

DEPUTY SHERIFFS' EDUCATION AND TRAINING BOARD

Minutes of the September 22, 2011 Meeting

Members Present

Carmen C. DeLuca
Roger S. Gunesch
Chester A. Hawkins
Kurt E. Montz
William G. Pettigrew Jr.

Commission Staff Present

Norma Hartman
Doug Hummel
Don Numer
John Pfau

Members Absent

D. Webster Keogh
Jody S. Smith

Others Present

Pennsylvania State University
Bob Stonis
Don Zettlemyer

Penn State, Fayette Campus
Ted Mellors

Temple University
Tony Luongo
Christine Willard

The September 22, 2011 meeting of the Deputy Sheriffs' Education and Training Board (DSETB) was called to order by Chairman Dr. William G. Pettigrew Jr., at 9:00 a.m., at the Pennsylvania Commission on Crime and Delinquency (PCCD), Harrisburg, Pennsylvania.

Chairman Pettigrew introduced the first agenda item. He asked if the Board had an opportunity to review the minutes of the May 20, 2011 meeting and asked for a motion.

Mr. Kurt E. Montz made a motion to approve the May 20, 2011 DSETB minutes. Sheriff Chester A. Hawkins seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Montz and Pettigrew

Voting Nay: None

Ms. Norma Hartman, PCCD, reviewed the DSETB year end fiscal report for state fiscal year 2010-2011, ending June 30, 2011. The balance from the previous year was \$11,597,896.37. Fee collections from July 1, 2010 through June 30, 2011, was \$5,489,654.81. The total funds available at June 30, 2011 was \$17,087,551.18. The expenditures as of June 30, 2011 was \$3,425,484.76. The reimbursements to counties as of June 30, 2011 was \$1,198,278.57. The total expenditures and commitments as of June 30, 2011 was \$8,322,387.56. The estimated balance as of June 30, 2011 was \$8,765,163.62.

Chairman Pettigrew asked if anyone had questions regarding the fiscal report. Mr. Donald Numer, PCCD, explained that the Commonwealth Comptroller's Office requires the report to include our contracted commitments, which includes commitments for future fiscal years. The report only includes revenue for the current fiscal year.

Mr. Montz made a motion to approve the DSETB Fiscal Report. Deputy Roger Gunesch seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Montz and Pettigrew

Voting Nay: None

Mr. Numer provided an update to an email he had sent to the DSETB regarding providing lodging for deputies at the training academy due to the recent flooding. Mr. Numer stated that due to the flooding the week of September 5, 2011 and with many communities in the Commonwealth in emergency status, he arranged to have the academy make arrangements for lodging. Lodging was available for those deputies that felt they were unable to return home safely. Mr. Numer reported that five deputies chose to remain at the academy for two nights and two deputies remained at the academy for one night. Mr. Numer stressed that staff needed to make the decision based on safety concerns. Mr. Numer expressed his appreciation to Penn State for making the lodging

arrangements. Mr. Numer stated that the graduation ceremony was held, with a much anticipated small attendance.

Mr. Numer stated that Temple University recently submitted their budget for the contract renewal for the Continuing Education Delivery Contract, which is scheduled to begin October 1, 2011.

Mr. Numer stated that the Basic Training Delivery Contract expires December 31, 2011. Since Penn State has a "Master Agreement" with the Commonwealth of Pennsylvania, we are able to enter into a new contract without going through the Request for Proposal (RFP) process. The new contract is scheduled to begin January 1, 2012.

Mr. Numer provided a report on the DSETB future fiscal projections. Staff provides the DSETB with this report at the first meeting of the new state fiscal year. A few years ago, our projections indicated that the fund would remain solvent through 2014. Last year it was reported that the DSETB would not need to seek a fee increase until approximately 2016 or beyond. The current report indicates that expenditures were low this past year. