

**SHERIFF AND DEPUTY SHERIFF EDUCATION AND TRAINING BOARD**

**Minutes of the February 26, 2019 Meeting**

Members Present

Stephanie Jirard  
Todd A. Martin  
Wayne Nothstein  
Anthony Sassano  
Jody Smith  
Ed Walker  
Eric Weaknecht

Members Absent

James P. Goodman  
Jon McEnroe  
Farley D. Toothman

Commission Staff Present

Doug Hummel  
Don Numer  
Maria Paulonis  
Beth Romero  
Deb Williams

Others Present

Penn State University  
Mike Ecker  
Steve Shelow

Temple University  
Tony Luongo

Penn State – Fayette  
Rob Harford

PA Sheriffs' Association  
Tom Maioli

Sheriffs  
Anthony Harvilla, Carbon Co.  
Ronny Anderson, Cumberland Co.

PA Deputy Sheriffs' Association  
Paris Washington, Philadelphia Co.  
Angelinel Brown, Philadelphia Co.

The February 26, 2019 meeting of the Sheriff and Deputy Sheriff Education and Training Board (SDSETB) was called to order by Chairman Todd Martin, at 9:00 a.m., at the Pennsylvania Commission on Crime and Delinquency (PCCD), 3101 North Front Street, Harrisburg, Pennsylvania 17110.

Chairman Martin asked if everyone had an opportunity to review the minutes from the December 5, 2018 Board meeting. He stated that if there was no discussion, then he would entertain a motion to approve the minutes.

Sheriff Eric Weaknecht made a motion to approve the meeting minutes from December 5, 2018. Commissioner Wayne Nothstein seconded the motion. Sheriff 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 Jirard, Martin, Nothstein, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Chairman Martin referred to Ms. Beth Romero, PCCD, to present the fiscal report, for state fiscal year 2018-2019, beginning July 1, 2018. The balance from the previous year was \$985,599.86. The fee collections as of December 31, 2018 was \$1,792,319.50. The total available funds was \$4,669,237.86. The total expenditures as of December 31, 2018 was \$1,165,541.47. The total expenditures and commitments was \$5,246,615.84, which included \$317,251.92 in administrative expenses. The details of the administrative expenses was included on page 12 of the meeting packet. The uncommitted balance as of December 31, 2018 was a negative \$577,377.98. Chief Deputy Jody Smith suggested that the fiscal report should include the commitment amounts that is owed to the counties for the reimbursements. Mr. Don Numer, PCCD, stated that the fiscal projection report includes the amount owed for reimbursements. He stated that the money owed is a liability. Chief Deputy Smith said that the financial situation would be more apparent and informative if the reimbursement liability was part of the fiscal report. She said it would be beneficial to have all the information on one report. Chairman Martin commended Chief Deputy Smith for her suggestion and asked staff to seek approval to include the reimbursement liability on the fiscal report.

Mr. Anthony Sassano made a motion to approve the fiscal report for the period ending December 31, 2018 for state fiscal year 2018-2019. Chief Deputy Smith seconded the motion and the motion passed with the following votes:

Voting Aye: Board Members Jirard, Martin, Nothstein, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Numer reviewed the Fiscal Projection Report that was provided on page ten of the meeting packet. He stated that it is projected that during fiscal year 2022-2023, all available funds would be spent. Mr. Numer stated that the current projections are conservative in that the report does not take into account future savings from implementing on-line training for continuing education and from modifying the waiver training to have one week of on-line training and one week of residential training.

Mr. Numer reminded the SDSETB regarding their previous decision of only hosting one Basic Training class in 2020, if it was deemed necessary due to a lack of funding. Mr. Numer stated that the SDSETB would need to make that final decision no later than at the May 17, 2019 meeting in State College. Mr. Numer informed the SDSETB that based on the fiscal projections, he did not think that it would be necessary to only host one Basic Training class in 2020.

Mr. Tom Maioli, Executive Director of the PA Sheriffs' Association (PSA), asked if only one Basic Training Class would be held in 2020. Mr. Numer confirmed that the SDSETB is in an appropriate position to host two classes in 2020.

Chairman Martin stated that if the proposed legislation is approved that would generate more revenue, that would impact the decisions regarding training programs. He said he is concerned about the increase in liability associated with the reimbursements owed to the counties. He stated the legislative movement regarding the fees appears to be promising.

Mr. Maioli reported that Representative Schemel introduced a Fee Bill in the House Judiciary Committee. The chairman of that committee is Representative Kauffman. Mr. Maioli stated that the PSA has the support of Representative Schemel. There is consideration of introducing a separate bill to only address the surcharge that provides the funding for the SDSETB. They are seeking the support of a Representative to introduce a bill concerning the surcharge. The plan is to incorporate language that will provided for incremental increases in future years. Mr. Maioli stated that he is planning to have a meeting with Senator Browne, to discuss the level of support for legislation in the Senate.

Mr. Numer informed the SDSETB that the current reimbursement liability is approximately 2.1 million dollars. He stated that a new report will be provided at the May 2019 meeting. The new report will factor in the projected reimbursements through June 30, 2019, which will include the current Basic Training class and the remainder of the continuing education classes. He stated that he expects the liability to be close to 3 million dollars.

