



PENNSYLVANIA STATE POLICE
DEPARTMENT DIRECTIVE

AR 5-4
4/9/92



SUBJECT: LETHAL WEAPONS TRAINING

4.01 PURPOSE

The purpose of this regulation is to establish procedures and responsibilities for processing, training and certifying applicants under the provisions of the Lethal Weapons Training Act.

4.02 DEFINITIONS

- A. Act: The Act of October 10, 1974, known as the Lethal Weapons Training Act, P.L. 705, No. 235, as amended, 22 Pa.C.S. 41 et seq.
- B. Full-time Police Officer: A person who is employed by a city, borough, town, township or county police department in Pennsylvania (including sheriffs, deputy sheriffs and county detectives) assigned to law enforcement duties and who works a minimum of 200 calendar days per year. The term "full-time police officer" does not include persons employed to check parking meters or to perform only administrative duties, nor does it include auxiliary and fire police.
- C. Lethal Weapons: Includes, but is not limited to, firearms and other weapons calculated to produce death or serious bodily harm. A concealed billy club is a lethal weapon. A non-concealed billy club shall also be considered a lethal weapon. Chemical Mace or any similar substance shall not be considered as lethal weapons for the purposes of the Act.
- D. Privately-Employed Agent: A person who is employed for the purpose of providing watch guard, protective patrol, detective or criminal investigative services either for another for a fee or for their employer. Privately-employed agents do not include local, state or federal government employees or those police officers commissioned by the Governor under the Act of November 23, 1982, P.L. 686, No. 196 (formerly the Act of February 27, 1865,

P.L. 225, No. 228) while performing their public/railroad employment duties. The term shall include a police officer of a municipal authority.

- E. Program: The education and training program established, administered or approved by the Commissioner pursuant to the Act.
- F. Retired Police Officer: A nondisability retired police officer of a Pennsylvania municipality or the Pennsylvania State Police who was a full-time police officer for at least 20 years and retired in good standing.

4.03 RESPONSIBILITIES

- A. Commissioner: The Commissioner is responsible for implementing, administering and approving education and training programs in accordance with the provisions of the Act.
- B. The Executive Director, Municipal Police Officers' Education and Training Commission (MPOETC): The Executive Director, MPOETC shall:
 - 1. Develop a basic training program. Training needs shall be determined so that the necessary programs and courses are developed and approved in accordance with the following:
 - a. Develop a basic course with firearms and a basic course without firearms.
 - b. Consult and cooperate with other Commonwealth departments and agencies, and other state and federal agencies, concerned with similar training.
 - c. Consult and cooperate with universities, colleges, community colleges, institutes, etc., for the development of specialized courses in handling lethal weapons, law enforcement and the protection of the rights of citizens.
 - d. Ensure that all programs and courses are approved by the Commissioner, prior to implementation.
 - 2. Develop equivalent training waiver policy and any supplementary or remedial training program that may be required.

3. Develop an appeal process for those agent, school and instructor applicants who have been denied certification, or have had their certification revoked/suspended.
4. Develop a process for the inspection of certified schools. The results of such inspections shall be recorded on the Inspection Report Of Approved Schools, Form SP 8-208.
5. Review the Application For Agent Certification, Form SP 8-200 (Appendage I), from those individuals requesting enrollment. Applications shall be processed in accordance with the following:
 - a. The Application Processing Checklist, Form SP 8-203, shall be completed to determine if all of the required documents have been submitted with the application. Those required documents are: two recent, unmounted color photographs which are approximately 1¼ inch x 1¼ inch in size, full faced and measure one inch from the top of the head to the point of the chin, without hat; one completed Department Applicant Fingerprint Card, Form SP 4-124, and one completed Federal Bureau of Investigation (FBI) Applicant Fingerprint Card, Form FD-258, which display MPOETC as the contributor; a certified check, cashier's check or money order in the amount of \$50.00, made payable to the "Pennsylvania State Police"; and, if applicable, documentary proof of equivalent training.
 - b. The applicant's Physical Examination, Form SP 8-200A (Appendage II), which has been submitted by a Pennsylvania licensed physician or osteopath and the applicant's Psychological Examination, Form SP 8-200B (Appendage III), which has been submitted by a Pennsylvania licensed psychologist shall be reviewed. Both examination forms shall be attached to the application.
 - c. The applicant's Police Officer Exemption Application, Form SP 8-200C (Appendage IV), shall be reviewed and attached to the application.
 - d. The applicant's Active Municipal Police Officer LWTA Verification Procedure For Training

Waiver, Form SP 8-204 (Appendage V), shall be reviewed and attached to the application.

- e. A file of each applicant shall be maintained in alphabetical order by the applicant's last name, and updated if the individual receives a certification number.
- f. The photographs and Application Processing Checklist shall be filed with the application. The checklist shall also be used to process the certification fee and any reapplication or renewal applications.
- g. The Department and FBI Applicant Fingerprint Cards shall be forwarded to the Records and Identification Division for processing. The Criminal History Record, Form SP 4-137B, from the Records and Identification Division, shall be filed with the individual's application.
- h. The \$50.00 certified check, cashier's check or money order for the application fee shall be forwarded to the Department Comptroller along with a completed Transmittal of Revenue, Form STD-420.
- i. Applications not properly completed or lacking the required documents shall be returned to the applicant, except the Physical Examination form, Psychological Examination form and fingerprint cards. The Application Processing Checklist, Physical Examination form, Psychological Examination form and fingerprint cards shall be filed in a pending file in alphabetical order by the applicant's last name. When the corrected application and attachments are returned, the fingerprint cards, examination forms and checklist shall be removed from the pending file and placed in the applicant's file.
- j. An Approval For Enrollment Letter, Form SP 8-210, shall be prepared and forwarded by first class mail to each applicant who has satisfied the requirements for enrollment in the training program. An Ineligible For Certification Letter, Form SP 8-211, shall be prepared and forwarded

by certified mail, return receipt requested, to each unsuccessful applicant.

- k. If an applicant requests a waiver of training and the waiver is granted, a Waiver Of Required Training letter, Form SP 8-214, shall be prepared in original and one copy. The original shall be forwarded to the applicant by first class mail and the copy shall be placed in the applicant's file. Upon receipt of a \$30.00 certified check, cashier's check or money order for the certification fee, made payable to the "Pennsylvania State Police," certification procedures will be initiated. An Ineligible For Certification Letter shall be prepared and forwarded by certified mail, return receipt requested, to each unsuccessful applicant.
6. Forward, at least eight months prior to the expiration of the current certification, by first class mail, an Application For Renewal Of Agent Certification, Form SP 8-205, to the renewal applicant's last-known address. Applications returned from individuals requesting a renewal of certification shall be reviewed and processed in accordance with the following:
 - a. The Application Processing Checklist shall be completed to determine if the required documents have been submitted with the application. The required documents are: two recent, unmounted color photographs which are approximately 1¼ inch x 1¼ inch in size, full faced and measure one inch from the top of the head to the point of the chin, without hat, and a certified check, cashier's check or money order in the amount of \$30.00, made payable to the "Pennsylvania State Police."
 - b. Applications shall be filed alphabetically by the applicant's last name. The photographs and Application Processing Checklist shall be filed with the application.
 - c. Renewal applicant's records shall be updated if the individual receives a certification number.
 - d. The \$30.00 certified check, cashier's check or money order for the renewal application fee shall be forwarded to the Department Comptroller

along with a completed Transmittal of Revenue form.

- e. Applications not properly completed, or lacking the required documents shall be returned to the applicant. The Application Processing Checklist shall be filed in a pending file in alphabetical order by the applicant's last name. When the corrected application and attachments are returned, the checklist shall be updated and maintained in the applicant's file along with the application.
 - f. A Notification Of Eligibility For Recertification Letter, Form SP 8-205A, shall be prepared and forwarded by first class mail to each applicant who has satisfied the requirements for enrollment in the appropriate renewal certification course. An Ineligible For Certification Letter shall be prepared and forwarded by certified mail, return receipt requested, to each unsuccessful applicant.
7. Review and process the grade sheet and a certified check, cashier's check or money order for the certification fee from each successful applicant. The applicants shall be assigned a certification number. Certification numbers shall consist of six digits, with a letter prefix of "F" for certification with firearms, or the letter "L" for certification to carry a lethal weapon, other than a firearm. Certification numbers shall be issued in numerical sequence, statewide, starting with 000001. Two sets of certification numbers shall be maintained, one set for the "F" prefix and one set for the "L" prefix.
- a. The individual files shall be updated by entering the certification number and date of certification of each successful applicant in the FOR STATE POLICE USE block on the individual's Application For Agent Certification. The file system shall be updated in the same manner.
 - b. A laminated billfold/wallet-size Certified Agent Identification Card, Form SP 8-206 (Appendage VII), containing the applicant's photograph shall be prepared and mailed to each successful applicant.

8. Review the Application For School Certification, Form SP 8-201, for completeness, including the applicable attached documents, and process in accordance with the following:
 - a. Determine whether the applications will be approved or disapproved.
 - b. Prepare and maintain applications alphabetically by school name.
 - c. Conduct a comprehensive on-site inspection of each school. Such inspection shall include, but is not limited to, an examination of all physical facilities, instructional equipment, records, files, lesson plans, course materials and final examinations. Upon completion of the inspection:
 - (1) A Certified School Certificate, Form SP 8-217, shall be prepared and forwarded by first class mail to each school that is approved.
 - (2) An Ineligible For Certification Letter shall be prepared and forwarded by certified mail, return receipt requested, to each school which is not approved.
 - d. Enter the certification number on the approved application and maintain it in the file system. Certification numbers shall consist of four digits, with a two-letter prefix of "LW" for lethal weapon. Certification numbers shall be issued in numerical sequence, statewide, starting with 0001.
9. Review the Application For Instructor Certification, Form SP 8-202 for completeness, and process in accordance with the following:
 - a. Determine whether the applications will be approved or disapproved.
 - b. Maintain a file system alphabetically by the applicant's last name.
 - c. Prepare an Instructor Certification Certificate, Form SP 8-213, containing the certification number, and forward by first class mail to each applicant who is approved.

