

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

**Minutes of the August 27, 2019 Meeting**

Members Present

James P. Goodman  
Todd A. Martin  
Anthony Sassano  
Jody S. Smith  
Ed Walker  
Eric Weaknecht

Members Absent

Stephanie Jirard  
John McEnroe  
Wayne E. Nothstein  
Farley D. Toothman

Commission Staff Present

Doug Hummel  
Don Numer  
John Pfau  
Beth Romero  
Megan Staub

Others Present

Penn State University  
Mike Ecker  
Steve Shelow

Temple University  
Anthony Luongo

PA Sheriffs' Association  
Tom Maioli  
Beth Appleby

Sheriffs  
Ron Anderson, Cumberland Co.  
Brian Szumski, Luzerne Co.

Others

Chief Deputy John Duignan,  
Dauphin Co.  
Lt. Ryan Foy, Luzerne Co.

The August 27, 2019 meeting of the Sheriff and Deputy Sheriff Education and Training Board (SDSETB) was called to order by 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.

Chairman Martin asked if everyone had an opportunity to review the minutes from the May 17, 2019 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 May 17, 2019. Deputy Ed Walker seconded the motion. 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 Goodman, Martin, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Ms. Beth Romero, PCCD, reviewed the year end fiscal report for state fiscal year 2018-2019, as of June 30, 2019. The balance from the previous year was \$985,599.86. The fee collections as of June 30, 2019 was \$3,422,962.50. The total available funds were \$4,408,562.36. The total expenditures as of June 30, 2019 was \$2,475,512.77. The total expenditures and commitments were \$5,946,766.57 which included \$597,434.03 in administrative expenses. The details of the administrative expenses were included on page 11 of the meeting packet. The uncommitted balance as of June 30, 2019 was a negative \$1,538,204.21. Mr. Donald Numer, PCCD, explained that the uncommitted balance did not include the cumulative financial obligation for the reimbursements owed to the counties. The unpaid county reimbursement amount is projected at \$2,508,960.00 through June 30, 2019. This was included as a footnote at the bottom of the fiscal report as requested by the SDSETB. Mr. Numer stated that the negative balance includes financial commitments for multiple years beyond the current fiscal year. Revenue is only reported for the current fiscal year. For reporting purposes, the SDSETB is not permitted to include future years projected revenue in the fiscal report.

Mr. Anthony Sassano made a motion to approve the year end fiscal report for state fiscal year 2018-2019, ending June 30, 2019. Sheriff Weaknecht seconded the motion and the motion passed with the following votes:

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

Voting Nay: None

Mr. Numer reviewed the Fiscal Projection Report that was provided on page nine 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 changes to the Waiver Training Program for 2021 will add additional savings. Mr. Numer stated that this projection does not include the county reimbursement obligations. The financial obligation to the counties by 2022-2023 is projected to be over 12 million dollars.

Mr. Numer reviewed the Fee Collection Report that was provided on page ten of the meeting packet. He explained that the amount of fees collected have been decreasing over the last few years. Mr. Tom Maioli, Executive Director of the PA Sheriffs' Association (PSA) asked if the curriculum development contract for the period of July 1, 2019 through June 30, 2021, for \$715,888.62 included the development of on-line training. Mr. Numer explained that the contract includes the development of the on-line training for the Continuing Education Program and the changes in curriculum for adapting the two-week Waiver Training Program to one week of on-line training and one week of classroom training. In addition, the contract includes changes to the Basic Training Program. Mr. Numer stated that some savings will occur, but we still need to develop the on-line classes. Mr. John Pfau, PCCD, explained that the contract for curriculum development was a joint contract that includes services for the SDSETB and the Constables Training Program. Separate budgets exist within the contract. The joint contract allows for a savings in overhead costs in comparison to the costs of having separate contracts.

Mr. Numer reviewed the Administrative Expense Report and the Purchase Order Report provided on pages 11 and 12 of the meeting packet.

