

SHERIFF AND DEPUTY SHERIFF EDUCATION AND TRAINING BOARD

Minutes of the February 27, 2018 Meeting

Members Present

Carmen DeLuca (Via Phone)
James P. Goodman
Stephanie Jirard
Todd A. Martin
Jon McEnroe
Wayne E. Nothstein
Jody S. Smith
Farley Toothman
Eric Weaknecht
Kevin Wevodau

Commission Staff Present

Doug Hummel
Bob Merwine
Don Numer
John Pfau
Beth Romero
Deb Williams

Others Present

Penn State University – Fayette Campus
Ted Mellors
Tony Mucha

Penn State University
Steve Shelow
Michael Ecker

Temple University
Tony Luongo
Christie Willard

PA Sheriffs' Association
Tom Maioli
Beth Appleby

Sheriffs
Anthony Harvilla, Carbon Co.

Others
Brian Tobin, Schuylkill Co.

The February 27, 2018 meeting of the Sheriff and Deputy Sheriff Education and Training Board (SDSETB) was called to order by Vice-Chairman Todd A. Martin, at 9:00 a.m., at the Pennsylvania Commission on Crime and Delinquency (PCCD), 3101 North Front Street, Harrisburg, Pennsylvania 17110.

Mr. Don Numer, PCCD, welcomed everyone to the meeting. He announced that Governor Tom Wolf recently appointed several new members to the Board. Chief Deputy Jody S. Smith, Cumberland County Sheriff's Office, was appointed to replace Lieutenant David Godfrey, from the York County Sheriff's Office. Mr. Numer stated that Chief Smith previously served on the Board. Judge James P. Goodman, Schuylkill County Court of Common Pleas and Judge Farly Toothman, Greene County Court of Common Pleas were both appointed to the Board. Dr. Stephanie Jirard, Shippensburg University, was appointed to serve as the educational representative member of the Board. Deputy Sheriff Jon McEnroe, Erie County Sheriff's Office was appointed to the Board. Sheriff Eric Weaknecht, Berks County and Sheriff Martin, Monroe County were both re-appointed to the Board. Chairman Carmen DeLuca continues to serve under his expired term until such time he is replaced or re-appointed. Mr. Numer stated the Board has full membership and the required quorum for meetings is five members. Everyone in attendance had the opportunity to introduce themselves.

Vice-Chairman Martin asked if everyone had an opportunity to review the minutes from the December 6, 2017 Board meeting. He stated that if there were no questions, then he would entertain a motion to approve the minutes.

Commissioner Nothstein made a motion to approve the meeting minutes from December 6, 2017. Sheriff Weaknecht seconded the motion. Vice-Chairman Martin asked if there was any Board discussion or public comment regarding the minutes. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members DeLuca, Goodman, Jirard, Martin, McEnroe, Nothstein, Smith, Toothman, Weaknecht, and Wevodau

Voting Nay: None

Ms. Beth Romero, PCCD, reviewed the SDSETB fiscal report for state fiscal year 2017-2018, period ending December 31, 2017.

The balance carried forward from the previous fiscal year was \$1,720,652.12. The fee collections as of December 30, 2017 was \$1,962,836.00. The total available funds as of December 31, 2017 were \$5,573,329.12. The total expenditures were \$2,589,624.79. The total expenditures and commitments were \$7,204,577.93 which included \$351,302.80 in administrative expenses. Ms. Romero stated that the administrative expenses were detailed on page 18 of the meeting packet. The uncommitted balance at December 31, 2017 was a negative \$1,631,248.81. Mr. Numer stated that the negative

balance is attributed to the report including future monetary commitments, but the report did not include revenue projections for the current fiscal year. Page 16 of the meeting packet included future revenue and expenditure projections for the training fund. Mr. Numer stated that based on the projections, the account would be without money at some point in time during the 2019-2020 fiscal year. Page 17 included the fee collection historical data. There has been a gradual decrease in fee collections. Mr. Numer stated that the decrease may be attributed to the economy. He said that we have been decreasing and eliminating expenditures within the training delivery and curriculum development contracts and experiencing less revenue.

Vice-Chairman Martin asked for a motion regarding the fiscal report.

Sheriff Weaknecht made a motion to approve the fiscal report. Commissioner Nothstein seconded the motion. Vice-Chairman Martin asked if there was any Board discussion or public comment regarding the fiscal report. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members DeLuca, Goodman, Jirard, Martin, McEnroe, Nothstein, Smith, Toothman, Weaknecht, and Wevodau

Voting Nay: None

Mr. Numer reported that since the training reimbursement suspension went into effect on July 1, 2017, approximately \$498,800.00 is owed in reimbursements to the counties. The amount is projected to reach \$1.4 million by June 30, 2018.