- d. Prepare an Ineligible For Certification Letter and forward by certified mail, return receipt requested, to each applicant who is approved.
- e. Enter the certification number on the approved application and maintain it in the file system. Certification numbers shall consist of four digits, with a two- letter prefix of "LW" for lethal weapons. The certification number shall be issued in numerical sequence, statewide, starting with 0001.

C. Station Personnel (except Troops S and T): Station personnel shall:

1. Furnish applicants, who appear on Station, with the Application For Agent Certification, Physical Examination, Psychological Examination and, if applicable, the Police Officer Exemption Application and the Active Municipal Police Officer LWTA Verification Procedure For Training Waiver. Applications for School and Instructor Certification are only available from the Executive Director, MPOETC.
2. Ensure applicants who appear on Station with a completed Application For Agent Certification are processed in accordance with the following:
 - a. The individual shall be required to furnish at least two identification and proof-of-age document(s), prior to fingerprinting.
 - b. Fingerprint the individual on:
 - (1) One Department Applicant Fingerprint Card which displays MPOETC as the contributor. The letters "LWTA" shall be stamped in red ink in the block labeled "REASON FINGERPRINTED."
 - (2) One FBI Applicant Fingerprint Card which displays MPOETC as the contributor. The letters "LWTA" shall be stamped in red ink in the block labeled "REASON FINGERPRINTED" on the front of this card.
 - (3) At no time shall fingerprint cards be used which do not contain PAPSP0100 in the contributor block. The use of white-out or

gummed labels to alter the contributor block is prohibited.

NOTE: Applicants shall be fingerprinted without an appointment, if possible, and members fingerprinting applicants shall enter the required information on the fingerprint cards.

- c. Members accepting applications, and fingerprinting applicants, shall ensure that a check for the application fee and the photographs conform to the requirements of this regulation. No certification fee payments shall be accepted at Stations.
 - d. Members shall ensure that the completed Application For Agent Certification, fingerprint cards, photographs and the check or money order are placed in a 9 inch x 12 inch manila envelope and mailed by the Station to Lethal Weapons Certification, Pennsylvania State Police, 75 East Derry Road, Hershey, Pa. 17033.
3. Ensure applicants who appear on Station with a completed Application For Approval Of School Director or Application For Instructor Certification are processed in accordance with the following:
- a. The individual shall be required to furnish at least two identification and proof-of-age document(s), prior to fingerprinting.
 - b. Fingerprint the individual on:
 - (1) One Department Applicant Fingerprint Card which displays the Municipal Police Officers' Education and Training Commission as the contributor. The letters "LWTA" shall be stamped in red ink in the block labeled "REASON FINGERPRINTED."
 - (2) One FBI Applicant Fingerprint Card which displays the Municipal Police Officers' Education and Training Commission as the contributor. The letters "LWTA" shall be stamped in red ink in the block labeled "REASON FINGERPRINTED" on the front of this card.

- (3) At no time shall fingerprint cards be used which do not contain PAPSP0100 in the contributor block. The use of white-out or gummed labels to alter the contributor block is prohibited.
 - c. Members accepting applications, and fingerprinting applicants, shall ensure that an application is properly completed. No fee is required for school directors or instructors.
 - d. Members shall ensure that completed applications and fingerprint cards are placed in a 9 inch x 12 inch manila envelope and mailed by the Station to the Executive Director, MPOETC.
 4. Ensure questions which cannot be answered by referring to this regulation or the brochure entitled "Important Facts About The Lethal Weapons Training Act," Form SP 8-250, which can be obtained from Central Supply through established requisition procedures, are directed to the Executive Director, MPOETC.
 5. Submit an Information And Certification Status of Lethal Weapons Training, Form SP 8-215, to the Executive Director, MPOETC, when investigating the certification and training status of a privately- employed agent to substantiate prosecution for noncompliance with Act 235. Station personnel shall furnish the forms, upon request, to municipal police departments who will be responsible for submission to the Executive Director, MPOETC.
- D. Bureau of Records and Information Services: The Bureau of Records and Information Services shall:
 1. Classify and process all LWTA fingerprint cards that are received from the Executive Director, MPOETC. Such fingerprints shall be entered into the Records and Identification Division system. The appropriate response and, if applicable, the Criminal History Record shall be forwarded to the Executive Director, MPOETC, for the individual's file. Upon classification of the Department Applicant Fingerprint Card, the FBI Applicant Fingerprint Card shall be forwarded to the FBI.

2. Forward to the Executive Director, MPOETC, an updated Criminal History Record, for an individual, when any subsequent fingerprint classifications are received by the Records and Identification Division on an applicant, agent, school director or instructor.