

SHERIFF AND DEPUTY SHERIFF EDUCATION AND TRAINING BOARD

Minutes of the April 13, 2021 Meeting

Members Present

Isaac Caraway
Michael J. Koury Jr.
Brandon Neuman
Wayne E. Nothstein
Jody S. Smith
Ed Walker
Eric Weaknecht

Members Absent

Stephanie Jirard

Commission Staff Present

Doug Hummel
Don Numer
John Pfau
Beth Romero
Yvonne Murray
Debra Sandifer

Present

Penn State University
Mike Ecker
Steve Shelow

Temple University
Tony Luongo

PA Sheriffs' Association
Tom Maioli

Philadelphia Sheriff's Office
Sheriff Rochelle Bilal
Captain Willette Furtick

Elk County Sheriff's Office
Sheriff Todd Caltagarone

Indiana County Sheriff's Office
Sheriff Robert Fyock

Snyder County Sheriff's Office
Sheriff John Zechman

Wayne County Sheriff's Office
Acting Sheriff Christopher Rosler

Montgomery County Sheriff's Office
Chief Deputy Adam Berry

The April 13, 2021 meeting of the Sheriff and Deputy Sheriff Education and Training Board (SDSETB) was called to order by Chairman Eric Weaknecht, at 9:00 a.m. Due to the COVID-19 pandemic, the meeting was being held via Teams conference call. Chairman Weaknecht informed everyone that the meeting was being audio recorded.

Mr. Donald Numer, Pennsylvania Commission on Crime and Delinquency (PCCD) confirmed the attendance of Board members: Chairman Weaknecht, Chief Deputy Jody Smith, Mr. Isaac Caraway, Commissioner Wayne Nothstein, Deputy Ed Walker, and Judge Brandon Neuman. He stated that a quorum of members was present.

Mr. Numer acknowledged the attendance of PCCD staff members: Ms. Elizabeth Romero, Ms. Yvonne Murry, Ms. Debra Sandifer, Mr. John Pfau, and Mr. Douglas Hummel. Mr. Numer stated that Mr. Michael Pennington, PCCD Executive Director had a prior commitment and that he might join the meeting.

Others in attendance included: Mr. Michael Ecker and Mr. Steve Shelow, Penn State Justice and Safety Institute; Mr. Tony Luongo, Temple University; Mr. Thomas Maioli, Executive Director of the PA Sheriffs' Association (PSA); Sheriff Rochelle Bilal, Philadelphia Office of the Sheriff; Captain Willette Furtick, Philadelphia Office of the Sheriff; Sheriff Robert Fyock, Indiana County; Sheriff John Zechman, Snyder County; Sheriff Todd Caltagarone, Elk County; and Chief Deputy Adam Berry, Montgomery County.

Chairman Weaknecht instructed Mr. Numer to conduct the election of Board Chairman and Vice Chairman. Mr. Numer recommended that the Board elect officers to serve as Chairman and Vice Chairman through the end of calendar year 2022. The Board members agreed.

Mr. Numer asked for nominations for the position of Chairman of the SDSETB. Commissioner Nothstein made a motion to nominate Sheriff Weaknecht as Chairman. Deputy Walker seconded the nomination. No other nominations were made and Sheriff Weaknecht was re-elected as the Chairman of the SDSETB with the following votes.

Voting Aye: Board Members Caraway, Neuman, Nothstein, Smith, and Walker

Voting Nay: None

Mr. Numer asked for nominations for the position of Vice-Chairman of the SDSETB. Commissioner Nothstein made a motion to nominate Chief Deputy Jody Smith as Vice Chairwoman. Chairman Weaknecht seconded the nomination. No other nominations were made and Chief Deputy Smith was re-elected as the Vice Chairwoman of the SDSETB with the following votes.

Voting Aye: Board Members Caraway, Neuman, Nothstein, Weaknecht, and Walker

Voting Nay: None

Mr. Numer acknowledged that Board member, Judge Michael J. Koury, Jr. joined the meeting. Judge Koury was recently appointed to the Board and this was his first meeting. Judge Koury stated that he was pleased to serve with the Board. He stated that he has a funeral to attend and that he would not be able to attend the entire meeting.

Chairman Weaknecht asked if everyone had an opportunity to review the minutes from the January 12, 2021 Board meeting. He stated that if there was no discussion, then he would entertain a motion to approve the minutes.