Mr. Numer reported that 11 newly elected sheriffs took office this year. Staff has already met with many of the new sheriffs and plans to meet with will all new sheriffs prior to the May Board meeting. Some of the new sheriffs were deputies and are certified. A couple will attend the Waiver Training Program for certification. One sheriff was previously grandfather as a deputy sheriff. Mr. Numer stated that we would discuss that issue later in the meeting.

Mr. Numer informed the Board, that unless there were any objections, he was in the process of preparing the work statement for the next curriculum development contract and was including the task of developing a Tactical First Aid course that would replace the current lengthy emergency medical response curriculum in Basic Training. As recommended by the Work Group and discussed at the previous Board meeting, Sheriffs have been requiring and providing first aid and CPR training and certification to be maintained within their respective offices. Having proof of current first aid and CPR training certification is required for attendance at the Waiver Training Program. Extending the first aid and CPR certification requirement for attendance at Basic Training would allow for the creation of a shorter tactical course that would focus on practical application. Mr. Numer stated that the shorter course would allow other subject areas to increase the number of hours to incorporate more scenario based training, use of the laser

shot system, and cognitive command training. No new curriculum would need to be developed. We would expand the current subject areas with more scenarios.

Sheriff Martin stated that his office provides certification training in first aid and CPR. He noted that at the last meeting, Commissioner Nothstein expressed concern on the potential increase in costs for the counties to provide the training. Sheriff Martin stated that he believes most counties are already providing the training.

Mr. Numer stated that once the issue is included in the work statement, then Penn State – Fayette can begin to develop a plan that would be brought before the Board for approval.

Chief Smith had no objections to the plan, but asked which areas of instruction would be increased. The concern was with the lack of available funds, it would increase costs associated with developing more curriculum for the increased areas of instruction. Mr. Numer stated that new curriculum would not be extensively needed. The plan would be to increase the amount of time dedicated to scenario-based training.

Commissioner Nothstein asked if we needed to provide a one-year advance notice to the sheriffs. Mr. Numer stated that proper notice would be given prior to any changes.

Mr. Numer informed the Board that the work statement for curriculum development would include proposing a plan to potentially revise the Waiver Training Program. As discussed in the Work Group and at the previous Board meeting, the Waiver Training Program could possibly be revised to include one week of on-line instruction and one week of residential school attendance. This would be a cost savings measure by eliminating one week of class attendance.

Deputy McEnroe asked what the process entailed to obtain the input of the sheriffs. Mr. Numer stated that surveys have been conducted to gather input. He stated this particular idea was recommended by the Work Group that was formed in 2017. Sheriff Martin stated that he was part of the group and the meetings were very informative and beneficial. He stressed the importance of communication between the Board, staff, and the sheriff's offices and that the communication has gotten better. Mr. Numer stated that the work group included sheriffs, Board members, staff, and representatives from both the PA Sheriffs' Association and PA Deputy Sheriffs' Association. Mr. Numer mentioned that he was going to address the sheriffs at their mid-winter conference in State College, on the weekend.

Chairman DeLuca asked if the "Stop the Bleeding" course was going to be included in the Tactical First Aid course. Mr. Ted Mellors, Penn State – Fayette, stated that it would be included. Mr. Mellors stated that he recently met and filmed a session with Dr. Matthew Neil, with the University of Pittsburgh Medical Center. The session will be edited and included in the next continuing education training cycle.

Chairman DeLuca asked if the Board could provide any assistance regarding the sheriffs providing first aid and CPR training. Mr. Numer stated that in the past, the Train-the-

Trainer Instructor Program was identified as the option to help build an internal training capacity within each office. Due to a lack of funding, this was not developed. Chairman DeLuca stated that we are in this financial situation partially due to the \$5 million being taken from the account.

Mr. Numer explained that the Training Act previously had a provision that allowed for funding to be removed to be used in the Commonwealth's general fund. In 2014, during the previous administration, five million dollars was deemed in excess of the needs of the Board and was taken from the account. Sheriff Martin stated that we have been and are in a financial bind. Mr. Numer stated that the Training Act was amended at that time to include requiring sheriffs to attend certification training and the language that allowed the removal of money was removed.

Mr. Numer presented the newly proposed Board Policy. The recommended changes are reflective of the Board's approval to implement an entrance physical fitness requirement for attendance at the Basic Training Academy. The Board approved the entrance fitness requirement to begin with class B-18-02, beginning July 9, 2018. If the Board approves the changes to the Policy, the PA Commission on Crime and Delinquency would review the Policy for their consideration of approval at their March 14, 2018 meeting.

