

# **JOINT STATE GOVERNMENT COMMISSION**

**General Assembly of the Commonwealth of Pennsylvania**

## **MINIMUM ELIGIBILITY STANDARDS FOR POLICE OFFICER TRAINING AND GRADUATION IN THE COMMONWEALTH OF PENNSYLVANIA**

**A Staff Study**

**December 2024**



*Serving the General Assembly of the  
Commonwealth of Pennsylvania Since 1937*

**REPORT**

*2023 Act 37*

*Minimum Eligibility Standards for Police Officer Training and Graduation  
in the Commonwealth of Pennsylvania*

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The Joint State Government Commission was created in 1937 as the primary and central non-partisan, bicameral research and policy development agency for the General Assembly of Pennsylvania.<sup>1</sup>

A fourteen-member Executive Committee comprised of the leadership of both the House of Representatives and the Senate oversees the Commission. The seven Executive Committee members from the House of Representatives are the Speaker, the Majority and Minority Leaders, the Majority and Minority Whips, and the Majority and Minority Caucus Chairs. The seven Executive Committee members from the Senate are the President Pro Tempore, the Majority and Minority Leaders, the Majority and Minority Whips, and the Majority and Minority Caucus Chairs. By statute, the Executive Committee selects a chairman of the Commission from among the members of the General Assembly. Historically, the Executive Committee has also selected a Vice-Chair or Treasurer, or both, for the Commission.

The studies conducted by the Commission are authorized by statute or by a simple or joint resolution. In general, the Commission has the power to conduct investigations, study issues, and gather information as directed by the General Assembly. The Commission provides in-depth research on a variety of topics, crafts recommendations to improve public policy and statutory law, and works closely with legislators and their staff.

A Commission study may involve the appointment of a legislative task force, composed of a specified number of legislators from the House of Representatives or the Senate, or both, as set forth in the enabling statute or resolution. In addition to following the progress of a particular study, the principal role of a task force is to determine whether to authorize the publication of any report resulting from the study and the introduction of any proposed legislation contained in the report. However, task force authorization does not necessarily reflect endorsement of all the findings and recommendations contained in a report.

Some studies involve an appointed advisory committee of professionals or interested parties from across the Commonwealth with expertise in a particular topic; others are managed exclusively by Commission staff with the informal involvement of representatives of those entities that can provide insight and information regarding the particular topic. When a study involves an advisory committee, the Commission seeks consensus among the members.<sup>2</sup> Although an advisory committee member may represent a particular department, agency, association, or group, such representation does not necessarily reflect the endorsement of the department, agency, association, or group of all the findings and recommendations contained in a study report.

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<sup>1</sup> Act of July 1, 1937 (P.L.2460, No.459); 46 P.S. §§ 65–69.

<sup>2</sup> Consensus does not necessarily reflect unanimity among the advisory committee members on each individual policy or legislative recommendation. At a minimum, it reflects the views of a substantial majority of the advisory committee, gained after lengthy review and discussion.

Over the years, nearly one thousand individuals from across the Commonwealth have served as members of the Commission's numerous advisory committees or have assisted the Commission with its studies. Members of advisory committees bring a wide range of knowledge and experience to deliberations involving a particular study. Individuals from countless backgrounds have contributed to the work of the Commission, such as attorneys, judges, professors and other educators, state and local officials, physicians and other health care professionals, business and community leaders, service providers, administrators and other professionals, law enforcement personnel, and concerned citizens. In addition, members of advisory committees donate their time to serve the public good; they are not compensated for their service as members. Consequently, the Commonwealth receives the financial benefit of such volunteerism, along with their shared expertise in developing statutory language and public policy recommendations to improve the law in Pennsylvania.

The Commission periodically reports its findings and recommendations, along with any proposed legislation, to the General Assembly. Certain studies have specific timelines for the publication of a report, as in the case of a discrete or timely topic; other studies, given their complex or considerable nature, are ongoing and involve the publication of periodic reports. Completion of a study, or a particular aspect of an ongoing study, generally results in the publication of a report setting forth background material, policy recommendations, and proposed legislation. However, the release of a report by the Commission does not necessarily reflect the endorsement by the members of the Executive Committee, or the Chair or Vice-Chair of the Commission, of all the findings, recommendations, or conclusions contained in the report. A report containing proposed legislation may also contain official comments, which may be used to construe or apply its provisions.<sup>3</sup>

Since its inception, the Commission has published over 450 reports on a sweeping range of topics, including administrative law and procedure; agriculture; athletics and sports; banks and banking; commerce and trade; the commercial code; crimes and offenses; decedents, estates, and fiduciaries; detectives and private police; domestic relations; education; elections; eminent domain; environmental resources; escheats; fish; forests, waters, and state parks; game; health and safety; historical sites and museums; insolvency and assignments; insurance; the judiciary and judicial procedure; labor; law and justice; the legislature; liquor; mechanics' liens; mental health; military affairs; mines and mining; municipalities; prisons and parole; procurement; state-licensed professions and occupations; public utilities; public welfare; real and personal property; state government; taxation and fiscal affairs; transportation; vehicles; and workers' compensation.

Following the completion of a report, subsequent action on the part of the Commission may be required, and, as necessary, the Commission will draft legislation and statutory amendments, update research, track legislation through the legislative process, attend hearings, and answer questions from legislators, legislative staff, interest groups, and constituents.

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<sup>3</sup> 1 Pa.C.S. § 1939.



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December 2024

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To Members of the General Assembly:

We are pleased to release *Minimum Eligibility Standards for Police Officer Training and Graduation in the Commonwealth of Pennsylvania* as authorized by Act 37 of 2023. The act directed the Commission to conduct analyses of police academies' minimum entry and graduation standards across several domains, including physical and psychological fitness and education. The standards were revised by Act 37.

Information for the analyses gathered from the Municipal Police Officers Education and Training Commission (MPOETC), Pennsylvania's MPOETC-certified municipal police academy directors, and the State Police Academy. Further, Commission staff participated in an annual MPOETC directors meeting, reviewed statutory law, regulations, case law, academic journals, publications, and reports.

On behalf of the Commission, we thank MPOETC, the academies' directors, and many others who cooperated to provide information and guidance in the production of this report.

The full report is available at <http://jsg.legis.state.pa.us>.

Respectfully submitted,

Glenn J. Pasewicz  
Executive Director



# TABLE OF CONTENTS

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<b>INTRODUCTION</b> .....	1
Scope and Objectives .....	1
Overview .....	3
<b>SUMMARY OF FINDINGS</b> .....	9
<b>DEFINING POLICE OFFICERS</b> .....	13
<b>TYPES OF POLICE OFFICERS</b> .....	15
Municipal Police .....	15
Railroad or Street Railway Police .....	18
Campus or University Police .....	20
The Capitol Police .....	23
The Harrisburg International Airport Police and Airport Authority Police .....	25
Deputy Sherriff of Second Class Counties .....	27
First and Second Class City Housing Authority Police .....	29
County Park Police .....	30
<b>MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION</b> .....	33
Composition and Duties .....	33
MPOETC – Certified Training Academies .....	37
2023 MPOETC Activity .....	38
<b>CURRENT MINIMUM STANDARDS</b> .....	43
Admission to Academy .....	44
Graduation from the Academy .....	50
Certification Examination .....	56
Partial Waiver .....	58
<b>IMPACT OF CURRENT MINIMUM STANDARDS ON RECRUITMENT, EDUCATION, AND TRAINING</b> .....	61
Academy Data .....	62
Findings .....	81
<b>EXTERNAL FACTORS AFFECTING RECRUITMENT, TRAINING, AND EDUCATION</b> .....	85
<b>CONCLUSION</b> .....	93
<b>APPENDIX</b>	
2023 Act 37 .....	97





# INTRODUCTION

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## *Scope and Objectives*

The Act of December 14, 2023 (P.L. 342, No. 37) (Act 37) amended 53 Pa.C.S. § 2164 to lower the fitness requirements for applicant certification for any training school or academy providing “...a basic police training course within the functional organization of a police department or departments or any educational facilities located in a *city of the first class*.” Prior to the enactment of Act 37, applicants applying for admission to all of Pennsylvania’s police academies were required to obtain a score no lower than the 30<sup>th</sup> percentile in evaluations which include long- and -short distance runs, bench presses, and sit-ups. Act 37 effectively relaxed the minimum requirements so that applicants to Philadelphia academies need only score at minimum in the 15<sup>th</sup> percentile for the evaluations to be admitted. Applicants in those schools and academies are still required under the act to achieve no lower than the 30<sup>th</sup> percentile in evaluations to graduate and eventually be employed as a police officer. This amendment expires five years from the effective date of the act and does not apply to police academies located in all other parts of the Commonwealth. In other words, applicants applying to all other police academies throughout Pennsylvania and outside of Philadelphia must still achieve at minimum the 30<sup>th</sup> percentile in evaluations to gain admission.

First class city police academies (Philadelphia) have started testing their applicants using the newly adopted 15<sup>th</sup> percentile standard for entry physical fitness requirements. According to the Municipal Police Officer’s Education and Training Commission (MPOETC), the academy candidate passage rate under the former 30<sup>th</sup> percentile standard was around 34 to 36 percent. Currently, the candidate passage rate under the new 15<sup>th</sup> percentile standard is 48 percent. To date, Philadelphia has sponsored two opportunities for candidates to test at the 15<sup>th</sup> percentile standard.

Act 37 also requires that the minimum education standards for individuals seeking to become employed as police officers throughout the Commonwealth include a “...demonstration of a reading comprehension test approved by the Commission [MPOETC].” The act further requires that MPOETC immediately approve two reading comprehension tests and allows police academies to submit additional reading comprehension tests to use for MPOETC’s review. Act 37 became effective immediately upon its enactment.

The impetus behind Act 37 was the historic shortages in police departments across Pennsylvania and the U.S. as they struggled to recruit new officers against a deluge of retirements, resignations, the COVID-19 pandemic, and other social, political, and economic factors. These shortages are especially felt in Pennsylvania’s only first-class city, Philadelphia. Pennsylvania has seen a decline in police officers, leaving unprecedented vacancies that place significant burden, stress, and even danger to not only the Commonwealth’s remaining officers, but its residents, as

well. It was estimated in 2023 that Pennsylvania had a shortfall of around 1,200 officers, statewide.<sup>4</sup>

Considering this, Act 37 directed the Joint State Government Commission (the Commission) to issue a report to the General Assembly analyzing the impact the current minimum standards for physical fitness, psychological evaluation, and education prerequisites for employment as a police officer might have on the recruitment, education, and training of individuals seeking to serve as police officers.

In preparing its report, Commission staff conducted interviews with MPOETC and MPOETC-certified police academies and training schools throughout the Commonwealth. Commission staff contacted all certified police academies throughout the state (including the Pennsylvania State Police Academy at Hershey)<sup>5</sup>. However, the Commission was only able to speak with nine of the 17 municipal police academies. Many of the discussions took place with the police academy's directors. To be comprehensive, Commission staff also spoke with the Philadelphia Police Academy and have included them in this report's review. The Commission also conducted its own independent research by reviewing statutory provisions of the law, MPOETC publications and training manuals, Pennsylvania police academy training policies and publications, scholarly articles, journals, studies, and other national, state, and local information sources.

This report defines "police officers" as defined in 53 Pa.C.S. § 2162 for the scope of its review, discusses the different types of police officers subject to the minimum standards mentioned in Act 37, and reviews MPOETC's role in crafting the standards. In addition, this report explains in detail the minimum standards both for entry into a Pennsylvania police academy and to graduate the academy and become employed as a certified police officer and discusses external factors impacting the current state of recruitment and retention nationwide and within the Commonwealth. Most pertinently, the report discusses the importance of minimum physical fitness standards, psychological evaluation, and reading comprehension for individuals looking to become police officers, along with analyzing numerical and anecdotal information on the impact that the current minimum standards may or may not have on the recruitment, education, and training of those seeking to serve as police officers.

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<sup>4</sup> Peter Hall, "In Effort to Boost Recruiting, Pa. Lawmakers Pass Bill to Lower Police Academy Fitness Requirement," *Pennsylvania Capital-Star*, (Nov. 20, 2023), In effort to boost recruiting, Pa. lawmakers pass bill to lower police academy fitness requirement • Pennsylvania Capital-Star ([penncapital-star.com](http://penncapital-star.com)), last accessed on August 12, 2024.

<sup>5</sup> Commission staff did not reach out to all the PSP academies (PSP Northeast Training Center, PSP Southeast Training Center, PSP Southwest Training Center, and PSP Northwest Training Center). As mentioned in the report, staff did contact the PSP Academy at Hershey.

## Overview

Being a police officer is not for the faint of heart. A career in law enforcement is often riddled with stress, danger, criticism, shift work, overtime, and the possibility one may be killed in the line of duty. Moreover, police officers face many physical and psychological hazards, especially when engaged in frequent confrontations with the public, many of which call on officers to perform unpredictable and chaotic bursts of intense physical activity.<sup>6</sup>

The constant evolution of society continues to complicate police work through new technology, an emerging mental health crisis, and an increasingly divided citizenry. The Directors of the Bureau of Justice Assistance and the Office of Community-Oriented Policing Services in the U.S. Department of Justice acknowledged the rigors and complexity of the profession, stating “[t]he profession, by its very nature, challenges law enforcement professionals both physically and mentally” adding that “[s]ociety’s ever-changing nature, needs, and expectations add another complex layer to policing.”<sup>7</sup>

The increasingly rigorous demands on police officers require careful recruitment and training to ensure those who work to serve and protect the public are highly qualified, both physically and otherwise. However, as police headcount totals have fallen over the past decade, statewide police commissions and law enforcement agencies, including in Pennsylvania, are grappling with the balancing of two vital interests: making sure only those highly qualified individuals become police officers, while making sure there are simply enough police officers.

While there is no ironclad formula that determines the “correct” number of officers required for any given law enforcement agency, there has been wide agreement among those in law enforcement, the media, academic institutions, and the public that the profession is currently experiencing what has been described as a “generational crisis” in recruiting and retaining police officers. This crisis is evident in large cities and urban centers throughout the United States, where the demands on officers have increased in tandem with public scrutiny and the shuttering of proactive policing units in some high crime communities. In New York City, for example, “...the overall number of uniformed NYPD officers declined ... to under 34,000...” in the first half of 2022, a significant drop from its peak of over 40,000 officers in 2000.<sup>8</sup> Other major cities reporting shortages in sworn police personnel include Philadelphia, Detroit, Seattle, Salt Lake City, Portland, and Minneapolis.<sup>9</sup> Philadelphia is experiencing a shortage of more than 800 police officers

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<sup>6</sup> Bridget Melton, Gregory Ryan, Victor Zuege, *et al.*, “Evolution of Physical Training in Police Academies: Comparing Fitness Variables,” *Healthcare*, (Jan. 14, 2023), 11, 261, <https://doi.org/10.3390/healthcare11020261>.

<sup>7</sup> Bureau of Justice Assistance and Office of Community-Oriented Policing Services, U.S. Department of Justice, “Recruitment and Retention of the Modern Law Enforcement Agency – Revised,” (2023), <https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-r1136-pub.pdf>, last accessed on April 18, 2024.

<sup>8</sup> Scott Erickson, “Addressing the Challenges of Recruiting and Retention in – Law enforcement,” *America First Policy Institute*, Center for Law and Justice, (Jan. 6, 2023), <https://americafirstpolicy.com/issues/addressing-the-challenges-of-recruiting-and-retention-in-law-enforcement>, last accessed on April 18, 2024.

<sup>9</sup> Ian T. Adams, Scott M. Mourtgos, and Justin Nix, “Turnover in Large U.S. Policing Agencies Following the George Floyd Protests,” *Journal of Criminal Justice* (Post-Print), (Aug. 14, 2023), [https://www.crimrxiv.com/pub/smw9kp1d/release/1#:~:text=A%20long%20line%20of%20media,Minneapolis%20\(Bailey%2C%202020\)](https://www.crimrxiv.com/pub/smw9kp1d/release/1#:~:text=A%20long%20line%20of%20media,Minneapolis%20(Bailey%2C%202020)), last accessed on April 18, 2024.

according to the Philadelphia Police Department. This shortage has prompted the department to launch new recruiting initiatives.<sup>10</sup>

An International Association of Chiefs of Police (IACP) survey in 2019 found that many law enforcement agencies are experiencing a low number of individuals applying to agency vacancies. Moreover, survey respondents detailed that “...among those who do apply, the quality of the applicants is often poor.”<sup>11</sup> The IACP survey found it common that many applicants who appear to be strong candidates end up failing a background check or divulge disqualifying information further into the hiring process. Another recruitment challenge is often fierce competition to attract highly qualified candidates in regions where multiple law enforcement agencies are geographically close.

The law enforcement shortages have been widespread in many different types of law enforcement agencies of varying sizes and locales. A recent Police Executive Research Forum (PERF) report included a survey to all PERF members who are chief executives of their agencies (chiefs, sheriffs, commissioners, etc.). There were 214 responses to the survey from a wide variety of agencies serving 40 states, the District of Columbia, and Canada. Of the responding agencies, 188 were local law enforcement agencies, 14 were college or university law enforcement agencies, six were state law enforcement agencies, three were transportation law enforcement agencies, one was a federal law enforcement agency, two were housing law enforcement agencies, and one was a hospital law enforcement agency. The agencies responding to the survey accounted for a total of roughly 151,335 sworn officers in 2024.<sup>12</sup> PERF’s 2024 survey found that the number of sworn officers nationwide dropped from 159,199 in January 2020 to 151,335 in January 2024.<sup>13</sup> See Chart 1.

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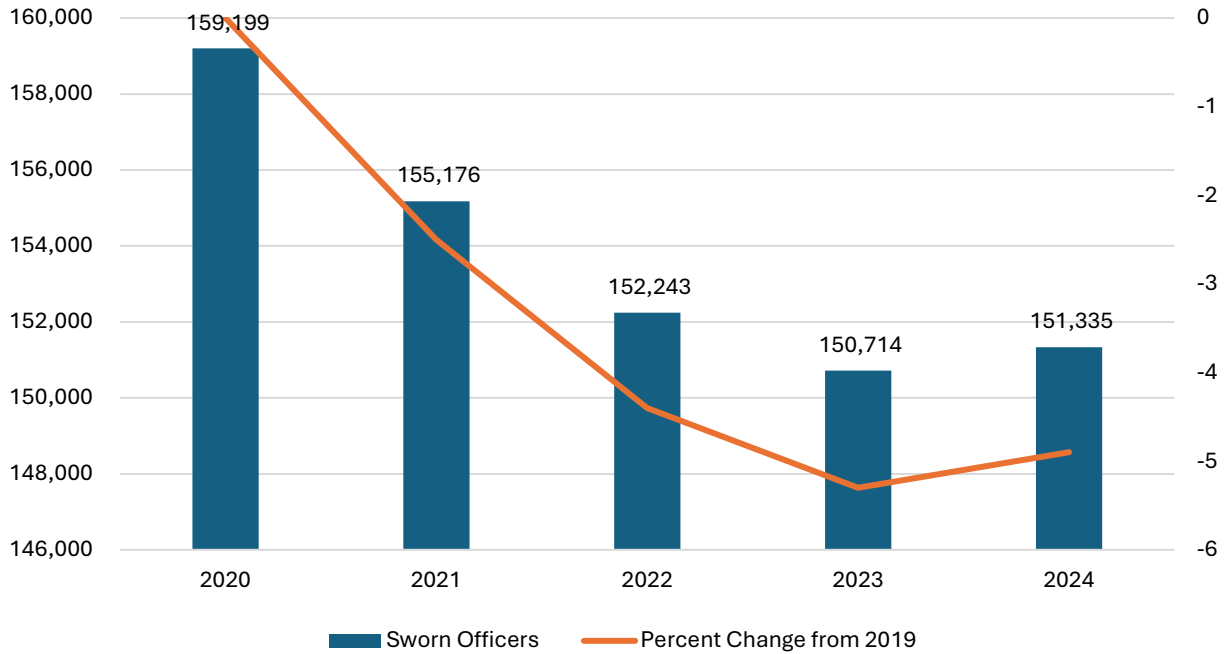
<sup>10</sup> 6abc Digital Staff and Caroline Goggin, “Philadelphia Police Department Kicks Off Effort to Recruit More Officers,” *6abc News*, (Jan. 8, 2024), <https://6abc.com/philadelphia-police-recruitment-department-officer-jobs/14295028/>, last accessed on April 18, 2024.

<sup>11</sup> International Association of Chiefs of Police, “The State of Recruitment: A Crisis for Law Enforcement,” p. 3, [https://www.theiacp.org/sites/default/files/239416\\_IACP\\_RecruitmentBR\\_HR\\_0.pdf](https://www.theiacp.org/sites/default/files/239416_IACP_RecruitmentBR_HR_0.pdf), last accessed on April 22, 2024.

<sup>12</sup> Police Executive Research Forum, “New PERF Survey Shows Police Agencies Have Turned a Corner with Staffing Challenges,” (Apr. 27, 2024), <https://www.policeforum.org/staffing2024>, last accessed on June 25, 2024.

<sup>13</sup> Police Executive Research Forum, “New PERF Survey Shows Police Agencies are Losing Officers Faster Than They Can Hire New Ones,” (Apr. 1, 2023), <https://www.policeforum.org/staffing2023>, last accessed on April 18, 2024.

**Chart 1**  
**Number of Sworn Officers 2020-2024**  
**and Percent Change from 2020**  
**United States**

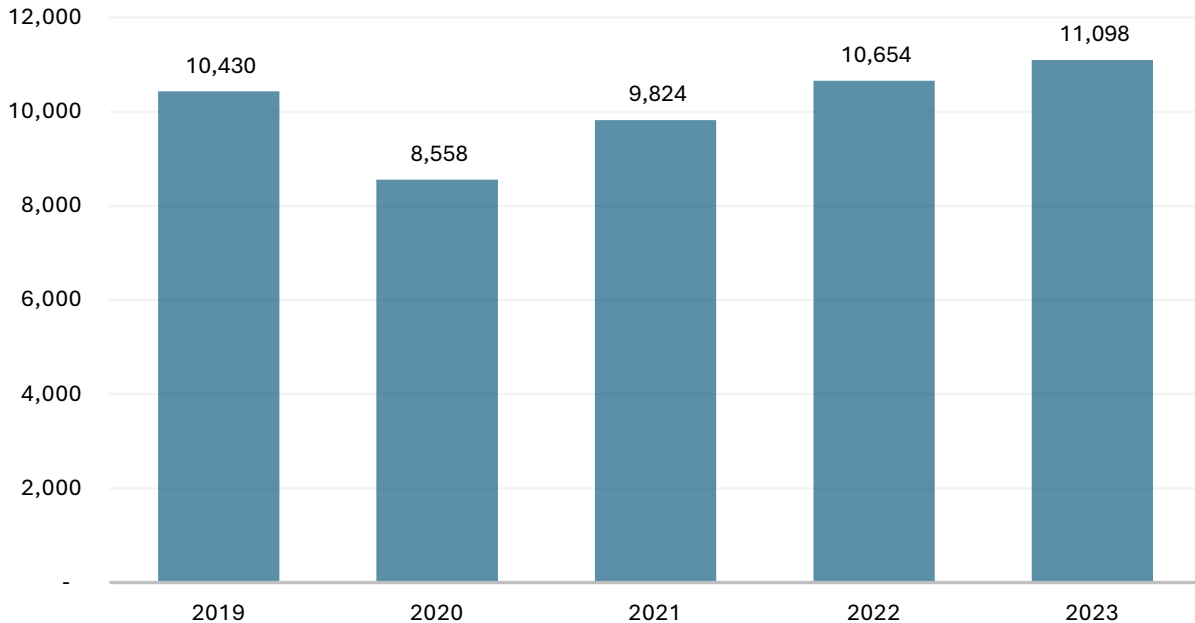


Source: Police Executive Research Forum, “New PERF survey shows police agencies have turned a corner with staffing challenges,” (Apr. 27, 2024), <https://www.policeforum.org/staffing2024>, last accessed on June 25, 2024.

According to a previous PERF survey, 10,430 sworn officers were hired in 2019, and only 8,558 sworn officers were hired in 2020. This significant drop in hires could be linked to several factors, including the COVID-19 pandemic and the impact of the George Floyd riots in the summer of 2020. Since 2020, the number of hires found with subsequent PERF surveys has steadily increased. The report noted that hiring is on a steady rebound with an increase in the raw number of law enforcement jobs.<sup>14</sup> See Chart 2.

<sup>14</sup> *Supra*, n. 12.

**Chart 2**  
**Number of Sworn Officers Hires**  
**2019-2023**  
**United States**



Source: Police Executive Research Forum, “New PERF survey shows police agencies have turned a corner with staffing challenges,” (Apr. 27, 2024), <https://www.policeforum.org/staffing2024>, last accessed on June 25, 2024.

Despite this increase in hiring, “...a more considerable growth in U.S. population has actually led to a slow decline in the ratio of residents to police officers.”<sup>15</sup>

Police shortages and turnover can pose a significant danger to the public. Turnover among sworn personnel in police departments can lead to spikes in crime and have “...deleterious impacts at both the organizational and community level.”<sup>16</sup> Reductions in police headcount and personnel “...inhibit an agency’s strength and cohesion, reduces productivity, increases the volume of public complaints, burdens city budgets with increased recruitment and training costs, and impedes service delivery...”<sup>17</sup> Reductions in police commonly result in longer response times to assist the public. Said reductions can also lead to currently employed officers being overworked and burned out. Research has also found that operating below authorized staffing levels, which many law enforcement agencies do, often leads to low officer morale and job satisfaction, which can drain the policing agency’s “ability to engage in proactive problem solving and respond to calls for service, which in turn can contribute to increased crime and further erosion of public trust.”<sup>18</sup>

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<sup>15</sup> *Supra*, n. 11.

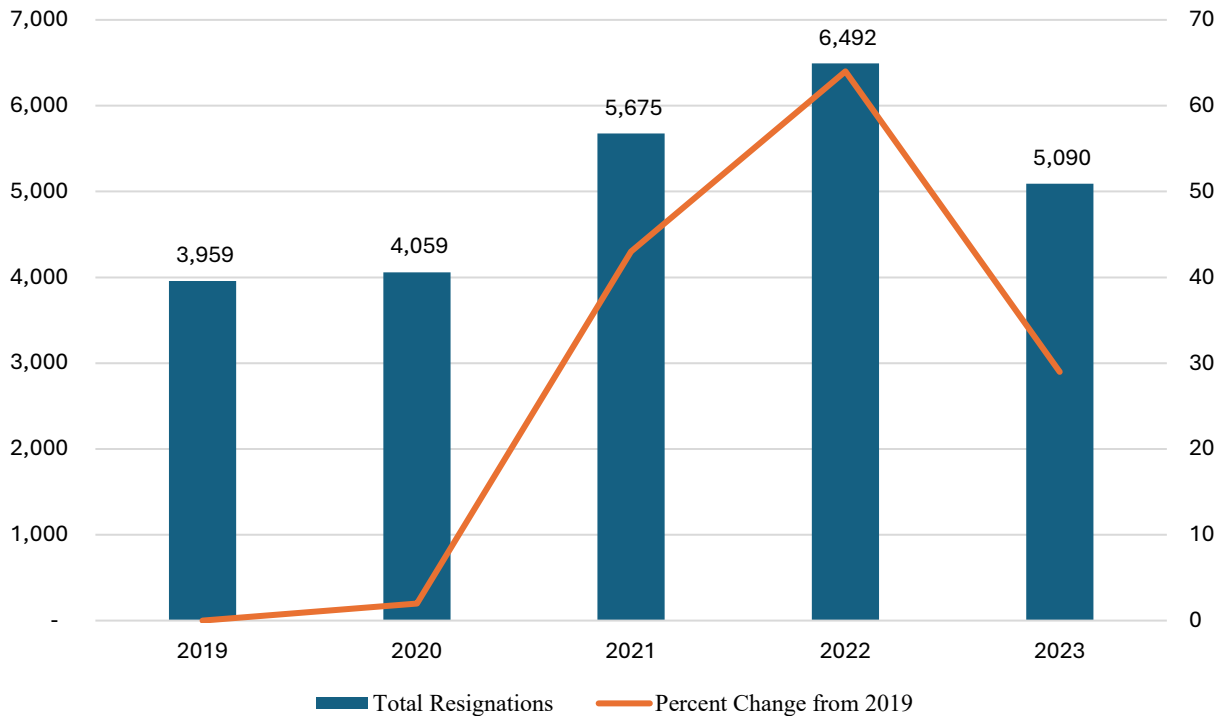
<sup>16</sup> *Supra*, n. 9.