Mr. Numer reported that 2.5 million dollars has been submitted by the counties for reimbursement. The total potential liability for reimbursements owed to the counties is approximately 3.2 million dollars. Mr. Numer reminded the SDSETB of the report he sent earlier in the summer, which detailed the reimbursement situation. Mr. Numer stated that the financial obligation will increase toward the end of the year as a result of the current basic training class and remaining waiver training classes for 2019.

Mr. Numer stated that forty-three deputies were scheduled to attend Basic Training beginning July 15, 2019, with class B-19-02. One deputy failed to report for training and another did not have medical clearance to attend. Forty-one deputies attempted the entrance physical fitness test. Five deputies failed the test and one stopped testing due to a medical concern. Thirty-five deputies remained in the class.

Mr. Numer stated that four deputies failed to appear for the July 2019 Firearms and Patrol Rifle Instructor Re-Certification classes. Letters were sent regarding the "no-shows" and the costs incurred by the SDSETB. Chief Deputy Jody Smith asked how much the instructors are paid. Mr. Numer stated that he would need to confirm that with the contract. Mr. Numer stated that the program has a lead instructor, assistants, and a range safety officer. The instructors teach and serve as the "problem students" for the training attendees to instruct. When deputies don't show for class, it is not fair to send home instructors that took time off of their main employment to teach.

Mr. Numer informed the SDSETB that all active and certified deputies had their Needs Training Due Date changed to December 31, 2020. Beginning in 2020, all active and certified deputies will be required to complete ten hours of on-line training each year to maintain their certification. Training completed in 2020 will extend the training due date until December 31, 2021.

Mr. Numer stated that the Sheriff and Deputy Sheriff Information System (SDSIS) was changed to now require sheriffs to upload proof of current first aid certification and CPR certification prior to allowing enrollments in Basic Training.

Mr. Numer informed the SDSETB that the Workgroup conducted a meeting on June 11, 2019. The recommended subjects for development for the 2021 continuing education training included: Legal Updates, 2 hours; Transports, 4 hours; and Mental Fitness, 4 hours. The PSA was going to provide curriculum for the Mental Fitness course that includes a power point. The Middle Atlantic – Great Lakes Organized Crime Law Enforcement Network (MAGLOCLLEN) has course material that the PSA plans to obtain and provide to staff.

The continuing education topics for 2022 include: Legal Updates, 2 hours; Addiction Issues, 4 hours; and Court Security, 4 hours. The PSA offered to provide curriculum materials for the Addiction course.

The Workgroup also discussed the option to charge a fee for attendance at the Train-the-Trainer Program, specifically the Firearms and Patrol Rifle Instructor classes. Mr. Numer stated that the SDSETB previously approved that attendees supply their own ammunition and that reimbursements for salary and travel be eliminated. Mr. Numer stated that for a class size of ten, it would cost approximately \$750.00 per person for the cost of the training and lunch. This would not cover the cost of lodging. Ammunition would remain the responsibility of the attendee to provide. Mr. Maioli asked how much did the lodging cost. Mr. Numer stated that one room at the Ramada Inn is approximately \$55.00 per night.

Chairman Martin stated that the Firearms Instructor Program is important. It helps in maintaining unification of what is being taught.

Chief Deputy Smith asked if a date was determined for the next Workgroup meeting. She suggested that the Workgroup meet once every two months. Meetings could be cancelled if not needed. Mr. Numer stated that he would solicit dates for the next workgroup meeting.

Lieutenant Ryan Foy, Luzerne County, asked if the SDSETB would consider restoring the initial Train-the-Trainer courses, to include the Firearms Instructor and Patrol Rifle Instructor classes. He said his office has a need for more firearms instructors. Mr. Numer stated that the initial Instructor Development Course does not cost as much as the Firearms and Patrol Rifle instructor classes. Mr. Numer stated that due to costs, there is no plan to resume these classes. This could be a topic for the Workgroup to review.

