

# PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

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## CONSTABLES' TRAINING BULLETIN

NUMBER 58

OCTOBER 2007

### In Memoriam: Stanley H. Holland 1947 - 2007

Mr. Stanley Holland, one of the most capable and professional instructors in the Act 44 Program, recently passed away. A retired Federal Marshal of 35 years, Stan Holland was instrumental not only in teaching in the Act 44 Program, but also in using his years of experience in helping with curriculum development. Mr. Holland was a law enforcement instructor for over 32 years. In 1985, he was the National Rifle Association's nationwide pistol champion. Stan Holland will be missed.

### Three New CETB Members

**Honorable Richard G. Opiela** - Judge Richard Opiela is the Magisterial District Judge for District Court 05-2-02 in Allegheny County. Judge Opiela has been on the bench since January 10, 2004. He received his Bachelor's of Science from the University of Pittsburgh in May of 1987, and graduated from West Virginia University College of Law in May 1990. Judge Opiela is married and has two children.

**A.R. DeFilippi** - Mr. A.R. DeFilippi graduated from the University of Pittsburgh in 1978 with a Bachelor's of Science in Education. He taught in the public school system for two years until becoming a Probation Officer for the Court of Common Pleas of Beaver County in 1979. In 1983, Mr. DeFilippi earned a Master's Degree in Administration of Justice from Shippensburg University. He became the Assistant District Court Administrator for Beaver County in 1988, and was promoted to District Court Administrator in 2005. Mr. DeFilippi is married with three children.

**Fred J. Contino, Jr.** - Constable Fred Contino has been a constable and deputy constable in Riddle Township for 29 years. He has also held many offices within his local Constables' Association. Constable Contino was a member of Delaware County's Fugitive Recovery Team Twelve for a number of years. He has been married for 23 years and has four children.

## Training Cycle Ends October 31

Constables are reminded that the training cycle ends in late October and classes are limited as to size and are on a first-come, first-served basis. In order to ensure uninterrupted certification, constables are encouraged to enroll as soon as possible. Enrollment with the appropriate training provider is required prior to attending any class. To enroll, mail or FAX a completed Standard Registration Form directly to the training delivery contractor or use the on-line registration link on PCCD's website, [www.pccd.state.pa.us](http://www.pccd.state.pa.us).

If your mailing address or phone number changes, please do not forget to report changes to your current personal information. In order to stay in compliance with Pa. Code Title 37 §431.11, you have 15 days to report changes. Also, Act 44 provides that any constable or deputy constable who fails, neglects or refuses to maintain a current insurance policy as required, or to file proof thereof with the clerk of courts, shall cease automatically to be certified to perform judicial duties upon the expiration of the policy of which proof has been filed with the clerk of courts. In order to ensure uninterrupted constable certification, it is essential that every constable file a new certificate of insurance with the county clerk of courts.

## Registration Reminder Regarding 2008 Training

Please remember to schedule yourself for training in the upcoming year. In order to fulfill your training obligations, the sooner you enroll in class, the easier it will be for you to adjust your schedule. Waiting until the last minute could inconvenience you. In 2008, class size limits will be strictly enforced. Although using the PCCD website for on-line class enrollment is not mandatory, a constable who takes advantage of the on-line enrollment will have instant, live time enrollment.

Additionally, you can submit or change an e-mail address through the Constable Personal Information Viewer section on PCCD's website, [www.pccd.state.pa.us](http://www.pccd.state.pa.us). At the present time, there are only 336 constables who have provided PCCD with their e-mail addresses. In the future, PCCD would like to use e-mail as a faster and more economical way of communicating with constables.

## Training Evaluations

PCCD and the training delivery contractors would like to encourage all constables to take a few minutes at the end of each class to fill out the course evaluation forms. Your input is very important to the training process. The feedback you have to offer will help in the development of curriculum for the future. The next time you are at training and fellow constables have suggestions or some constructive criticism, ask them if they have written the suggestions on the course evaluation forms. If they have not, encourage them to do so.

A good example of how your input on the evaluation forms can impact training is your evaluations of the judgmental shooting module in the 2006 firearms training. This year, judgmental shooting has again received excellent reviews in your course evaluations. Staff members at PCCD have passed the information on to the curriculum development team. In the future, because of your input, the scenarios will reflect some of the areas you have requested.

# Continuing Education for 2008

Constables and deputy constables must successfully complete the 20-hour continuing education course in order to renew their certifications for 2009. Based upon successful completion of continuing education by October 2008, constables and deputy constables will be issued certification cards in December 2008, which will indicate certification for 2009. There are no waiverable subjects for municipal police officers or deputy sheriffs in 2008.