<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*

Police executives have publicly expressed consternation over the continuing struggle to fill these shortages through recruitment and retention efforts for the past three to four years, and there is empirical evidence that supports their concerns.<sup>19</sup> One report noted that a judge overseeing a federal consent decree for the Baltimore Police Department candidly explained that staffing shortages are “...at a level of severity that is bigger than the police department can solve.”<sup>20</sup> PERF reported that resignation levels among police officers rose significantly since 2019 up until 2022 but steadily declined in 2023. The 2023 resignation numbers remained high when compared to 2019 levels.

**Chart 3**  
**Number of Resigning Officers 2019-2023**  
**and Percent Change from 2019**  
**United States**



Source: Police Executive Research Forum, “New PERF survey shows police agencies have turned a corner with staffing challenges,” (Apr. 27, 2024), <https://www.policeforum.org/staffing2024>, last accessed on June 25, 2024.

<sup>19</sup> *Supra*, n. 8.

<sup>20</sup> *Supra*, n. 9.





## SUMMARY OF FINDINGS

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The following findings, which are discussed in greater detail later in this report are based on the limited data received from the MPOETC-certified academies in Pennsylvania who responded to Commission staff's inquiries, as well as discussions with MPOETC, and other law enforcement resources. They are as follows:

### *Recordkeeping*

1. There was inconsistency among the recordkeeping practices of the participating police academies. Some academies were comprehensive in gathering information on all aspects of their applicants and cadets, as well their pass/failure rates. Other academies only collected limited data on the success or failure of applicants and cadets. Some academies collected significant data on cadets, but less on applicants. There were some academies that collected little to no data on these topics. The variations made it challenging to accurately and consistently depict numerical impact data (without noticeable limitations) among the academies. Currently, MPOETC only requires limited information from the academies on cadets and applicants. There is no current requirement for the academy to notify MPOETC when a cadet fails the academy for academics, physical fitness, firearms, or scenarios<sup>21</sup> unless the cadet's application is pending review and acceptance. It would be beneficial going forward to develop a uniform procedure for documenting such information for all the MPOETC-certified police academies as it relates to applicants and admitted cadets. This could improve the process of evaluating the minimum standards for entry to and graduation from the academy.

### *Admission Standards*

2. For the minimum academy admission standards (physical fitness testing, psychological evaluation, and Nelson-Denny Reading Test), physical fitness testing (PT) failures accounted for the largest number of failures for all responding academies, except the Philadelphia Police Academy.
3. Psychological evaluation failures accounted for the smallest number of failures among the responding academies, except for the Montgomery County Community College Municipal Police Academy. The Nelson-Denny Reading Test (NDRT) failures accounted for less than 10 percent of all failures among all academies cumulatively, except for the Philadelphia Police Academy, where they accounted for 55 percent of applicant failures from 2021 to 2023. The Philadelphia Police Academy did not provide data on psychological evaluation failures.

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<sup>21</sup> Scenarios are training simulations of real-world police incidents.

4. Applicants who pass the NDRT but score closer to the minimum 9<sup>th</sup> grade level requirement are more likely to struggle academically, especially in the first module of training, which has been described as academically taxing on cadets.
5. Applicants who have spent longer periods of time removed from academia (often second career applicants 5-10+ years removed from school) tend to struggle more with the reading comprehension evaluation.

#### *Minimum Graduation Standards*

6. Regarding the minimum graduation standards, the cumulative average of graduation rates of cadets among all responding academies over the last three to four years was 89 percent.
7. Practically no admitted cadets fail to maintain the PT standards necessary to graduate.
8. Almost all the cadets who fail out of the academy do so because of failure to meet academic standards necessary to graduate.
9. As is the case with the minimum entry standards, cadets who have spent longer periods of time removed from academia (second career applicants 5-10+ years removed from school) tend to struggle more with the academies' academic requirements.

#### *Overall Impact on Recruitment, Education, and Training*

10. The current minimum entry standards have a numerical impact, in that they prevent some applicants from training in the academy and eventually becoming employed as police officers. However, there are mixed opinions among police academy directors as to whether the current minimum entry standards and graduation standards have any tangible impact on the recruitment, education, and training of individuals desiring to become employed as police officers in the Commonwealth. Respondents acknowledged standards do have an impact on the number of individuals interested in becoming police officers but noted that this is not a bad thing. They opined that police work requires minimum standards for performance, competence, and credibility and the public should expect all three of these components at a high level for police officers.
11. Numerically, failures of the current academic standards required to graduate have an impact on the number of cadets graduating. Aside from preventing all cadets from graduating, a plurality of academy directors is of the opinion that the minimum entry and graduation standards have little to no real impact on the recruitment, education, and training of individuals desiring to become police officers. Some of these same directors believe that issues such as growing hostility toward police officers as well as a lack of support among community leaders have a more significant impact on police recruitment. These same directors also believe there are generational gaps with new individuals entering the workforce that have an impact on recruitment and training.

12. There is some skepticism of the minimum standards having any real impact because applicants typically do not view the standards as rigorous, at least not until they arrive for the PT test. By and large it was observed and borne out in the data that applicants largely meet the standards and view them as very attainable, though numbers did fluctuate in some academies. Moreover, applicants and incoming cadets are typically aware of the minimum physical fitness expectations of the academy, as well as the reading comprehension requirements. The minimum standards are widely published.
13. Some directors pointed out that it is common for applicants to their academies to only marginally fail the PT entry standards. It is believed by some that many of these applicants who marginally came up short on entry PT testing could receive the necessary push needed through academy training to meet the standards necessary to graduate. This would then produce more qualified police officers to join understaffed police departments across the Commonwealth.
14. Regarding the standards' impact on the education and training of police officers, most of the respondents struggled to effectively answer this question and several simply omitted discussing it with any detail. One reason for this could be the fact that failure of the entrance standards typically means that those applicants never experience the education and training of the academy. This leads to potentially smaller cadet class sizes. The question of whether a slightly smaller class size has a negative or a positive impact on a cadet's education or training was perceived as difficult to determine.
15. There is a division on whether it would be beneficial to lower the current minimum entry standards for individuals applying to a police academy. Three academy directors and some officials at MPOETC believe real consideration should be given to moderately lowering the entry PT standards and highlight that many applicants just barely fail to meet the minimum standard. These directors argue that academy training instructors can help push motivated applicants who just narrowly fail the PT testing to meet or exceed them as a cadet in training. Consequently, if the entry standards were relaxed a bit more to allow for this, the academies could see more graduating cadets. Five academy directors disagreed, stressing the critical importance of physical fitness in police work and arguing that decreasing the current minimum entry PT standards any further would be a detriment to police officer candidates and would continue down a slippery slope of lowering already modest standards.
16. Currently, the applicant passage rate under the new 15<sup>th</sup> percentile standard under Act 37 is 48 percent. To date, Philadelphia has sponsored two opportunities for candidates to test at the 15<sup>th</sup> percentile standard. No admitted cadets have failed incremental PT testing standards at the end of any module in the academy since the amended standard became effective. This indicates some success in increasing the number of applicants who receive admission into the academy, as well as some success in improving the number of recruits who can maintain the standards through the incremental testing requirements.

17. Police recruiting, educating, and training challenges are not linked to one singular cause. Instead, the shortages of officers across the country are related to several issues occurring simultaneously, and many of them are external factors outside the police academy. There are social, political, economic, and generational factors at play that are directly impacting the ability of agencies to adequately recruit and retain highly qualified police officers and other law enforcement agents.

### *Improving Recruitment*

18. MPOETC and Pennsylvania's certified police academies are continuing to develop new methods to increase applicant engagement, which MPOETC believes is crucial to meeting its physical fitness requirements. One example of this is developing workout downloads. The goal is to encourage officers to embrace workouts to maintain physical standards throughout their careers to meet police work's physical demands. Another academy assigns police applicants and recruits a mentor at the academy to help support those hoping to enter the academy.
19. Making MPOETC-certified police academies eligible for Pennsylvania Commission on Crime and Delinquency (PCCD) recruitment grant funding under the Local Law Enforcement Support Grant Program could assist academies in taking a more proactive role in the recruitment of new applicants. Currently, only local law enforcement agencies, such as municipal police departments, campus police departments, and park police, to name a few, are eligible for the grant funds. Police academies are not considered local law enforcement agencies under the program for purposes of grant fund eligibility.

## DEFINING POLICE OFFICERS

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Act 37 directs the Commission to issue a report on the impact of the current minimum standards for physical fitness, psychological evaluation, and education prerequisites on employment as a *police officer*. Under 53 Pa.C.S. § 2162, the term “police officer” is defined as follows:

- (1) A full-time or part-time employee assigned to criminal or traffic law enforcement duties of any of the following:
  - (i) A police department of a county, city, borough, town or township.
  - (ii) Any railroad or street railway police.
  - (iii) Any campus or university police department, including the State System of Higher Education and its member institutions.
  - (iv) The Capitol Police.
  - (v) The Harrisburg International Airport Police.
  - (vi) An airport authority police department.
- (2) A deputy sheriff of a county of the second class.
- (3) A security officer of a first class city housing authority or a police officer of a second class city housing authority.
- (4) A county park police officer.<sup>22</sup>

The definition of police officer “...excludes persons employed to check parking meters or to perform only administrative duties and auxiliary and fire police.”<sup>23</sup> The scope of this report’s review will be based on § 2162’s definition. All police officers under this definition must graduate from a MPOETC-certified police academy.<sup>24</sup>

Noticeably missing from this statutory definition is the Pennsylvania State Police (PSP). PSP obtain their legal authorizations from a completely different law, the Administrative Code of 1929.<sup>25</sup> As the Commission’s 2020 *Police Powers* report illustrated, PSP are not subject to the same requirements as other police officers, and while PSP administer the Municipal Police Officer’s Education and Training Commission (MPOETC) for police training, they are not bound

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<sup>22</sup> Act of December 19, 1996 (P.L. 1158, No. 177), § 1; 53 Pa.C.S. § 2162.

<sup>23</sup> *Ibid.*

<sup>24</sup> 53 Pa.C.S. § 2167(a).

<sup>25</sup> Act of April 9, 1929 (P.L. 177, No. 175), art. VII; 71 P.S. § 250.

by its requirements. Indeed, PSP has its own training requirements and other eligibility requirements, which are promulgated by the PSP Executive Board.<sup>26</sup> For example, to become a police officer candidate in Pennsylvania, candidates must be 18 years of age. However, PSP applicants must be 20 years of age when completing their application and 21 years of age by the date of their appointment as a State Police Cadet.<sup>27</sup> As such, this report will generally exclude PSP as being outside the scope of Act 37 and the definition of police officer under Title 53.

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<sup>26</sup> *Ibid* § 709; 71 P.S. § 249(a).

<sup>27</sup> Pennsylvania State Police, “Cadet Eligibility Requirements,” <https://www.psp.pa.gov/employment/Pages/PSP-Cadet-Eligibility-Requirements.aspx>, last accessed on February 14, 2024.

## TYPES OF POLICE OFFICERS

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### *Municipal Police*

Municipal police is one of the largest categories of police officer in Pennsylvania under Title 53. These officers are employed by police departments of a county, city, borough, town or township. As of 2023, there were 20,996 municipal police officers serving in 1,056 police departments within the Commonwealth. These police officers exercise policing authority over a particular jurisdiction, typically townships, boroughs, regional cooperatives (multiple municipalities cooperating under agreement), and cities. Municipal police departments are primarily funded through public funds of the municipality they serve. The first formal municipal police department in the U.S. was established in Boston in 1838. The next official department was subsequently established in New York City in 1844 with other cities such as New Orleans, Cincinnati, Philadelphia, and Chicago following shortly thereafter. All major U.S. cities had municipal police forces in place by the end of the 19<sup>th</sup> Century.<sup>28</sup>

Pennsylvania has several different types and classifications of municipalities. They include first class cities; second class cities; second class A cities; first class townships; second class townships; home rule charters, and boroughs. All municipalities have legal authority, regardless of their classification or size, to establish their own municipal police departments, at their discretion. Certain types of municipalities, such as first class cities, second class cities, and second class A cities are required to provide police services within their municipal jurisdictions.<sup>29</sup>

### *Legal Authority*

The legal authority to establish municipal police departments comes directly from Pennsylvania's various municipal codes. These codes include the First Class City Code,<sup>30</sup> Second Class City Code,<sup>31</sup> Borough Code,<sup>32</sup> First Class Township Code,<sup>33</sup> and Second Class Township Code.<sup>34</sup> Each provides municipalities flexibility to provide police services using their own police department, or by choosing to contract with another municipality's police department or a regional police department, or they can be a participating member in a regional police department pursuant

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<sup>28</sup> Joint State Government Commission, *Police Powers to Make Arrests, Carry Firearms, and Other Enforcement Authorizations in Pennsylvania*, (Dec. 2020), p. 150.

<sup>29</sup> Pennsylvania Department of Community and Economic Development, *Administering Police Services in Small Communities*, (Feb. 2015), Seventh Edition, p. 5.

<sup>30</sup> Act of June 25, 1919 (P.L. 581), art. I, § 1; 53 P.S. § 12101 *et seq.*, known as the First Class City Code.

<sup>31</sup> Act of March 7, 1901 (P.L. 20), art. XX, § 1; 53 P.S. § 22101 *et seq.*, known as the Second Class City Code.

<sup>32</sup> 8 Pa.C.S. § 101 *et seq.*, known as the Borough Code.

<sup>33</sup> Act of June 24, 1931 (P.L. 1206, No. 331), art. I, § 101; 53 P.S. § 55101 *et seq.*, known as the First Class Township Code.

<sup>34</sup> Act of May 1, 1933 (P.L. 103, No. 69), § 101; 53 P.S. § 65101 *et seq.*, known as the Second Class Township Code.

to Pennsylvania's Intergovernmental Cooperation Act.<sup>35</sup> An example of this can be found in section 66507 of the Second Class Township Code, which provides, "[t]he board of supervisors may make agreements with other municipal corporations in performing governmental powers, duties and functions and in carrying into effect provisions of 53 Pa.C.S. Ch. 23 Subch. A (relating to intergovernmental cooperation)."<sup>36</sup> Similarly, section 1202(24) of the Borough Code also authorizes boroughs to enter into agreements with other political subdivisions in performing governmental powers, duties and functions and in carrying into effect provisions of the Intergovernmental Cooperation Act and agreements with the proper authorities of municipal corporations, regional police or fire forces or other public safety or governmental entities created by two or more municipal corporations. Smaller population municipalities without full-time police services tend to receive coverage partially or solely through the Pennsylvania State Police.

The governing body of a municipality (board of commissioners, board of supervisors, council, cooperative police commissions, etc.) has the direct authority to commission a municipal police department, create its budget, hire officers, and enter it into any cooperative agreements. These governing bodies are typically elected officials tasked with running the municipality. The type of governing body largely depends on the type and classification of the municipality. For example, First Class Townships' governing bodies are boards of commissioners, whereas Second Class Townships' governing bodies are usually boards of supervisors, while Boroughs tend to have mayors and borough councils. Section 56502 of the First Class Township Code provides that "the corporate power of a township of the first class shall be vested in a board of commissioners."<sup>37</sup> The Code further provides that said board has the power to establish, equip, maintain, and define the duties of a police force.<sup>38</sup>

Municipal police must meet the training and fitness requirements of the Municipal Police Officer's Education and Training Commission (MPOETC) at MPOETC-certified police academies. See **Municipal Police Officer's Education and Training Commission** on page 33.

### *Duties and Jurisdiction*

After they graduate from the academy and achieve certification, municipal police officers enforce the laws of the Commonwealth or otherwise perform the functions of that office anywhere within his or her primary jurisdiction as to

- any offense the officer views or has probable cause to believe was committed within his or her jurisdiction and
- any other event occurring within his or her primary jurisdiction that reasonably requires action on the part of the police to preserve, protect or defend persons or property or to maintain the peace and dignity of Pennsylvania.<sup>39</sup>

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<sup>35</sup> 53 Pa.C.S. § 2301 *et seq.*

<sup>36</sup> *Supra*, n. 34, § 1502; 53 P.S. § 66507.

<sup>37</sup> *Supra* n. 33; § 1502; 53 P.S. § 56502.

<sup>38</sup> *Ibid.* § 1502.2; 53 P.S. § 56579.2.

<sup>39</sup> 42 Pa.C.S. § 8952(1)-(2).



Municipalities may also require their police to engage in more non-police-related functions such as raising and lowering the flag at the municipal building each day, collecting parking meter money, turning on and off municipal parking lot lights, securing all municipal buildings and property at the close of activity each day, and other administrative acts. Municipalities generally try to avoid delegating these types of activities to the police department as they can distract from the officers' duty to engage in police-related functions, especially in busier municipalities.<sup>40</sup>

While municipal police enforce the law and carry out their police-related functions within their jurisdiction, the law permits said officers who are within Pennsylvania, but beyond the territorial limits of their primary jurisdiction, to enforce the state laws or otherwise perform their duties as if they were within their own primary jurisdiction in the following cases:

- Where the officer is acting pursuant to a court order or order issued by a district magistrate located within the judicial district wherein the officer's primary jurisdiction is situated, or where the officer is otherwise acting pursuant to the requirements of the Pennsylvania Rules of Criminal Procedure, consent of the chief law enforcement officer, or a person authorized by him or her to give consent, of the police agency in the municipality wherein the warrant is to be served.
- Where the officer is in hot pursuit of any person for any offense committed, or which he or she has probable cause to believe was committed, within his or her primary jurisdiction and for which the officer continues in fresh pursuit of the person.<sup>550</sup>
- Where the officer:
  - has been requested to aid or assist a federal, state or local law enforcement officer or park police officer;
  - has probable cause to believe that a federal, state or local law enforcement officer or park police officer is in need of aid or assistance; or
  - has been requested to participate in a federal, state or local task force and participation has been approved by the police department that employs the officer.
- Where the officer has obtained the prior consent of the chief law enforcement officer, or a person authorized by him or her to give consent, of the police agency providing police services to a political subdivision beyond that officer's primary jurisdiction.
- Where the officer is on official business and views an offense, or has probable cause to believe that an offense has been committed, and makes a reasonable effort to identify himself as a police officer and which offense is a felony, misdemeanor, breach of the peace or other act which presents an immediate clear and present danger to persons or property.

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<sup>40</sup> *Supra*, n. 29, pp. 6-7.

- Where the officer views an offense which is a felony or has probable cause to believe that an offense which is a felony has been committed and makes a reasonable effort to identify himself or herself as a police officer.<sup>41</sup>

When exercising any power or authority over any person or event pursuant to the scenarios above, the officer must relinquish authority upon the request of the chief law enforcement officer, or a person authorized by him or her to make the request, of the police agency providing primary police services in the municipality.<sup>42</sup>

Since 2020, the total number of municipal police departments has stayed relatively consistent. However, according to MPOETC, the total number of employed municipal police officers has declined over the course of the past four years. See Table 1.

<b>Table 1</b>				
<b>Total Number of Police Officers and Police Departments in Pennsylvania 2020 - 2023</b>				
<b>Category</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Municipal Police Departments	1,058	1,063	1,074	1,056
Municipal Police Officers	22,716	21,309	20,905	20,996

Source: Compiled by Commission staff from information provided by MPOETC by email correspondence dated March 26, 2024.

### ***Railroad or Street Railway Police***

Another category of police officer is railroad and street railway police. As railroads expanded after the Civil War, the U.S. Army was responsible for providing law enforcement coverage to the railways. However, as the U.S. Army struggled to protect the railways from organized bands of criminals and outlaws, railroad companies hired police officers. One major problem with these officers in Pennsylvania, aside from their lack of policing experience, was that they lacked authority to enforce the law beyond railroad borders.<sup>43</sup> On February 27, 1865, the Commonwealth enacted the Railroad Police Act, which authorized the governor to appoint railroad

<sup>41</sup> 42 Pa.C.S. § 8953(a)(1)-(6).

<sup>42</sup> *Ibid.*

<sup>43</sup> CSX, “History of CSX RR Police,” <https://www.csx.com/index.cfm/about-us/company-overview/csx-police-department/history-of-csx-rr-police/#:~:text=On%20February%2027%2C%201865%2C%20the,law%20officially%20establishing%20railroad%20police.&text=The%20Railroad%20Police%20Act%20provided,specified%20branch%20of%20law%20enforcement>, last accessed on January 23, 2024.

police officers and gave statewide authority to these officers. The Railroad Police Act later served as a model piece of legislation for other states to follow.<sup>44</sup>

### *Legal Authority*

Today, corporations owning railroads and street railways can apply to the Commissioner of the Pennsylvania State Police for the appointment of an officer to their railroad and street railway. The commissioner will investigate whether the person qualifies for the position and will submit this information to the Governor. The Governor will officially choose whether to commission or not commission the candidate.<sup>45</sup>

### *Duties and Jurisdiction*

Railroad and street railway police officers hold all the powers of Philadelphia police officers while on the property of the railroad or street railway for which they work, or in pursuit of these duties elsewhere in the Commonwealth. These powers include performing arrests and carrying firearms. Local detention facilities or jails are authorized to keep custody of a person arrested by a railroad and street railway police officer as they await trial. On duty officers must wear badges that conspicuously identify them as either “railroad police” or “railway police” along with the name of the authority they work for.<sup>46</sup>

Like other municipal police officers, applicants must complete MPOETC training.<sup>47</sup> Once a candidate is commissioned, they must take the “oath required by Article VI of the Constitution of Pennsylvania.” This oath must be recorded in the office of the Secretary of the Commonwealth and a copy must be kept with the commissioner of the county where the railroad or street railway is located.<sup>48</sup> Once the person’s services are no longer required, the railroad or street railway must file a notice in the office of the Secretary. It will then be recorded in the office of the recorder of deeds where the oath and commission were recorded. Once the notice is filed, the individual no longer possesses his or her police powers.<sup>49</sup>

According to MPOETC, as of 2023, there were 338 railroad and street railway officers serving in various parts of Pennsylvania between the Reading & Northern Railroad police, Norfolk Southern Railway police, Amtrak Police Department, CSX Transportation Railroad Police Department, and SEPTA transit police.<sup>50</sup>

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<sup>44</sup> *Ibid.*

<sup>45</sup> 22 Pa.C.S. § 3301.

<sup>46</sup> 22 Pa.C.S. § 3303(a)-(c).

<sup>47</sup> 22 Pa.C.S. § 3303(d).

<sup>48</sup> 22 Pa.C.S. § 3302.

<sup>49</sup> 22 Pa.C.S. § 3305.

<sup>50</sup> Email correspondence dated March 26, 2024, from Lt. Nathan T. Trate, Assistant Director, MPOETC.

## *Campus or University Police*

There are three types of campus or university police. The first type refers to police officers who are employed in the state-owned Pennsylvania State System of Higher Education (PASSHE) universities. The second type refers to officers employed at the Commonwealth’s five “state-related” and seven “state-aided” colleges or universities. The third type refers to campus police officers employed by Pennsylvania’s private universities. Private college or university police are subject to the training requirements of the Lethal Weapons Training Act (LWTA) instead of MPOETC training requirements. They are also not expressly mentioned in the Title 53 definition of “police officer” and as such, they are outside the scope of this report and will not be discussed in further detail.<sup>51</sup>

### *PASSHE Universities*

As noted in the Commission’s 2020 report *Police Powers to Make Arrests, Carry Firearms, and Other Enforcement Authorizations in Pennsylvania*, PASSHE universities are similar in function to state-related colleges and universities; however, they are distinctively identified under Pennsylvania law, including when it comes to campus police. The Pennsylvania Superior Court acknowledged this distinction in the 2013 case of *Commonwealth v. Durso*.<sup>52</sup> In Pennsylvania, there are fourteen state-owned PASSHE university campuses, which include the following:

<b>Table 2</b>				
<b>Number of Police Officers Serving at each PASSHE University Campus 2021-2024</b>				
<b>Universities</b>	<b>Year</b>			
	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Commonwealth University - Bloomsburg	15	17	16	15
PennWest University - California	12	13	12	12
Cheyney University	8	6	10	10
Pennwest University - Clarion	7	5	4	5
East Stroudsburg University	11	11	12	12
PennWest University - Edinboro	9	10	7	7
Indiana University of Pennsylvania	19	18	12	11
Kutztown University	12	11	13	14
Commonwealth University - Lock Haven	7	9	9	8
Commonwealth University - Mansfield	8	10	9	9
Millersville University	11	12	10	12
Shippensburg University	14	14	14	14
Slippery Rock University	11	10	11	12

<sup>51</sup> Act of October 10, 1974 (P.L. 705, No. 235), § 1; known as the Lethal Weapons Training Act; 22 P.S. § 41 *et seq.*

<sup>52</sup> *Commonwealth v. Durso*, 86 A.3d 865 (Pa. Super. 2013).

<b>Table 2</b>				
<b>Number of Police Officers Serving at each PASSHE University Campus 2021-2024</b>				
<b>Universities</b>	<b>Year</b>			
	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
West Chester University	20	16	20	20
<b>Total</b>	<b>219</b>	<b>224</b>	<b>220</b>	<b>221</b>

Sources: Compiled by the Commission Staff based on data from Jennifer Hoover, Director of Government Relations, Pennsylvania State System of Higher Education. These numbers exclude security personnel. Job classes in data include Patrol Officer, Police Specialist, Police Supervisor, and Police Officer Trainee.

In 2022, two consolidations occurred where Bloomsburg, Mansfield, and Lock Haven universities were merged into Commonwealth University of Pennsylvania, while California, Edinboro, and Clarion Universities were merged into PennWest University of Pennsylvania. Each of the subsidiary universities in each still have their own campuses.

University campus police at PASSHE schools are responsible for enforcement of good order on the grounds and within the buildings of the college or university, including protection of the premises, exclusion of all disorderly persons, and adopting whatever means necessary for the performance of their duties.<sup>53</sup> These officers “exercise the same powers as are now or may hereafter be exercised under authority of law or ordinance by the police of the municipalities wherein the college or university is located.”<sup>54</sup> PASSHE campus police have the authority to enter into an agreement with the municipality wherein the college or university is located “to exercise concurrently those powers and to perform other duties pursuant to a cooperative police service agreement.”<sup>55</sup>

Statutorily, their duties are to prevent crime, investigate criminal acts, apprehend, arrest, and charge criminal offenders, and issue summary citations for acts committed on the grounds and in the buildings of the college or university, and carry the offender before the proper alderman, justice of the peace, magistrate, or bail commissioner to pursue charges.<sup>56</sup> Police serving in these universities also have the authority “to order off the grounds and out of the buildings of the institution all trespassers and persons under the influence of alcohol or controlled substances and, if necessary, remove them by force and, in case of resistance, carry them before a district justice.”<sup>57</sup> Officers may also arrest any person who damages, mutilates, or destroys the property of a state-owned university or one who commits any other offense, including threats or acts of terrorism, on the grounds and within any university buildings.<sup>58</sup>

<sup>53</sup> Act of March 10, 1949 (P.L. 30, No. 14), art. XX-A, § 2019-A; 24 P.S. § 20-2019-A(a)(1)-(4).

<sup>54</sup> *Ibid*; 24 P.S. § 20-2019-A(a)(5).

<sup>55</sup> *Ibid*; 24 P.S. § 20-2019-A(a)(5).

<sup>56</sup> *Ibid*; 24 P.S. § 20-2019-A(a)(6).

<sup>57</sup> *Ibid*; 24 P.S. § 20-2019-A(a)(8).

<sup>58</sup> *Ibid*.

Originally enacted in 1974, the Municipal Police Education and Training Law specifically exempted campus police at PASSHE universities from its provisions. However, in 2003, the provisions of the Public School Code governing PASSHE were amended to require campus police at PASSHE colleges and universities to receive MPOETC training.<sup>59</sup>

### *State-Related and State-Aided Colleges and Universities*

Pennsylvania’s “state-related” and “state-aided” colleges and universities have the legal authority to establish police departments to patrol their campuses and enforce the law. The state-related universities include the following:

- Lincoln University<sup>60</sup>
- Pennsylvania College of Technology<sup>61</sup>
- Pennsylvania State University<sup>62</sup>
- Temple University<sup>63</sup>
- University of Pittsburgh<sup>64</sup>

According to the Pennsylvania Department of Education, there are seven private, state-aided institutions of higher education.<sup>65</sup> Section 9 of the Pennsylvania Fair Educational Opportunities Act lists Pennsylvania’s state-aided institutions to include:

- Drexel University
- Johnson College
- Lake Erie College of Osteopathic Medicine
- Philadelphia College of Osteopathic Medicine
- Salus University
- Thomas Jefferson University
- University of Pennsylvania<sup>66</sup>

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<sup>59</sup> 53 Pa.C.S. § 2167(a).

<sup>60</sup> Act of July 7, 1972 (P.L. 743, No. 176), § 1, known as the Lincoln University—Commonwealth Act; 24 P.S. § 2510-401 *et seq.*

<sup>61</sup> Act of July 1, 1989 (P.L. 132, No. 27), § 4; 24 P.S. § 2510-504 *et seq.* The act grants the Pennsylvania College of Technology the benefits and responsibilities of the status of the Pennsylvania State University as a State-related institution and as an instrumentality of the Commonwealth of Pennsylvania.

<sup>62</sup> Act of February 22, 1855 (P.L. 46, No. 50), § 1; 24 P.S. § 2531 *et seq.*

<sup>63</sup> Act of November 30, 1965 (P.L. 843), § 1, known as the Temple University—Commonwealth Act; 24 P.S. § 2510-1 *et seq.*

<sup>64</sup> Act of July 3, 1966, (P.L. 87, Special Sess. No. 3), § 1, known as the University of Pittsburgh—Commonwealth Act; 24 P.S. § 2510-201 *et seq.*

<sup>65</sup> Pennsylvania Department of Education, “Types of Schools,” <https://www.google.com/maps/d/viewer?mid=1sg-07oIGvrderCPPkYiy3c3RDW8&ll=41.062223403981335%2C-76.80796826810104&z=7>, last accessed on February 5, 2024.

<sup>66</sup> Act of July 17, 1961 (P.L. 776, No. 341), § 9, known as the Fair Education Opportunity Act; 24 P.S. § 5009(a). (The statutory list was updated by the Pennsylvania Department of Education’s Database to show the list above).

University campus police within state-related and state-aided universities and colleges have virtually analogous powers to those bestowed upon PASSHE university campus police.<sup>67</sup> They “exercise the same powers as are now or may hereafter be exercised under authority of law or ordinance by the police of the municipalities wherein the college or university is located.”<sup>68</sup> Campus police authority for state-related or state-aided colleges or universities is generally constrained to “the grounds or within 500 yards of the grounds of the college or university.”<sup>69</sup> Historically, these campus police could also exercise their powers and perform their duties outside of the premises of the State colleges and universities, State-aided or -related colleges and universities, and community colleges by, or for which they are employed only and after they:

have completed a course of training including crisis intervention training and riot control as approved by the Department of Education except, that Campus Police employed by State owned colleges and universities located in any municipalities, other than cities of the first class or second class, are authorized, in emergency situations occurring within the municipality, upon the request of the mayor or other executive authority and under the direction of the local law enforcement authorities, to exercise those powers and perform those duties conferred pursuant to this section within the municipality for the limited purpose of aiding local authorities in emergency situations.<sup>70</sup>

University campus police for state-related or state-aided universities and colleges are subject to the qualifications and training requirements of MPOETC.

### *The Capitol Police*

The Pennsylvania Capitol Police Department is second only to the Texas Rangers as the oldest state police organization in the country.<sup>71</sup> Established on March 26, 1895, there were only five officers, and one sergeant appointed by the Board of Public Grounds and Buildings. Today the department operates under the authority of the Department of General Services (DGS). DGS is granted the authority, subject to the powers vested in the Board of Commissioners of Public Grounds and Buildings, “to control and supervise the State Capitol Building, and the public grounds and buildings connected with the State Capitol ... and to employ such captains, sergeants of police, and police officers, as may be necessary to preserve good order in the Capitol grounds and buildings...”<sup>72</sup>

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<sup>67</sup> Act of April 9, 1929 (P.L. 177, No. 175), § 2416.1, known as the Administrative Code of 1929; 71 P.S. § 646.1(a)(1)-(4).

<sup>68</sup> *Ibid* § 2416.1; 71 P.S. § 646.1(a)(5).

<sup>69</sup> *Ibid* § 2416.1; 71 P.S. § 646.1(a)(6).

<sup>70</sup> *Ibid* § 2416.1; 71 P.S. § 646(h).

<sup>71</sup> “The Capitol Police,” Department of General Services, last accessed April 22, 2020, <https://www.dgs.pa.gov/police/Pages/default.aspx>.

<sup>72</sup> Act of April 9, 1929 (P.L. 177, No. 175), art. XXIV, § 2402; 71 P.S. § 632(b).

## *Legal Authority*

Legal authority for the Capitol Police can be found in the Administrative Code of 1929, which provides the scope of authority and duties for Capitol Police, Commonwealth Property Police, and Campus Police.<sup>73</sup> Commission staff are unaware of any currently employed Commonwealth Property police officers. As noted in the Commission’s 2020 *Police Powers* report, it is possible that today, the Capitol Police and Commonwealth Property Police encompass one police force. According to the Administrative Code, Commonwealth Property Police are authorized to enforce “good order in State buildings and on State grounds in Dauphin County, in the Pittsburgh State Office Building and the grounds, in the Philadelphia State Office Building and the grounds, and in the grounds and buildings of all State colleges and universities, State aided or related colleges and universities and community colleges.”<sup>74</sup>

## *Duties and Jurisdiction*

Capitol police officers have jurisdiction within the Capitol Complex, state buildings in Philadelphia, Pittsburgh, and Scranton, and at fifteen additional state-leased or owned locations throughout the Commonwealth. Officer duties include patrolling the Capitol Complex, monitoring its entrances, and watching security footage on a 24-hour, seven-day a week basis. The department has five specialized units within the Capitol Police: Bike Patrol, K-9 Unit, Special Response Team, Ceremonial Unit, and Field Force Unit.<sup>75</sup> The Capitol Police is dually accredited through the Pennsylvania Law Enforcement Accreditation Commission and the Commission on Accreditation for Law Enforcement Agencies, Inc.<sup>76</sup>

Officers of the Capitol Police protect state property and individuals present on it. They can remove any person acting disorderly, including vagrants, loafers, and those doing damage to state property, by any means necessary. They retain the same powers as other police officers in the cities in which they are located and have the authority to arrest any person who damages, mutilates or destroys the trees, plants, shrubbery, turf, grassplots, benches, buildings or structures, or commit any other offense within the Capitol Complex grounds.<sup>77</sup>

Along with their other duties, the Capitol Police provide police escorts for employees from their buildings to their cars after work hours upon request, conduct building and office security assessments when requested, conduct drone demonstrations, provide K9 unit demonstrations, and run the lost and found for the Capitol Complex. For security measures, the Capitol Police provide training on active shooter scenarios, crime prevention and personal safety, bomb threat response, beginner’s self-defense, and first aid.<sup>78</sup>

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<sup>73</sup> *Ibid.* § 2416; 71 P.S. § 646(a)-(b).

<sup>74</sup> *Ibid.*

<sup>75</sup> Pennsylvania Department of General Services, “Pennsylvania Capitol Police: Employment,” <https://www.dgs.pa.gov/police/employment/Pages/default.aspx>, last accessed on February 8, 2024.

<sup>76</sup> Pennsylvania Department of General Services, “Pennsylvania Capitol Police: About Us,” <https://www.dgs.pa.gov/police/Pages/About-Us.aspx>, last accessed on February 8, 2024.

<sup>77</sup> *Ibid.* § 2416; 71 P.S. § 646.

<sup>78</sup> “Services and Training,” Department of General Services, <https://www.dgs.pa.gov/police/Pages/Services-Training.aspx>, last accessed on February 8, 2024.



To qualify for employment with the Capitol Police, an individual must be at least 21 years of age or older, a resident of Pennsylvania, have a Pennsylvania drivers' license, and have completed MPOETC training.<sup>79</sup> Currently, there are 84 certified Capitol police officers in Pennsylvania, with three officer certifications pending.<sup>80</sup>

### ***The Harrisburg International Airport Police and Airport Authority Police***

Harrisburg International Airport (HIA) was the first airport in Pennsylvania to have airplanes land on its runways, dating back to 1918. Initially, HIA was used for military purposes, and commercial flight service did not begin there until 1969.<sup>81</sup> HIA was eventually acquired by the Commonwealth from the federal government.<sup>82</sup> Airports were established in greater numbers shortly thereafter in the Philadelphia area, as the demand for commercial aviation grew in the 20<sup>th</sup> century. The term “airport” is defined under Pennsylvania law as:

[a]ny area of land or water which is used, or intended to be used, for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or air navigation facilities or rights-of-way, together with all airport buildings and facilities thereon. Unless indicated otherwise, airport shall include heliports and public airports.<sup>83</sup>

In 1940, the Philadelphia Municipal Airport, known today as Philadelphia International Airport, opened initially transporting approximately 40,000 passengers on a small number of planes. It has grown significantly over the past several decades, serving today as a major air transportation hub transporting over 30 million passengers annually.<sup>84</sup> Pittsburgh International Airport opened in 1952 and like Philadelphia International Airport, has expanded significantly through substantial terminal modernization and expansion.<sup>85</sup>

Harrisburg, Philadelphia, and Pittsburgh International Airports are only just a few of the airports currently serving the Commonwealth. According to the Pennsylvania Department of Transportation (PennDOT), Pennsylvania currently has 125 public-use airports, 243 private-use airports, and 284 private-use heliports. Pennsylvania's general commercial service airports include the following:

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<sup>79</sup> “Employees and Employment,” Department of General Services, <https://www.dgs.pa.gov/About/Pages/Employment.aspx>, last accessed on February 8, 2024.

<sup>80</sup> Email correspondence dated September 9, 2024, from Michael Corricelli, Director of Training, MPOETC.

<sup>81</sup> Harrisburg International Airport, “History,” <http://www.flyhia.com/about-hia/history/>, last accessed on February 8, 2024.

<sup>82</sup> 74 Pa.C.S. § 5901.

<sup>83</sup> 74 Pa.C.S. § 5902.

<sup>84</sup> Demian Larry, “Airports,” *The Encyclopedia of Greater Philadelphia*, <https://philadelphiaencyclopedia.org/archive/airports/>, last accessed on February 8, 2024.

<sup>85</sup> Ben Mutzabaugh, “Pittsburgh’s Airport shows off Plans for New \$1.1 Billion Terminal,” *USA Today*, (Feb. 20, 2019), <https://www.usatoday.com/story/travel/flights/todayinthesky/2019/02/20/pittsburgh-airport-sleek-new-terminal-continues-resurgence/2929825002/>, last accessed on February 8, 2024.

- Altoona-Blair County Airport
- Arnold Palmer Regional Airport
- Bradford Regional Airport
- Dubois Regional Airport
- Erie International Airport
- Harrisburg International Airport
- John Murtha Johnstown-Cambria County Airport
- Lancaster Airport
- Lehigh Valley International Airport
- Philadelphia International Airport
- Pittsburgh International Airport
- State College Airport
- Venango Regional Airport
- Wilkes-Barre/Scranton International Airport
- Williamsport Regional Airport<sup>86</sup>

### *Legal Authority*

New laws were enacted as commercial airports became widely available in Pennsylvania. These laws focused on the safety of airport consumers, employees, and assets. Under Pennsylvania law, any airport authority, except an authority located within a county of the first or second class, is empowered “to employ such persons as are necessary to provide for the safety and well-being of persons and property at the airport.”<sup>87</sup> These persons, who may include airport police officers, have the power to act in accordance with the provisions of Title 75 (relating to vehicles).

Aviation is generally regulated by the Federal Aviation Administration and Pennsylvania law makes it clear that PennDOT is responsible for administering the aviation provisions within the state. The department is also responsible for promulgating and enforcing regulations necessary “to execute the powers vested in it by this part and other laws relating to aviation, airports and air safety within this Commonwealth.” Moreover, the law expressly provides that “[a]ll rules and regulations promulgated by the department under the authority of...[the act]... shall be consistent with and conform to the Federal statutes and regulations governing aeronautics.”<sup>88</sup>

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<sup>86</sup> Pennsylvania Department of Transportation, “Pennsylvania Airports,” <https://www.penndot.gov/TravelInPA/airports-pa/Pages/default.aspx>, last accessed on February 8, 2024.

<sup>87</sup> 74 Pa.C.S. § 5904.

<sup>88</sup> 74 Pa.C.S. § 5901(a), (d).

While PennDOT has the authority to appoint police officers to serve in Pennsylvania state-owned airports subject to section 1791 of Title 71,<sup>89</sup> all other airport authorities have the legal right to appoint or employ their own police personnel, as well. Specifically, the law broadly permits any airport authority, except an authority located within a county of the first or second class, to employ “...such persons as are necessary to provide for the safety and well-being of persons and property at the airport.”<sup>90</sup> This would include the power to employ police officers.

### *Duties and Jurisdiction*

Airport police officers for state-owned airports traditionally had the statutory authority to make arrests without warrants for crimes they witness being committed on airport premises and serve and execute warrants analogous to the power of constables in the Commonwealth.<sup>91</sup> However, today, airport authority police are primarily responsible for enforcing any fines for offenses on the property, including parking fines.<sup>92</sup> Airport police officers are subject to the provisions of the Municipal Police Education and Training Law.<sup>93</sup> According to MPOETC, there were 32 uniformed airport authority police across Pennsylvania as 2023.<sup>94</sup>

## ***Deputy Sheriff of Second Class Counties***

### *Legal Authority*

Deputy sheriffs of second class counties also fall within the definition of “police officer” for the purposes of this report. In counties of the second class, the county sheriffs are authorized to appoint deputies to execute the business of their office.<sup>95</sup> Sheriffs serve as county officers who are elected in municipal elections for four-year terms, beginning on the first Monday of January after the election.<sup>96</sup>

### *Duties and Jurisdiction*

The traditional role of Pennsylvania’s sheriffs is that of peace officers, tasked with the duty to keep the peace and quell riots and disorder. The responsibilities of Pennsylvania’s sheriffs and their deputies have been associated directly with the courts. Further, they retain jurisdiction to make arrests within the county they are elected, to make searches of premises, and to seize items or property owned or used in violation of the law within their respective counties, generally

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<sup>89</sup> Act of May 21, 1943 (P.L. 469), § 1; 71 P.S. § 1791.

<sup>90</sup> 74 Pa.C.S. § 5904.

<sup>91</sup> 74 Pa.C.S. § 5901(a), (d).

<sup>92</sup> 74 Pa.C.S. § 5903.

<sup>93</sup> 53 Pa.C.S. § 2161 *et seq.*

<sup>94</sup> Email correspondence dated March 26, 2024, from Lt. Nathan T. Trate, Assistant Director, MPOETC.

<sup>95</sup> Act of July 28, 1953 (P.L. 723, No. 230), known as The Second Class County Code, art. XII, § 1205.1; 16 P.S. § 4205.1.

<sup>96</sup> *Ibid*, art. IV, § 401 of the Second Class County Code; 16 P.S. § 3401(b).

pursuant to court order. In addition, sheriffs and their deputies have the authority to remove certain nuisances, and issue licenses to sell or to carry firearms.<sup>97</sup>

In carrying out his or her legally authorized duties, a sheriff may act either in person or by a regularly appointed deputy sheriff.<sup>98</sup> A sheriff can appoint a chief deputy or any other deputy sheriff so long as the sheriff files with the prothonotary, prior to the appointment of such person, the name and photograph of such person, together with an affidavit of such person setting forth the following:

- Appointee's full name, age, and residence address.
- Appointee is a citizen of the U.S. and 18 years of age or over.
- Appointee has resided in the county for a period of at least two years immediately preceding the filing of such affidavit.
- Appointee has never been convicted of a crime involving moral turpitude under the laws of this Commonwealth or of any other state or of the U.S.<sup>99</sup>

The affidavit must also confirm that the appointee has not, for a period of two years immediately preceding the filing of such affidavit, acted either for himself/herself or as the agent or employe of another in any labor dispute, or hired himself/herself out or performed services as a private detective, private policeman or private guard in any labor dispute, or received any fee or compensation for acting as a private detective, private policeman or private guard in any labor dispute. The affidavit must also confirm the appointee has not conducted the business of a private detective agency or of any agency supplying private detectives, private policemen or private guards, or advertised or solicited any such business in this Commonwealth in connection with any labor dispute for the same period.<sup>100</sup>

Sheriff deputies in second class counties are prohibited from using their official authority or influence to interfere with or affect election results and cannot play an active part in political management or in a political campaign, as well as other political activities, including but not limited to, serving as an officer of a political party, serving as a candidate for or campaigning for an elective public office in a partisan election, and soliciting votes in support of or in opposition to a candidate for public office in a partisan election.<sup>101</sup>

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<sup>97</sup> *Supra*, n. 1, p. 28.

<sup>98</sup> *Supra*, n. 66 § 1202 of the Second Class County Code; 16 P.S. § 4202.

<sup>99</sup> *Ibid.* § 1206 of the Second Class Township Code; 16 P.S. § 4202.

<sup>100</sup> *Ibid.* § 1206 of the Second Class Township Code; 16 P.S. § 4206(5).

<sup>101</sup> *Ibid.* § 1217 of the Second Class Township Code; 16 P.S. § 4217(a), (b).

## *First and Second Class City Housing Authority Police*

In 1937, the Housing Authorities Law (HAL) was enacted in Pennsylvania after it was determined that a housing authority was necessary “to promote public health, safety, morals, and welfare...”<sup>102</sup> Pursuant to the new law, housing authorities were established for the public purposes of clearing, replanning, and reconstructing blighted areas; the provision of safe and sanitary dwelling accommodations for persons of low income through new construction or the reconstruction, restoration, reconditioning, remodeling or repair of existing structures, so as to prevent recurrence of the economically and socially disastrous conditions; and the accomplishing of a combination of the foregoing.<sup>103</sup> The HAL was enacted the same year as the Federal Housing Authority Act of 1937,<sup>104</sup> which was intended to deploy Federal funds and credit to “assist States and political subdivisions of States to remedy the unsafe housing conditions and the acute shortage of decent and safe dwellings for low-income families.”<sup>105</sup>

### *Legal Authority*

The HAL authorized the creation of housing authorities across Pennsylvania in each city or county. Each authority so created is known as the housing authority of the city or the county but said authorities are in no way deemed to be an instrumentality of such city or county or engaged in the performance of a municipal function.<sup>106</sup> Pittsburgh Housing Authority, established in 1937, was the first housing authority in Pennsylvania and one of the first nationwide. Today there are over 50 city and county housing authorities across the Commonwealth.<sup>107</sup>

The governing body of that city or county is required to file a certificate with the Department of State and the Governor will issue a certificate allowing the establishment of the authority.<sup>108</sup> Pursuant to the Federal Housing Authority Act in conjunction with the HAL, certain qualifying housing authorities within the Commonwealth can apply for federal assistance for housing projects within their areas of operation. Further, housing authorities are also empowered to take over or lease or manage any housing project constructed or owned by the federal government, and to these ends to comply with such conditions, and enter into any mortgages, trust indentures, leases, or agreements as may be necessary.<sup>109</sup>

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<sup>102</sup> Act of May 28, 1937 (P.L. 955, No. 265), known as the Housing Authorities Law; 35 P.S. § 1542; Joint State Government Commission, *Police Powers to Make Arrests, Carry Firearms, and Other Enforcement Authorizations in Pennsylvania*, (Dec. 2020), p. 166.

<sup>103</sup> *Ibid.* § 2 of the Housing Authorities Law; 35 P.S. § 1542(b).

<sup>104</sup> Housing Act of 1937, Pub. L. 75-412, 50 Stat. 888.

<sup>105</sup> Act of September 2, 1937, c. 896, Title I, § 2, as added Pub. L. 93-383, Title II, § 201(a), *as amended*; 42 U.S.C. § 1437(a)(1)(A); Joint State Government Commission, *Police Powers to Make Arrests, Carry Firearms, and Other Enforcement Authorizations in Pennsylvania*, (Dec. 2020), p. 166.

<sup>106</sup> *Supra*, n. 102, § 4 of the Housing Authorities Law; 35 P.S. § 1544(a).

<sup>107</sup> Housing Authority of the City of Pittsburgh, “History,” <https://hacp.org/about/history/>, last accessed on February 20, 2024; Joint State Government Commission, *Police Powers to Make Arrests, Carry Firearms, and Other Enforcement Authorizations in Pennsylvania*, (Dec. 2020), p. 167.

<sup>108</sup> *Supra*, n. 102, § 2 of the Housing Authorities Law; 35 P.S. § 1542(c).

<sup>109</sup> *Ibid.* § 22 of the Housing Authorities Law; 35 P.S. § 1562.

## *Duties and Jurisdiction*

Certain housing authorities have the express authority to appoint and utilize police officers to help enforce their policies and rules. For instance, housing authorities in second class counties and second class cities may appoint police officers. Said police officers “...shall exercise the same powers that may be exercised under authority of law or ordinance by the police of municipalities wherein the authority is located...”<sup>110</sup> Authority police officers would exercise this policing power with “...respect to the property and enforcing order on an adjacent to the grounds and buildings of the Authority...”<sup>111</sup> These police officers must receive training certification through MPOETC and maintain their certification on a continuing basis.<sup>112</sup>

Housing authorities in Cities of the First Class (Philadelphia) have the authority to appoint security officers who retain the same rights, powers, and duties as police officers in the Commonwealth in and upon Authority grounds and buildings, as well as in instances of hot pursuit within the boundaries of the City of Philadelphia. Like housing authority police in cities and counties of the second class, these authority police officers must also successfully complete MPOETC training.<sup>113</sup>

## ***County Park Police***

### *Legal Authority*

The last enumerated category under the Title 53 definition of “police officer” is county park police. Specifically, the current law provides cities of the second class, counties of the second class, and counties of third class (that are contiguous to a county of the second class) with the authority to create county park police departments. Some examples of current county park police include the Delaware County Bureau of Park Police & Fire Safety and the Lancaster County Park Rangers.<sup>114</sup>

For counties of the second class and third class counties contiguous to a second class county, county commissioners are permitted by law to establish a county-wide park police force. Said counties have the power to employ the number of officers as may be fixed by the salary board of the county and the officers must be paid by the county.<sup>115</sup>

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<sup>110</sup> *Ibid.*, § 2 of the Housing Authorities Law; 35 P.S. § 1550(ee).

<sup>111</sup> *Ibid.*

<sup>112</sup> *Ibid.*

<sup>113</sup> *Ibid.* § 2; 35 P.S. § 1550(ff).

<sup>114</sup> Delaware County, “Bureau of Park Police & Fire Safety – Department of Public Safety,”

<https://www.delcopa.gov/departments/parkpolice.html>, last accessed November 16, 2020; Lancaster County, Pennsylvania, “Park Rangers,” <https://www.co.lancaster.pa.us/323/Park-Rangers>, last accessed on November 16, 2020; Act of August 9, 1955 (P.L. 323, No. 130), § 2511 known as the County Code was repealed by the Act of May 8, 2024 (P.L. 50, No. 14), § 4 and the County Code was consolidated.

<sup>115</sup> 16 Pa.C.S. § 16511(b).

## *Duties and Jurisdiction*

The Pennsylvania County Code provides that park police can be employed in the applicable counties for enforcing the rules and regulations ordained or resolved by the county commissioners. It is the duty of the police, county park police or guards to, without warrant, arrest any offender violating park rules and regulations. Moreover, park police, may take the person they arrested before a magisterial district judge within the park's jurisdiction.<sup>116</sup> County park police also have the following specific powers and duties:

- Enforcing good order and protecting the grounds and buildings within a primary jurisdictional area.
- Excluding all disorderly persons from the grounds and buildings within a primary jurisdictional area.
- Exercising the same powers as are exercised under authority of law or ordinance by the police of the municipalities wherein the primary jurisdictional area is located, including, but not limited to, those powers conferred pursuant to 42 Pa.C.S. Ch. 89 Subch. D (relating to municipal police jurisdiction).
- Preventing crime, investigating criminal acts, apprehending, arresting and charging criminal offenders and issuing summary citations for acts committed on the grounds and in the buildings of the primary jurisdictional area and carrying the offender before the proper authority and prefer charges against the offender under the laws of this Commonwealth. (Except when acting pursuant to 42 Pa.C.S. Ch. 89 Subch. D, county park police must exercise these powers and perform these duties only on the grounds of the primary jurisdictional area).
- Ordering off the grounds and out of the buildings within the primary jurisdictional area all vagrants, loafers, trespassers and persons under the influence of liquor and, if necessary, removing them by force and, in case of resistance, carrying such offenders before the proper authority.
- Arresting any person who damages, mutilates or destroys the trees, plants, shrubbery, turf, grass plots, benches, buildings and structures or commits any other offense on the grounds and in the buildings within the primary jurisdictional area and carrying the offender before the proper authority.<sup>117</sup>

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<sup>116</sup> 16 Pa.C.S. § 16512(a)(1)-(2).

<sup>117</sup> 16 Pa.C.S. § 16512(c)(1)-(6).

Per a duly enacted ordinance creating the county park police force, the county commissioners must designate a primary jurisdictional area upon which the county park police officers have jurisdiction. The jurisdictional area in the ordinance can include:

only property owned, leased or controlled by the county, by a county municipal authority, county redevelopment authority, county industrial development authority or agency, or county airport authority, or by a community college of which the county is a local sponsor, whether such property is within or outside the territorial limits of the county. A county road, street or highway shall not be designated or considered as a primary jurisdictional area unless it is located within the boundaries of a geographical area otherwise designated by ordinance as a primary jurisdictional area pursuant to this section.<sup>118</sup>

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<sup>118</sup> 16 Pa.C.S. § 16512(b).