Chairman Martin stated that the SDSETB has made a commitment to maintain the Firearms Instructor and Patrol Rifle Instructor Re-Certification courses. Lt. Foy asked if the SDSETB would consider accepting other Firearms Instructor Certifications as qualifying experience to attend the SDSETB sponsored re-certification classes. Sheriff Brian Szumski, Luzerne County, agreed with Lt. Foy. Mr. Numer stated the SDSETB could consider that as an option.

Mr. Doug Hummel, PCCD, reviewed the time extension requests submitted by Sheriff William Mullen, Allegheny County, for Deputy Kyle Klein and Deputy Ryan Williams. The extensions complied with the SDSETB Policy.

Sheriff Weaknecht made a motion to approve the time extension requests for Deputy Klein and Deputy Williams. Deputy Walker 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 Goodman, Martin, 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: Sheriff James Muller, Adams County; Deputy Amber Drum, Armstrong County; Deputy Derek Campbell, Bradford County; Sheriff Ronny Anderson and Sgt. Ronald Kerr, Cumberland County; Deputy Mark Bridge, Greene County; Deputy Anthony Passariello, Lackawanna County; Deputy Melissa Heim, Lancaster County; Deputy Carleen Burns and Deputy Kasey Sapp, Montgomery County; Deputy Eric Nemeth, Northampton County; Deputy Cody Sheriff, Deputy Robert Bradby, Deputy Trina Smith, Deputy Shirley Aviles, Deputy Daniel Gissinger, and Deputy Vance Robinson, Philadelphia County; Deputy Shawn Butler, Schuylkill County; and Chief Deputy Michael Hose, Deputy Richard Lutz, Deputy William Kell, Deputy Jeremiah Amend, Deputy Cody Kitzmiller, and Deputy Rachel Seik, 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. Hummel reviewed the instructor applications submitted by Penn State University. Applications submitted included: Mr. Christian Fishel, Professional Development, Firearms, Defensive Tactics, Physical Conditioning, Security, Deputy Safety, and Investigations; Mr. David Kessling, Professional Development, Firearms, Security, and Deputy Safety; Mr. Gregory Koehle, Law, Professional Development, Deputy Safety, and Investigations; Mr. Erik Christensen, Defensive Tactics, Firearms, Security, and Deputy Safety; Mr. Gregory Ferner, Defensive Tactics, Firearms, Security, Deputy

Safety, Physical Conditioning, Investigations, and Professional Development; Mr. Clifford Neal, Emergency Medical Services; Mr. Kent Knable, Emergency Medical Services; Mr. Victor Fremberg, Emergency Medical Services; and Mr. Jeffrey Brytczuk, Emergency Medical Services.

Chief Deputy Smith asked if the Academy was experiencing instructor shortages. Mr. Michael Ecker, Penn State University, stated that some turnover has occurred, but often the issue is with instructor availability. Mr. Ecker stated that the instructor compliment is usually around 80.

Judge James Goodman made a motion to approve the instructor applications. 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 Goodman, Martin, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Numer reviewed the training request submitted by Sheriff Nicholas Chimienti, Dauphin County, for Deputy Cristina Popescu. Deputy Popescu was removed from the basic training academy class B-19-01 as a result of safety concerns during firearms training. Chief Deputy John Duignan addressed the SDSETB on behalf of Sheriff Chimienti. Deputy Popescu was terminated as a deputy sheriff and was instructed by the sheriff's office to continue to train to improve her firearms knowledge and skills. On August 1, 2019 Ms. Popescu participated in the firearms training and qualification with the sheriff's office. Due to her ability to pass the qualification test and her demonstration of improved firearms handling and knowledge, the request is for consideration to have her return to the academy and repeat the firearms training module and continue attending all other missed training for certification.

Mr. Numer stated that SDSETB has had prior precedence in these and similar training requests in the past.