Chief Deputy Smith made a motion to approve the meeting minutes from January 12, 2021. Deputy Walker seconded the motion. Chairman Weaknecht 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 Caraway, Koury, Neuman, Nothstein, Smith, Weaknecht, and Walker

Voting Nay: None

Ms. Murray, PCCD, reviewed the fiscal report for state fiscal year 2020-2021 for the period ending March 31, 2021. The balance from the previous year was \$3,120,727.93. The fee collections as of March 31, 2021 was \$2,293,155.00. The total available funds were \$5,413,882.93. The total expenditures as of March 31, 2021 was \$971,972.64. The total expenditures and commitments were \$6,035,105.01 which included \$387,971.10 in administrative expenses. The details of the administrative expenses were included on page 12 of the meeting packet. The uncommitted balance as of March 31, 2021 was negative \$621,222.08.

Chairman Weaknecht asked if anyone had any questions or concerns regarding the fiscal report. He asked for a motion to approve the fiscal report.

Deputy Walker made a motion to approve the fiscal report for state fiscal year 2020-2021, period ending March 31, 2021. Chairman Weaknecht seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the fiscal report.

Chief Deputy Smith inquired about the committed funds in the amount of \$613,592.04 to Penn State Fayette for the contract that ended April 5, 2020. She asked that since the contract ended, was that committed balance going to be returned to the training account. Mr. Pfau explained that the contract was a joint contract for services for the Constables' Program and the Sheriff and Deputy Sheriff Training Program. The expenses for both

programs are submitted on the same invoice and are shown separately on the invoice. Staff have reviewed and approved the last invoice for the contract and is awaiting the closure of the contract. Ms. Murray stated that the contract cannot be closed until the final invoice is paid. She stated that the invoice was approved and is in the payment processing phase. Ms. Murray stated that she monitors the Commonwealth payment system and will proceed to close the contract after payment is issued. She confirmed that the unexpended amount will be returned to the training account.

Chairman Weaknecht asked if there was any further discussion and that a motion was previously made to approve the fiscal report. No further discussion occurred and the motion passed with the following votes:

Voting Aye: Board Members Caraway, Koury, Neuman, Nothstein, Smith, Weaknecht, and Walker

Voting Nay: None

Chairman Weaknecht asked Mr. Numer to provide the training supervisor's report. Mr. Numer reported that as of March 31, 2021, the actual reimbursements owed to the counties was approximately 4.6 million dollars. It was projected to increase an additional 1.7 million dollars for unsubmitted reimbursement invoices and invoices for classes to be completed in 2021. He reported that approximately 1,200 reimbursement invoices are pending submission by the counties. Mr. Numer stated that unsubmitted invoices expire after 18 months. Chief Deputy Smith asked if the sheriffs are reminded to submit the invoices. Mr. Numer stated that staff monitor the invoices and have notified counties of the need to submit the invoices. Mr. Numer stated that since the invoicing process was automated in 2015, approximately \$7,000.00 in reimbursements expired.

Mr. Numer informed the Board that the Training Program was being audited by the PA Auditor General's Office. Staff has had meetings with the auditors and have provided any requested supporting documentation. He stated that this is a routine process and that the program is audited every few years. The last audit was in 2017 and there was no negative "findings." Mr. Numer expected that the current audit results will be similar to the past audits. He will continue to update the Board regarding the status of the audit.

Mr. Numer stated that approximately fifty percent of the sheriffs and deputies completed the required on-line continuing education training for 2021. The training has only been available since early February 2021.

Mr. Numer stated that the curriculum for the 2022 on-line continuing education training is in the process of being developed. The subjects include: Legal Updates, Addictions, Court Security, and Lethality Assessment.

Mr. Numer reported that Basic Training class B-21-01 began a compressed training schedule on March 22, 2021. The revised schedule includes weekend training. The goal of the compressed schedule was to assist in mitigating the spread of COVID – 19. The

class has had issues with COVID – 19 positive cases and close contact with other infected individuals. Several deputies are required to return with the next training class to complete missed training. Due to the compressed schedule, graduation will be held on May 7, 2021, instead of May 21, 2021. Mr. Numer acknowledged that some sheriffs did not support the implementation of the compressed schedule and other sheriffs expressed support and said they would have compressed the schedule sooner.

Mr. Numer stated that 39 deputies were enrolled in Basic Training class B-21-02, that begins April 26, 2021. Class B-21-03, beginning August 9, 2021, has 26 deputies enrolled. He stated that the last waiver training class (W-21-04) was being cancelled due to low enrollment in the third waiver training class. Mr. Numer stated that deputies can enroll in the third class or wait until January 2022. The cancellation is being done as a cost savings measure and the eligible enrollment numbers do not support hosting the fourth training this year.