# **MUNICIPAL POLICE OFFICERS’ EDUCATION AND TRAINING COMMISSION**

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Police officer training and certification in Pennsylvania is designed and overseen by the Municipal Police Officers’ Education and Training Commission (MPOETC). MPOETC is authorized to establish a municipal police officers’ education and training program which, in turn, is administered by the Pennsylvania State Police (PSP).<sup>119</sup> Established in 1974 by the Municipal Police Education and Training Law,<sup>120</sup> MPOETC provides education and training not just for municipal police officers, but for numerous different types of law enforcement officers in Pennsylvania.<sup>121</sup> The impetus behind the creation of the commission was a federal study encouraging improvements to police training. Over time, MPOETC has collected data for those individual officers and agents it has certified and trained.<sup>122</sup>

## *Composition and Duties*

### *Commissioners*

MPOETC is composed of 20 members, some of whom are the Commissioner of the PSP, who serves as chairman of the commission; the Secretary of Community and Economic Development; the Attorney General; and the police commissioner of Philadelphia or his designee.<sup>123</sup> Other commission members include two legislative appointees, one being a member of the Senate and the other being a member of the House of Representatives. These appointments must be made by the President pro tempore of the Senate and the Speaker of the House of Representatives.<sup>124</sup> The commission also has gubernatorial appointments which must include the following:

- A borough official, a first class township official, a second class township official and a city official.

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<sup>119</sup> 53 Pa.C.S. § 2161.

<sup>120</sup> Municipal Police Officers’ Education and Training Law, Act of June 18, 1974 (P.L. 359, No. 120). This act was later repealed and MPOETC authority is now found in Chapter 21, Title 53 of Pennsylvania’s Consolidated Statutes.

<sup>121</sup> Municipal Police Officer’s Education and Training Commission, “About Us,” <https://mpoetc.psp.pa.gov/Pages/about-us.aspx>, last accessed on January 25, 2024.

<sup>122</sup> 53 Pa.C.S. § 2161.

<sup>123</sup> 53 Pa.C.S. § 2163(a)(1)(i)-(iv).

<sup>124</sup> 53 Pa.C.S. § 2163(a)(2)(i)-(ii).

- Four incumbent chiefs of police from the various municipalities of this Commonwealth, at least one to be a chief of a borough police department, at least one to be a chief of a township police department and at least one to be a chief of a city police department.
- One member of the Pennsylvania Lodge Fraternal Order of Police.
- One educator qualified in the field of law enforcement.
- One member representing the public at large.
- Two noncommissioned police officers.
- A director of one of the certified training schools.<sup>125</sup>

Commission members are not compensated for their role on the commission; however, they are reimbursed for all necessary and actual expenses incurred in attending the meetings of the commission and in the performance of their duties.<sup>126</sup> As required by statute, MPOETC hosts four Commission meetings annually, one each in March, June, September, and December.<sup>127</sup>

### *Duties and Powers*

MPOETC has several statutory duties and powers. First and foremost, the commission is required to establish and administer the minimum courses for basic and in-service training for police officers. The commission also sets the minimum standards for physical fitness, psychological evaluation, and education as prerequisites for entrance to a basic police training school or academy, as well as for employment as a police officer.<sup>128</sup> In addition, MPOETC develops specialized training courses for police officers. In developing these specialized courses, MPOETC consults with universities, colleges, community colleges and institutes, as well as Pennsylvania departments and agencies, other states, and the federal government.<sup>129</sup> The commission also consults with the Department of Military and Veterans Affairs, federal agencies, such as the Department of Health, as well as other state, community or local organizations and agencies with expertise regarding traumatic brain injury (TBI) and post-traumatic stress disorder (PTSD), to determine the training needs of police officers for recognizing and interacting with veterans and others who struggle with TBI or PTSD.<sup>130</sup>

In addition, MPOETC approves or revokes the approval of any academy used for compliance with the commission's educational and training requirements and establishes the minimum qualifications for instructors and school directors, as well as their continuing education requirements. Said instructors and school directors must be approved by MPOETC and once approved, the commission can revoke their approval.<sup>131</sup> To ensure compliance with its rules and regulations, MPOETC also visits and inspects approved schools at least once a year.<sup>132</sup>

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<sup>125</sup> 53 Pa.C.S. § 2163(a)(3)(i)-(vii).

<sup>126</sup> 53 Pa.C.S. § 2163(d).

<sup>127</sup> Discussion in meeting held *via* Zoom with MPOETC held on February 14, 2024.

<sup>128</sup> 53 Pa.C.S. § 2164(8).

<sup>129</sup> 53 Pa.C.S. § 2164(10)-(11).

<sup>130</sup> 53 Pa.C.S. § 2164(16).

<sup>131</sup> 53 Pa.C.S. § 2164(2)-(3).

<sup>132</sup> 53 Pa.C.S. § 2164(13).

MPOETC is also required to promote the most efficient and economical program for police training through use of existing facilities, programs, and qualified federal, state, and local police personnel. Statutory law requires the commission to prepare annual reports for the Governor and for the General Assembly regarding its activities. Its report must contain recommendations for executive or legislative action needed to improve law enforcement and the administration of justice.<sup>133</sup>

The commission is responsible for revoking an officer's certification when he or she fails to comply with the basic and in-service training requirements or is convicted of a criminal offense. The commission may also revoke an officer's certification if it determines the officer is physically or mentally unfit to perform the duties of his or her job.<sup>134</sup> MPOETC also provides training to police officers regarding:

- Recognition of mental illness, intellectual disabilities, and autism.
- Proper techniques to interact with and de-escalate individuals engaging in behavior indicative of mental illness, intellectual disability, or autism.
- Instruction on services available to individuals with mental illness, intellectual disabilities, or autism.
- Instruction on interacting with individuals of diverse racial, ethnic, and economic backgrounds.<sup>135</sup>

Police officer training provided by the commission includes recognizing and reporting child abuse, and the efficacy of conducting forensic interviews of victims of child abuse in children's advocacy centers.<sup>136</sup>

As part of its police training oversight duties, MPOETC requires every police officer to attend a minimum number of hours of in-service training to maintain MPOETC certification. That is, unless the officer's employer files a show cause document with the commission requesting additional time for compliance. In-service training requires annual instruction on the use of force (deadly force, de-escalation, and harm reduction techniques), which includes biennial instruction in community and cultural awareness, implicit bias, procedural justice, and reconciliation techniques, as developed by the commission.<sup>137</sup> MPOETC also requires all police officers to "...undergo a background investigation to determine the individual's suitability for employment as a police officer."<sup>138</sup> Completion of the investigation must happen prior to employment and must include a criminal history check, a credit check, personal interviews and any other measures. Applicants who have been convicted of a felony or serious misdemeanor are not eligible for employment as a police officer.<sup>139</sup>

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<sup>133</sup> 53 Pa.C.S. § 2164(4)-(5).

<sup>134</sup> 53 Pa.C.S. § 2164(1).

<sup>135</sup> 53 Pa.C.S. § 2164(1.1).

<sup>136</sup> 53 Pa.C.S. § 2164(17)(i)-(iii).

<sup>137</sup> 53 Pa.C.S. § 2164(6).

<sup>138</sup> 53 Pa.C.S. § 2164(7).

<sup>139</sup> *Ibid.*

MPOETC requires applicants applying to basic police training at a school, or an individual applying for certification as a police officer, or instructor or school director to submit fingerprints and other identifying information to the PSP. The PSP will then submit the fingerprints to the Federal Bureau of Investigation for a national criminal record check. The PSP is required to check the fingerprints against its central repository for the purposes of obtaining a criminal history record check.<sup>140</sup>

Since 2021, the commission has been required to “establish and maintain an electronic database containing separation records.”<sup>141</sup> Said database is required under the Act to be accessible to all law enforcement agencies in the Commonwealth. The commission also publishes an annual report on its data findings.<sup>142</sup>

### *Staff*

MPOETC has an executive director, nominated by the commission chairman and elected by the commission. The executive director administers the training program and employs staff, including professional, administrative, and clerical personnel, to perform the tasks of the office, including the preparation of an annual budget.<sup>143</sup> Staff oversees training and certification requirements, as well as the development, presentation, and recordkeeping of the basic municipal police officer training curriculum consisting of over 900 hours of classroom instruction and practical training conducted by MPOETC-certified academies and instructors. Staff are also responsible for developing 12 hours of in-service training and determining the training that must be required versus the training that is elective.<sup>144</sup> Currently, MPOETC has 17 staff employees.

In addition, commission staff “...reviews, approves, and tracks over 600 additional Continuing Law Enforcement Education (CLEE) courses, which can be used as credit toward the elective training requirement for recertification.”<sup>145</sup> MPOETC staff performs annual inspections of the commission-certified schools and approves or declines applications for new schools and new instructors. Staff are also tasked with the responsibility of suspending or revoking the certification of non-compliant schools.<sup>146</sup> MPOETC staff also administer the Lethal Weapons Training Act (LWTA) on behalf of the PSP. The LWTA was established in 1974 and requires anyone carrying a lethal weapon defined under the act in conjunction with his or her job, unless exempted, to receive training and meet certification requirements. Staff are also responsible for approving new applications, certification renewals, and when applicable, staff suspend certifications of lethal weapons agents.<sup>147</sup> In addition, MPOETC staff prepare and publish its annual report supplying the public with data on academy enrollments, individual officer certifications, individual academy director and instructor certifications, and other relevant data.<sup>148</sup>

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<sup>140</sup> 53 Pa.C.S. § 2164(7), (7.1) as amended by Act of October 11, 2023 (P.L. 49, No. 10), § 2.

<sup>141</sup> 44 Pa.C.S. § 7308(a).

<sup>142</sup> *Ibid.*

<sup>143</sup> 53 Pa.C.S. § 2164(9).

<sup>144</sup> Municipal Police Officers’ Education and Training Commission, *2022 Annual Report*, p. 3; 53; Authority to produce this report comes from 53 Pa.C.S § 2164(5).

<sup>145</sup> *Ibid.* p. 4.

<sup>146</sup> *Ibid.*

<sup>147</sup> Municipal Police Officers’ Education and Training Commission, *2023 Annual Report*, pp. 3-4; 53 Pa.C.S § 2164(5).

<sup>148</sup> 53 Pa.C.S. § 2164(5).

## *MPOETC – Certified Training Academies*

There are 24 MPOETC-certified police training academies, 17 of which are municipal police academies divided into: the Eastern Region and Western Region. They include the PSP academy and regional training centers.

### *Eastern Region*

- Allentown Police Academy – Allentown, PA
- Temple University Municipal Police Academy – Ambler, PA
- Montgomery County Community College Municipal Police Academy – Blue Bell, PA
- PSP Northeast Training Center – Forty-Fort, PA
- Harrisburg Area Community College – Harrisburg, PA
- Lackawanna College at Hazleton – Hazleton, PA
- PSP Academy – Hershey, PA
- Commonwealth University – Mansfield Municipal Police Academy – Mansfield, PA
- Delaware County Community College – Media, PA
- Philadelphia Police Academy – Philadelphia, PA
- Reading Police Academy – Reading, PA
- PSP Southeast Training Center – Schwenksville, PA
- Lackawanna College at Scranton – Scranton, PA<sup>149</sup>

### *Western Region*

- Allegheny County Police Training Academy – Allison Park, PA
- Community College of Beaver County – Beaver Falls, PA
- IUP California University – California, PA
- PSP Southwest Training Center – Greensburg, PA
- Indiana University of Pennsylvania – Indiana, PA
- Penn Highlands Police Academy– Johnstown, PA<sup>150</sup>
- PSP Northwest Training Center – Meadville, PA
- Mercyhurst University Municipal Police Training Academy – Northeast, PA
- IUP Robert Morris University – Pittsburgh, PA
- Pittsburgh Police Training Academy – Pittsburgh, PA
- Westmoreland County Community College Municipal Police Academy – Youngwood, PA<sup>151</sup>

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<sup>149</sup> Municipal Police Officer’s Education and Training Commission, “Certified Schools Eastern Region,” <https://mpoetc.psp.pa.gov/training/Pages/certified-schools-eastern-region.aspx>, last accessed on February 5, 2024.

<sup>150</sup> Formerly Johnstown Regional Police Academy – Reorganization occurred in 2021.

<sup>151</sup> Municipal Police Officer’s Education and Training Commission, “Certified Schools Western Region,” <https://mpoetc.psp.pa.gov/training/Pages/certified-schools-western-region.aspx>, last accessed on February 5, 2024.

It is worth noting that police officer candidates may apply to receive training at the PSP academy in Hershey or its regional training centers. Completing their training there will satisfy MPOETC's requirements for cadets to take the certification exam and become municipal police officers, if the PSP academy is offering the MPOETC-required training under Title 53, which it occasionally offers.<sup>152</sup> PSP troopers must attend and complete the PSP Academy training. As mentioned previously, PSP troopers are not governed by MPOETC training requirements. As such, some of the PSP trooper eligibility, fitness, and training standards differ from those required for police officers as defined in Title 53.

### ***2023 MPOETC Activity***

#### *In-Service and CLEE Courses*

As part of its statutory duties to develop and approve training courses for police officers, MPOETC developed four in-service and CLEE courses in 2023. Within those four courses, 127 instructors were trained in 2023. Of the 127 officers trained, 111 were certified in Legal Updates (3-hour required course), 112 were certified in Tactical Communications (3-hour required course), 109 were certified in Criminal Investigations (3-hour required course), and 111 were certified in Officer Wellness (3-hour required course).<sup>153</sup>

#### *Officer Certifications*

In Pennsylvania, there were 20,996 certified police officers as of 2023. Of that number, there were 892 new certifications issued by MPOETC of which 400 (44 percent) were basic applications, while 491 (56 percent) were waivers of training.<sup>154</sup>

#### *Instructor/Director Certifications*

MPOETC administers certification of municipal police instructors responsible for providing basic and in-service training and instruction at certified police training schools. As of 2023, there were 1,075 certified municipal police instructors employed at the 24 certified police training schools located throughout the Commonwealth and mentioned above. According to MPOETC's 2023 annual report, Tables 3 and 4 show all the instructor certification actions that have taken place between January 1, 2023 to December 31, 2023:

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<sup>152</sup> *Supra*, n. 147.

<sup>153</sup> Municipal Police Officers' Education and Training Commission, *2023 Annual Report*, p. 9.

<sup>154</sup> *Ibid*, p. 7.

<b>Table 3</b>	
<b>Total MPOETC Instructor Certifications 2023</b>	
Certified General Instructors	912
Certified CPR/AED Instructors	107
Certified Firearms Instructors	410
Certified Physical Training Instructors	145
Certified Application of Force Instructors	208
Certified Driving/EVOC Instructors	141
<b>Total Certified Instructors</b>	<b>1,075</b>

Source: Municipal Police Officers' Education and Training Commission, 2023 Annual Report, p. 8.

<b>Table 4</b>	
<b>Other MPOETC Certification Actions 2023</b>	
New Directors Certified	4
New Instructors Certified*	119
Amended Instructors	59
Revoked Certifications	2
<b>Total Certification Actions</b>	<b>184</b>

Source: Municipal Police Officers' Education and Training Commission, 2023 Annual Report, p. 8.

\*This number reflects the total number of individual instructors. Instructors may be certified in more than one type of discipline.

### *Lethal Weapons Certifications*

In Pennsylvania, there are a total of 16,194 total certified Lethal Weapons agents. In 2023, MPOETC issued 3,730 agent certifications, broken down as shown in Table 5.

<b>Table 5</b>	
<b>MPOETC Lethal Weapons Agent Certification 2023</b>	
Initial Certifications	1,961
Renewals	1,769
Revocations	29
<b>Total Certifications/Renewals</b>	<b>3,730</b>

Source: Municipal Police Officers' Education and Training Commission, *2023 Annual Report*, p. 10.

In total, there are 1,293 total certified Lethal Weapons instructors in the Commonwealth as of 2023. Of the 1,293 certified instructors, 710 are academic instructors, 331 are skills instructors, and 823 are firearms instructors.

<b>Table 6</b>	
<b>MPOETC Lethal Weapons Instructors Certification 2023</b>	
Academic Instructors	710
Skills Instructors	331
Firearms Instructors	823
<b>Total Instructors</b>	<b>1,293</b>

Source: Municipal Police Officers' Education and Training Commission, *2023 Annual Report*, p. 10.

Of the instructor certifications shown above, 16 were new Lethal Weapons instructors throughout the 21 Lethal Weapons-certified police training schools in Pennsylvania. Instructors may be certified in more than one discipline.<sup>155</sup>

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<sup>155</sup> *Ibid*, p. 10.



### *Retired Law Enforcement Officer Identifications*

Individuals trained as Firearm Instructors desiring to be recognized as Certified Law Enforcement Firearms Instructors can apply to MPOETC for approval. Pursuant to the Retired Law Enforcement Officer Identification Act<sup>156</sup> program, firearms instructors can request to have their contact information posted on MPOETC's website to conduct firearms qualifications for retired officers. According to MPOETC's 2023 annual report, there are 3,141 Certified Law Enforcement Firearms Instructors participating as firearms instructors for retired officers. In 2023, these instructors issued 5,187 qualification cards from the commission.<sup>157</sup>

After officers are provided with a qualification card, they must present the card to their county sheriff's office for a background check. Upon completion, the Sheriff's Office annotates the check on the qualification card and provides a log of all checks to MPOETC staff. In 2023, the commission staff processed 3,705 separate sheriff's office logs documenting background checks of retired law enforcement officers.<sup>158</sup>

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<sup>156</sup> Act of December 13, 2005 (P.L. 432, No. 79), § 1 known as the Retired Law Enforcement Identification Act; 53 P.S. § 753.1 *et seq.*

<sup>157</sup> *Supra*, n. 153, p. 12.

<sup>158</sup> *Ibid.*



## CURRENT MINIMUM STANDARDS

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An individual must meet the following preliminary qualifications to become employed as a police officer by a police department in the Commonwealth from December 21, 1996, and onward:

- Be 18 years of age or older.<sup>159</sup>
- Possess a high school diploma or GED Equivalency.
- Be a citizen of the U.S.
- Be free from convictions of disqualifying criminal offenses.
- Be able to read at no less than the ninth-grade level, as established through the administration of the Nelson-Denny Reading Test.<sup>160</sup>

In addition, applicants must also undergo an in-person, physical examination by a physician, physician's assistant, or certified nurse practitioner who is licensed in Pennsylvania. The examination must include the following:

- Applicants must be free from the use of illegal controlled substances, determined using current laboratory testing procedures.
- Applicant's physical condition must be expected to withstand significant cardiovascular stress.
- Applicants must be free from any debilitating conditions such as tremor, incoordination, convulsion, fainting episodes, or other neurological conditions affecting his or her ability to perform as police officers.
- Applicants must have visual acuity of at least 20/70, uncorrected in the stronger eye, correctable to at least 20/20; and at least 20/200, uncorrected in the weaker eye, correctable to at least 20/40. The applicant must have normal depth and color perception and be free of any other significant visual abnormality.
- Applicants must have audio acuity sufficient to distinguish a normal whisper at 15 feet distance. The test must be independently conducted for each ear while the tested ear is facing away from the speaker and the other ear is firmly covered with the palm of the hand. The applicant may not use a hearing aid or other aid to perform the test. If the applicant fails, the applicant must take and pass a decibel audio test.

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<sup>159</sup> The exception to this is the Capitol Police, which requires individuals to be at least 21 years of age to be employed as an officer.

<sup>160</sup> 37 Pa. Code § 203.11(a)(1)-(5).

- Applicants may not be missing any extremities, including digits, which would prevent performance of required police duties or meeting minimum training requirements.
- Applicants must be free from any other significant physical limitations or disabilities which would, in the physician’s opinion, impair the applicant’s ability to perform the duties of a police officer or complete the required minimum training requirements.<sup>161</sup>

Applicants interested in becoming police officers within Pennsylvania must complete a thorough background check conducted by the applicant’s employing police department (if the applicant has been prospectively employed pending graduation from a police school or academy and passing of the examination).<sup>162</sup> The background investigation includes a criminal history check through the submission of fingerprints to the Central Repository for the Commonwealth and to the Federal Bureau of Investigation, a credit history check, personal interviews conducted with at least three people that have personal knowledge of the applicant but are not related to the applicant, interviews of the applicant’s employers, if any, for the past five years of applicant’s work history, and check of the applicant’s driving record verifying that the applicant has a valid driver’s license.<sup>163</sup>

### *Admission to Academy*

In addition, applicants interested in attending a police academy and ultimately becoming employed as a police officer must undergo and meet minimum standards for physical fitness, psychological evaluation, and education prerequisites. The standards must be met for entrance into a police school or academy and must be continuously maintained to graduate from the academy and sit for the police examination required for employment as a police officer.<sup>164</sup> The following requirements below apply to all police academies not located within a first class city.

#### *Physical Fitness Requirements*

Physical fitness is evaluated and determined using the standards developed by the Cooper Institute for Aerobics Research in Dallas, Texas.<sup>165</sup> Applicants must “...score no lower than the 30th percentile of the Cooper standards, which coincides with the 30th percentile of the general population, in each of the required evaluations to be eligible for employment.”<sup>166</sup> No person can be enrolled in a recruit training program at a police academy certified by MPOETC unless they have obtained a score in the 30th percentile or higher for the person’s age and gender as specified

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<sup>161</sup> 37 Pa. Code § 203.11(a)(6)(i)-(viii).

<sup>162</sup> Many applicants are already hired by police departments pending their graduation from an accredited school or academy. Discussion in meeting held *via* Zoom with MPOETC on February 14, 2024.

<sup>163</sup> 37 Pa. Code § 203.11(a)(10).

<sup>164</sup> 37 Pa. Code § 203.11(a)(7), (8).

<sup>165</sup> The Cooper Institute, <https://www.cooperinstitute.org>, last accessed on October 21, 2024.

<sup>166</sup> 37 Pa. Code § 203.11(a)(8). No physical fitness standard was established until the Cooper Standard at the 30<sup>th</sup> percentile was added in 2003, 33 Pa.B. 1246.

in the Cooper standards for each evaluation. Cadets must maintain this percentile in score to become certified, employed police officers.<sup>167</sup>

The required evaluations are as follows:

- 1.5 mile run (time).
- 300 meter run (time).
- Push-ups (1 min rep).<sup>168</sup>
- Sit ups (1 min rep).<sup>169</sup>

MPOETC’s physical fitness assessment standards for entrance and retention in one of its approved police academies breaks down the 30 percentile requirements by age and gender as follows:

<b>Table 7</b>					
<b>Men’s Physical Fitness Assessment (PT) Standards 2023</b>					
<b>Age Range</b>	18-29	30-39	40-49	50-59	60+
<b>Sit Ups (1 min rep)</b>	35	32	27	21	17
<b>300-meter Run (time)</b>	62.1	63	77	87	87
<b>Push Ups (1 min rep)</b>	26	20	15	10	10
<b>1.5-mile Run (time)</b>	13:08	13:48	14:33	16:16	16:39

Source: Municipal Police Officers’ Education and Training Commission (MPOETC), “MPOETC’s Physical Fitness Assessment Standards Entrance and Retention in the Act 120 Police Academy,” <https://www.pa.gov/en/agencies/mpoetc/programs/training/basic-police-officer-training/physical-fitness.html#:~:text=Entrance%20to%20a%20Certified%20Municipal%20Police%20Academy%20requires,rigorous%20elements%20of%20academy%20training%20without%20incurring%20injury>, last accessed on October 21, 2024

<sup>167</sup> *Ibid.*

<sup>168</sup> Section 203.11(a)(8) of the regulation expressly lists a “one repetition bench press” under the required evaluations. However, MPOETC informed the Commission that this was changed during the COVID-19 pandemic to “push ups” because social distancing guidelines and gym closures made it difficult for many applicants to access a bench press machine.

<sup>169</sup> 37 Pa. Code § 203.11(a)(8).

**Table 8**  
**Women’s Physical Fitness Assessment (PT) Standards**  
**2023**

<b>Age Range</b>	18-29	30-39	40-49	50-59	60+
<b>Sit Ups (1 min rep)</b>	30	22	17	12	4
<b>300-meter Run (time)</b>	75	82	106.7	106.7	106.7
<b>Push Ups (1 min rep)</b>	13	9	7	7	7
<b>1.5-mile Run (time)</b>	15:46	16:46	18:26	20:17	22:34

Source: Municipal Police Officers’ Education and Training Commission (MPOETC), “MPOETC’s Physical Fitness Assessment Standards Entrance and Retention in the Act 120 Police Academy,” <https://www.pa.gov/en/agencies/mpoetc/programs/training/basic-police-officer-training/physical-fitness.html#:~:text=Entrance%20to%20a%20Certified%20Municipal%20Police%20Academy%20requires,rigorous%20elements%20of%20academy%20training%20without%20incurring%20injury,> last accessed on October 21, 2024.

During testing, applicants are permitted a minimum rest period of five minutes between each event. Applicants are required to pass the entrance fitness test with a score at the 30<sup>th</sup> percentile (as shown in the table above) in each event based on their biological (birth) gender and age at the time they are testing. Cadets who are accepted into the academy as enrolled cadets are required to maintain the 30<sup>th</sup> percentile PT assessment standard throughout the academy until completion. If an applicant fails to fall into one of the listed age categories, special authorization from MPOETC is required before testing.<sup>170</sup>

1.5 Mile Run Test. The 1.5-mile run is a test of aerobic capacity, requiring the use of two stopwatches and a flat measured surface, with the event being measured in seconds. Before starting the test, participants are read aloud to the protocols and a demonstration is provided, pointing out the common errors attempted in the test. Participants are provided with helpful tips in preparation for the test and are specifically warned not to eat a heavy meal or smoke for at least two to three hours prior to the test. Typically, participants are provided with three to five minutes to warm-up. Participants are positioned on a start line, with a timer positioned on the finish line. The test begins and the time starts recording upon the command of “Go” and continues until participants cross the finish line.<sup>171</sup>

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<sup>170</sup> Municipal Police Officers’ Education and Training Commission, “MPOETC’s Physical Fitness Assessment Standards Entrance and Retention in the Act 120 Police Academy,” (2023), <https://www.pa.gov/en/agencies/mpoetc/programs/training/basic-police-officer-training/physical-fitness.html#:~:text=Entrance%20to%20a%20Certified%20Municipal%20Police%20Academy%20requires,rigorous%20elements%20of%20academy%20training%20without%20incurring%20injury,> last accessed on October 21, 2024.

