

DEPUTY SHERIFFS' EDUCATION AND TRAINING BOARD

Minutes of the March 15, 2011 Meeting

Members Present

Carmen C. DeLuca
Roger S. Gunesch
Chester A. Hawkins
D. Webster Keogh
Kurt E. Montz
Jody S. Smith

Members Absent

Dr. William G. Pettigrew, Jr.

Commission Staff Present

Norma Hartman
Doug Hummel
Don Numer
John Pfau
Alan Kennedy-Shaffer

Others Present

Pennsylvania State University
Bob Stonis
Don Zettlemyer

Penn State, Fayette Campus
Ted Mellors
Denny Glaus

Temple University
Tony Luongo
Christine Willard

Cumberland County Sheriff's Office
Sheriff Ronnie Anderson

York County Sheriff's Office
Lt. David Godfrey

The March 15, 2011 meeting of the Deputy Sheriffs' Education and Training Board (DSETB) was called to order at 9:00 a.m., in the Commission Room, at the Pennsylvania Commission on Crime and Delinquency (PCCD), Harrisburg, Pennsylvania.

Mr. Donald Numer, PCCD, informed the DSETB that Commissioner Harry Forbes resigned his position as Pike County Commissioner and Chairman of the DSETB. Commissioner Forbes accepted a position with Governor Tom Corbett's administration. Mr. Numer explained that DSETB Vice Chairman, Dr. William G. Pettigrew, Jr. would be the new Board Chairman and the Board would need to elect a new Vice Chairman.

Deputy Roger S. Gunesch nominated Chief Deputy Jody S. Smith for the position of Vice Chairwoman of the DSETB. Sheriff Chester A. Hawkins seconded the nomination of Chief Deputy Smith for the position of Vice Chairwoman.

Deputy Gunesch made a motion to close the nominations for the DSETB Vice Chair position and to elect Chief Deputy Smith as Vice Chair of the DSETB. Sheriff Hawkins seconded the motion and the motion was passed with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Keogh, Montz and Smith

Voting Nay: None

Chairwoman Smith asked Mr. Numer to assist in conducting the DSETB meeting. Mr. Numer introduced the first agenda item. He asked if the Board had an opportunity to review the minutes of the December 9, 2010 meeting and asked for a motion.

Mr. Montz made a motion to approve the December 9, 2010 DSETB minutes. Sheriff Hawkins seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Keogh, Montz

Voting Nay: None

Ms. Norma Hartman, PCCD, reviewed the DSETB fiscal report for state fiscal year 2010-2011, for the period ending December 31, 2010. The balance from the previous year was \$11,597,896.37. Fee collections from July 1, 2010 through December 31, 2010, was \$2,650,237.01. The estimated total funds available at December 31, 2010 was \$16,597,896.37. The expenditures as of December 31, 2010 was \$1,824,681.53. The total expenditures and commitments as of December 31, 2010 was \$7,498,270.74. The estimated balance as of December 31, 2010 is \$9,099,625.63.

Mr. Numer stated that the fiscal report indicates that the expenditures have been exceeding the reimbursements. At the current rate, the fund would last approximately three to four years. Mr. Numer explained that the commitments are the maximum amount that could be expended. Mr. Numer stated that the contracts have never

expended the maximum amount. Mr. Numer stated that at the completion of the current fiscal year, a report on the funding projections will be provided at the September 2011 DSETB meeting.

Deputy Gunesch stated that he is concerned with the accuracy of the projected reimbursement amount. He stated that in Erie County, they have experience a decrease in the amount of fees collected. Chairwoman Smith stated that in Cumberland County, they have experienced an increase in fee collections. Mr. Numer stated that staff will continue to monitor the trends in fee collections.

Judge D. Webster Keogh made a motion to approve the DSETB fiscal report. Deputy Gunesch seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Keogh, Montz

Voting Nay: None

Mr. Donald Numer provided the Training Supervisor's Report. Mr. Numer announced that Mr. Mark Zimmer, Esquire was recently appointed as the Chairman of the PCCD. Mr. Zimmer is a former District Attorney of Wayne County. He specialized in prosecuting child abuse cases. Mr. Numer stated that Mr. Zimmer was also a former president of the Pennsylvania District Attorney's Association. Mr. John Pfau, PCCD, stated that Mr. Zimmer also was a member of the PCCD from 2000 to 2003.

Mr. Numer announced that Ms. Linda Rosenberg was appointed as the Executive Director of the PCCD. She replaced Mr. Michael Kane. Mr. Numer reminded the DSETB that Ms. Rosenberg had attended previous meetings of the DSETB, as our Director of the Office of Criminal Justice System Improvements (OCJSI).

