previous quarter and Commissioner Bart Burne reported on the committee meetings held the previous day, September 18, 2019, during which Commission members received detailed reports from staff and held in-depth discussions in preparation for the full Commission meeting. The Commission members then heard full reports from the chairperson of each committee and voted on and approved the following significant decisions to:

- Decertify three police officers for disqualifying criminal convictions including Strangulation, Conspiracy to Distribute, Possession with the Intent to Distribute Heroin and Cocaine, Theft, and Dealing in proceeds of unlawful activities.
- Suspend one police officer who is subject to a final protection from abuse order and prohibited from possessing a firearm.
- Approve certifications for 285 municipal police officers, 30 municipal police instructors, and one police academy director.

## Quarterly Legal Updates

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

### Pennsylvania Yellow Dot Program

Program designed to assist drivers and passenger with emergency care following a crash. Personal information, such as: name, emergency contact information, medical history, medication, allergies, doctors, and a photo are placed on an information packet. The packet is placed in the glove box of the vehicle and a decal (yellow dot) is placed on the rear windshield – bottom left.

### Superior Court applied Act 58 in Commonwealth v. Forsythe, \_\_\_ A.3d \_\_\_ (Pa. Super. 8/16/19)

On August 16, 2019, the Superior Court held that the extraterritorial actions taken by a police officer as a member of the interdiction roving patrol were consistent with the exception contained in the Subsection 8953(a)(3)(i). The officer involved acted in direct response to a request by detectives from another jurisdiction, and, therefore possessed the general police power within the entirety of all police jurisdictions within Lycoming County. As the officer acted in compliance with the MPJA, as amended, the trial court erred in suppressing the evidence obtained as a result of the vehicle stop.

### United States v. Clark, 902 F.3d 404 (3d Cir. 8/30/18)

In this 3rd Circuit court case, the driver had no registration papers and claimed the car belonged to his mother. The court ruled that once a computer check verified ownership of the car by the mother, the duration of the traffic stop should not have been extended by additional police interrogation of the vehicle's occupants.

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## Safety with Dropped Guns

### by Emanuel Kapelsohn

Recently a Captain in our department was taking her service pistol off the top shelf of her locker when she lost control of the pistol. As the pistol fell, she tried to catch it before it hit the concrete floor – a very natural human reaction, to be sure. Unfortunately, as sometimes happens in such cases, either her thumb or one of her fingers entered the trigger guard as she grabbed the pistol, firing it. The 180-grain, .40 caliber hollow point bullet entered her abdomen and exited her breast, and was recovered, spent and fully expanded, inside her uniform shirt. By the grace of God, the bullet traveled outside her ribcage and never entered her body cavity. A few degrees difference in the angle of the shot, and the result would likely have been tragic, rather than just extremely unfortunate.

Every reader of this article has dropped things in their lifetime. Human error is universal among humans. Personally, I have dropped dishes and glasses, dropped my cell phone many times, dropped a hammer on my bare foot, and dropped – yes – loaded guns, most recently last month. In 40 years as an instructor, I have seen many guns dropped by others. But while most firearms instructors cover extensive safety rules and range procedures, too many of our training programs never address the safety issues arising from dropped guns, an inevitable occurrence.

Most of us have seen the video of the FBI agent whose gun fell onto the nightclub floor in Denver as he did a backflip while dancing. A close review of the video shows that the gun did not discharge when it hit the floor, but when the agent put his hand on it to pick it up. The bullet hit another club patron in the leg, and the agent was criminally charged. The video makes an important general point: most modern guns, whether handguns or shoulder weapons, are designed and tested to be “drop safe.” While there can be no guarantee, of course, that no gun will ever fire when it hits the ground, the chance of this happening appears far less likely than that of the gun firing when grabbed in mid-air, with a thumb or finger entering the trigger guard as happened in my agency. And as in the Denver nightclub video, even if the gun hits the ground without firing, dangers exist when one goes to pick the gun up, and/or tries to fire it on the range.

Consider the “Safety With Dropped Guns Sheet,” located on page 4. Feel free to use it, with or without your own modifications, as a handout for your agency, or as a lesson outline in your own training programs.

## Safety with Dropped Guns Sheet

### While the Gun is Falling:

All modern police, military, and defensive handguns from reputable manufacturers are designed to be “drop safe.” This means they are designed and tested not to fire when dropped onto hard surfaces from reasonable heights. The drop tests for commercial firearms made in the United States are specified by SAAMI/ANSI (Sporting Arms & Ammunition Manufacturers Institute/American National Standards Institute). While there can, or course, be no absolute guarantee that a dropped firearm will never discharge, the chance that a firearm hitting the ground will discharge is far less than the chance that it will discharge if the user tries to “grab” or “catch” the firearm while it is falling, and in the process gets his finger or thumb into the trigger guard and activates the trigger, as happens with some frequency. Accordingly, the best rule is:

If a firearm drops, or if you lose control of it while you are drawing or holstering it or at any other time, **JUST LET IT DROP – DO NOT TRY TO CATCH IT!**