<sup>171</sup> *Ibid.*

Successful completion requires participating individuals to finish the running course at or under the required time for their age and gender. While running, no assistance can be provided to participants. Participants are prohibited from departing from the running surface and cannot wear headsets or earphones. MPOETC recommends academies use a standard 440-yard oval track so that participants are required to complete six equal laps for the test, allowing the starter/timer to provide participants with lap times for each lap. This makes it possible to accurately judge their progress throughout the run. Upon completion of the run over the finish line, the exact time to the nearest second is recorded as the score.<sup>172</sup>

300 Meter Run Test. The 300-meter run is a test of a participant's anaerobic power. Like the 1.5-mile run, this test requires the use of two stopwatches and a flat measured surface, and the event is measured in seconds. Participants are read protocols and are given a three-to-five-minute warm up period before the start of the test. Start and finish lines are established, and the timer begins the test upon the voicing of the command "Go." The running test continues until the participant crosses the finish line. Participants must finish the course at or under the required time for their age and gender. The score is recorded based on the exact time to the nearest tenth of a second.<sup>173</sup>

One Minute Full Body Push-up Test. This test is designed to test the muscular endurance of an applicant and cadet's upper body muscles including the anterior deltoid, pectoralis major, and triceps. Two stopwatches are used to time the participating individual. Protocols are read to all participants and demonstrations are provided. Test participants are instructed to place their hands slightly wider than shoulder width apart, with their fingers pointing forward with the palms of their hands touching the ground. Knuckles or fingertip push-ups are prohibited. Participants must start the test in the up position. An instructor places a fist on the floor just below the participant's chest to ensure the push-up is completed. If a male is testing a female, or a female is testing a male, a three-inch sponge should be placed on the ground for the sternum to contact during the downward motion of the push-up.<sup>174</sup>

When starting from the up position as required, with elbows extended, the participant is required to always keep his or her back straight and the lower body to the floor until their chest touches either the administrator's fist or the sponge, or when the participant's elbows reach a 90-degree angle. The testing participant must then return to an up position. MPOETC advises the academies that the Cooper Institute does not recommend using the Modified Push-up Test for the event. Any form of resting can only be taken in the up position and both hand and feet (toes, specifically) must remain always contacting the floor. Participants cannot arch their backs while testing. During the test, one instructor counts repetitions and ensures the test is being performed according to the protocol. It is recommended that the other instructor time the event. The test ends when a participant completes the required number of correct repetitions, by the event time with the elapsing of one minute, or by the participants' inability to complete the required number of correct repetitions. The recorded final score is based on the total number of correct push-ups the participant completes in one minute.<sup>175</sup>

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<sup>172</sup> *Ibid.*

<sup>173</sup> *Ibid.*

<sup>174</sup> *Ibid.*

<sup>175</sup> *Ibid.*

One-Minute Sit-Up Test. The one-minute sit up is intended to test an applicant’s abdominal muscular endurance. Two stop watches are utilized to test the applicant. Participants in the test must lie flat on their backs on a floor mat. For proper form, the participants’ knees should be bent at approximately a 90-degree angle and the soles of their feet must be flat on the ground. Their hands should be placed firmly behind their heads with their fingers interlocked. Hands cannot be on the top of the participant’s head or on their neck. The head should remain in a neutral position. Another individual holds the applicant or cadet’s feet down on the ground. For the first and second assessments, other cadets are permitted to hold each other’s feet; however, instructors are required to do so for any individual who has not previously achieved a 50 percentile during their final assessment.<sup>176</sup>

Participants begin only after the command “Begin” is clearly voiced by the event timer. Once this occurs, participants have one minute to complete the required number of correct repetitions to pass the test. A correct repetition requires that the participant curl their upper body until their elbows contact their knees, and then return down until their shoulder blades touch the floor mat. Participants are instructed to breathe normally throughout the exercise and for their buttocks to remain flat on the ground to avoid “kipping” of the hips. Fingers must remain interlocked as well. During resting periods, participants must remain in an “up” position, otherwise the test is terminated.<sup>177</sup>

During the sit-up test, an instructor counts repetitions and keeps the time. The event timer verbally announces the 30-seconds mark, the 45-seconds mark, and then provides a countdown for the final five seconds of the event. The testing event officially ends for a participant upon the completion of the required number of correct repetitions, by the event timer with the elapsing of one minute, or by the participant failing to complete the required number of correct repetitions.<sup>178</sup>

### *Psychological Evaluation*

Applicants must also undergo a personal examination of a Pennsylvania-licensed psychologist and be found psychologically capable to exercise the necessary and appropriate judgement or restraint in performing police duties. The examination must include the following components:

Interview and History: A psychologist personally interviews the applicant. The interview must consist of a summary of the applicant’s personal, educational, employment, and criminal history.<sup>179</sup>

Required Psychological Test: Applicants must take a current standard form of the Minnesota Multiphasic Personality Inventory (MMPI).<sup>180</sup>

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<sup>176</sup> Municipal Police Officers’ Education and Training Commission, “Directions for Each Physical Fitness Assessment,” (2023).

<sup>177</sup> *Ibid.*

<sup>178</sup> *Ibid.*

<sup>179</sup> 37 Pa. Code § 203.11(a)(7)(i); 53 Pa.C.S. § 2164(1).

<sup>180</sup> 37 Pa. Code § 203.11(a)(7)(ii).



Other Testing Methods: If the psychologist is unable to certify an applicant as psychologically capable to demonstrate appropriate judgement and restraint to perform the duties of a police officer, the law gives discretion to the psychologist to employ whatever other appropriate techniques and requires a full and complete written explanation to MPOETC on a form submitted by the psychologist indicating the additional testing that was performed and the results of the tests. Psychologists may also do testing to assess individual bias.<sup>181</sup>

The MMPI is the most-used psychometric test to assess personality traits and psychopathology. Data extracted from an administered test is used to draw conclusions about the test taker's psychopathy or to interpret psychological traits compared to what is deemed normal. Developed in the 1930s and published through the University of Minnesota in 1942 by Stuart Hathaway and Charley McKinley, the test was initially administered to visitors of patients at the university hospital as a '...base sample in theorizing constructs of psychiatric illness and fielding instruments.'<sup>182</sup> The MMPI has an "...enduring presence of modern behavioral health practices..." and "...continues to receive widespread application ...as a means of constructing a differential diagnosis for mental health problems..."<sup>183</sup> MMPI testing is comprised of 567 true or false items using a booklet with a corresponding answer sheet. The test responses are hand-scored and plotted on an X-Y graph. There are separate versions of the test for males and females.<sup>184</sup>

### *Educational Prerequisites*

As mentioned previously, minimum education requirements for entrance into a police academy are a high school diploma or GED. In addition, an applicant must also pass minimum reading comprehension requirements.

Nelson-Denny Reading Test. Applicants seeking admission to a MPOETC-certified police academy must take the Nelson-Denny Reading Test and demonstrate no less than a ninth grade reading level. The Nelson-Denny Reading Test (NDRT) is an examination measuring reading vocabulary, comprehension, and rate, typically for the age range of individuals 14 to 24 years of age. The test was created in 1930 by two professors at the Iowa State Teacher's College, Martin J. Nelson and Emerson Charles Denny. The most recent version of the test was published in 1993.<sup>185</sup>

The NDRT evaluates vocabulary and comprehension through a collection of multiple-choice questions. It contains three measures that include two subsets (vocabulary and comprehension), and a reading rate measure. The vocabulary portion of the test is composed of 80 multiple choice questions, each with five answer choices, and has a completion time limit of 15 minutes. The comprehension portion of the test contains seven reading passages with a total of 38 questions, each with five answer choices. Test takers have 20 minutes to complete this section (the

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<sup>181</sup> 37 Pa. Code § 203.11(a)(7)(iii); 53 Pa.C.S. § 2164(1); Discussion in Meeting held *via* Zoom with MPOETC on February 14, 2024.

<sup>182</sup> Augustus E. Floyd and Vikas Gupta, "Minnesota Multiphasic Personality Inventory," *National Library of Medicine*, (Apr. 24, 2023), <https://www.ncbi.nlm.nih.gov/books/NBK557525/>, last accessed on March 14, 2024.

<sup>183</sup> *Ibid.*

<sup>184</sup> *Ibid.*

<sup>185</sup> James I. Brown, Ph.D., Vivian Vick Fishco, M.S., Gerald Hanna, Ed.D., "Nelson-Denny Reading Test: Technical Report Forms G&H," Chicago, IL, The Riverside Publishing Company, (1993), p. 1.

first minute being used to determine reading rate). The total time for completion of the entire test is about 45 minutes.<sup>186</sup>

While it is true that police academy applicants must take the NDRT and score at a ninth grade reading level, some academies will not administer the test to an applicant who has already failed the minimum physical fitness requirements; the reason being there is no reason for the academy to spend the money on administering the examination, when the applicant has failed the physical fitness requirements and cannot obtain admission at that point, anyway.<sup>187</sup>

### *Graduation from the Academy*

Once applicants have passed the entry physical fitness testing requirements, psychological examination, the NDRT, and all other academy protocols for admission, the applicant may be admitted to the academy to train as a cadet. Once admitted, the cadet must maintain the same level of physical fitness (scoring in the 30<sup>th</sup> percentile) that was needed to obtain admission into the academy all the way to graduation, as well as academic and training requirements discussed in further detail below.

#### *Academic/Training Requirements*

To obtain certification as a police officer, an individual must also satisfy additional educational and training requirements through a MPOETC-certified police academy. Specifically, Pennsylvania statutory law requires the successful completion of a mandatory basic training course (or receipt of a waiver of basic training from MPOETC) and successful completion of mandatory in-service training.<sup>188</sup> Mandatory basic training courses are offered by a MPOETC-certified police academy or Pennsylvania State Police Academy (if said course is available at time of enrollment). Basic training courses in the police academy include several different curriculum areas, such as the following:

Introduction to the Academy: This area provides a basic overview of the authority, role, function, and mission of MPOETC and the impact it has on police academies and police officers throughout the Commonwealth.<sup>189</sup>

Introduction to Law Enforcement in Pennsylvania: This area of instruction discusses the basic concepts of law enforcement such as the importance of the relationship that law enforcement has with the community and the overarching impact they can have on society. This instruction also includes the importance of ethical behavior, policies and standards designed to enhance ethical decision-making, and the result of a lack of ethical decision-making. Cadets also learn the history

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<sup>186</sup> *Ibid.*

<sup>187</sup> Phone call on August 6, 2024, with Christopher Wheeler, Director of Mansfield Municipal Police Academy.

<sup>188</sup> 53 Pa. C.S § 2162.

<sup>189</sup> Municipal Police Officers Education and Training Commission, “Municipal Police Officer Certification,” p. 1, [https://www.pa.gov/content/dam/copapwp-pagov/en/mpoetc/documents/certification/certification-documents/certification\\_examination\\_study\\_guide.pdf](https://www.pa.gov/content/dam/copapwp-pagov/en/mpoetc/documents/certification/certification-documents/certification_examination_study_guide.pdf), last accessed on March 14, 2024.

and principles of law enforcement and the concept of community-oriented policing and problem-solving.<sup>190</sup>

Laws and Criminal Procedures: Cadets learn a brief history and the key elements of the U.S. and Pennsylvania Constitutions, and the Bill of Rights for each. There is instruction as to where police power originates from and how police can legally interact with various municipalities and jurisdictions through intergovernmental cooperative agreements and the Municipalities Police Jurisdiction Act.<sup>191</sup> This instruction also includes searches and seizures, principles of admissions and confessions, history and purpose of civil law and how it differs from criminal law, constitutional law, and other related concepts.<sup>192</sup>

Juveniles: This area of instruction reviews the communication necessary to promote effective interaction with people. In addition, cadets learn how communication can be impacted by cultural or religious differences. Cadets will have the opportunity to explore the importance of understanding nonverbal communication. Cadets also learn to identify behaviors that can harm or adversely impact minority relations, as well as behaviors that can have a positive impact on minority relations.<sup>193</sup>

Human Relations: The human relations curriculum focuses on the importance of active listening and the benefits of procedural justice and its four principles which include voice, trustworthiness, neutrality, and respect. This instruction also examines how implicit bias can affect perception and behavior.<sup>194</sup>

Responding to Special Needs: Cadets explore their own preconceived perceptions about people with special needs and will learn how to appropriately and effectively respond to incidents involving individuals experiencing behavioral issues or in a mental health crisis. The instruction reviews major indicators of a subject's mental or emotional state and identifies de-escalation or control techniques used to calm down and control an emotionally distraught person. Different disabilities explored include autism, intellectual disabilities, Tourette's Disorder, Alzheimer's Disease, Diabetes, seizures, epilepsy, the deaf and hard of hearing, physical disabilities, and individuals with traumatic brain injury.<sup>195</sup>

Homeland Security: This curriculum focuses on terrorism and the importance of homeland security. Instruction includes a review of the structure and functions of the federal and state homeland security systems. The instruction also teaches the Immigration Reform and Control Act,<sup>196</sup> as well as assessing and responding to threats of terrorism.<sup>197</sup>

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<sup>190</sup> *Ibid.* p. 2.

<sup>191</sup> Act of June 15, 1982 (P.L. 512, No. 141), § 4 known as the Municipalities Police Jurisdiction Act; 42 Pa.C.S. § 8953.

<sup>192</sup> *Supra*, n. 189, p. 6.

<sup>193</sup> *Ibid.* p. 19.

<sup>194</sup> *Ibid.* p. 22.

<sup>195</sup> *Ibid.* p. 24.

<sup>196</sup> The Immigration Reform and Control Act, Pub. L. 99-603, 100 Stat. 3445.

<sup>197</sup> *Supra*, n. 189, p. 27.

Vehicle Code Enforcement: During basic training, cadets are required to be introduced to all provisions of the Vehicle Code<sup>198</sup> and to learn the enforcement capabilities and responsibilities of police officers. This instruction examines traffic enforcement's impact on the community, DUI enforcement and prosecution, the importance of probable cause for vehicle stops, and vehicle maneuvers.<sup>199</sup>

Crash Investigation: The crash investigation curriculum focuses cadets' attention on investigating vehicular crashes and scene management. Cadets are also introduced to the roles and responsibilities of the fire department, medical personnel, towing companies, and public works during crashes. This instruction also reviews the handling of crashes involving hazardous materials and environmental crimes.<sup>200</sup>

Patrol Procedures and Operations: This area of curriculum focuses on the responsibilities of an officer on patrol such as maintaining order, community relations, handling emergency situations and calls for service, responding to crimes-in-progress, conducting preliminary investigations and field interviews, securing crime scenes and processing evidence, being observant to not only enforce laws but prevent crime as well.<sup>201</sup>

Criminal Investigation: Cadets learn how to properly protect active crime scenes by controlling who enters and leaves and by taking measures to preserve evidence. This area of instruction also includes a review of concepts for interviewing and interrogation.<sup>202</sup>

Drug Law Enforcement: The Controlled Substance, Drug, Device, and Cosmetic Act<sup>203</sup> is the prime focus of this instructional curriculum area. The instruction identifies major provisions of the law, as well as criminal penalties associated with violations of those provisions. This area also teaches cadets about the proper procedures for seizing controlled substances.<sup>204</sup>

Case Presentation: This area of instruction focuses on courtroom procedure and presentation, where cadets must learn the differences between a summary trial, a preliminary hearing, and a criminal trial, along with the role they play in each. Instructors teach cadets how they must present themselves in the courtroom, specifically reviewing the relevance of appropriate attire, maintaining a professional demeanor, and utilizing proper tactics.<sup>205</sup>

Operation of Patrol Vehicles: Instructors in this curriculum area teach cadets about good defensive driving, while trying to instill good driving and operation habits in the cadets. The coursework reviews the operational aspects of various emergency vehicles.<sup>206</sup>

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<sup>198</sup> Act of June 17, 1976 (P.L. 162, No. 81), § 1; 75 Pa.C.S. § 101 *et. seq.*

<sup>199</sup> *Supra*, n. 189, p. 29.

<sup>200</sup> *Ibid.* p. 36.

<sup>201</sup> *Ibid.* p. 38.

<sup>202</sup> *Ibid.* p. 48.

<sup>203</sup> The Controlled Substance, Drug, Device, and Cosmetic Act of 1972, Act of April 14, 1972 (P.L. 233, No. 64).

<sup>204</sup> *Supra*, n. 189, p. 57.

<sup>205</sup> *Ibid.* p. 59.

<sup>206</sup> *Ibid.* p. 60.

Physical and Emotional Readiness: Cadets will learn the attributes of a healthy lifestyle associated with good health and longevity that can enhance one’s job performance as a police officer and can translate to greater officer safety and survival. Instructors will also teach cadets how to develop a proper exercise program. Dietary guidelines that promote healthy lifestyles are also discussed. There is also attention drawn to emotional health issues, stress management, and resilience training.<sup>207</sup>

Control Tactics: This instruction teaches cadets about tactical self-defense and less-lethal weapon familiarization. Cadets are required to understand and demonstrate basic self-defense tactics. Some of these basic tactics include basic throws and falls, strike points, controlling or subduing suspects through locks, grips, and weaponless come-along holds, and the use of pressure point control.<sup>208</sup>

Firearms: The firearms instruction teaches cadets the importance of developing, maintaining, and employing proper skills and safety techniques with a wide variety of firearms.<sup>209</sup>

Emergency Response Training: Cadets learn about First Aid, CPR, Tactical Medicine<sup>210</sup>, and Opioid Management training. Cadets must learn and apply knowledge, skills, and abilities necessary to be certified in First Aid, CPR, and the AED. Instructors also review the Good Samaritan Act.<sup>211</sup>

Each academy certified by MPOETC administers its courses in modules. The following is a breakdown of which module each curriculum section falls within.

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<sup>207</sup> *Ibid.* p. 62.

<sup>208</sup> *Ibid.* p. 63.

<sup>209</sup> *Ibid.* p. 68.

<sup>210</sup> Tactical Medicine is the medical specialty that involves services and emergency medical services to preserve safety, physical, and mental health, and overall well-being of military and law enforcement (SWAT) special operations and tactical personnel. ACEP-TALEM Tactical and Law Enforcement Medicine, “What is Tactical Medicine?” <https://www.acep.org/talem/about-us/what-is-tactical-medicine>, last accessed on March 18, 2024.

<sup>211</sup> *Supra*, n. 189, p. 71; 42 Pa.C.S. §§ 8331-8338.

**Municipal Police Officers' Education and Training Commission  
2022 Basic Police Syllabus**

Curriculum Sections	Classroom	Practical	Total Hrs	Test #	# Questions	Module
<b>MODULE 1</b>						
<b>01. Introduction to the Academy</b>			6			<b>1</b> (200) (250)
a. Academy Mission	1			N/A		
b. Academy Objectives	1			N/A		
c. Academy Rules and Regulations	1			N/A		
d. Learning and Study Skills	2			1		
e. Role and Function of MPOETC	1			1		
<b>02. Introduction to Law Enforcement in PA</b>			28			
a. History and Principles of Law Enforcement	2			1	50 Q	
b. Ethics and Moral Issues	8	4		1		
c. Community Oriented Policing and Problem Solving	8			1		
d. PA Criminal Justice System	2			1		
e. Report Writing & Notes	4			1		
<b>03. Laws and Criminal Procedures</b>			119			
a. Constitutional Law	2			2	50 Q for T2 20 Q-OB T3	
b. Authority and Jurisdiction	2			2		
c. Criminal Law	36			2 & 3		
d. Criminal Procedure and Laws of Arrest	24	8		4	50 Q	
e. Search and Seizure	24	8		5	50 Q	
f. Admissions and Confessions	2			6		
g. Civil Laws	4			6	10 Q	
h. Liquor Laws	1			6		
i. Use of Force in Law Enforcement	8			7	20 Q	
<b>MODULE 2</b>						
<b>04. Juveniles</b>			8			<b>2</b> (176) (220)
a. Juvenile Law and Justice	8			8	10 Q	
<b>05. Human Relations</b>			17			
a. Perceptions of Human Behavior and Communications	10			9	30 Q	
b. Cultural and Religious Considerations	3			9		
c. Personal Bias and Procedural Justice	4			9		
<b>06. Responding to Special Needs</b>			22			
a. Behavior Management and Crisis Intervention	6	2		10	30 Q	
b. Recognizing Special Needs	8			10		
c. Mental Illness	6			10		
<b>07. Homeland Security</b>			18			
a. Overview of Homeland Security	4			11	30 Q	
b. Citizenship Issues	2			11		
c. Assessing and Responding to Threats of Terrorism	4			11		
d. ICS/NIMS	6	2		N/A		
<b>08. Vehicle Code Enforcement</b>			64			
a. Vehicle Code and Enforcement	40			12 & 13	50 Q for T11 20 Q-OB T12	
b. DUI Enforcement and Prosecution	24			12		
<b>09. Crash Investigation</b>			27			
a. Crash Investigation & Scene Management	16	6		14	50 Q	
b. Hazardous Materials and Environmental Crimes	5			14		
<b>MODULE 3</b>						
<b>10. Patrol Procedures and Operations</b>			105			<b>3</b> (216) (270)
a. Overview of Patrol Procedures	2			15	50 Q	
b. Patrol Activities and Incidents	24			15		
c. Vehicle Stop Techniques	8	14		15		
d. Crimes in Progress	8			16	50 Q	
e. Crowd Control and Civil Disorder	2			16		
f. Domestic Violence	8			16		
g. Gangs and Transient Criminals	8			16		
h. Disguised Weapons	5			17		
i. Active Assault	6	16		17	50 Q	
j. Ethnic Intimidation & Bias Crimes	2			17		
k. Radio Procedures	2			17		

## Municipal Police Officers' Education and Training Commission 2022 Basic Police Syllabus

Curriculum Sections	Classroom	Practical	Total Hrs	Test #	# Questions	Module	
<b>11. Criminal Investigation</b>			53			<b>3</b> (216) (270)	
a. Crime Scenes and Evidence Collection	10	8		18	30 Q		
b. Interview and Interrogation	8	4		18			
c. Identification of Suspects	2			19	50 Q		
d. Crimes against People	2			19			
e. Crimes Against Property	1			19			
f. Injury and Death Cases	2			19			
g. Sexual Offenses and Human Trafficking	4			19			
h. Crimes Against Children	4			19			
i. Crimes Against the Elderly and Care-Dependent People	4			19			
j. Technology & Social Media	2			19			
k. Surveillance	2			19			
<b>12. Drug Law Enforcement</b>			14				
a. Controlled Substance, Drug, Device and Cosmetic Act	2			20	30 Q		
b. Drug Identification	8			20			
c. Clandestine Labs	4			20			
<b>13. Case Presentation</b>			16				
a. Courtroom Testimony and Demeanor	10	6		21	10 Q		
<b>MODULE 4</b>							
<i>Module 4 consists of classroom instruction and practical skills instruction. Completion of each Volume requires that the cadet successfully pass both the academic tests associated with classroom instruction and successfully demonstrate practical skills as evaluated on the corresponding skills checklist. Failure of a skills evaluation results in dismissal from the academy.</i>							
<b>14. Operation of Patrol Vehicles</b>			40			<b>4</b> (160) (200)	
a. Emergency Vehicle Operation	20	20		22	10 Q		
Successful completion of Driving Skills Checklist							20 PRAC
<b>15. Physical and Emotional Readiness</b>			84				
a. Health and Wellness	4			23	20 Q		
b. Emotional Health, Stress Management, and Resiliency Training	8			23			
c. Physical Fitness Training and Testing Requirements		72		N/A			
Successful completion of Final Physical Fitness Assessment							20 PRAC
<b>16. Control Tactics</b>			94				
a. Mechanics of Arrest, Restraint and Control	8	8		24	30 Q		
b. Tactical Self Defense		58		24			
c. Less Lethal Weapon Familiarization	3	5		24			
d. Transporting Prisoners	4			24			
e. In-Custody Risks	4	4		24			
Successful completion of Defensive Tactics Performance Evaluation						20 PRAC	
<b>17. Firearms</b>			124				
a. Handgun	6	68		25	20 Q		
b. Shotgun	2	16		25			
c. Introduction to Patrol Rifle	4	20		25			
d. Stress Shooting Course		8		N/A			
Successful completion of all Firearms Skills Checklists						20 PRAC	
<b>18. Emergency Response Training</b>			40				
a. First Aid, CPR, and AED	8			26	20 Q		
b. Opioid Overdoses and Management	2			26			
c. Tactical Medicine	6	24		26			
Successful completion of Basic CPR/AED and First Aid Certification						20 PRAC	
<b>MODULE 5</b>							
<b>19. Scenarios and Practical Exercises</b>			40			<b>5</b>	
a. Final Scenarios (Each cadet must complete all required scenarios)		40					
Successful completion of Final Scenarios is required for Graduation							
<b>Total Time</b>	<b>498</b>	<b>421</b>	<b>919</b>				

Source: Municipal Police Officers' Education and Training Commission, 2022 Basic Police Syllabus, <https://www.pa.gov/content/dam/copapwp-pagov/en/mpoetc/documents/training/basic-police-officer-training/basic%20police%20training%20syllabus.pdf>, last accessed on October 22, 2024.

Many cadets are hired by a police department before attending the academy (“hired” enrollments). Alternatively, some cadets are seeking employment in a police department before they enter the academy (“pre-service” enrollments). Below are the total number of individuals who were enrolled in basic police officer training at MPOETC-certified academies for 2023, as well as the total number of cadets who graduated in 2023 and the total number of cadets who did not complete or failed the academy in 2023:

<b>Table 9 Total Enrolled (at start) 2023</b>	
“Hired” Enrollments	585 (58% of total enrollments)
“Pre-Service” Enrollments	408 (42% of total enrollments)
<b>Total</b>	<b>993</b>

Source: Municipal Police Officers’ Education and Training Commission, 2023 Annual Report, p. 6. (While 70 cadets failed to graduate, another 115 withdrew, making up the 185-cadet difference between the 993 enrolled cadets and 808 graduating cadets.)

<b>Table 10 Total Graduated 2023</b>	
“Hired” Enrollments	428 (53% graduation rate)
“Pre-Service” Enrollments	380 (47% graduation rate)
<b>Total</b>	<b>808</b>

Source: Municipal Police Officers’ Education and Training Commission, 2023 Annual Report, p. 6. (While 70 cadets failed to graduate, another 115 withdrew, making up the 185-cadet difference between the 993 enrolled cadets and 808 graduating cadets.)

<b>Table 11 Total Incomplete/Failed 2023</b>	
“Hired” Enrollments	27 (2.7% of initial enrollment)
“Pre-Service” Enrollments	43 (4.3% of initial enrollment)
<b>Total</b>	<b>70</b>

Source: Municipal Police Officers’ Education and Training Commission, 2023 Annual Report, p. 6. (While 70 cadets failed to graduate, another 115 withdrew, making up the 185-cadet difference between the 993 enrolled cadets and 808 graduating cadets.)

### *Certification Examination*

After successfully graduating from a certified police academy, a graduate must be hired by a police department and pass the police certification exam known as the Municipal Police Officer



certification examination.<sup>212</sup> Required by MPOETC, the test is a 200-multiple choice question compressive examination. Applicants are charged \$100 to apply to sit for the examination and have three attempts to successfully pass it. A minimum score of 72 percent or higher is considered a passing score. Test participants are given three hours and 15 minutes to complete the examination. Certification examination questions are based on the learning objectives taught in each section of the 2023 Basic Recruit Curriculum for Municipal Police Officers. For a breakdown of the number of questions from each area of curriculum, see Table 12.

<b>Table 12</b>	
<b>MPOETC Certification Examination Questions Breakdown by Curriculum 2023</b>	
<b>Curriculum</b>	<b>Number of Questions</b>
Introduction to the Academy	0
Introduction to Law Enforcement in PA	10
Laws and Criminal Procedures	59
Juveniles	3
Human Relations	7
Responding to Special Needs	8
Homeland Security	2
Vehicle Code Enforcement	16
Crash Investigation	7
Patrol Procedures and Operations	37
Criminal Investigation	20
Drug Law Enforcement	4
Case Presentation	7
Operation of Patrol Vehicles	4
Physical and Emotional Readiness	1
Control Tactics	7
Firearms	6
Emergency Response Training	2
<b>Total</b>	<b>200</b>

Source: Municipal Police Officers' Education and Training Commission Study Guide for the Certification Examination, 2022, [https://www.pa.gov/content/dam/copapwp-pagov/en/mpoetc/documents/certification/certification-documents/certification\\_examination\\_study\\_guide.pdf](https://www.pa.gov/content/dam/copapwp-pagov/en/mpoetc/documents/certification/certification-documents/certification_examination_study_guide.pdf), last accessed on October 22, 2024.

<sup>212</sup> *Supra*, n. 26, p. 1.

Once certified, a police officer will receive “[t]he assignment of a certification number...”<sup>213</sup> After a certified police officer is hired, he or she is required to complete Continuing Law Enforcement Education (CLEE).<sup>214</sup>

### *Partial Waiver*

#### *Qualifications*

For qualifying former federal or military police officers, or police officers certified in other states, who want to become certified and employed as a municipal police officer in Pennsylvania, there is what is known as a “Partial Waiver” Assessment. The Partial Waiver Assessment is a test that determines what areas of training can be waived for the eligible individual to become certified in the Commonwealth. Areas of training that cannot be waived, typically must be attended at a MPOETC-certified police academy. To qualify for assessment testing, former federal and military law enforcement officers must meet the following standards:

- Applicants must have completed a cumulative total of at least 760 hours of basic and in-service law enforcement training.
- Applicants must have successfully completed a law enforcement training course resulting in certification as a law enforcement officer authorized to carry a firearm and make arrests.
- Applicants must have served at least two years of full-time duty as a law enforcement officer within the past seven years.
- Applicants must be eligible for employment as a law enforcement officer.<sup>215</sup>

Service qualifies as full-time with a minimum of 32 hours per week. Full-time service does not need to be continuous. It also does not need to be with one single agency.<sup>216</sup>

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<sup>213</sup> 53 Pa. C.S § 2162.