Deputy Walker made a motion to approve the training request for Deputy Cristina Popescu. 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 Goodman, Martin, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Numer reviewed the proposed changes to the Training Code of Conduct. Changes included language in Section I, regarding testing as it relates to instituting the on-line training for continuing education. Also, changes to expand Section VII, regarding fitness for duty and the prohibition of attendance at training under the influence of alcohol. Mr. Numer stated that if the SDSETB approved the changes to the Code of Conduct, it would need to be approved by the PCCD prior to implementation. The goal is to implement the new Code of Conduct on January 1, 2020.

Sheriff Weaknecht made a motion to approve the proposed Code of Conduct. Chief Deputy Smith 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 Goodman, Martin, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Numer reviewed the proposed changes to the SDSETB Training Policy. The proposed changes included language to address the requirement of on-line training for continuing education and the requirement of ten hours of training per year instead of 20 hours per two years for re-certification. Language was proposed to clarify the reimbursements for continuing education from “every cycle” to annual continuing education training. Revisions to the time extension policy were proposed to eliminate unneeded extensions for continuing education training. The last proposed revision clarified the re-employment procedures for sheriffs and deputies. Mr. Numer stated that if the SDSETB approved the changes to the Policy, it would need to be approved by the PCCD prior to implementation. The goal is to implement the new Policy on January 1, 2020.

Sheriff Weaknecht made a motion to approve the proposed changes to the SDSETB Training Policy. Deputy Walker 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 Goodman, Martin, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Mike Ecker, Penn State University, provided the basic training delivery report. Mr. Ecker stated that Basic Training Class B-19-02 that began on July 15, 2019 had 35 deputies attending. The September Waiver Training class enrollment was at 37 deputies and the October Waiver Training class had an enrollment of 30 deputies. He reported that Law Enforcement Training Specialist, Tim Stringer, recently resigned to become Chief of Police for Lock Haven University. He acknowledged Mr. Stringer’s dedication

to the program. Mr. Ecker informed the SDSETB that Mr. Paul Banach was hired to replace Mr. Stringer. Mr. Banach is familiar with the training program as he was previously employed with the academy. Mr. Ecker was pleased to have Mr. Banach return.

Mr. Anthony Luongo, Temple University, provided the report on continuing education training. As of June 30, 2019, all continuing education classes were completed. Temple is working with Penn State – Fayette and PCCD staff to prepare for the implementation of the new on-line continuing education training, scheduled to begin in January 2020.

Mr. Numer reported that Penn State – Fayette hired the replacement for Mr. Ted Mellors, who retired in June 2019. Mr. Michael Wysteppek was hire and began his employment yesterday. Mr. Numer stated that the Tactical First Aid course for Basic Training was completed and under final review. Student resource materials were sent to the academy to be distributed to the deputies via thumb drives. Penn State – Fayette is working with academy instructors to revise the Waiver Training Program to one week of on-line training and one week of classroom training.

Mr. Numer stated that curriculum is being developed for the 2020 on-line continuing education training. The Social Media course is complete. Officer Safety is expected to be complete by the end of September. Legal Updates will be developed closer to the end of the year, as to ensure any legislation passed in the fall would be included.

Sheriff Szumski asked if additional Basic or Waiver Training classes would be added for next year. He also asked if the Board would consider time extensions due to the shortage of available classes. Sheriff Szumski stated that he has a staff compliment of 40 deputies. Ten deputies are newly hired and must become certified. Due to staffing shortages, he stated that he can not afford to send all his new hires to the same class and was concerned about the need for time extensions. Mr. Numer stated that the SDSETB would address any request made by a sheriff. Chairman Martin acknowledged that salaries are low in many counties and retention is problem.

Chairman Martin stated that the PSA is supportive of continuing education and mentioned that a training on the opioid crisis is being held in Carlisle, PA. The training is sponsored by the PSA and MAGLOCLEN.

Chairman Martin announced that he would be retiring at the end of 2019 and would no longer be able to serve on the SDSETB. He thanked everyone for their support and dedication. He stated that the November meeting would be his last meeting.

