

PENNSYLVANIA STATE POLICE TESTIMONY
POLICE TRAINING AND DEPARTMENT ACCREDITATION

HOUSE JUDICIARY COMMITTEE

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SERGEANT TIMOTHY FETZER

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Good morning, Chairmen Kauffman and Briggs and members of the House Judiciary Committee. I am Major Steve Ignatz, Director of the Municipal Police Officers Education and Training Commission (MPOETC). With me today are Sergeant Timothy Fetzer of the Use of Force Unit within the Bureau of Training and Education and Mr. Isaac Suydam, Director of the Training and Curriculum Development Section at MPOETC. On behalf of the Pennsylvania State Police (PSP), I would like to thank you for inviting us to participate in a discussion regarding police training as it pertains to use of force. My testimony will cover this subject as it relates to PSP Troopers and municipal police officers.

PSP

PSP affords its members with extensive training regarding the reasonable application of force while in performance of their assigned duties. The Department utilizes both Basic and In-Service training platforms to disseminate these teachings. A distinct goal of the referenced programs is to ensure that Department members possess a requisite understanding of that which constitutes the lawful and ethical implementation of force by a law enforcement officer.

The PSP Basic Training Program is conducted over a twenty-six (26) week period and encompasses eleven hundred and fifty-five (1155) hours of overall instruction. During this time, Cadets receive approximately 300 hours of instruction specific to the appropriate application of force. This program is regularly subjected to a review process and subsequently revised when necessary.

PSP In-Service Training Programs provide existing Department members with required use of force training on a semi-annual basis. These programs facilitate the review and update of current use of force standards, the completion of re-certification procedures associated with the operation of lethal and less-lethal weapons, and the assessment of the memberships' ability to properly perform in realistic settings.

In 2016, the Department realized the need to officially create the Use of Force Unit within the Bureau of Training and Education. Two of the four members of the unit are the only law enforcement

officers within the Commonwealth of Pennsylvania to have successfully completed the Force Science® Institute's Advanced Specialist Course. As a pre-requisite, they have also completed the Force Science® Institute's five-day certification course. In the spring of 2018, the Use of Force Unit began revising the Cadet use of force curriculum, which had up until that point, been developed and instructed by the Academy's Criminal Law Unit.

Through the leadership of the Use of Force Unit, PSP is constantly assessing Department policies and regulations pertaining to use of force, and as a result, PSP revised several existing policies, including those related to Conducted Energy Weapons usage. In the Spring of 2019, PSP revised its Department's Tactical Assurance Program, an individualized program designed to build confidence and to reinforce the tactical and survival skills of an involved member/enforcement officer following an officer-involved shooting or serious police incident. PSP also designed and implemented Supplemental Use-of-Force Training designed for members/enforcement officers who demonstrate a need for reinforcement of the Department's policies and trainings as they relate to the proper application of force. Additionally, PSP developed a new communications/de-escalation program designed to begin building a Cadet's communication skills early on in training and culminate with assessments of a Cadet's communication/de-escalation skills during scenario-based exercises. The teachings focus on self-awareness, emotional intelligence, decision-making skills, ways to display empathy, improving active and reflective listening skills, multi-cultural awareness, and implicit bias issues. This new training will be administered to the 160th Cadet Class, which is currently in their 12th week of training.

Several times during the year, the Use of Force Unit, along with some Members of the Bureau of Training and Education Command Staff, meet with the command staff of the Internal Affairs Division (IAD) to assess current Department use of force trends and any associated use of force training. This allows the Bureau of Training and Education to assess current training programs by examining incidents occurring throughout the Commonwealth. Unfortunately, because use of force statistics captured by

the Department are not comprehensive in nature, this is one of the only currently available mechanisms to actively assess Department use of force trends and training practices. These meetings also ensure the Department meets CALEA requirements which indicate an agency must establish a training committee who meets on a regular basis.

The Pennsylvania State Police has expended great effort to ensure that its use of force training is founded upon legal and evidence-based principles. As an example, the Department has sought and relied upon numerous resources during the construction of current use of training protocols, including, but not limited to:

- The U.S. Department of Justice
- The International Association of Chiefs of Police
- Inter and Intra-Departmental Legal Counsel
- Police Practice and Policy Experts
- Prominent Psychologists and Researchers in the field of Police Performance
- Defensive Tactics and Crisis Communication Specialists
- Medical Experts
- Community Relations Consultants
- Authorities in the area of Police Reform

The topics addressed by the Department in both the Basic and In-Service training environments include, but are not limited to:

- Criminal Justification Statute
- Precedent Case Law
- Department Policy Considerations
- Legal Police - Citizen Interactions
- Officer's Duty to Intervene
- Shooting at or from Vehicles
- Stress Response and Management
- Decision-Making under Stress
- Appropriate Threat Assessments
- De-Escalation Techniques
- Crisis Intervention and Communication
- Signs and Symptoms of Mental Illness
- Cultural Diversity and Inclusion
- Prevention of Profiling Behaviors
- The Use of Firearms
- The Deployment of Conducted Energy Weapons
- The Application of Oleoresin Capsicum Spray

- The Deployment of an ASP Baton
- The Implementation of Hands-On Control Techniques
- Transition amongst approved Force Options
- Police Tactics in Varied Environments
- Response to an Active Shooter Incident
- Police Performance Factors
- Rendering First Aid
- Simulated Response
- Scenario- Based Exercises

MPOETC

The Municipal Police Officers Education and Training Commission, or MPOETC, was created by the legislature by Act 120 of 1974 to establish and administer the minimum courses of study for basic and in-service training for police officers and to revoke an officer's certification when an officer fails to comply with the basic and in-service training requirements or is convicted of a criminal offense or the commission determines that the officer is physically or mentally unfit to perform the duties of his office.