Sheriff Weaknecht made a motion to approve the Board Policy. Mr. Wevodau seconded the motion. Vice-Chairman Martin asked if there was any Board discussion or public comment regarding the Board Policy. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members DeLuca, Goodman, Jirard, Martin, McEnroe, Nothstein, Smith, Toothman, Weaknecht, and Wevodau

Voting Nay: None

Mr. Douglas Hummel, PCCD, reviewed the time extension requests for Deputy Chris Prescott, Columbia County; Deputy David Williams, Sullivan County; Deputy Kyle Gardiner, York County; Deputy Donald Craig, Blair County; Deputy Chris Tatar, Blair County; and Deputy Joanna Jinks, Luzerne County. All the time extension requests complied with Board Policy.

Commissioner Nothstein made a motion to approved the time extensions for Deputy Chris Prescott, Deputy David Williams, Deputy Kyle Gardiner, Deputy Donald Craig, Deputy Chris Tatar, and Deputy Joanna Jinks. Mr. Wevodau seconded the motion. Vice-Chairman Martin asked if there was any Board discussion or public comment. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members DeLuca, Goodman, Jirard, Martin, McEnroe, Nothstein, Smith, Toothman, Weaknecht, and Wevodau

Voting Nay: None

Mr. Hummel reviewed the time extension requests for Deputy Timothy Beall, Deputy Rudolph Hansen, and Deputy Adam Romero, Adams County. Sheriff Mueller requested that Deputy Beall, Deputy Hansen, and Deputy Romero be granted an extension to attend training in Grantville, PA, in April 2019. The extensions did not comply with the Board Policy. Mr. Hummel explained that a new chief deputy was hired and assigned the duties of training officer. The previous chief did not schedule the deputies for class.

Commissioner Nothstein made a motion to approve time extensions not to exceed six months in accordance with Board Policy, for Deputies Beall, Hansen and Romero. Mr. Wevodau seconded the motion. Vice-Chairman Martin asked if there was any Board discussion or public comment. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members DeLuca, Goodman, Jirard, Martin, McEnroe, Nothstein, Smith, Toothman, Weaknecht, and Wevodau

Voting Nay: None

Mr. Wevodau left the meeting at 9:55 a.m.

Mr. Hummel reviewed the time extension request for Deputy John Edwards, Blair County. The extension did not comply with Board Policy.

Sheriff Weaknecht made a motion to approve a time extension for Deputy John Edwards, not to exceed six months in accordance with Board Policy. Commissioner Nothstein seconded the motion. Vice-Chairman Martin asked if there was any Board discussion or public comment. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members DeLuca, Goodman, Jirard, Martin, McEnroe, Nothstein, Smith, Toothman, and Weaknecht

Voting Nay: None

Mr. Hummel reviewed the list of time extensions that were approved by the Training Supervisor. Extensions were approved for: Courtney Staley, Luzerne County; Nicholas Rock, Wyoming County; William Rosky Jr., Lackawanna County; Edward Murphy and Joe Heffernan, Delaware County; Carlos Jativa, Allegheny County; and Michael Lutz, York County. This was for informational purposes and did not require SDSETB action.

Mr. Hummel reviewed the Partial Training Waiver Applications that were approved by the Training Supervisor. These waivers were in accordance with the Training Policy. This was for informational purposes and did not require SDSETB action.

Mr. Numer reviewed the Training Re-Certification Request submitted by Sheriff Milt Warrell, Bucks County, for Deputy James McAndrew. The Board Policy has a five year limitation on the qualification requirement for a deputy to obtain a partial waiver of

training, to attend the Waiver Training Program for certification. A deputy's qualifying law enforcement experience and/or training must not have occurred prior to five years before his/her hire date. Deputies in which their service as a police officer or completion of the municipal police academy is not within the five year requirement are required to complete the 19 week Basic Training Academy for certification. Bucks County terminated Deputy McAndrew's employment in 2012. Deputy McAndrew appealed his termination and has settled with the County. As part of the settlement, Deputy McAndrew was re-instated as a deputy sheriff, with no break in employment. Part of the settlement included that he become certified as a deputy sheriff. Deputy McAndrew was originally certified in 2002 and maintained his re-certification training until his termination. His actual certification expired on December 16, 2013. He was unable to attend re-certification training due to his termination. The sheriff requested that since Deputy McAndrew was re-instated and provided seniority, he should not be required to attend Basic Training. It was recommended that Deputy McAndrew only be required to complete the on-line Comprehensive Legal Updates – Certification Re-activation course that is required of deputies who are re-hired within a five year period between termination and re-employment.

Dr. Jirard made a motion to deny the request and require Deputy McAndrew to complete Basic Training, in accordance with Board Policy. Commissioner Nothstein seconded the motion.