<sup>214</sup> Continuing Law Enforcement Education (CLEE), <https://www.pa.gov/en/agencies/mpoetc/programs/training/in-service-police-officer-training/continuing-law-enforcement-education.html#:~:text=CLEE%20courses%20are%20elective%20courses%20conducted%20by%20various,Act%20120%20certified%20officer%E2%80%99s%20annual%20in-service%20training%20requirement.,> last accessed on December 3, 2024.

<sup>215</sup> “Apply for the Partial Waiver Assessment Test for Federal and Military Law Enforcement Officers,” <https://www.pa.gov/en/services/mpoetc/apply-for-the-partial-waiver-assessment-test-for-law-enforcement.html#:~:text=Out-of-tate%20law%20enforcement%20officers%20transferring%20to%20Pennsylvania%20can,modules%20of%20the%20basic%20municipal%20police%20training%20program,> last accessed on August 24, 2024.

<sup>216</sup> *Ibid.*

## *Application*

Eligible federal and military law enforcement officers (and officers certified in other states) may apply for assessment testing using the Training and Certification System (TACS) application process and selecting a test date for the Partial Waiver Assessment Test. The applicant should provide three documents in the application which include the following:

- The completed and signed application form named “Applicant Name – Application”. The applicant must ensure that the document contains all requested information before it is sent.
- A single document named “Applicant Name – Certificates” containing copies of certificates for any courses the applicant listed on the application form.
- A single document named “Applicant Name – Employment” containing documentation supporting the applicant’s two years of full-time employment as a law enforcement officer.<sup>217</sup>

## *Assessment Test*

Currently, the Partial Waiver Assessment Test (not to be confused with the MPOETC certification examination discussed previously) is comprised of 200 multiple-choice questions, scored as three subtests which correspond to the first three modules of the basic municipal police training program.<sup>218</sup> There is a fourth module that evaluates general law enforcement competencies and is scored in the overall examination.<sup>219</sup> The assessment “...measures an applicant’s competency in general law enforcement knowledge as well as competencies relevant to municipal police officers serving in Pennsylvania.”<sup>220</sup> To pass the assessment test, one must:

- Score a minimum overall grade of 70 percent on each of the three module subtests.
- Score a minimum overall grade of 70 percent when the module 4 subtest is factored in.<sup>221</sup>

If the candidate passes all three academic module subtests and achieves an overall grade of 70 percent, he or she will have met the academic requirement for certification as a municipal police officer serving in Pennsylvania and no further testing is required. As such, the candidate will be an eligible police officer ready for hire at a municipal police department. Alternatively, if the candidate passes all three academic module subtests, but fails to achieve an overall grade of 70 on the assessment examination, the candidate will have two additional attempts to pass MPOETC’s

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<sup>217</sup> *Ibid.*

<sup>218</sup> *Ibid.*

<sup>219</sup> “The Municipal Police Officers’ Education and Training Commission Assessment Testing Protocol,” (MPOETC REV. 9/30/24, [https://www.pa.gov/content/dam/copapwp-pagov/en/mpoetc/documents/training/basic-police-officer-training/assessment\\_testing\\_protocols\\_for%20applicants.pdf](https://www.pa.gov/content/dam/copapwp-pagov/en/mpoetc/documents/training/basic-police-officer-training/assessment_testing_protocols_for%20applicants.pdf), last accessed on October 22, 2024.

<sup>220</sup> *Ibid.*

<sup>221</sup> *Ibid.*

Certification Examination upon applying for the examination in TACS. If the candidate fails to pass the Certification Examination in those two attempts, he or she will be required to attend the full 919-hour Basic Curriculum course at a MPOETC-certified municipal police academy before attempting to take the examination again. If the candidate fails an academic module subtest, he or she must attend training specifically related to the academic module(s) associated with the failed subtest(s) at a MPOETC-certified police academy. Upon completion of the training, the candidate can apply to take the Certification Examination and will have two attempts to pass it. If the candidate fails both attempts, they will need to attend the full 919-hour Basic Curriculum course at one of the academies before attempting to take the examination again.<sup>222</sup>

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<sup>222</sup> *Ibid.*

## **IMPACT OF CURRENT MINIMUM STANDARDS ON RECRUITMENT, EDUCATION, AND TRAINING**

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Law and order are indispensable components of a civilized society. Law enforcement plays a major role in preserving these components. Establishing minimum standards for those who want to become police officers is critical for public safety and the safety of other police officers. These minimum standards necessarily ensure that police officers are physically capable, psychologically fit, and academically competent to handle the increasingly complex rigors of police work. This is especially true during frenetic police interactions with the public, that often receive scrutiny on a granular level.

Police officers are expected to perform a wide diversity of occupational tasks. These tasks can range from those of a sedentary nature with little physical activity to “...highly physically demanding and potentially life-threatening activities” where an officer’s physical prowess and skill under extreme pressure can make the difference between life or death.<sup>223</sup> While it has been estimated that 80 to 90 percent of a police officer’s workday is composed of low levels of physical activity, such as sitting, standing, and walking, an officer may have to shift to extreme physical and dangerous activity within seconds. If he or she is physically unfit to do so, preventable injuries could occur, and much worse, lives could be lost.

The stressful demands of this kind of environment may explain why cardiovascular risk factors like obesity, hypertension, and high cholesterol have a higher prevalence among police officers than the general public. In 2019, it was reported that sudden cardiac death accounted for up to 10 percent of on-duty police fatalities in the U.S. The same report noted that said deaths were “...much more likely to occur during more stressful duties, especially physical altercations and suspect pursuits.”<sup>224</sup> The occupational requirements of police officers also increase their risk of musculoskeletal injuries which can lead to increased absenteeism and physical injuries in police departments, both of which negatively impact the administration of justice.<sup>225</sup>

The physical fitness of incoming cadets entering the police academy has been viewed with great importance. In Pennsylvania, minimum entry standards for physical fitness must be met or applicants will not receive admission. For those who receive admission to the academy and become cadets, each is required to at least maintain the minimum standards for physical fitness all throughout the course to graduate.

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<sup>223</sup> *Supra*, n. 6.

<sup>224</sup> M. Korre, K. Loh, E. J. Eshleman, *et al.*, “Recruit Fitness and Police Academy Performance: A Prospective Validation Study,” *Occupational Medicine* (Lond.), (Dec. 31, 2019), 69(8-9); 541-548, DOI: 10.1093/occmed/kqz110.

<sup>225</sup> *Ibid*, *Supra*, n. 6.

As previously mentioned, all applicants to the academy must possess a high school diploma or GED equivalency. All applicants must score at a 9<sup>th</sup> grade reading level on the NDRT. Reading comprehension is an important skill for police officers. Since officers enforce the law and are tasked with protecting the constitutional rights of the individuals they encounter, officers must be able to read and understand statutory laws and constitutional provisions. In fact, the first module within MPOETC-certified police academies tests cadets heavily on law, which requires higher level reading comprehension skills. They frequently deal with evidence and often must draft detailed police reports. They also must engage with the public and effectively communicate in a variety of situations, some of which can be intense.

Officers must also be psychologically fit to engage the public, carry firearms, and responsibly use the authority necessary to enforce the law. Given the intensity of the high-stress situations they often must insert themselves into, it is important that officers have the proper temperament and level of restraint necessary to keep themselves and the public safe. Consequently, MPOETC requires that applicants be screened by way of a psychological evaluation, as has been discussed previously.

### *Academy Data*

Act 37 has specifically directed the Joint State Government Commission to analyze the impact of the minimum standards for physical fitness testing (PT), psychological evaluation, and education prerequisites to employment as a police officer may or may not have on the recruitment, education, and training of individuals looking to serve as police officers in Pennsylvania. To determine whether the minimum physical, psychological, and educational requirements have had an impact on these issues, Commission staff sought numerical data and anecdotal information from several sources, including MPOETC, and all the MPOETC-certified police academies, as well as the PSP academy located in Hershey.

To quantify the minimum standards' impact on recruitment, education, and training, Commission staff specifically sought pass/fail data for the minimum PT, psychological evaluation, and education prerequisites to obtain entry into an MPOETC-certified police academy. In addition, Commission staff attempted to acquire numerical data on the ability of admitted cadets to maintain the physical fitness and educational requirements once they gained access and trained in the academy. Information showing how many applicants and admitted cadets were unable to gain admission to or graduate from the academy, respectively could serve as an indicator as to whether the minimum standards had any impact.

However, extracting the data (especially numerical data) proved to be challenging. To start, the recordkeeping for such data varied significantly among the police academies. Some police academies did not collect any such data or could not find any such data available in their records. Other academies collect limited data related to enrollment numbers. Some academies only collect data on the minimum entry standards for PT pass/fail rates of applicants seeking admission to the academy. Commission staff were only able to obtain any information related to the entrance PT standards, psychological evaluation, and education prerequisites from nine of the academies. Some

academies indicated they have just started chronicling such data, while others indicated a desire to do so in the future. See below:

- 17 MPOETC-certified municipal police academies and the PSP academy at Hershey were contacted with questions.
- Nine academies responded.
- Two academies indicated they collect no numerical or anecdotal data on pass/fail rates of applicants to the academy and cadets within the academy. One of these two academies impaneled its first academy class under its present name in the Fall of 2022, and only had anecdotal information on pass/fail rates for these past two years.
- One academy indicated it just started compiling numerical or anecdotal data on pass/fail rates of applicants and cadets this year.

At the start of an academy cadet class, academy directors submit their initial class rosters to MPOETC on the MPO-223 form. This form contains the cadet's first and last name, their date of birth, and the last four digits of their social security number. The form also identifies whether the cadet is a hired, pre-service or partial waiver cadet. As mentioned previously, "hired" cadets are cadets who are conditionally employed by a police department and sponsored to attend an academy. Alternatively, "pre-service" cadets are cadets who have not been hired by a department and are financing the costs of the academy themselves. "Partial Waiver" cadets are typically prior or out-of-state or federal police who took the MPOETC Assessment examination but failed one or more modules in the academy. To be eligible to sit for the state certification examination, they must attend the portions (or modules) of the academy they were deficient in. According to MPOETC, there are approximately 570 cadets attending a part-time or full-time municipal police academy in Pennsylvania.<sup>226</sup>

After training is completed for the class, academy directors submit to MPOETC a Final Roster MPO-233 form. This includes the cadets' first and last name and their completion status. If the form notes the individual as a "Grad," this means the individual met all the requirements of the academy and are eligible to take the certification exam. The form may identify an individual as "Fail", "Dismissed", or "Withdrew." The current MPOETC manual does not clearly distinguish between what constitutes a failure versus a dismissal; however, "failure" generally refers to individuals who do not meet the physical, academic, firearms, or scenario standards. "Dismissal" is for those who were removed from the academy for rule violations that include but are not limited to safety, conduct, or integrity issues. Cadets who are dismissed may also be expelled from the academy and those expelled are not permitted to return to the academy. The MPOETC Procedural Manual for Certified Police Academies requires academy directors to notify MPOETC when a cadet is expelled for violations of academy rules.<sup>227</sup> There is no current requirement for the academy to notify MPOETC when a cadet fails the academy for academics, physical fitness, firearms, or scenarios unless the cadet's application is pending review and acceptance.<sup>228</sup> When a cadet is marked as "Withdrew," it means a cadet removed themselves from the academy on their

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<sup>226</sup> Email correspondence on July 31, 2024, from Michael Corricelli, Director of Training, MPOETC.

<sup>227</sup> MPOETC Procedural Manual for Certified Police Academies, R.5, 6, 7, (Revised Oct. 13, 2021).

<sup>228</sup> MPOETC Procedural Manual for Certified Police Academies, R.5, 2, 3, (Revised Oct. 13, 2021).

own accord and are eligible to return to the academy for a subsequent class. Individuals withdraw for a variety of reasons including injuries, family matters, or other hardships that prevent their continued participation in an academy. Some also withdraw if they decide they want to pursue a different career outside police work.<sup>229</sup>

MPOETC has gathered some cumulative statewide data over the past three years regarding cadets who did not graduate from the academy because they either failed out, were dismissed, or withdrew. See Table 13 below.

<b>Table 13</b>			
<b>MPOETC</b>			
<b>Statewide Cadet Failures, Dismissals, and Withdrawals</b>			
<b>2022-2024</b>			
<b>Year</b>	<b>Failures</b>	<b>Dismissals</b>	<b>Withdrawals</b>
2022	13	26	48
2023	14	23	33
2024*	8	13	19
<b>Total</b>	<b>35</b>	<b>62</b>	<b>100</b>

Source: Compiled by the Commission Staff from information provided by Michael Corricelli, Director of Training, MPOETC (August 19, 2024).

\*2024 is based on cadets who have completed the academy for calendar year 2024. There are approximately 570 cadets currently attending a part-time or full-time academy and are not included in the 2024 data provided in that row.

As shown in Table 13 above, of the 197 cadets who failed to graduate from the academies statewide over the past three years, only 35 (18 percent) were due to either academic or PT failures. Numerical and anecdotal data provided by responding academies below seems to indicate that most of these academy failures are related to cadets failing academically as opposed to failing to maintain PT requirements. Another 62 cadets (31 percent) failed to graduate because they were dismissed for other reasons related to policy violations or questions of conduct and integrity, while 100 cadets (51 percent) failed to graduate because they voluntarily withdrew from the academy.

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<sup>229</sup> Email correspondence dated August 6, 2024, from Director, Brett W. Whittenberger, Allegheny County Police Training Academy.



In addition, four academies provided demographic information of their 2024 cadets. Such demographic information included the race and gender of their cadets. See Tables 14 and 15.

<b>Table 14</b>			
<b>Cadets by Gender in Selected Academies</b>			
<b>Pennsylvania</b>			
<b>2024</b>			
<b>Academy</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
Allegheny County Police Training Academy	34	4	38
Mercyhurst University Municipal Police Training Academy	13	2	15
Philadelphia Police Academy	121	27	148
Temple Municipal Police Academy	13	4	17
<b>Total</b>	<b>181 (83%)</b>	<b>37 (17%)</b>	<b>218</b>

Source: Compiled by the Commission Staff from information provided by Email Correspondence dated August 1, 2024, from Jeff Nowak, Director of Temple Municipal Police Academy; Email Correspondence dated August 6, 2024, from Lt. Brett W. Whittenberger, Director, Allegheny County Police Training Academy; Email Correspondence dated July 18, 2024, from Bill Hale, Director of the Mercyhurst University Municipal Police Training Academy; Email Correspondence dated August 2, 2024 from Lt. John McGlynn, Philadelphia Police Department Recruit Training Division.

<b>Table 15</b>						
<b>Cadets by Race in Selected Academies</b>						
<b>Pennsylvania</b>						
<b>2024</b>						
<b>Academy</b>	<b>White</b>	<b>African American</b>	<b>Hispanic</b>	<b>Asian</b>	<b>Other</b>	<b>Total</b>
Allegheny County Police Training Academy	24	0	2	0	0	26
Mercyhurst University Municipal Police Training Academy	11	1	3	0	0	15
Philadelphia Police Academy	60	50	36	9	2	157
Temple University Municipal Police Academy	14	1	1	0	0	16
<b>Total</b>	<b>109 (51%)</b>	<b>52 (24%)</b>	<b>42 (20%)</b>	<b>9 (4%)</b>	<b>2 (0.9%)</b>	<b>214</b>

Source: Compiled by the Commission Staff from information provided by Email Correspondence dated August 1, 2024, from Jeff Nowak, Director of Temple Municipal Police Academy; Email Correspondence dated August 6, 2024 from Lt. Brett W. Whittenberger, Director, Allegheny County Police Training Academy; Email Correspondence dated July 18, 2024, from Bill Hale, Director of the Mercyhurst University Municipal Police Training Academy; Email Correspondence dated August 2, 2024 from Lt. John McGlynn, Philadelphia Police Department Recruit Training Division.

*Temple University Municipal Police Academy*

Temple University’s municipal police academy originated from the university’s intent to train its own campus safety personnel. A police training unit was established in 1968, tasked with the responsibility of developing a comprehensive 350-hour training program for Campus Safety Officers. These safety officers would later become the Temple University Campus Police. As the university’s academy developed, it began providing training services to other local law enforcement agencies. Between 1969 and 1980, the academy provided 80-hours of training to every academy class graduating from the Philadelphia Police Department. After MPOETC was statutorily established in the mid-1970s, Temple University became certified by the Commonwealth as an academy to administer their police training programs. Since that time, the academy has provided basic training to municipal, transit, housing, park, Capitol, and campus police officers. The academy currently holds academy training for two cadet classes per year.<sup>230</sup>

Numerical Data. Temple University Municipal Police Academy provided numerical data on pass/fail rates for the entry PT testing for applicants of the incoming cadet class of 2024-01. The academy did not provide numerical data on pass/fail rates for the NDRT, or the psychological evaluation for incoming applicants. The academy did provide graduation rates, complete with numerical data on total enrollment, dismissals, failures, and withdrawing cadets for both cadet classes in 2023 and the first cadet class in 2024.

<b>Table 16</b>				
<b>Temple Municipal Police Academy</b>				
<b>Physical Fitness (PT) Entry Testing Pass/Fail Data</b>				
<b>2024-01 Class</b>				
<b>Class</b>	<b>Tested</b>	<b>Passed</b>	<b>Failed</b>	<b>Pass Percentage</b>
2024-01	41	27	14	65%

Source: Compiled by the Commission staff from information provided by Jeff Nowak, Director of Temple University Municipal Police Academy (August 1, 2024).

For the incoming applicants for the class of 2024-01, there were no applicants deemed unfit or not recommended for police work under the psychological evaluation. No applicants who failed the PT entry examination took the NDRT.

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<sup>230</sup> Temple University, “Municipal Police Academy,” <https://noncredit.temple.edu/policeacademy>, last accessed on August 28, 2024.

The academy was able to provide numerical graduation data for the past three academy classes going back to the first class of 2023 (2023-01). Said data is illustrated in Table 17.

<p style="text-align: center;"><b>Table 17</b></p> <p style="text-align: center;"><b>Temple University Municipal Police Academy</b></p> <p style="text-align: center;"><b>Cadets Graduation Data</b></p> <p style="text-align: center;"><b>2023-2024</b></p>						
<b>Class</b>	<b>Enrollment</b>	<b>Graduated</b>	<b>Failures</b>	<b>Dismissals</b>	<b>Withdrawals</b>	<b>Graduation Rate</b>
2023-01	22	19	3	0	0	83%
2023-02	22	21	0	0	1	95
2024-01	26	25	1	0	0	96
<b>Total/Ave</b>	<b>70</b>	<b>65</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>93</b>

Source: Compiled by the Commission staff from information provided by Jeff Nowak, Director of Temple University Municipal Police Academy (August 1, 2024).

Overall, the academy had a 93 percent graduation rate for its last three classes going back to 2023. For class 2023-01, all three of the cadets who failed to graduate were failures to achieve the minimum academic requirements necessary for graduation. None of the failures were related to the minimum PT standards. For the class of 2023-02, one cadet was dismissed due to a physical injury. Said cadet recontinued training in the following class (2024-01). In the most recent class of 2024-01, one cadet failed to achieve the minimum academic requirements. No cadet failed to achieve the minimum PT standards necessary to graduate from the academy for classes 2023-01, 2023-02, or 2024-01.

Anecdotal Information. According to the Temple University Municipal Police Academy, candidates applying for admission typically meet the MPOETC educational prerequisites (a high school diploma) and more than 50 percent of students in recent class years have had some level of college education. Candidates usually score at the minimum 9<sup>th</sup> grade reading level or higher, as required for admission. However, the academy noted that applicants scoring closer to the 9<sup>th</sup> grade level often struggle academically, especially in the first module of training, which is academically taxing on cadets. It has been observed that applicants who have been away from an academic setting for longer periods of time tend to struggle more with the academy’s academic requirements. An example of this occurred in a cadet class in 2023, where three cadets failed to meet the minimum academic requirements. While all three of these cadets had successfully passed the NDRT as applicants, all three cadets had been away from an academic setting for more than ten years.

*Harrisburg Area Community College (HACC) Police Academy*

The HACC Police Academy provides a full-time police academy, certified by MPOETC. The police academy is offered twice a year, spanning over a 25-27-week period. The sessions are conducted from January until late June/early July, and then from July until December.<sup>231</sup>

Numerical Data. In response to the Commission’s request for numerical and anecdotal data regarding the minimum entry standards and standards to graduate, HACC indicated it does not currently compile such information.

Anecdotal Information. HACC did provide some anecdotal information as to the minimum standards and their apparent impact but expressed skepticism that it was the minimum standards that are the cause of police recruitment woes.

*Montgomery County Community College (MCCC) Municipal Police Academy*

The MCCC Municipal Police Academy has been providing basic and mandatory training for law enforcement professionals since 1973. Its programs are held at its campus in Blue Bell, about 20 minutes north of Philadelphia. The MPOETC-certified academy offers a full-time program where cadets learn social, legal, political, and ethical contexts under which police officers render services to the public. The academy runs two individual cadet classes each year.<sup>232</sup>

Numerical Data. MCCC provided Commission staff numerical information related to the impact of the minimum PT standards, psychological evaluation, and educational prerequisites. Specifically, the MCCC academy provided raw number data for the past four years on those who failed the entry PT, the psychological evaluation, and the NDRT. Commission staff were not provided with the total number of applicants for those applicant pools, excluding the incoming 2024-02 class. Said data is shown in Table 18.

<b>Table 18</b>			
<b>MCCC Municipal Police Academy</b>			
<b>Entry Testing Fail Data for PT Testing, Psychological Evaluation, Nelson-Denny Reading Testing</b>			
<b>2021-2024</b>			
<b>Class</b>	<b>PT</b>	<b>Psychological Evaluation</b>	<b>Nelson-Denny Reading Test</b>
2021-01	0	2	0
2021-02	6	6	0
2022-01	9	0	0
2022-02	6	2	0

<sup>231</sup> HACC, “Police Academy/Act 120,” Police Academy/Act 120 (hacc.edu), last accessed on August 28, 2024.

<sup>232</sup> Montgomery County Community College, “Municipal Police Academy,” Municipal Police Academy – Montgomery County Community College (mc3.edu), last accessed on August 28, 2024.

<b>Table 18</b>			
<b>MCCC Municipal Police Academy</b>			
<b>Entry Testing Fail Data for PT Testing, Psychological Evaluation, Nelson-Denny</b>			
<b>Reading Testing</b>			
<b>2021-2024</b>			
<b>Class</b>	<b>PT</b>	<b>Psychological Evaluation</b>	<b>Nelson-Denny Reading Test</b>
2023-01	6	2	0
2023-02	7	2	3
2024-01	2	8	0
2024-02	9	1	0
<b>Total</b>	<b>45</b>	<b>23</b>	<b>3</b>

Source: Compiled by the Commission staff from information provided by Georgette (Sissy) Hill, Director of MCCC Municipal Police Academy (August 13, 2024).

For the incoming 2024-02 class, MCCC had 43 total applicants, ten of which were individuals already hired by municipal police departments, pending their graduation from the academy and passing of their certification examination. Of the 43 applicants, 27 took both the NDRT and the physical fitness testing. No applicant failed the reading test, though 12 failed the PT testing. All applicants who failed were invited to retake the PT testing, but only three passed. Of the ten hired applicants, only four had to take the entry physical fitness testing, with all four passing. All ten hired applicants took the NDRT and passed. It is also important to note that some pre-service applicants are administered the MPOETC-approved PT testing (and pass) prior to applying to the academy. The academy will accept those passing results, and those applicants typically need not be tested again by the academy prior to admission. Said hired applicants are not included in this data.

As shown in the data above, few applicants fail the NDRT and there are a relatively small number of applicants who are deemed not recommended for police service under the psychological examination. However, it is worth noting that as is illustrated in Table 18 above, there are exceptions to this trend. These exceptions occurred in Class 2021-02 and Class 2024-01 where six and eight applicants failed the psychological evaluation, respectively. PT failures accounted for over half (63 percent) of the applicants who were ineligible for admission over the past four years. Applicants who failed the psychological evaluation accounted for 32 percent, while NDRT failures accounted for four percent over the past four years.

In addition, MCCC provided numerical graduation data for the past four years going back to the first academy class of 2021 (2021-01). Said data is illustrated in Table 19.

<p align="center"><b>Table 19</b>  <b>MCCC Municipal Police Academy</b>  <b>Cadets Graduation Data</b>  <b>2021-2024</b></p>						
<b>Class</b>	<b>Enrollment</b>	<b>Graduated</b>	<b>Failures</b>	<b>Dismissals</b>	<b>Withdrawals</b>	<b>Graduation Rate</b>
2021-01	22	21	0	1	0	95%
2021-02	25	23	1	0	1	92
2022-01	21	20	1	0	0	95
2022-02	24	24	0	0	0	100
2023-01	28	28	0	0	0	100
2023-02	18	18	0	0	0	100
2024-01	26	25	1	0	0	96
<b>Total/Ave</b>	<b>164</b>	<b>159</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>97</b>

Source: Compiled by the Commission staff from information provided by Georgette (Sissy) Hill, Director of MCCC Municipal Police Academy (August 13, 2024).

In Table 19 above, one cadet in the 2021-01 class was dismissed and expelled from the academy, which is why there were 21 graduates out of 22 enrolled cadets. The failing cadets in the 2021-02, 2022-01, and 2024-01 classes were unable to meet the academic requirements to graduate. As the table illustrates, no cadets failed to maintain the required minimum PT standards to graduate. The overall average of graduation rates for the past four years (last seven cadet classes) is 97 percent. The 2024-02 class was still in progress at the time this report was written, but only two students had withdrawn from an initial enrollment of 29 cadets. Twenty-seven were in progress to graduate.

The Commission also received the hire rates for all cadet classes from the past four years. They are illustrated in Table 20.

<p align="center"><b>Table 20</b>  <b>MCCC Municipal Police Academy</b>  <b>Cadet Hire Data</b>  <b>2021-2024</b></p>			
<b>Class</b>	<b>Graduates</b>	<b>Hired</b>	<b>Hire Rate</b>
2021-01	21	19	90%
2021-02	23	17	73
2022-01	20	20	100
2022-02	24	23	96

<b>Table 20</b>			
<b>MCCC Municipal Police Academy</b>			
<b>Cadet Hire Data</b>			
<b>2021-2024</b>			
<b>Class</b>	<b>Graduates</b>	<b>Hired</b>	<b>Hire Rate</b>
2023-01	28	26	93
2023-02	18	18	100%
2024-01	25	24	96
<b>Total/Ave</b>	<b>159</b>	<b>147</b>	<b>92</b>

Source: Compiled by the Commission staff from information provided by Georgette (Sissy) Hill, Director of MCCC Municipal Police Academy (August 13, 2024).

Anecdotal Information. MCCC has a high hire rate (92 percent as noted above) for those cadets who gain admission into the academy over the past 4 years (last seven classes). By and large, the few cadets who fail to graduate from the academy are voluntary withdrawals for various reasons (career change, injury) or failure to meet academic requirements. It is uncommon for applicants to obtain admission into the academy and fail to maintain the minimum physical fitness requirements to graduate.