Mr. Numer reported that the Workgroup met on February 13, 2019 and identified several topics for the development of on-line training for continuing education for 2020. The curriculum for the 2020 on-line continuing education will consist of two hours of Legal Updates and four hours of Social Media for Law Enforcement. Four additional hours of training needs developed to be included for the mandated ten hours of continuing education for 2020. Mr. Numer reviewed the four topics to be considered for development. Officer Safety was the Workgroup's topic of choice. The second subject

was De-escalation Skills. The third subject was Professional Liability/Ethics and the last topic was Demystifying the Opioid Crisis. Mr. Numer stated that only one topic needs to be developed and that the remaining subjects would remain priorities for future development, for subsequent training years. Chief Deputy Smith confirmed that the consensus of the Workgroup was to recommend developing the on-line training for Officer Safety.

Chief Deputy Smith made a motion to approve the development of a four-hour block of on-line training regarding Officer Safety. Deputy Ed Walker seconded the motion and it passed with the following votes:

Voting Aye: Board Members Jirard, Martin, Nothstein, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Chief Deputy Smith asked Mr. Numer for an explanation regarding the differences of the Request for Proposal (RFP) process and the Master Agreement process regarding entering into contracts for development and delivery services. Mr. Numer stated that the RFP process is an “open” bid process in which anyone can submit a proposal. A work statement is issued, detailing the required services to be provided. This has proven to be a lengthy process, that can take up to 1.5 years and that somewhat limits your ability to negotiate services and costs. There is a risk with the RFP process in which entities may try to “low-ball” the costs of services, attempting to secure the contract and in fact may not be able to perform the services required. The RFP process may include a high cost of doing business. The process is based on a point system, which encourages the use of disadvantaged businesses as the primary contractor or as a sub-contractor. Larger entities will often sub-contract with these businesses for services they could provide themselves at a lower cost.

Mr. Numer explained that the Master Agreement process allows us to contact a Commonwealth approved entity for securing the services needed. This process is much shorter in time to enter into a contract. It is an advantage having knowledge of the entities and their capabilities of rendering services. The Master Agreement process allows more flexibility in negotiating contract costs.

Chairman Martin asked how an entity gets approved for the Master Agreement process. Mr. Numer stated that the entity would contact the PA Department of General Services for information regarding the Master Agreement process.

Mr. Maioli asked how the Invitation to Quote (ITQ) process worked. Mr. Numer explained that the ITQ process is often used for securing services regarding smaller projects. This may be an appropriate method to use for contracting for the development of specific training courses. Entities are approved by the Commonwealth to be on the ITQ list. A proposal is issued for entities on the ITQ list to consider. Mr. Maioli asked how we would buy a course. Mr. Numer stated that a detailed request for services would

be issued and then a decision is made to purchase or decline the bid. Mr. Maioli stated that the ITQ process may be beneficial in allowing the ability to obtaining relevant “pre-packaged” curriculum in a timely manner. Mr. Numer stated that the Workgroup discussed the goal to develop a library of on-line classes to allow sheriffs and deputies options. With the current lack of funding, it would be difficult to justify developing multiple courses. Mr. Maioli said that he has been informing legislators that the SDSETB has no funding to support the existing programs.

Mr. Numer informed the SDSETB that Mr. Travis Day appealed the Board’s decision to deny his re-instatement to the Sheriff and Deputy Sheriff Basic Training Academy. He is appealing the decision to the PCCD. The PCCD requested that an administrative appeal hearing be scheduled before a hearing officer. This process is completed through the PA Department of the State. Mr. Numer stated that the hearing process is often lengthy, in that it may take months. Mr. Numer stated that staff will be involved in this process and that he would keep the SDSETB informed of the process.

Mr. Numer provided an update regarding the shooting incident that occurred at the Ramada Inn, in January. The shooter was engaged in a domestic dispute in the bar of the hotel. The shooter wounded his ex-girlfriend and shot two other male bystanders. No deputies were in the area of the shooting. Two female deputies were in route to the lobby for a snack when they heard the shots and witnessed one of the wounded males. The deputies rendered emergency medical assistance and contacted the police. They contacted the other deputies and instructed them to remain in their rooms. Mr. Numer stated that all the deputies were accounted for within an hour. Mr. Numer stated that Mr. Doug Hummel, PCCD, was at the academy the morning after the shooting and contacted all the sheriffs regarding the situation. Doug and Mr. Maioli maintained communication throughout the day to keep the sheriffs informed of the situation. Mr. Numer stated that the academy staff conducted a critical incident debriefing session with the class. The deputies were informed about available counseling services offered at the university.

Mr. Hummel reviewed the time extension requests. All requests complied with the SDSETB Policy. The time extension requests were submitted for the following deputies: Brandon Bredemeier, Beaver County; Steven Roudabush, Bedford County; Jarrod Roberts, Dauphin County; Odessa Carichner, Lycoming County; Stephen Brundage, Zachary Fischer, Jared Hollidge, Daniel Lauer, Ryan Williams, Venango County; Laura Palm, Edward Rosario, York County; Jeffrey Rhone, Clearfield County; and David Allison, Adams County.