Mr. Maioli thanked Chairman Martin for his service to the SDSETB. Mr. Maioli stated that the PSA will continue to work with Senator Brown's office on introducing a Bill that would increase the surcharge for the Training Account. The proposed Bill would be limited to only address the surcharge. The Legislature is scheduled to return to session in September. He stated that the Safe Schools Bill was changed to include Sheriffs and Deputy Sheriffs as school resource officers.



Mr. Maioli stated that it was great news to have a SDSETB member as part of the committee recently commissioned by the Governor's Executive Order regarding Gun Violence. Chairman Martin stated that the Chair of the SDSETB may be the representative of the SDSETB or his designee. No decision was made on the SDSETB appointment to the Gun Violence Committee.

Mr. Maioli stated that the PSA will be conducting a survey for the sheriffs to identify best practices for the recruitment and retention of deputies. He stated that salary is the biggest concern.

He stated the PSA is sponsoring three trainings. The trainings were being held in Carlisle, Washington County, and Crawford County. Anyone wanting to attend can contact him or MAGLOCLEN. Mr. Numer asked if this was the training that was going to be provided to staff by the PSA. Mr. Maioli confirmed that this was the training and he would get the information to staff.

Mr. Maioli thanked staff for allowing the PSA to address the Basic Training Academy class.

Mr. Maioli expressed his pleasure regarding the successful graduation ceremony in May. He thanked the Berks County Sheriff's Office Color Guard for their participation. The PSA made arrangements for the Butler County Color Guard to participate at the ceremony. Plans are being made to have Sgt. Manning of the Allegheny County Sheriff's Office sing the national anthem at the November graduation. The November graduation will be live streamed on the internet.

Mr. Numer informed the SDSETB that he has received phone calls regarding the fees that support the training. He stated that he informs people to contact the PSA. Mr. Numer stated that he supplied information to Mr. Maioli to assist in developing a plan to get legislation introduced to increase the fees. Mr. Maioli stated that he attended a recent County Commissioners' Association meeting to address the fee issues.

Mr. Maioli stated that the PSA is partnering with the PA Coalition Against Domestic Violence to host a forum regarding the effects since the passing of Act 79. The forum will be held prior to the end of the year in State College, PA.

Sheriff Weaknecht asked about the financial situation with the Constable's Program. Mr. Pfau stated that the Constable's fund is worse. As a cost savings measure for both programs, the on-line training delivery contract will be a joint contract, with separate budgets, with the Constable's Program and the SDSETB. Mr. Pfau stated that he files time sheets to identify the amount of his time performing duties for the Constable's Program and the SDSETB. He stated that he has been doing work on the Safe School's Program and that some of his time was being applied to that funding.

Mr. Numer announced the meeting dates for 2020 as: February 25, 2020, at PCCD; May 22, 2020, at State College; August 25, 2020, at PCCD; and November 17, 2020, at PCCD.

Sheriff Weaknecht made a motion at 10:40 a.m. to adjourn the meeting and enter into an executive session. Deputy Walker 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 Goodman, Martin, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

At 10:50 a.m. Sheriff Weaknecht made a motion to re-open the public meeting of the SDSETB. Deputy Walker seconded the motion. The motion passed with the following votes:

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

Voting Nay: None

Mr. Numer reviewed the Certification Revocation of Ms. Lyric Dunbar, former Deputy Sheriff with the Philadelphia Office of the Sheriff.

Deputy Walker made a motion to revoke the certification of Ms. Lyric Dunbar. 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 Goodman, Martin, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Numer reviewed the Certification Revocation of Mr. Adam Richardson, former Deputy Sheriff with York County.

Deputy Walker made a motion to revoke the certification of Mr. Adam Richardson. Mr. Sassano 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 Goodman, Martin, Sassano, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Numer reviewed the Certification Revocation of Ms. Amanda Barbish, former Deputy Sheriff with Westmoreland County. The SDSETB did not render a decision on this request.

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

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

Voting Nay: None