Mr. Numer reminded the DSETB that three vacancies exist on the DSETB. Mr. Numer reminded the DSETB that Judge Michael Barrasse, Sheriff William Romine, and Commissioner Forbes are no longer members of the DSETB. Mr. Numer stated that staff will address the need to fill the vacancies with the executive staff of the PCCD. Mr. Numer stated that Sheriff Todd Martin, Monroe County, expressed interest in becoming appointed to the DSETB. Mr. Numer stated that Sheriff Martin submitted a letter of interest to Governor Corbett.

Mr. Numer informed the DSETB that the program is currently being audited by the Pennsylvania Office of the Auditor General. Mr. Numer explained that this was not the first time the program was audited. Mr. Numer stated that the Constable's Training Program and Victims Compensation Program are also being audited. Mr. Numer stated that the audit consists of both fiscal documentation review and the process of administering funds. Mr. Numer stated that he expects a good report. Mr. Pfau stated that a report would probably not be completed until October 2011. Mr. Alan Kennedy-Shaffer, PCCD assistant solicitor, stated that the program audit is a routine process that is periodically completed.

Mr. Numer reported that the Human Relations Commission case with a former Philadelphia Deputy Sheriff is pending. Mr. Numer explained that the original complaint was amended and Ms. Alison Taylor, PCCD Solicitor, responded in writing to the amended complaint.

Mr. Numer reported that staff received the first training feedback form that is available to deputies to provide additional input regarding our training programs. The form is available on the Deputy Sheriffs Web Page, which is part of the PCCD web site. Mr. Numer stated the report indicated that the deputy thought the on-line Legal Updates 2010 training was an excellent course.

Mr. Numer stated that the DSETB sponsored Train the Trainer Program is being supported by the Sheriffs. The demand has increased and Temple University has agreed to offer an additional Instructor Development Course in August 2011. Content specific courses are also being offered in 2011. Two Firearm Instructor Courses are scheduled for June and September and one Patrol Rifle Instructor Course is being offered in September. Mr. Numer stated the on-line training courses for 2011 has experienced an increase in enrollment. Mr. Numer stated the staff and contractors are considering recommending some on-line courses for inclusion in the Basic Training Program.

Mr. Numer stated that Sheriffs are utilizing the Deputy Sheriffs' Information System (DSIS) to monitor the training needs of their deputies. The number of Time Waiver Requests has decreased.

Mr. Doug Hummel, PCCD, reviewed the instructor applications submitted by the Pennsylvania State University. Penn State requests the approval of Mr. Jon McEnroe to serve as an instructor for the Basic Training Program courses: Officer Safety, Professional Development and Firearms. Mr. McEnroe is a certified Deputy Sheriff in Pennsylvania, working for the Erie County Sheriff's Office. Penn State requests the approval of Mr. Fred Miller to serve as an instructor for the Basic Training Program courses: Criminal Law and Civil Law. Mr. Miller is a District Justice in Blair County, Pennsylvania.

Temple University requests the approval of Mr. Christopher Marrone to serve as an instructor for the Continuing Education Program courses: Criminal Law, Civil Law, Security, Officer Safety, Crisis Management, Professional Development, Firearms and Investigations. Mr. Miller is a Municipal Police Officer with the Marple Township Police Department, Pennsylvania. Temple University requests the approval of Mr. Richard Ruck, Jr. to serve as an instructor for the Continuing Education Program courses: Criminal Law, Civil Law, Motor Vehicle Law, Officer Safety, Crisis Intervention, Professional Development and Investigations. Mr. Ruck is a Professor in the Criminal Justice Programs of the Northampton County Community College and Lehigh County Community College.

Mr. Montz made a motion to approve the instructor applications of Mr. Jon McEnroe, Mr. Fred Miller, Mr. Christopher Marrone and Mr. Richard Ruck. Deputy Gunesch seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Keogh, Montz

Voting Nay: None

Mr. Hummel reviewed the time waiver request submitted by Sheriff Robert Merski, Erie County, for Deputy Jeffrey S. Guild. Deputy Guild returned from a medical leave of absence in December 2010. The request is to allow Deputy Guild to attend continuing education training with class C-11-52 in Clarion County. The request complies with the DSETB policy.

Mr. Hummel reviewed the time waiver request submitted by Sheriff Richard Keuerleber, York County, for Deputy Thomas R. McCune. Deputy McCune had a scheduling conflict with his ability to attend the February 2011 continuing education training class in York County. The request is to allow Deputy McCune to attend continuing education training with class C-11-57 in Grantville, PA. The request complies with the DSETB policy.