*Commonwealth University - Mansfield Municipal Police Academy*

The Commonwealth University – Mansfield Municipal Police Academy (Mansfield) is a MPOETC-certified police academy established in 1977. Mansfield offers a 26-week police academy course beginning in late May of each year. According to Mansfield, the academy currently has a 95 percent job placement rate upon completion of its program, along with its graduates consistently ranking among the top in Pennsylvania police academies for GPA and state certification examination scores.<sup>233</sup>

Numerical Data. Mansfield was able to provide numerical data for PT entry test pass/fail results for 2020 to 2024. The academy did not have numerical data on failures on the psychological evaluation or reading examination. It is worth noting that Mansfield offers PT entry testing four to five times a year; however, Mansfield only runs one cadet class per year, differing from several other academies that run two cadet classes per year. This report consolidates those four testing periods cumulatively by year. Said numerical data is shown in Table 21.

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<sup>233</sup> Commonwealth University of Pennsylvania, “Mansfield Police Academy Recruiting 2024 Class,” (Dec. 21, 2023), <https://www.commonwealthu.edu/news/mansfield-police-academy-recruiting-2024-class>, last accessed on August 28, 2024.

**Table 21**  
**Commonwealth University - Mansfield Municipal Police Academy**  
**Physical Fitness (PT) Entry Testing Pass/Fail Data**  
**2020-2024**

<b>Year</b>	<b>Tested</b>	<b>Passed</b>	<b>Failed</b>	<b>Pass Percentage</b>
2020	41	22	19	53%
2021	34	11	23	32
2022	27	13	14	48
2023	57	19	38	33
2024	42	14	28	33
<b>Total/Ave</b>	<b>201</b>	<b>79</b>	<b>122</b>	<b>65</b>

Source: Compiled by the Commission staff from information provided by Christopher Wheeler, Director of Commonwealth University – Mansfield Municipal Police Academy (August 1, 2024).

Commission staff received information that during one of the four years shown above in Table 21, one candidate was found to be psychologically unfit, though there were no records provided as to the year this failure occurred. During this same period, two candidates failed the NDRT, but both passed it on a second attempt. Notably, one of those candidates was admitted to the academy but subsequently dismissed for poor academic performance. The academy did not have records indicating which particular year these instances occurred.

Anecdotal Information. Mansfield provided anecdotal information regarding the impact of the minimum standards for entry into its academy. Over the past two years, the academy has observed about a 66 percent or higher failure rate for the for the PT requirements for entry into the academy. Out of all the applicants over the past two years, it is believed that only one was unfit psychologically and two did not pass the first attempt at the NDRT. Both individuals did pass the test on their second attempt. One of those individuals was academically dismissed from the academy for poor test performance. The other elected not to continue to graduation.<sup>234</sup>

*Allegheny County Police Training Academy*

The Allegheny County Police Training Academy has been in operation for over 50 years. It was established in 1971 and held its first police training class in January of 1972. The academy operates two cadet classes per year, with a stated mission “[t]o provide the most up to date and diversified, quality instruction for recruit and veteran police officers.”<sup>235</sup>

<sup>234</sup> Email correspondence dated May 2, 2024, from Christopher Wheeler, Director of Mansfield Municipal Police Academy.

<sup>235</sup> Email correspondence dated August 6, 2024, from Lt. Brett W. Whittenberger, Director of the Allegheny County Police Training Academy; Allegheny County, Police Training Academy, “Mission and Goals,” <https://www.alleghenycounty.us/Government/Police-and-Emergency-Services/Police-Academy/Mission-and-Goals>, last accessed on August 29, 2024.



Numerical Data. In response to Commission staff’s request for information, Allegheny County Police Training Academy was able to provide some numerical data. Specifically, the academy was able to provide numerical pass/fail data for the PT entry tests for its most recent 2024 class (2024-2). Said data is shown in Table 22. The academy is intending to compile this data for every cadet class going forward. In addition, the academy provided demographic information on cadets for this same class.

<b>Table 22</b>				
<b>Allegheny County Police Training Academy Physical Fitness (PT) Entry Testing Pass/Fail Data 2024-01 Class</b>				
<b>Class</b>	<b>Tested</b>	<b>Passed</b>	<b>Failed</b>	<b>Pass Percentage</b>
2024-2	37	26	11	65%

Source: Compiled by the Commission staff based on Date provided by Lt. Brett W. Whittenberger, Director, Allegheny County Police Training Academy (July 22, 2024).

According to the academy, there were 43 total applications for admission received. The academy invited all 43 applicants to the PT test; however, 37 applicants showed up for testing.<sup>236</sup> The academy was also able to provide graduation data, complete with number of graduates, dismissals, withdrawals, failures, and expulsions. See Table 23.

<b>Table 23</b>						
<b>Allegheny County Police Training Academy Cadets Graduation Data 2019-2024</b>						
<b>Class</b>	<b>Enrollment</b>	<b>Graduated</b>	<b>Failures</b>	<b>Dismissals</b>	<b>Withdrawals</b>	<b>Graduation Rate</b>
2019-1	33	30	0	1	2	91%
2019-2	21	18	0	0	3	86
2020-1	24	20	0	1	3	83
2020-2	12	11	0	0	1	92
2021-1	27	22	0	1	4	81
2021-2	33	26	0	3	3	79
2022-1	20	19	0	0	1	95
2022-2	37	35	0	0	1	95

<sup>236</sup> Compiled by the Commission based on Date provided by Lt. Brett W. Whittenberger, Director, Allegheny County Police Training Academy (July 22, 2024).

**Table 23**  
**Allegheny County Police Training Academy**  
**Cadets Graduation Data**  
**2019-2024**

<b>Class</b>	<b>Enrollment</b>	<b>Graduated</b>	<b>Failures</b>	<b>Dismissals</b>	<b>Withdrawals</b>	<b>Graduation Rate</b>
2023-1	24	22	0	0	2	92
2023-2	29	26	0	1	2	90
2024-1	30	25	2	0	3	83
<b>Total/Ave</b>	<b>290</b>	<b>254</b>	<b>2</b>	<b>7</b>	<b>25</b>	<b>88</b>

Source: Compiled by the Commission staff based on Date provided by Lt. Brett W. Whittenberger, Director, Allegheny County Police Training Academy (August 6, 2024).

Seven dismissals, two of which led to expulsions, occurred in the past five years. The dismissals which led to expulsions occurred in the 2021-1 and 2022-2 classes. According to the academy, only two cadets failed academically over the past five years. Both took place in class 2024-1, and both were failures to maintain the minimum academic requirements while in the academy. No cadets failed to maintain the PT requirements throughout the academy in all those classes. The overall average graduation rate for all classes from 2019 to 2024 is 88 percent.

Anecdotal Information. The minimum PT standards required to gain admission into the academy are typically an obstacle for individuals who fail to enter the academy. Conversely, for admitted cadets training in the academy, most failures to graduate are due to poor academic performance. Recently, the Allegheny County Police Training Academy has seen a marked increase in enrollment numbers and interest for the current cadet class. Moreover, there appears to be an increased interest in the upcoming class, set to begin January 2025.

*Mercyhurst University Municipal Police Training Academy*

The Mercyhurst University Police Training Academy was established in 1977 and has been continuously running police training classes since its inception. The academy is fully certified by MPOETC and offers a full-time, 940-plus hour intensive course in compliance with MPOETC minimum training requirements for entry-level law enforcement officers.<sup>237</sup>

Numerical Data. The academy was able to provide enrollment data, complete with cadet demographic information for twenty-four years; however, the academy did not provide any pass/fail data related to entry physical fitness requirements, psychological evaluations, and education prerequisites, and typically does not retain such data.

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<sup>237</sup> Email correspondence dated July 18, 2024, from Bill Hale, Director of the Mercyhurst University Municipal Police Training Academy.

Anecdotal Information. Anecdotally, Commission staff learned from the academy that applicants typically fail the PT testing; specifically, the sit-up requirement and the 1.5 mile-run. As for graduation rates, the academy did not provide formal rates but estimated that the graduation rate for admitted cadets over the past five years was between 75 and 80 percent.<sup>238</sup>

#### *Penn Highlands Police Academy*

The Penn Highlands Police Academy was formerly known as the Greater Johnson Career and Technical Center. In December of 2021, it was officially approved by MPOETC to transfer in name and location. Much of 2022 was dedicated to naming a new director, moving equipment, hiring staff, and reorganizing the entire academy. The first cadet class for Penn Highlands was impaneled in September 2022. According to Penn Highlands, they are the only fully part-time police academy in Pennsylvania and as such, they only impanel one police academy class per year. At the time of its response to this inquiry, the academy was a little more than halfway through its second academy class. As a result, much of the information the academy provided to Commission staff is anecdotal in nature and based on observations and limited records since the academy began its first class. The academy is now starting to compile numerical records on pass/fail rates for the entrance standards and for admitted cadet graduation rates.<sup>239</sup>

Numerical Data. Penn Highlands did not have any official records regarding success and failure rates for police academy applicants with respect to physical fitness, psychological evaluations, and the NDRT.

Anecdotal Information. According to the academy, approximately 30 to 40 percent of all the academy's potential and actual applicants lose interest and withdrawal after learning of the minimum PT standards for admission or actual applicants fail the test.<sup>240</sup>

With respect to the educational requirement of a 9<sup>th</sup> grade reading level on the NDRT, three of 14 applicants failed the test during the admission process of the academy's second class. Each applicant was retested, passed, and eventually enrolled into the academy class. Two of the three cadets currently remain enrolled and are progressing toward graduation from the academy.<sup>241</sup>

#### *Westmoreland County Community College Municipal Police Academy*

The Westmoreland County Community College Municipal Police Academy was established in 1979 and has operated continuously for 45 years. The academy is located in southwestern Pennsylvania in Westmoreland County. According to its website, Westmoreland is the lowest priced academy in the state. The academy offers a summer, full-time academy, which

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<sup>238</sup> *Ibid.*

<sup>239</sup> Email correspondence dated March 7, 2024, from Dennis Miller, Director of the Penn Highland Police Academy.

<sup>240</sup> *Ibid.*

<sup>241</sup> *Ibid.*

typically involves 40 hours per week of classes. The academy also runs a part-time academy program which is between 20-24 hours of class per week.<sup>242</sup>

Numerical Data. The academy provided numerical data related to academy enrollment and demographic information. In addition, the academy provided numerical data for academy applicant pass/fail rates for entrance testing for all incoming classes from 2019 to 2023. See Table 24.

<b>Table 24</b>					
<b>Westmoreland County Community College Municipal Police Academy Entry Testing Pass/Fail Data for PT Testing, Psychological Evaluation, Nelson-Denny Reading Testing 2019-2023</b>					
<b>Class</b>	<b>Tested</b>	<b>PT Failures</b>	<b>Psychological Evaluation Failures</b>	<b>Nelson-Denny Reading Test Failures</b>	<b>Pass Percentage</b>
2019 Class 50	20	3	0	0	85%
2019 Class 51	14	3	0	0	79
2020 Class 52	20	4	0	1	75
2020 Class 53	34	5	0	0	85
2020 Class 54	19	5	0	0	74
2021 Class 55	28	7	1	0	71
2021 Class 56	27	7	0	0	74
2022 Class 57	25	6	0	0	76
2022 Class 58	27	7	0	0	74
2023 Class 59	21	4	0	0	81
2023 Cass 60	33	7	0	0	79
<b>Total/Ave</b>	<b>268</b>	<b>58</b>	<b>1</b>	<b>1</b>	<b>76</b>

Source: Compiled by the Commission staff from information provided by Franklin R. Newill III, Director, Westmoreland County Community College Municipal Police Academy (August 19, 2024).

As shown in Table 24, academy applicants between 2019 and 2023 had an average pass rate for the minimum entry standards of 76 percent. The minimum standard failed by applicants the most during these years was the PT testing, which accounted for 97 percent of the failures.

<sup>242</sup> Westmoreland County Community College, “Training for Today’s Law Enforcement Officers,” <https://westmoreland.edu/about/locations/public-safety-training-center/municipal-police-academy.html>, last accessed on August 19, 2024.

The academy also provided numerical graduation data for cadet classes administered between 2019 and 2023. See Table 25.

<p style="text-align: center;"><b>Table 25</b>  <b>Westmoreland County Community College Municipal Police Academy</b>  <b>Cadets Graduation Data</b>  <b>2019-2023</b></p>						
<b>Class</b>	<b>Enrollment</b>	<b>Graduated</b>	<b>Failures</b>	<b>Dismissals</b>	<b>Withdrawals</b>	<b>Graduation Rate</b>
2019 Class 50	13	12	0	1	0	92
2019 Class 51	8	7	1	0	0	88
2020 Class 52	13	10	2	1	0	77
2020 Class 53	24	22	1	1	0	92
2020 Class 54	18	15	3	0	0	83
2021 Class 55	16	13	2	1	0	81
2021 Class 56	13	12	1	0	0	92
2022 Class 57	10	9	1	0	0	90
2022 Class 58	14	12	2	0	0	86
2023 Class 59	13	13	0	0	0	100
2023 Class 60	18	14	4	0	0	78
<b>Total/Ave</b>	<b>160</b>	<b>139</b>	<b>17</b>	<b>3</b>	<b>0</b>	<b>87</b>

Source: Compiled by the Commission staff based on Data provided by Franklin R. Newell III, Director, Westmoreland County Community College Municipal Police Academy (August 6, 2024).

Table 25 shows that cadets between 2019 and 2023 had an average graduation rate of 87 percent. There were only 17 cadets through 11 academy classes spanning five years who were unable to meet the minimum requirements necessary to graduate. Westmoreland differed from most other responding academies in having reported zero withdrawals over this same period.

Anecdotal Information. According to the academy (and like most other responding academies reported), very few, if any cadets fail to maintain the PT standards necessary to graduate. All the cadet failures reported by the academy were academic. One cadet failed to maintain the psychological evaluation requirements while attending the academy and was dismissed.<sup>243</sup>

### *Philadelphia Police Academy*

To be comprehensive, Commission staff also sought numerical and anecdotal information from the Philadelphia Police Academy, though it operates under new PT admissions standards. The academy has been training police officers for just shy of a century, originally established in 1926. As mentioned at the beginning of this report, Act 37 lowered the entry PT requirements from requiring achievement at the 30<sup>th</sup> percentile under the Cooper Standard down to the 15<sup>th</sup> percentile for applicants seeking admission to police academies operating within the City of Philadelphia. This new standard became effective in 2024, and the academy started testing its applicants using the newly adopted 15<sup>th</sup> percentile standard. Once an applicant achieves at least the 15<sup>th</sup> percentile (and passes a psychological evaluation and passes the NDRT), the applicant is typically admitted as a recruit to the academy. Once in the academy, MPOETC enabled the PT requirements to incrementally increase by module intervals. For example, after first module testing, cadets must score in the 20<sup>th</sup> percentile for PT testing, recruits then must score in the 25<sup>th</sup> percentile following the second module testing. This requirement increases up to the 30<sup>th</sup> percentile requirement for graduation. For those recruits who fail out, the academy works to help them find employment in some other capacity with the City of Philadelphia. The overall applicant passage rate under the former 30<sup>th</sup> percentile standard was around 34 to 36 percent, based on the three recruit classes prior to the revised standard. Currently, the applicant passage rate under the new 15<sup>th</sup> percentile standard is 48 percent, which represents a 12-14 percent increase in applicants passing the PT entry standards. To date, Philadelphia has sponsored two opportunities for candidates to test at the 15<sup>th</sup> percentile standard, with the first test being held in February 2024.<sup>244</sup>

Numerical Data. The academy provided numerical data on pass and fail rates for individuals seeking admission, as well as data on the graduation rate of recruits (the academy typically refers to cadets as “recruits”) over the last several years. It is important to note that all PT entry testing shown below for 2021 to 2023 was under the previous 30<sup>th</sup> percentile standard, before Act 37 relaxed the standard for Philadelphia academies to the 15<sup>th</sup> percentile. See Table 26.

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<sup>243</sup> Phone call on August 6, 2024, with Franklin R. Newell III, Director, Westmoreland County Community College Police Academy.

<sup>244</sup> Email correspondence dated August 2, 2024, from Lt. John McGlynn, Philadelphia Police Department Recruit Training Division.

<b>Table 26</b> <b>Philadelphia Police Academy</b> <b>Entry Testing Pass/Fail Data for PT Testing, Psychological Evaluation,</b> <b>Nelson-Denny Reading Testing</b> <b>2021-2023</b>					
<b>Class</b>	<b>Tested</b>	<b>PT Failures</b>	<b>Psychological Evaluation Failures</b>	<b>Nelson-Denny Reading Test Failures</b>	<b>Pass Percentage</b>
2021 - A	885	171	-	255	51%
2021 - B	804	225	-	197	48
2021 - C	483	149	-	196	29
2021 - D	324	79	-	149	30
2022 - A	304	74	-	100	43
2022 - B	470	133	-	170	36
2023 - A	266	95	-	120	19
2023 - B	367	109	-	97	44
2023 - C	679	164	-	206	46
<b>Total</b>	<b>4,552</b>	<b>1,199</b>	<b>-</b>	<b>1,490</b>	<b>41</b>

Source: Compiled by the Commission staff from information provided by Lieutenant John McGlynn, Recruit Training Unit, Philadelphia Police Academy (September 13, 2024).

For the years shown above in Table 26, NDRT failures accounted for 33 percent of the applicant failures from 2021 to 2023, while PT failures accounted for 26 percent of applicant failures. This data excludes psychological evaluation failures.

<b>Table 27</b> <b>Philadelphia Police Academy</b> <b>Recruit Graduation Data</b> <b>2019-2023</b>			
<b>Class</b>	<b>Enrollment</b>	<b>Graduated</b>	<b>Graduation Rate</b>
2019 Class 391	46	42	91%
2019 Class 392	57	54	95

<b>Table 27</b> <b>Philadelphia Police Academy</b> <b>Recruit Graduation Data</b> <b>2019-2023</b>			
<b>Class</b>	<b>Enrollment</b>	<b>Graduated</b>	<b>Graduation Rate</b>
2020 Class 393	21	17	81%
2020 Class 394	48	47	98
2021 Class 395	49	41	84
2021 Class 396	82	72	88
2022 Class 397	49	38	78
2022 Class 398	38	31	82
2022 Class 399	32	29	91
2023 Class 400	33	31	94
2023 Class 401	54	48	89
2023 Class 402	83	75	90
<b>Total</b>	<b>592</b>	<b>525</b>	<b>89</b>

Source: Compiled by the Commission staff based on Data provided by Lieutenant John McGlynn, Recruit Training Unit, Philadelphia Police Academy (August 5, 2024).

For the graduation rates listed above in Table 27, the academy reported that failure of recruits to maintain the required PT assessment standards over the past five years has only accounted for two total recruits. These recruits failed the assessment given at the end of a module and upon following the guidelines set forth by MPOETC they were given a second opportunity to meet the 30<sup>th</sup> percentile threshold on their return with another recruit class. The recruits failed to pass the second assessment and were rejected during probation.

In addition, there were four recruits who failed the Physical Training Assessment at the end of a module who have been able to pass on a second attempt and were placed in another class to continue their training. One of those recruits has since graduated and the other three remain in classes completing their training at the academy.



## *Findings*

Based on the numerical and anecdotal data shown above, some key points are worth noting. For the minimum entry standards (PT testing, psychological evaluation, and Nelson-Denny Reading Test), PT failures accounted for the largest percentage of entry standard failures in every surveyed academy, except for the Philadelphia Police Academy. Anecdotal information varied on how common it is for applicants who fail the PT standards to marginally come up short of the standard needed to pass. One academy claimed those who fail the PT entry standards are typically not close, while a plurality of academies claimed it is common. Psychological evaluation failures typically account for a small percentage of entry standard failures, as was typically the case for the NDRT failures (among respondent academies, these accounted for less than 10 percent of failures), except for the Philadelphia Police Academy, where reading comprehension failures accounted for 55 percent of entry failures from 2021 to 2023. Applicants who pass but score closer to the 9<sup>th</sup> grade reading level struggle academically more frequently, especially in the first module of training. In addition, applicants who have spent longer periods of time removed from academia (second career applicants 5-10+ years removed from school) tend to struggle more with the NDRT.

Regarding minimum graduation standards, practically no admitted cadets fail to maintain the PT standards necessary to graduate. This is anticipated by the academies because the cadets are expected to graduate from the academy with the same PT standards they were required to meet to obtain admission. Alternatively, almost all the cadets who fail out, do so because of failure to meet academic standards necessary to graduate. As is the case with the minimum entry standards, cadets who have spent longer periods of time removed from academia (second career applicants 5-10+ years removed from school) tend to struggle more with the academies' academic requirements. In some academies, withdrawals are more prevalent than failures. Overall, the academies that responded to the questionnaire have high graduation rates (over 85 percent).

Overall, nine municipal police academies, including the Philadelphia Police Academy and MPOETC spoke with Commission staff and responded to a questionnaire it disseminated. Each provided insight on the impact of the minimum standards based on their observations.

Nine academy directors opined that the minimum entry and graduation standards have little to no impact on the recruitment, education, and training of individuals desiring to become police officers. Rather, several directors agreed that recruitment woes are more likely caused by a collection of issues such as the growing hostile climate that officers must work in every day as well as a lack of support within many communities. Police work is challenging on several levels and for interest in police work to grow, there needs to be support from community leaders and citizens, alike.<sup>245</sup> The conclusion that the current minimum entry standards may have an impact on police recruitment received skepticism by some directors because applicants typically do not view the standards as daunting, at least not until they arrive for the PT test. However, most applicants meet the standards and view them as very attainable.<sup>246</sup> In addition, applicants and incoming cadets are typically aware of the minimum physical fitness expectations of the academy,

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<sup>245</sup> Discussion from call held *via* Zoom with Kristal Turner-Childs, Director of HACC Police Academy on April 15, 2024.

<sup>246</sup> *Ibid.*

as well as the reading comprehension requirements, all of which are widely published.<sup>247</sup> MPOETC has advised certified police academies to employ the Pennsylvania State Police approach of constant applicant engagement to ensure applicants are aware of expectations for admission. For example, motivational workout clips are sent to applicants to keep them engaged and help applicants and cadets meet physical benchmarks. MPOETC has expressed a commitment to collaborate with academy staff to ensure applicants have a pathway to gain admission to and graduate from an academy. Motivation also plays a key factor in meeting and exceeding the standards. An applicant's pathway to success is highly associated with the individual's motivation and efforts. Those who are properly motivated to forge a career in law enforcement are unimpacted by the minimum standards.<sup>248</sup>

As for the standards' impact on the education and training of police officers, most of the respondents struggled to effectively answer this question, while several simply omitted discussing it with any detail. One reason for this could be the fact that failure of the entry standards typically means that those applicants never experience the education and training of the academy. The natural consequence of this is that the cadet class ends up slightly smaller in size, in the absence of those unadmitted applicants. The question of whether a slightly smaller class size has a negative or a positive impact on a cadet's education or training is hard to determine.

One academy director indicated that the standards do have an impact but noted that the "...impact is not inherently negative."<sup>249</sup> The director cited the importance of the minimum standards for performance, competence, and credibility for police officers and opined that the public should expect all three of these components at a high level for police officers.<sup>250</sup>

When asked if it would be beneficial to the recruitment, education, and training of police officers to lower the minimum standards (entry or graduation) as has been done for academies operating in Philadelphia, there was division. Three academy directors and an official at MPOETC responded that real consideration should be given to lowering the minimum standards, while five academy directors disagreed. Just about all the academy directors supporting a decrease in the minimum standards supported a modest decrease. For example, some suggested decreasing the minimum entry PT standards from the 30<sup>th</sup> percentile to the 25<sup>th</sup> or 20<sup>th</sup> percentile. One director suggested a decrease to the 15<sup>th</sup> percentile. All respondents from this camp agreed that the minimum psychological and reading comprehension standards should not be lowered. They also agreed that the minimum standards for graduation should remain unchanged.

Those directors and MPOETC officials who supported the consideration of a modest lowering of the entry PT standard highlight that many applicants just barely fail to meet the minimum standard. For example, many applicants fail the sit-up or push-up benchmarks by just a few repetitions or are off on the 1.5 mile run by a correctible margin. These directors argue that

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<sup>247</sup> Email correspondence on April 17, 2024, from Jeff Nowak, Director of Temple University Municipal Police Academy.

<sup>248</sup> *Supra*, n. 127.

<sup>249</sup> Email correspondence dated August 6, 2024, from Lt. Brett W. Whittenberger, Director of the Allegheny County Police Training Academy; Allegheny County, Police Training Academy, "Mission and Goals," <https://www.alleghenycounty.us/Government/Police-and-Emergency-Services/Police-Academy/Mission-and-Goals>, last accessed on August 29, 2024.

<sup>250</sup> *Ibid.*

academy training instructors can help push motivated applicants who just narrowly fail the PT testing to meet or exceed them as a cadet in training. Consequently, if the entry standards were relaxed a bit more to allow for this, the academies could see more graduating cadets.

Those academy directors opposed to any lowering of the entry or graduation standards stressed the importance of physical fitness requirements for law enforcement, specifically noting that strength and endurance could very well be the difference between surviving an encounter and career ending injury to the officer or someone he or she is endeavoring to protect. Fitness has a plethora of benefits to police officers. For example, physical fitness helps relieve stress, assists in countering sleep deprivation associated with shift work, counters poor diet habits often associated with police work, and alleviates the effects of hypervigilance. One director stated that decreasing the current minimum entry PT standards any further would be detrimental to police officer candidates.<sup>251</sup>

Others noted that the minimum standards themselves are very attainable. In fact, some believe the current physical fitness (Cooper Standard) set at the 30<sup>th</sup> percentile is a mediocre standard for entrance into the academy. A few noted that lowering the standards would continue down a slippery slope. Moreover, requiring cadets to be able to read at the 9<sup>th</sup> grade reading level should be attainable for those the academy decides to admit for training to police Pennsylvania's communities. In another director's opinion, given the highly critical environment police must work in, lowering any of the minimum standards would set new and existing police officers up for failure.<sup>252</sup> There was also general concern that lowering the entry standards could lead to a lack of training preparedness necessary for an applicant to successfully meet the minimum standards necessary to complete cadet training and graduate the academy. It was acknowledged that class sizes would increase, but concern was drawn to the time and resources that would be wasted when many of these applicants are unable to graduate. Simply put, increasing class size would unlikely lead to more graduates qualified to become police officers.

While recruiting numbers have dwindled over the past few years, there is concern that even if the number of officers pushed through the academies increases, the profession will become flooded with subpar candidates that not only put themselves in danger but set themselves up for lawsuits. One director opined that it would be better to increase the standards, instead of lowering them. Cadets need to be held to higher standards because they hold an incredible power and duty once they become police officers. Their duty to protect and serve the residents of Pennsylvania is constantly under a microscope. To ensure that their cadets move on to become police officers of the highest quality, who do good work to protect the lives of Pennsylvanians and ensure their constitutional rights, the director believes academies must "...train [their] cadets properly with the highest standards."<sup>253</sup>

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<sup>251</sup> Email correspondence on April 17, 2024, from Jeff Nowak, Director of Temple University Municipal Police Academy.

<sup>252</sup> Discussion held *via* Zoom with Georgette (Sissy) Hill, Director of the Montgomery County Community College Municipal Police Academy on April 30, 2024; Letter Correspondence from Hill dated April 17, 2024.

<sup>253</sup> *Ibid.*



## **EXTERNAL FACTORS AFFECTING RECRUITMENT, TRAINING, AND EDUCATION**

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The challenge law enforcement agencies are facing in recruiting, educating, and training sworn police officers cannot be traced to one singular cause. Instead, the shortages of officers across the country are related to several issues occurring simultaneously, and many of them are external factors outside the police academy. There are social, political, economic, and generational factors at play that are directly impacting the ability of agencies to adequately recruit and retain highly qualified police officers and other law enforcement agents. Crafting viable solutions to the problem has become particularly challenging since these factors are "...both systemic in nature and reflect individual-level considerations."<sup>254</sup> Many of these factors also tend to overlap.