There are currently 22,719 municipal officers in Pennsylvania trained in accordance with Act 120 who serve in some 1,066 departments. Some of the police departments are very large while others may have one or two personnel. As you may know, many officers work either full or part-time for more than one department. More than 1,300 officers work for two police departments; 212 officers work for three police departments; 48 officers work for four police departments; and 11 officers work for five or more police departments. The total number of municipal law enforcement positions filled by municipal officers across Pennsylvania is currently 24,684.

Municipal police in Pennsylvania receive their basic training at one of 24 training academies across the Commonwealth. Five academies are operated by municipalities and fourteen are operated by colleges or the Pennsylvania State System of Higher Education. The Pennsylvania State Police operates the Academy in Hershey plus four Regional Training Centers each authorized to conduct Act 120 training.

The basic police training curriculum teaches traditional basic police training such as report writing, history of law enforcement, and criminal procedures, plus police officers are provided training to recognize mental illness, intellectual disabilities and autism. Officers are provided proper techniques to interact with and de-escalate individuals engaging in behavior indicative of mental illness, intellectual disability, or autism. Officers are also given instruction on services available to individuals with mental illness, intellectual disabilities, or autism. Trainees receive training in Community-Oriented Policing and Problem Solving as well. In total, the Basic Police Syllabus totals 919 hours of training.

The current Block 3-I, Use of Force in Law Enforcement, lesson plan is based on the in-service course developed in 2016. In the basic academy, students spend 8 hours of the law portion of use of force while the in-service course (for certified officers) was 6 hours. This course was built by a committee that included a member of the MPOETC Training Section staff, an officer from Philadelphia, several attorneys, and an external use of force expert.

The training block noted above addresses the specific laws related to using force as a police officer, however the concept of legally and carefully using force as an officer is reinforced throughout the academy. The 2020 Basic Police Training Syllabus has several training blocks which apply to use of force by officers. Modules such as Laws and Criminal Procedure, Responding to Special Needs, and Patrol Procedures and Operations either teach a specific force-related skill, skills related to de-escalating situations, or some aspect of decision-making related to if, when, how, and how much force an officer might be required to use in the performance of their assigned duties. None of these lessons are called "use of force" nor does the term necessarily occur in the lesson plan, however the concepts are interrelated and build upon one another.

Trainees currently receive a 17-hour block of instruction in Human Relations that includes Personal Bias and Procedural Justice, Cultural and Religious Considerations, and Perceptions of Human Behavior and Communications. This training was developed directly from the 21st Century Policing, the Police Executive Research Forum, and other national initiatives. This was a mandatory

in-service training block initially and has been incorporated into the basic curriculum. The cultural awareness block is taught to help the trainees identify the behaviors that foster and those that harm effective minority community relations. They also receive instruction in identifying issues of cultural diversity that may adversely impact successful interviewing. They learn the characteristics of effective interpersonal communication skills as well as the barriers to effective listening. The goal is to foster effective communications with those they are sworn to protect and to establish police legitimacy.

In closing, the PSP is proud of the training programs our Troopers and municipal police officers receive. We believe it's of paramount importance to continue to re-evaluate our curriculum in order to ensure an effective balance between maintaining officer safety and the civil rights of the citizens and visitors to the Commonwealth. Additionally, the basic and continuing educational opportunities available to Pennsylvania's police officers enable them to interact respectfully and effectively with individuals from the Commonwealth's diverse communities. We would be happy to answer any questions you may have for us.

House Judiciary Hearing

The Municipal Police Officers' Education and Training Commission (MPOETC) established by Act 120 of 1974 and established basic training requirement for employment as a municipal police officer

Act 120 was amended in 1988 to include biennial certification of officers who completed required in-service training including 12 hours of academic training, firearms qualification, CPR certification.

Basic Training Curriculum was modified in 1981 (480), 1988 (520), 2001 (754), 2018 (919), 2020 (919).

Currently there are 1065 departments employing a total of 22,697 certified municipal officers.

Basic Police Training

- Current basic police training course consists of 919 in-residence hours.
 - 20 Topical Volumes
 - 498 hours of Academic training
 - 27 Academic Tests
 - 421 hours of Practical/Performance-based training
 - 6 Performance-based Skills Checklist

In-Service Training

- MPOETC develops in-service training courses (development takes approximately one year).
 - Training courses are approved by Commission, based on trends and current needs

Recent Training Initiatives

- Developed In-service Courses (2021)
 - Juvenile Justice
 - Child Victims of Human Trafficking
 - Recognizing and Responding to Individuals with Special Needs
- Revised Basic Defensive Tactics and Handling Arrested Persons blocks (2022)
 - Combined all hours into Control Tactics block
 - Focus on teaching officers to safely control situations from contact to detention
- Developing In-Service Use of Force, De-escalation, Harm Reduction class (2022)
- Developing Implicit Bias class (2022)

Challenges

- MPOETC has no operational control over municipal police departments
 - Influence through training
 - Operational decisions and policies still reside at the department level
- MPOETC has no authority over non-municipal police
 - State Agencies (WCO, DCNR, etc)
 - County Agencies (Sheriff, Probation, etc)
 - Court Appointed Officers (School Police, Private Police, etc)
- Act 57 Database will identify law enforcement officers
 - Opportunities to standardize training??
 - Opportunities to standardize operational policies??