Mr. Montz made a motion to approve the time waiver requests for Deputy Jeffrey Guild and Deputy McCune. Deputy Gunesch seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Keogh, Montz

Voting Nay: None

Mr. Numer reviewed the list of Time Waivers approved by the Training Supervisor. This was for informational purposes and did not require DSETB action. Time waivers were approved for Deputy Sarah Bard, York County; Deputy Bryan Stehle, York County and Chief Deputy James Moyer, Chester County.

Mr. Numer reviewed the list of Partial Training Waivers applications approved by the Training Supervisor. This was for informational purposes and did not require DSETB action.

Mr. Don Zettlemyer, Pennsylvania State University, stated that the second Waiver Training class for 2011 started yesterday, March 14, 2011. He stated that the current Basic Training class is approximately half way completed.

Ms. Christie Willard, Temple University, provided the report for the Continuing Education Training Delivery contract. She reported that classes were currently being conducted in Altoona, Pennsylvania. After the Altoona classes, continuing education will be held in Clarion County and then in the Harrisburg area. Ms. Willard stated that an

additional Train the Trainer Instructor Development Course is being offered in Grantville, Pennsylvania from August 17, 2011 through August 19, 2011.

Mr. Anthony Luongo, Temple University, informed the DSETB that the 2011 on-line training is currently being offered. The available on-line courses include: Legal Updates 2011, Infectious Disease Prevention and Flying While Armed.

Mr. Ted Mellors, Pennsylvania State University, Fayette Campus, provided an update on the curriculum development contract. Mr. Mellors provided two handouts outlining the progress in the revision process of the Basic Training Curriculum. Mr. Mellors stated that PCCD program staff, Basic Training staff and the curriculum development team will be meeting prior to the May 2011 DSETB meeting to determine the proposed training outline to include the number of hours assigned to each area of study.

Mr. Numer stated the report provided indicated that the “stakeholders” thought the training was good. It was acknowledged that there is always the ability to improve the quality of training. It was noted that the current curriculum contained too many power point presentations. The need exists to incorporate different methods of instruction, such as including more practical exercises to compliment and reinforce the course lectures. Mr. Numer stated that the addition of Taser training was recommended.

Deputy Gunesch commended Mr. Mellors on the quality of his submitted reports. Deputy Gunesch stated that the curriculum needs to provide deputies with the skills to identifying dangerous situations in serving civil process. He expressed his concern with the need to provide deputies with the appropriate knowledge and skills to remain safe in the performance of their duties.

Mr. Numer stated that the proposed Module number ten (10) for the Basic Training Curriculum would be designed to allow the deputies to apply their knowledge and skills to scenario-based exercises. Mr. Numer stated that the curriculum will incorporate many practical exercises.

Mr. Numer informed the DSETB of a situation with a particular county in the southeastern part of Pennsylvania. The issue involves the firearms qualifications for deputy sheriffs. Mr. Numer stated that the Training Act does not address the firearms qualification standards and requirements for deputy sheriffs. Mr. Numer stated that deputies receive firearms training and qualification during their attendance in Basic Training, but no statute addresses the requirements for continued training and requalification. Mr. Numer recommended the county maintain a policy that is consistent and in accordance with the “industry standard” for law enforcement officers. Mr. Numer stated that he explained to the county that the DSETB previously considered issuing a “Best Practices” document. However, the DSETB decided that it was the sheriff’s office responsibility and decision as to the level of firearms training a sheriff would require and/or provide. Judge Keogh stated that it was not recommended to give gratuitous advice.

Sheriff Ronnie Anderson, Cumberland County, stated that his office firearms policy was audited by their liability insurance provider. He said that insurance companies are monitoring agency policies which results in the need to maintain and abide by appropriate office policies.

Mr. Kennedy-Shaffer stated that if desired, the DSETB could seek a legislative change regarding firearms qualification.

Vice Chairwoman Smith stated that she was surprised regarding her selection as the DSETB Vice Chairwoman and thanked the other members for their support.

Mr. Hummel reminded the DSETB that the next meeting was scheduled for Friday, May 20, 2011, at 8:00 a.m., in State College, Pennsylvania. The graduation ceremony for Basic Training would follow the meeting at 11:00 a.m.

Mr. Montz made a motion to adjourn the meeting at 9:45 a.m. Judge Keogh seconded the motion and the meeting was adjourned with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Keogh, Montz

Voting Nay: None