### *Generational Factors*

Some law enforcement practitioners examining the challenges in police recruiting and retention have drawn attention to generational factors. New entrants into the workforce are largely made up of individuals associated with the age categories known as Millennials and Generation Z. The Pew Research Center specifically identifies a Millennial as anyone born between 1981 and 1996 (ages 28 to 43 as of 2024).<sup>255</sup> Generation Z includes any individual born from 1997 onward.<sup>256</sup> The term "Baby Boomer" is used to describe the generation of individuals born from 1946 to 1964. This generation is the largest generational group in the U.S. and makes up a substantial portion of the world's population.<sup>257</sup> Generation X is the generation between Baby Boomers and Millennials, which includes individuals born between the years of 1965 and 1979.

The values of Millennials and Generation Z have shifted from those values held by prior generations. For instance, individuals in these two generations "...are more apt to value work-life balance than their Baby Boomer counterparts. This translates into young people hoping for more flexible hours and guaranteed time off."<sup>258</sup> Common consequences of police work such as "[m]andated overtime and missing holidays with family are less appealing to Millennials and members of Generation Z."<sup>259</sup>

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<sup>254</sup> *Supra*, n. 11.

<sup>255</sup> Michael Dimock, "Defining Generations: Where Millennials End and Generation Z Begins," *Pew Research Center*, <https://www.pewresearch.org/short-reads/2019/01/17/where-millennials-end-and-generation-z-begins/>, last accessed on April 26, 2024.

<sup>256</sup> *Ibid.*

<sup>257</sup> Investopedia, "Baby Boomer: Definition, Age Range, Characteristics, and Impact," (Updated on February 29, 2024), [https://www.investopedia.com/terms/b/baby\\_boomer.asp](https://www.investopedia.com/terms/b/baby_boomer.asp), last accessed on April 26, 2024.

<sup>258</sup> *Supra*, n. 6 at p. 4.

<sup>259</sup> *Ibid.*

Reports have also recognized that “...shifts in U.S. culture, such as student loan debt, childcare challenges for complex schedules, and the need for double incomes make police work a stressful occupation for families today.”<sup>260</sup> Another generational shift includes increasing numbers of younger people leaving a job after a few years and moving from job to job, sometimes career to career to find upward mobility. This differs from past generations that typically got hired at a job, stayed for much of their life, and ultimately retired from that job.<sup>261</sup>

There also appears to be a generational difference in health and physical fitness. Younger generations, who grew up with video game technology and smart phones tend to be less physically fit in larger numbers than generations before them, making the minimum physical fitness standards more challenging for younger applicants. Growing up in a digital age has also led to a noticeable skills gap in younger generations when it comes to engaging in face-to-face communication. Many young adults spend an abundance of time communicating in text *via* smartphone and social media, which has left some applicants lacking in the basic communication skills needed to deal with the public in face-to-face, and sometimes contentious and physical confrontations. The inability to marshal proper communication skills can become a recipe for disaster for new police officers and can lead to quick career path changes.<sup>262</sup>

### *Social Factors*

In May of 2020, an African American named George Floyd was killed by a Minnesota city police officer, setting off large-scale protests around the country along with calls for police reform. Some protests even descended into riots. The officer responsible was convicted of second-degree unintentional murder, third-degree murder, and second-degree manslaughter. Many viewed the incident as an indictment not just on the officer involved, but law enforcement as an institution. The calls for police reform were sometimes accompanied by demands to defund and even abolish police. Consequently, some police departments saw declines in their funding and their favorability.

Some advocated for a reversal of the protection police officers have had from liability under doctrines such as qualified immunity. Qualified immunity is a type of legal immunity that protects government officials from civil lawsuits. The legal doctrine has been litigated frequently before the U.S. Supreme Court.<sup>263</sup> Concerned opponents of the notion have argued that stripping law enforcement of such protections could thrust them into one tenuous legal quagmire after another during the good faith performance of their duties in both dangerous and split-second situations. The death of George Floyd was one of several police-involved incidents that contributed to a negative image of policing.<sup>264</sup>

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<sup>260</sup> *Ibid.*

<sup>261</sup> *Ibid.*

<sup>262</sup> Phone call with Lt. John McGlynn, Recruit Training Unit, Philadelphia Police Academy on September 3, 2024.

<sup>263</sup> Legal Information Institute, “Qualified Immunity,” [https://www.law.cornell.edu/wex/qualified\\_immunity](https://www.law.cornell.edu/wex/qualified_immunity), last accessed on June 25, 2024.

<sup>264</sup> *Supra*, n. 9.

Law enforcement agencies have raised concern about their ability to recruit and retain officers, post-Floyd. Many law enforcement agencies and departments believe the event has had a negative impact on their ability to bolster their sworn officer headcounts.<sup>265</sup> Specifically, it is believed that the negative public perception (through increased scrutiny), an uptick in cellphone recordings of interactions with police, and media coverage of officer-involved shootings, as well as an increase in the invectives and violence directed at police, have caused many younger people to view police differently from generations before. As a result, law enforcement agencies fear the resulting perception limits interest in police work and serves as a barrier to effective recruitment.<sup>266</sup> Equally worth noting is the fact that police in the line-of-duty deaths have also received more media attention in recent years. Some examples include the recent killings of Philadelphia police officer, Richard Mendez (2023), Temple University police officer, Chris Fitzgerald (2023), NYPD officer, Jonathan Diller (2024), and the 2016 mass shooting of police officers in Dallas, Texas.<sup>267</sup> The visceral images of the dangers involved in police work, as well as the perceived current hostile climate towards police have negatively impacted law enforcement's ability to recruit new, younger individuals. In decades past, police officers themselves served as key recruiters to young, job seeking individuals. However, the climate today has many police officers less willing to recommend the career to others.<sup>268</sup>

Alternatively, some researchers contend that police operate under an intense microscope for obvious reasons—they wield tremendous authority of the law over the public and have the enormous responsibility of keeping communities safe. Their role in society requires a unique level of trust unmatched by most professions. Some argue the publicization of incidents involving excessive police force, while tragic, have had the salutary effect of increased accountability of law enforcement. These same researchers worry that institutions of policing may use some of the concerns discussed above to immunize themselves from meaningful critique and reform. The divide on officer-involved incidents and the attention given to them has been polarizing the country, especially over the past decade.<sup>269</sup>

### *Political Factors*

Politics overlap with some of the social factors discussed in this report. Some agencies and departments have argued they are struggling to find high quality police officers because officer-involved shootings have led community leaders to accede to activist groups' demands to defund or reduce the funding of police departments. Many in law enforcement believe that during these incidents, some leaders have failed to support the institution of law enforcement, as well as the many officers who do excellent police work and risk their lives to serve and protect. Some political leaders disagree with this characterization, claiming they believe national police reform is necessary.

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<sup>265</sup> *Ibid.*

<sup>266</sup> *Supra*, n. 11, p. 4.

<sup>267</sup> *Ibid*; Ron Todt, "NJ Man Arrested in Airport Parking Garage Shooting that Killed 1 Philadelphia Police Officer, Wounded 2<sup>nd</sup>," *Associated Press*, (Oct. 16, 2023).

<sup>268</sup> Discussion at MPOETC Academy Directors Meeting held on September 5, 2024.

<sup>269</sup> *Supra*, n. 267.

Some concerns over inadequate support for police officers have been linked to funding. Some major U.S. cities have reduced their police department budgets, leaving them with fewer officers to police high crime communities. In 2022, the city of Seattle reduced its police department budget by 13 percent, moving \$45.4 million in traffic enforcement, 911 dispatch, and other services into different departments. Many believe the reduction in budget contributed to the resignation and retirement of more than 400 sworn police officers. The Seattle City Council initially committed to cutting the city's \$409 million police department budget in half.<sup>270</sup> In late 2020, the city council of Austin, Texas voted unanimously to cut \$150 million from the city's police department. According to *FORBES*, America's two largest cities, New York and Los Angeles approved budget cuts to their police departments of \$1 billion and \$150 million, respectively, just weeks after the George Floyd protests. In 2020, Philadelphia's City Council voted to approve an FY 2021 budget reducing police spending by \$33 million dollars (\$19 million proposed increase was rescinded and \$14 million was diverted from the police budget).<sup>271</sup> Several other major cities took steps to cut their police budgets as well after the protests.<sup>272</sup>

However, over the past few years, it has been reported that many cities have been increasing their police budgets, with some cities that initially sought to cut police budgets reversing course. Some media outlets have reported that police spending is up in most cities and counties across the country. In 2022, one national news outlet analyzed 109 city and county budgets, finding only eight agencies cut police funds by more than two percent. Alternatively, the outlet found that 91 agencies increased law enforcement funding by at least two percent. Moreover, in 49 cities or counties, police funding was increased by more than 10 percent.<sup>273</sup> In addition, previously mentioned Police Executive Research Forum surveys have shown that police hiring has increased over the past few years. Despite this, many in law enforcement feel that the reaction from local and national leaders was telling as to the level of support they are willing to provide their police departments when a police-involved shooting incident occurs.

### *Economic Factors*

Many individuals have argued that the risks and inherent dangers involved in police work, along with the mental, emotional, and physical consequences of shift work, do not justify the starting salaries offered to new officers. While the average salary of police officers in Pennsylvania has climbed in recent years, starting salaries tend to vary depending on the department and region of hire. According to the U.S. Bureau of Labor Statistics, Pennsylvania's police and sheriff's officers ranked 14<sup>th</sup> in the nation in earnings in 2022. Their 2023 average earnings per year were

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<sup>270</sup> Sarah Grace Taylor, "50% Was a Mistake: Seattle City Council Abandoned the Idea of Defunding the Police," *The Seattle Times*, (Sept. 25, 2022), <https://www.seattletimes.com/seattle-news/politics/50-was-a-mistake-how-seattle-city-council-abandoned-the-idea-of-defunding-police/>, last accessed on May 2, 2024.

<sup>271</sup> City Council Philadelphia, "City Council Votes to Approve FY2021 Budget that Reduces Police Spending, Supports Police Reforms, Invests in Affordable Housing, Anti-Poverty Programs and Other Measures to Address Disparities in Philadelphia," (June 25, 2020).

<sup>272</sup> Jemima McEvoy, "At Least 13 Cities are Defunding Their Police Departments," *FORBES*, (Apr. 13, 2020), <https://www.forbes.com/sites/jemimamcevoy/2020/08/13/at-least-13-cities-are-defunding-their-police-departments/?sh=7cb4b4d29e3f>, last accessed on May 2, 2024.

<sup>273</sup> Grace Manthey, Frank Esposito, and Amanda Hernandez, "Despite Defunding Claims, Police Funding Has Increased in Many U.S. Cities," *ABC News*, (Oct. 16, 2022), <https://abcnews.go.com/US/defunding-claims-police-funding-increased-us-cities/story?id=91511971>, last accessed on May 2, 2024.



\$81,690. Alternatively, California police officers were the highest paid police officers in the nation, with an average annual salary of \$111,770 in 2023. Washington, New Jersey, Hawaii, and Alaska were all in the top five states for officer salaries. Pennsylvania falls in the middle when compared to the pay of its neighboring states' law enforcement, with its average officer salaries above Ohio (\$72,540), Maryland (\$76,000), and West Virginia (\$51,600), but below officer salaries in New York (\$89,400), New Jersey (\$94,070), and Delaware (\$82,180).<sup>274</sup>

It is important to reiterate that the Pennsylvania salary data above is based on the average officer salary. Officers typically start at much lower salaries and starting salaries vary significantly depending on the location and department in which an officer accepts a position. For instance, police officers working in metropolitan and suburban police departments in the southeastern corner of the Commonwealth tend to earn higher salaries than much of the rest of the state, with some exceptions. It has been reported that the Philadelphia metropolitan region employs more police officers than almost any other metropolitan region throughout the country (eighth nationwide), with over 13,000 police working in and around the City of Philadelphia.<sup>275</sup> A 2023 report found that police officers in the region had an average annual salary of \$78,880. Contrast this with police officers employed in the Johnstown area in western Pennsylvania, who had an average annual salary of \$56,220. Police officers in the Pittsburgh area made an average annual salary of \$76,800. According to the report, officers in the Scranton-Wilkes-Barre-Hazleton area in northeastern Pennsylvania made an average annual salary of \$69,830. One outlier in this trend was the Gettysburg area in south-central Pennsylvania, where police officers received an average annual salary of \$83,790. A complete breakdown of 2023 law enforcement salaries in metropolitan and nonmetropolitan areas in Pennsylvania are as follows:

<b>Table 28</b>	
<b>Law Enforcement Salaries in Metropolitan and Nonmetropolitan Areas Pennsylvania, 2023</b>	
<b>Area/Region</b>	<b>Average Annual Salary</b>
Gettysburg-South-Central Area	\$83,790
Philadelphia-Camden-Wilmington area	78,880
East Stroudsburg area	78,430
Lancaster area	76,880
Pittsburgh area	76,250
Allentown-Bethlehem-Easton area	75,670
Harrisburg-Carlisle area	75,510
Erie area	74,890

<sup>274</sup> U.S. Bureau of Labor Statistics, "Occupational Employment and Wage Statistics, May 2023: Police and Sheriff's Patrol Officers," <https://www.bls.gov/oes/current/oes333051.htm>, last accessed on June 25, 2024.

<sup>275</sup> *Ibid.*

<b>Table 28</b>	
<b>Law Enforcement Salaries in Metropolitan and Nonmetropolitan Areas Pennsylvania, 2023</b>	
<b>Area/Region</b>	<b>Average Annual Salary</b>
Reading area	73,350
State College area	\$72,920
Lebanon area	71,630
Williamsport area	71,360
York-Hanover area	70,790
Scranton-Wilkes-Barre-Hazleton area	69,830
Bloomsburg-Berwick area	68,700
Western Pennsylvania nonmetropolitan area	66,300
Northern Pennsylvania nonmetropolitan area	65,800
Southern Pennsylvania nonmetropolitan area	64,380
Altoona area	64,040
Chambersburg-Waynesboro area	61,710
Johnstown area	56,220

Source: Bethany Rodgers, “Where in Pennsylvania are Police and Sheriff’s Officer Salaries the Highest?” *USA TODAY NETWORK*, (Dec. 6, 2023), How much do PA police and sheriff’s officers earn (goerie.com), last accessed on June 25, 2024.

Many new police officers throughout the Commonwealth can expect to earn a starting salary significantly lower than the average salaries discussed above. It has been observed by some supervisory level officials in the law enforcement community that many younger individuals are looking at the level of danger associated with police work, as well as the negative perception by many following the George Floyd killing. When viewing these consequences against typical officer starting salaries, many otherwise qualified individuals determine the financial reward is not worth the attendant risk and aggravation. Many in the law enforcement field believe the known risks a police officer can face on the job, coupled with the lack of adequate support many departments encounter lead many to dismiss a career in law enforcement. It has been observed that many younger police officers and graduating cadets lack the patience to steadily rise through the ranks, as often is required to gain the necessary experience to rise to roles with greater responsibility and greater pay. However, even in higher paying regions in southeastern Pennsylvania, departments are struggling to fill higher salary vacancies<sup>276</sup>

<sup>276</sup> Discussion with Georgette Hill, Montgomery County Community College Police Academy held on April 30, 2024.

## *COVID-19 Pandemic*

Few major events have had a more profound impact on everyday life than the COVID-19 pandemic. This is also true when it comes to American policing. The pandemic essentially added new layers of risk to the already dangerous duties of police officers. A 2020 survey reported that 58 percent of participating police officers among more than 200 Illinois police departments believed they were at greater risk while on duty than prior to the pandemic. During the pandemic, many police departments limited access to their facilities and significantly reduced community policing activities which are essential to filling the gaps between reported crimes and crime victims (many crimes go unreported). The reduction of community policing activities such as citizen ride-alongs and in-person police-community forums can further undermine law enforcement's relationship with the community, and lead to a rise in crime.<sup>277</sup>

During the height of the pandemic, there was a sharp fall in arrests, traffic stops, and investigatory stops, largely due to less vehicular travel. According to one report's survey, enforcement actions and in-person police responses to calls for service were reduced by 78 percent and 76 percent of department respondents, respectively. At the same time, "...[s]hootings, homicides, domestic violence and robberies surged in some large cities..."<sup>278</sup> Police officers were also forced to spend time enforcing pandemic-related types of requirements such as the wearing of face masks, shelter-in-place orders, and newly designated essential and non-essential businesses. Face coverings proved to be a duplicitous struggle for law enforcement; many people refused to wear them, resulting in increased enforcement actions from police, while many criminals used them in the commission of crimes to hide their identities and stymie investigations. These added stressors eroded police morale in many departments. One report noted that morale was also negatively impacted by the increased risk many officers faced when dealing with the public and potentially contracting the virus.<sup>279</sup>

The survey also found that 82 percent of police agencies indefinitely suspended their police academies and training activities which obstructed the flow of new recruits, delaying replacement officers for those who retired, resigned, or fell ill during the pandemic. The report also noted that 68 percent of the agencies surveyed indicated their department operated under modified personnel scheduling during the pandemic, some of which included some remote work and limited staff access to specific police facilities.<sup>280</sup>

In addition, there are some data suggesting that the pandemic accelerated the public's growing distrust in certain institutions, including the police. According to a 2021 Gallup report, Americans' confidence in major institutions such as the public school system, the medical system, the military, the criminal justice system, the presidency, and Congress, to name a few, has declined over the past 15 years. The average confidence level in these institutions has not risen above 36 percent since 2006, before which the average confidence level collectively for these institutions was above 40 percent. Though confidence levels increased in certain institutions during the

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<sup>277</sup> Dean C. Alexander and Niyazi Ekici, "Survey: COVID-19's Impact on LE Operations: A Survey of More than 200 Illinois Agencies Found that the Pandemic had Impacted Police Training, Officer Safety, and Community Outreach," *Police1*, (July 23, 2020).

<sup>278</sup> *Ibid.*

<sup>279</sup> *Ibid.*

<sup>280</sup> *Ibid.*

pandemic and shortly thereafter, police and “big business” saw a drop in overall public confidence between 2019 and 2020. It should be noted that tensions associated with the George Floyd killing occurred in the height of the pandemic in 2020 and likely contributed to these numbers as well. The decrease in overall confidence from the public can take a toll on police officers. Specifically, it can lower the morale of currently employed officers and lead to trepidation among those considering a career in law enforcement. After 2020, public confidence in the police has climbed again. In 2021, Gallop reported that confidence in the police rose to 51 percent in the U.S.<sup>281</sup> In 2023, Gallop combined its confidence level data for the U.S. and Canada, reporting that confidence in police rose to 76 percent in 2022 when averaging the two countries.<sup>282</sup>

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<sup>281</sup> Megan Brenan, “Americans’ Confidence in Major U.S. Institutions Dips,” *Gallop*, (Jul. 14, 2021), Americans' Confidence in Major U.S. Institutions Dips (gallup.com), last accessed on July 8, 2024.

<sup>282</sup> Julie Ray, “Confidence in Police Rises, but World Doesn’t Feel Safer,” *Gallup*, (October 31, 2023), <https://news.gallup.com/poll/513494/confidence-police-rises-world-doesn-feel-safer.aspx>, last accessed on July 8, 2024.

## CONCLUSION

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Impacts on police recruitment, training, and education cannot be traced to one singular cause. There is some debate among law enforcement practitioners and Pennsylvania police academy directors more specifically, as to whether the current minimum standards both for entry into the academy and graduation therefrom have any real impact. Numerically, the standards reduce the number of cadets and recruits who go on to graduate from the academy and become certified employed municipal police officers – a natural consequence of having minimum standards. However, no one disagrees that there must be minimum standards to separate qualified individuals from unqualified individuals who want to become police officers.

The most failures of any minimum standard occur during the entry physical fitness testing. Some have argued that the minimum entry PT standards do have an impact. They observe many applicants to the academy narrowly fall below the required standards for admission, within a correctible margin. They further opine that many of these applicants would likely be able to meet the standards through academy training by the time they graduate. Consequently, they argue that this would increase the number of academy graduates, qualified to sit for the certification examination and become employed police officers. They claim that increasing the number of graduating cadets would help alleviate the recruitment woes of Pennsylvania's police departments and are proponents of modestly reducing the current minimum entry PT standards for police academies across the Commonwealth, as has been done for Philadelphia. Proponents of said modest reduction oppose a reduction of any kind regarding the psychological evaluations, Nelson-Denny Reading Test, and the standards required for graduation from the academy.

Most academy directors, however, believe the minimum standards have little to no impact on the recruitment, education, and training of police officers. Many who hold this belief argue that the entry PT standards are very obtainable. Moreover, it is preparation and motivation which tends to be a greater factor in improving the number of applicants who gain admission to the academy and go on to graduate and become employed police officers. These academy directors oppose any lowering of the entry PT standards (or graduation standards), stressing the importance of physical fitness for law enforcement, specifically noting that strength and endurance could very well be the difference between surviving an encounter. They cite a plethora of benefits fitness provides to police officers and argue that decreasing the current minimum entry PT standards any further would continue down a slippery slope and would harm qualified candidates. Opponents are not convinced that lowering the entry standards would translate to greater numbers of cadet graduates and employed police officers. Instead, many fear it could generate a lack of training preparedness for many cadets.

There is also a plurality of concern that lowering the fitness standards for admission could result in a flood of subpar candidates that not only put themselves in danger but set themselves up for protracted litigation. Cadets need to be held to higher standards because they may one day hold an incredible power and duty as police officers. Police have a difficult job and constantly operate under a microscope. Many agree that lowering the minimum fitness standards necessary to train as a police officer will not serve the goal of ensuring that cadets mature into police officers of the highest quality, who do good work to protect the lives of Pennsylvanians and ensure their constitutional rights.

There is wide agreement that there are many factors outside the academy that impact the ability of academies in Pennsylvania to recruit, train, and educate police officers. These include generational, social, economic, and political factors, as well as the recent COVID-19 pandemic. Many agree that these factors have a more significant connection to recruiting and training concerns than any of the current minimum standards.

To have a better understanding of the impact of the standards and to better gauge the levels at which applicants and cadets perform on them, it may be beneficial to have a more streamlined process by which MPOETC-certified police academies collect and gather data on their applicants and cadets. Currently, there is some inconsistency in the manner and level of which the academies collect and assemble such information. Some academies collected very little of this information, some collected certain pass/fail rates, but not others. Of course, some academies collected a surplus of information. This inconsistency across the academies made it challenging to compare the numerical impact the entry and graduation standards has on applicants and cadets within these academies.

Alleviating low recruitment levels will take time, and while there is no quick and easy solution, there have been several strategies employed in Pennsylvania to improve interest in law enforcement, as well as the number of applicants admitted to the academies. MPOETC and several of Pennsylvania's police academies have been developing workout downloads. These allow interested applicants to view helpful workouts to help prepare them for the entry testing. MPOETC believes that applicant engagement is crucial to helping increase applicant success with the PT requirements.

One specific academy assigns mentors who reach out to new applicants within 48 hours of the academy receiving the applicant's application. The academy noted that this strategy has been successful at increasing the number of applicants who show up to the entry testing and has helped increase the number of applicants who pass.

It was also recommended that there be an increased focus on expanding cadets' exposure to the communities they will be policing while they are still in training at the academy. This will reinforce the idea that cadets must treat all individuals in the community with dignity and respect while policing the community. It can also give them a window into the career they are aspiring to become a participant in.

Increasing recruitment at the academy level could be improved with grant funding. Currently, Pennsylvania has a Local Law Enforcement Support Grant Program (LLESGP). Under the LLESGP, the Pennsylvania Commission on Crime and Delinquency (PCCD) oversees a grant program that provides "...law enforcement with the necessary resources to allow the law enforcement agency to implement information technology improvements, purchase or upgrade equipment, cover nontraditional law enforcement personnel costs, *support retention and recruitment efforts* and provide necessary training and cover related expenses."<sup>283</sup>

Police academies could use grant funds like this to improve their ability to reach more individuals who may be interested in pursuing a career in law enforcement. Unfortunately, police academies are not eligible to receive the funds. Only local law enforcement agencies are eligible to apply for the grants. For purposes of grant eligibility, "local law enforcement agencies" includes the following:

1. A public agency of a political subdivision having general police powers and charged with making arrests in connection with the enforcement of the criminal or traffic laws.
2. A campus police or university police department.
3. A railroad or street railway police department (e.g. SEPTA police).
4. An airport authority police department, including the Harrisburg International Airport Police.
5. A county park police force.<sup>284</sup>

Though police departments and other law enforcement agencies play a significant role in recruiting new police cadets, expanding the eligibility of grant applicants to include MPOETC-certified police academies could provide them with more resources to play an increased role in recruiting efforts at the academy level.

The restoration of law enforcement staffing and recruitment levels will not be an overnight occurrence. There are many factors occurring simultaneously which can make proposed solutions seem like a moving target. While there is some debate as to whether the minimum standards have an impact on the recruitment, training, and educating of police officers, there is full agreement that there are many factors outside of the standards that do. As such, academies and local law enforcement agencies are working to employ new innovative strategies to attract and train qualified, driven candidates to serve as police officers. These strategies can and have made a difference, but they take time.

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<sup>283</sup> § 116-C of the act of April 9, 1929 (P.L. 540, No. 54), known as the Fiscal Code, as added by the act of July 11, 2022 (P.L. 540, No. 54), § 116-C(a)-(b). (*Emphasis Added*).

<sup>284</sup> *Ibid*, § 116-C(j).





Act of Dec. 14, 2023, P.L. 342, No. 37 amending Title 53 (Municipalities Generally of the Pennsylvania Consolidated Statutes)

HB 863

AN ACT

Amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in employees, further providing for powers and duties of commission.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 2164(8) of Title 53 of the Pennsylvania Consolidated Statutes is amended to read: § 2164. Powers and duties of commission. The powers and duties of the commission shall be as follows:

\* \* \*

(8) To require minimum standards for physical fitness, psychological evaluation and education as prerequisites to employment as a police officer. The following shall apply:

**(i) The minimum physical fitness standards for a school located in a city of the first class shall require an applicant for certification to score no lower than the 30th percentile of the Cooper standards, which coincides with the 30th percentile of the general population, for each required evaluation to be eligible for employment as a police officer. A school may not enroll an individual into a recruit training program certified by the commission unless the individual has obtained a score in the 15th percentile or higher for the individual's age and gender as specified in the Cooper standards for each required evaluation.**

**(ii) Subparagraph (i) shall expire five years after the effective date of this subparagraph.**

**(iii) The minimum education standards shall include a demonstration of reading comprehension through the use of a reading comprehension test approved by the commission.**

**The commission shall:**

**(A) Immediately approve two reading comprehension tests.**

**(B) Evaluate additional reading comprehension tests that are submitted by a school or that otherwise come to the attention of the commission for review.**

**(C) Provide notice of a list of approved reading comprehension tests by:**

**(I) Transmitting notice of the list to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin.**

**(II) Posting the list on the publicly accessible Internet website of the commission.**

**(iv) Within 12 months of the effective date of this subparagraph, the Joint State Government Commission shall issue a report to the General Assembly on the impact that the current minimum standards for physical fitness, psychological evaluation and education prerequisites to employment as a police officer may or may not have on recruitment, education and training of individuals to serve as police officers in jurisdictions across this Commonwealth. This subparagraph shall expire upon transmission of the report to the General Assembly. The Joint State Government Commission shall provide notice to the Legislative Reference Bureau that the report has been sent to the General Assembly under this subparagraph. \* \* \***

Section 2. This act shall take effect immediately.

APPROVED--The 14th day of December, A.D. 2023.  
JOSH SHAPIRO