### When a Dropped Gun is On The Ground:

It is dangerous to try to pick up a gun that has fallen on the ground, for many reasons. Some of these reasons are: (1) the gun may not be pointed in a safe direction; (2) the gun may have gotten dirt, mud or snow in the muzzle, and may then burst when the trigger is pulled; (3) due to the impact, the internal parts of the gun may be “perched” or positioned such that the gun will fire when it is picked up, without the trigger being pulled; and (4) the gun may be damaged from the impact with the ground, and may not be safe to fire. Accordingly, if a gun falls on the ground during a training exercise at the range:

#### **1. DO NOT TOUCH THE DROPPED GUN!**

2. If you are carrying a backup gun, draw it and continue the exercise, if permitted to do so.
3. If you are not carrying a backup gun, or when you have finished the exercise using your backup gun, raise your hand to get the instructor’s attention, so the instructor can pick up the dropped gun in a safe manner, and can inspect it to see whether it is safe to continue using the gun.
4. Among other things, the instructor will: (1) make sure no one is in the direction in which the gun is pointing when it is picked up, (2) will pick the gun up safely; (3) will unload the gun; and (4) will inspect the gun to be sure the muzzle is unobstructed, and to determine whether it is safe to continue using the gun.

If you drop a gun when there is no firearms instructor present to follow the above steps, follow them yourself, being very careful that **no one is in front of the gun when you pick it up**, keeping your finger outside the trigger guard, and following all other safety rules. As soon as possible, have the gun inspected by your department’s armorer or firearms instructor, or by a qualified gunsmith or the gun’s manufacturer, to be sure the gun is undamaged and safe to continue using.

**Only during a gunfight or other emergency should you simply pick up a dropped gun from the ground and attempt to fire it, if necessary!**

## Information Regarding the December 2019 Commission Meeting

The next scheduled meeting of the Municipal Police Officers' Education and Training Commission is on December 11 and 12, 2019 at the Radisson Hotel Valley Forge, 1160 First Avenue, King of Prussia, Pennsylvania 19406. Phone: 610-337-2000.

The Committee meetings begin on Wednesday, the 11th at 12:30 P.M.

The Executive Committee meeting will begin on Wednesday, the 11th at 3:30 P.M.

The School Directors meeting will begin on Thursday, the 12th at 8:00 A.M.

The Full Commission meeting will begin on Thursday, the 12th at 10:00 A.M.

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

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



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

### **MPOETC Newsletter**

#### ***Municipal Police Officers' Education & Training Commission***

8002 Bretz Drive  
Harrisburg, PA 17112-9748

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

## **MPOETC Staff Updates**

Matthew Bender, Certification Unit, left MPOETC in April of 2019 to pursue his career at the County level.

Judy Krepich has filled Matthew's Administrative Assistant 1 position. Judy has worked for PSP for seven years, most recently as a Police Communication Operator out of Troop L, Schuylkill Haven.

Chris Clark joined the MPOETC team in August and is the Director of the Certification Unit. He has worked with the State Police for 23 years, all of which was in the Firearms Division of the Bureau of Records and Identification. His previous position was as an Administrative Officer 2, and he supervised the PICS (Pennsylvania Instant Check System) Challenge Section.



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

**Columbus Day: October 14, 2019**

**Veterans Day: November 11, 2019**

**Thanksgiving Holiday: November 28-29, 2019**

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

# New Agency Executives

<b>Chief Thomas W. Ankrom</b>	Waynesburg Borough PD Greene County
<b>Chief Christopher M. Fabec</b>	Gilpin Township PD Armstrong County
<b>Chief William J. Gelgot</b>	Bloomsburg PD Columbia County
<b>Chief Leon J. Grim</b>	South Heidelberg Township PD Berks County
<b>Chief Richard J. Kotchik</b>	Kingston Borough PD Luzerne County
<b>Chief Kristopher P. Kruzalak</b>	Sandy Township PD Clearfield County
<b>Chief Matthew W. Kurten</b>	Brookhaven Borough PD Delaware County
<b>Chief David P. Madonna</b>	Prospect Park Borough PD Delaware County
<b>Chief John C. Myrsiades</b>	Plymouth Township PD Montgomery County
<b>Chief Edward C. Purcell Jr.</b>	Coal Township PD Northumberland County
<b>Chief Kevin J. Soberick</b>	Salisbury Township PD Lehigh County
<b>Chief Francis X. Wheatley</b>	Upper Dublin Township PD Montgomery County
<b>Chief Vincent S. Zangaglia</b>	Conemaugh Township PD Somerset County

# Congratulations!

**HONOR**  
our **VETERANS**

11.11.2019



## Areas of Responsibility and Contact Information for Commission Staff

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

### ADMINISTRATION AND CERTIFICATION

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

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

### TRAINING

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

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

### GRANT REIMBURSEMENT

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

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

### PROFESSIONAL STANDARDS AND INSPECTIONS

#### Regulatory Compliance, School Inspections

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