Commissioner Nothstein made a motion to approve the time extension requests. Sheriff Weaknecht seconded the motion. 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 Jirard, Martin, Nothstein, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Hummel reviewed the list of time extensions that were approved by the Training Supervisor. Extensions were approved for: Casey McDougal, Allegheny County; Anthony Clay, Beaver County; Michael Hatcher, Carbon County; Andrew Ruzicka, Columbia County; Courtney Staley, Luzerne County; Thomas Mesunas, Montgomery County; Vance Robinson, April Washington, Derrick Murphy, Delores Ramos, David Zarko, Benjamin Cruz, Rosalind Mason, Philadelphia County; Michael Lutz, William Kell, 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 request submitted by former Clearfield County Sheriff, Chester Hawkins. The request was for a waiver of training. Former Sheriff Hawkins decided to return to service as a deputy sheriff. He is currently employed by Sheriff Michael Churner, Clearfield County. Deputy Hawkins served as a deputy sheriff from 1972 to 1977 and served as sheriff from 1978 to his retirement in 2014. In addition, he served on the Deputy Sheriffs' Education and Training Board from 1995 to 2011.

Deputy Hawkins was not grandfathered when Act 1984-2 was enacted. He was the sheriff prior to the legislation being enacted and the legislation only provided for the training requirements for deputy sheriffs, not sheriffs. He was never certified because he retired in 2014, months prior to Act 2014-114 being implemented, which required all sheriffs to become certified. In accordance with the SDSETB Policy, Deputy Hawkins would need to complete the 2-week Waiver Training Program for certification. Based on his past experience as a deputy and sheriff, he requested to be exempt from the Waiver Training Program and be granted certification.

Mr. Numer presented three options for the SDSETB to consider. Option one was for the SDSETB to grant certification to Deputy Hawkins based on his past experience. Option two would be to grant certification upon his completion of the on-line comprehensive legal updates course. The third option was to require Deputy Hawkins to attend the 2-week Waiver Training Program for certification.

Sheriff Martin stated that there was a need for some level of update training and that he would consider requiring the on-line comprehensive legal updates course. Ms. Stephanie Jirard expressed concern for setting precedence by not adhering to the policy. She recommended that he complete the 2-week Waiver Training Program for certification. Chief Deputy Smith stated that she has great respect for Sheriff Hawkins, but agreed with Ms. Jirard's recommendation. Deputy Walker agreed with Ms. Jirard's recommendation.

Commissioner Nothstein made a motion to deny the training waiver request for Deputy Hawkins and require his completion of the Waiver Training Program for certification. Mr. Sassano seconded the motion and it passed with the following votes:

Voting Aye: Board Members Jirard, Martin, Nothstein, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Hummel reviewed the instructor applications submitted by the Penn State University. Applications were submitted for Mr. Timothy Stringer, for Emergency Medical Services, Physical Conditioning, Security, and Emergency Vehicle Operations; Mr. Devon Moran, for Emergency Medical Services; Mr. Daniel Lewis, for Law, Professional Development, Firearms, Defensive Tactics, Security, Deputy Safety, and Investigations; and Mr. Edward Delaney, for Emergency Medical Services.

Sheriff Weaknecht made a motion to approve the instructor applications. Deputy Walker seconded the motion and it passed with the following votes:

Voting Aye: Board Members Jirard, Martin, Nothstein, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Mike Ecker, Penn State University, provided the basic training delivery report. The first for record physical fitness test for the current basic training class is scheduled for March 18, 2019. Class B-19-02, beginning July 2019, has reached the maximum capacity of 40 deputies and 4 more are on the waiting list. The next Waiver Training Program is scheduled to begin April 29, 2019. Enrollment is at 45 deputies. Fifty is the maximum enrollment. The Basic Training graduation will be held on May 17, 2019 at 11:00 a.m., at the Ramada Inn, State College. Mr. Ecker invited everyone to attend graduation.

Mr. Anthony Luongo, Temple University, provided the continuing education delivery report. Training concluded in Philadelphia at the end of 2018. Class resumed in 2019, in York, PA and a supervisory training was held in State College, PA. The training cycle will continue with classes in Altoona and Clarion in March 2019. Training will conclude with classes being held in Harrisburg and Reading during May and June.

Mr. Hummel thanked Assistant Chief Deputy Paris Washington and Sgt. Angelinel Brown from the Philadelphia Office of the Sheriff for their continued support of the training program. They were able to schedule all their deputies into fewer classes, which allowed for the cancelation of two classes. This resulted in a monetary savings for the SDSETB.

Mr. Rob Harford, Penn State – Fayette, provided the report on curriculum development. The instructor guide for the new Tactical First Aid curriculum was being finalized and is expected to be sent to the academy staff for review within the next week. The Civil Law curriculum is being developed for the changes to the Waiver Training Program. On-line course development will continue in preparation for the 2020 Continuing Education Training. Subjects include: Social Media, Officer Safety, and Legal Updates.

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 Jirard, Martin, Nothstein, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None