## **Legal Updates - 2008 (4 hours)**

This course will re-examine case law as per Abbott v. Diehl. This case of April 23, 1996, involved Constable Albert Diehl interceding on behalf of Laurie Latshaw in her plan to recover a van from her former husband, Mark Abbott. Although Latshaw recovered the van, her plan was less than triumphant in that Abbott then filed an action against her, Diehl, and three Greensburg, Pennsylvania, police officers who arrived on the scene to assist the constable, for violation of Abbott's Fourteenth Amendment right to procedural due process. The course will also include a review of constable responsibilities as per Act 44 of 1994 and how those responsibilities apply or do not apply to "moonlighting" activities. The course will conclude with an examination of the vehicle code in regard to emergency vehicle designations, and what role, if any, constables have regarding the use of them.

## **Crisis Intervention (4 hours)**

This course will provide the constable with a review of how to de-escalate high-stress incidents that have the potential to evolve into life threatening situations. Emphasis is placed on understanding the signs of aggression, including interpreting body language, as well as the recognition of other behavioral signals, so that constables may be able to avoid potential harm to themselves or others. The course also discusses the advantage of developing and maintaining acute listening skills, as they relate to possible confrontational situations and de-escalation.

## **Lessons Learned (4 hours)**

This block of instruction will concentrate on incidents involving constables that failed, even though they had followed prescribed tactics, techniques, and procedures that were presented in their basic course or in their mandated, continuing education training. This course will address the subject of how formalized training and on-the-job experience should be integrated, and places emphasis on how field experience may differ from what is taught in the classroom.

## **Defensive Tactics - Force Transition (8 hours)**

This block of instruction continues with the theme of establishing a core set of defensive tactic skills for Pennsylvania's constables, initiated in 2004. These skills include Complaint and Non-Compliant Handcuffing Procedures, Weapons Retention, Body Movements, and Kicks, Punches and Blocks. The course begins with self-testing and evaluation stations and concludes with lecture and practice, designed to identify and remediate deficiencies discovered in the evaluation stations. No live weapons or ammunition.

## Optional Tactical Training for 2008

Voluntary, optional training is in addition to the mandatory continuing education and basic training. It will not take the place of any part of the mandatory curriculum and will be offered on a first-come, first-served basis. Participation is limited to constables who are current with their training, insurance, and certification.

### **Defensive Tactics – Utilizing Force Options Under Stress and Monadnock Expandable Baton (MEB) Certification and Refresher (16 hours)**

In this 16-hour block of instruction, the constable will take part in several scenarios designed to stress the constable and access his level of ability related to utilizing and applying force options. The scenarios will be video-recorded for review by the constable of his performance after completing the scenario. The constable will also prepare use-of-force reports, and brief his "attorney" (instructor) on where deadly or near-deadly force options had been used.

**Example:** After stress is induced on a constable, the constable is told that he has been tasked with serving civil process on a subject. The constable is alone. During the service, the subject becomes irrational and aggressive, attacking the constable and grabbing for the constable's weapon. In this situational scenario, the constable must defend himself and take timely and appropriate action.

Constables then move to the next scenario, and so on. During the scenarios, all force options will be available, but all may not be appropriate according to the use of force continuum. At the end of their rotation, a video critique will be completed. At this point, constables will document their actions with written reports on at least one of the scenarios where force was applied. The session will conclude with the constables' meeting their "attorneys" (instructors) to review their actions.

**Please Note:** All Defensive Tactics courses, as well as the Lessons Learned course, will have a common thread, which will be presented in whole or in part. The common threads are the constable interview position, survival gap, and survival mind-set skills, to name a few.

### **IMPORTANT:**

In 2008, there will be no optional classroom subjects offered. The entire 16 hours will be devoted to hands-on training in a gym or similar facility. The optional training will have to be completed in its entirety. Constables will not be permitted to take the baton portion, alone. The entire 16-hour optional course will be designated by a single class ID number.

## Waivers Of Firearms Training For Law Enforcement Officers

**DEADLINE REMINDER:** 2007 Firearms Training Waiver Applications for Law Enforcement Officers are due on or before October 31, 2007. Application forms can be found on PCCD's website, [www.pccd.state.pa.us](http://www.pccd.state.pa.us), or by calling (800) 692-7292, extension 3198. Instructions and required documentation are listed on the application. No 2007 Firearms Waiver applications will be accepted or processed after October 31, 2007.