Mr. Numer informed that Board that staff is working with Penn State to engage in the next contract to provide basic training and waiver training in 2022. The current plan is to conduct two basic training classes and four waiver training classes in 2022. The waiver training curriculum is being revised to consist of one week of on-line training as a prerequisite to attending one week of “in-class” training at Penn State. Mr. Numer stated that we have provided single occupancy lodging for the deputies due to COVID – 19. Depending on the situation, we are hopeful to go back to having double occupancy lodging for the deputies. This would considerably reduce costs. In addition, the plan is to return to training on campus at the HUB. This would reduce costs associated with meals, which are currently catered at the hotel. Mr. Numer stated that we will continue to follow the Commonwealth’s guidance regarding Covid – 19 restrictions. He stated that we also need to be mindful of any Penn State policies.

Mr. Numer reported that the Workgroup had a meeting on March 16, 2021. He sent everyone a draft document regarding the Board’s Training Reform and Diversity initiative. Mr. Numer modeled the document from the 21st Century Policing Report that the PCCD Chairman, Mr. Charles Ramsey, was involved with developing. Mr. Numer stated that Workgroup discussed the draft document and there was a concern that the issue of diversity should be addressed in a separate document. In addition, there was some desire to only include “strong” statements supporting diversity and goals/tasks to be accomplished. Mr. Numer stated that the draft document included language regarding the role of the Board and limitations. The limitations included things the Board could and could not influence and/or control. Some members thought the limitations should be removed.

Mr. Numer informed the Board of process to procure services via contracts. He explained that the Request for Proposal (RFP) involves issuing a work statement detailing the needs of the contract. Entities can submit proposals that would go through the scoring process and would receive a ranking. The scoring process involves both the technical components of services to be provided and financial costs. Mr. Numer stated that we have used the RFP process several years ago but have more recently used the

Master Agreement process. Based on prior experiences, the RFP process can take up to one and a half years to procure a contract for services.

Mr. Numer stated that the Master Agreement is a process in which the Commonwealth enters into an agreement with entities that would allow Commonwealth agencies to utilize to more quickly enter into specific contract for services. The Commonwealth has a Master agreement with both Penn State University and Temple University. Mr. Numer stated that we have utilized the Master Agreement process for the last several years with Penn State and Temple.

Mr. Numer stated that staff creates a “work statement” that identifies the services needed. Penn State would generate a plan and budget to meet the requirements of the work statement. This process is less time consuming in that we could engage in a new contract within approximately one month.

Mr. Numer reported that the current Master Agreement between the Commonwealth and Penn State expires on June 30, 2021. He stated that if a new Master Agreement is not implemented, we would need to shut training down effective July 1, 2021. Staff has been working with the academy staff to be prepared to sign a new contract once a new Master Agreement is implemented. The work statement is being finalized and Penn State will be working on a new budget. We are doing everything we can to be prepared to get the next purchase order implemented, as soon as the Master Agreement is approved.

Mr. Numer explained that entering into a new Master Agreement is negotiated between the Commonwealth’s Department of General Services (DGS) and Penn State. Mr. Numer stated that staff and the PCCD does not have a part in this process. He stated that we continue to communicate the needs of our program with DGS and the importance of completing a new Master Agreement so that we can continue training after June 30, 2021. Mr. Numer reported that both the executive director and financial director of the PCCD are involved and actively communicating with DGS. Mr. Numer stated that we are prepared to move quickly with the contract, once the Master Agreement is signed. Mr. Numer stated that he is concerned but does not see the need to panic at this time. He stated that we could have an issue if the Master Agreement is not in place by June 1, 2021.

Mr. Maioli, Executive Director of the PA Sheriffs’ Association, asked if there was anything the association or the sheriffs could do to assist the process. Mr. Numer stated that he appreciated the support but recommended at this point in time, that the issue be addressed by the PCCD executive staff.

Mr. Pfau stated he prepared a document that he provided Mr. Derin Myers, PCCD’s fiscal director, to assist in this process. Mr. Pfau stated that Mr. Myers had already contacted senior staff at DGS. Mr. Pfau explained that many Commonwealth agencies utilize the Master Agreement process.

Chief Deputy Smith asked that a meeting be scheduled within the next two weeks to discuss a contingency plan to provide training, should we need to shut down training at Penn State. Mr. Numer stated that he would like to have further discussions with Vice-Chairwoman Smith and Chairman Weaknecht, prior to scheduling another Board meeting.

Chairman Weaknecht asked Mr. Hummel to review the time extension requests. Mr. Hummel stated that the time extension request from Armstrong County was being removed from the agenda. Chief Deputy Bish informed Mr. Hummel that the request was no longer needed.

Mr. Hummel reviewed the time extension requests submitted by Sheriff Richard Keuerleber, York County. Sheriff Keuerleber requested time extensions for Deputy Thaddeus Cebula and Cole Zimmerman. Deputy Cebula is scheduled to attend class B-21-03, beginning August 9, 2021 and Deputy Zimmerman is scheduled to attend class B-21-02, beginning April 26, 2021. Both time extension requests acknowledged that the deputies will serve in an administrative capacity until they are certified.