Voting Aye: Board Members DeLuca, Goodman, Jirard, Martin, McEnroe, Nothstein, Smith, Toothman, and Weaknecht

Voting Nay: None

Mr. Numer reviewed the training request for Sheriff Jerry Sanders, Delaware County. Sheriff Sanders was elected to office in 2017 to begin his first term in January 2018. Sheriff Sanders previously served as a deputy sheriff for the Philadelphia Office of the Sheriff from 1971 until his retirement in 1995. Sheriff Sanders was grandfathered in accordance with the passing of Act 1984-2. He attended all the required continuing education training. The Training Act and Board Policy does not require his certification through his attendance at Basic Training or Waiver Training. Sheriff Sanders requested that he wants to attend the Waiver Training Program to advance his knowledge and to obtain a certification number. Mr. Numer stated that the request is permitted under the Training Act and that staff recommended approval of the request. Chief Smith asked if the Sheriffs' Association's executive board had been given the opportunity to provide input. Mr. Numer stated that he would be at the Association's conference, that upcoming weekend. He stated that a sheriff has the full term to become certified. Chief Smith asked if the request could be tabled until the next meeting.

Commissioner Nothstein made a motion to table Sheriff Sander's training certification request until the May 2018 meeting. Sheriff Weaknecht seconded the motion. Vice-Chairman Martin asked if there was any Board discussion or public comment. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members DeLuca, Goodman, Jirard, Martin, McEnroe, Nothstein, Smith, Toothman, and Weaknecht

Voting Nay: None

Mr. Hummel reviewed the instructor application submitted by the Pennsylvania State University, for Mr. John Roefaro, for Defensive Tactics, Deputy Safety, and Security.

Sheriff Weaknecht made a motion to approve the instructor application for Mr. John Roefaro. Chief Smith seconded the motion. The motion passed with the following votes:

Voting Aye: Board Members DeLuca, Goodman, Jirard, Martin, McEnroe, Nothstein, Smith, Toothman, and Weaknecht

Voting Nay: None

Mr. Michael Ecker, Penn State, provided the report for the Basic Training Delivery Contract. Mr. Ecker stated that 37 deputies are attending the current Basic Training class and will graduate May 18, 2018. He invited everyone to attend the graduation ceremony. The first Waiver Training Program completed earlier this month. The class had maximum enrollment. The next Waiver class is scheduled for April and has a maximum enrollment of 40 deputies, plus 2 deputies returning from the January class to complete missed training hours due to an auto accident. Mr. Ecker announced the pending retirement of Mr. Daniel Miltenberger, who has been a Training Specialist at the academy for several years.

Mr. Anthony Luongo, Temple University, provided the report on the Continuing Education Program. Mr. Luongo informed the Board that Ms. Christie Willard was leaving her assigned duties supporting the program to work in another section with Temple University. He thanked her for her dedication and support to the program. Mr. Luongo stated that training was being held in Amber, PA and Chester County. Classes will begin in Monroeville, PA in March 2018. Mr. Luongo acknowledge some logistical issues with the training due to some rescheduling caused by inclement weather. He stated that the Sheriff Offices were understanding and cooperative. He stated that an Instructor Development Training was recently conducted in Grantville, PA. This class is the entry level class for the Train-the-Trainer Program. Ms. Willard thanked staff and the Board for the opportunity to work in the program. Mr. Numer expressed his appreciation of Christie's contributions to the program.

Mr. Mellors, Penn State – Fayette, provided the report on Curriculum Development. Course development included Tactical First Aid for the 2019-2021 continuing education training cycle. Staff are in the process of revising the Emergency Vehicle Operations course and Defensive Tactics for Basic Training.

Sheriff Weaknecht requested that the Board and staff consider utilizing more on-line training courses for the continuing education requirements. He stated that down time often occurs when court is not in session, at which time the deputies could complete on-line trainings. Sheriff Weaknecht stated that it would help reduce time extension requests. Mr. Numer replied that on-line training is an option. Mr. John Pfau, PCCD, stated that he has a meeting scheduled with members of the academy staff at Penn State and their information technology staff to discuss on-line training opportunities with the use of the Canvas learning management system. He stated that Temple University is currently in the process of switching their on-line learning management system from Blackboard to Canvas. Mr. Pfau stated that it would be a benefit that both Penn State and Temple are using Canvas. He stated that he hopes to have more information to provide at the next Board meeting.

Mr. Numer stated that the next SDSETB meeting is scheduled for Friday, May 18, 2018 at 8:00 a.m., at the Days Inn, State College, PA.

Sheriff Weaknecht made a motion to adjourn the meeting. Commissioner Nothstein seconded the motion and the meeting was adjourned with the following votes:

Voting Aye: Board Members DeLuca, Goodman, Jirard, Martin, McEnroe, Nothstein, Smith, Toothman, and Weaknecht

Voting Nay: None