Commissioner Nothstein made a motion to approve the time extension requests for Deputy Thaddeus Cebula and Cole Zimmerman, provided that they serve in an administrative capacity. Chief Deputy Smith seconded the motion. Chairman Weaknecht asked if there was any Board discussion or public comment regarding the motion. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members Caraway, Neuman, Nothstein, Smith, Weaknecht, and Walker

Voting Nay: None

Mr. Hummel reviewed the time extension requests that were approved by the program supervisor. 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 for Mr. Bradley Cornali and Mr. Christopher McCole, submitted by Penn State University. The request is to certify Mr. Cornali to instruct Firearms, Defensive Tactics, and Physical Conditioning and to certify Mr. McCole to instruct Firearms. Both candidates have the required instructor certifications in the subjects.

Chief Deputy Smith made a motion to approve the instructor applications for Mr. Cornali and Mr. McCole. Commissioner Nothstein seconded the motion. Chairman Weaknecht asked if there was any Board discussion or public comment regarding the motion. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members Caraway, Neuman, Nothstein, Smith, Weaknecht, and Walker

Voting Nay: None

Mr. Tony Luongo, Temple University, provided the report on continuing education training for Temple University. He reported that approximately fifty percent of the sheriffs and deputies completed the 2021 on-line continuing education training. The most common issue has been with people needing to reset their passwords. Mr. Luongo stated that his staff is working on the development of the 2022 continuing education training. The subjects include: Legal Updates, Lethality Assessment, Addictions, and Court Security. He stated that the law module curriculum for basic training will be reviewed for needed updates. In addition, the waiver training curriculum is being adapted to the new hybrid course that will include 40 hours of on-line training and 40 hours of classroom training.

Mr. Michael Ecker, Penn State University, provided the basic training delivery report. He stated that Basic Training Class B-21-01 started the compressed schedule on March 22, 2021. Due to the compressed schedule, graduation will be two weeks early. Graduation will be a “virtual graduation” and will be May 7, 2021, at 9 a.m. He stated that the PSA will live stream graduation, as they did for the previous two graduation ceremonies. Mr. Ecker stated the live stream has been very successful and he thanked Mr. Maioli and the PSA. He stated that the final physical fitness test for class B-21-01 is scheduled for Sunday, April 18, 2021. Eight deputies are required to pass the test in order to remain in the training academy.

Mr. Ecker stated that class B-21-02 begins on April 26, 2021. He said that the Firearms Instructor Training will be held May 10, 2021 through May 14, 2021. The Firearms and Patrol Rifle Instructor Re-Certification class will be held August 17, 2021 through August 19, 2021. Mr. Ecker announced that Mr. Cornali was recently hired as a full-time Law Enforcement Training Specialist and assigned to the academy.

Chairman Weaknecht asked if there were any additional comments from the Board, staff, or public. Mr. Maioli stated that he continues to monitor the potential for the Municipal Police Officers’ Education and Training Commission (MPOETC) to offer a condensed Act 120 academy. This could offer many deputies the ability to attend and receive credit for their prior training as a deputy sheriff. He reported that the issue was “tabled” at the last MPOETC meeting and it may be addressed at their next meeting.

Mr. Maioli asked if we still had an opening on the Board for a sheriff representative. Mr. Numer confirmed that a sheriff’s position is “open” since the Sheriff Klakamp resigned. Mr. Numer reported that he informed Mr. Pennington, PCCD Executive Director, that Sheriff Robert Fyock was recommended by the PSA. Mr. Numer stated that Mr. Pennington was going to inquire about the vacant position. Mr. Numer stated that the Governor’s appointment office sometimes asks for recommendations, but not always. Chairman Weaknecht asked if a had a vacancy for a deputy representative. Mr. Numer

confirmed that we have eight members and two vacancies, one sheriff representative and one deputy representative. Mr. Numer stated that he contacted three officers of the PA Deputy Sheriffs' Association to provide a recommendation and has not received a response. Chairman Weaknecht asked Mr. Maioli to request assistance from the sheriffs for a recommendation for a deputy to be appointed to the Board. Mr. Maioli agreed to solicit recommendations from the sheriffs.

Chairman Weaknecht announced that the next Board meeting was scheduled for July 20, 2021, at the PCCD or via video conferencing. The meeting will begin at 9:00 a.m.

Chief Deputy Smith made a motion to adjourn the meeting. Chairman Weaknecht seconded the motion and the meeting was adjourned with the following votes:

Voting Aye: Board Members Caraway, Neuman, Nothstein, Smith, Weaknecht, and Walker

Voting Nay: None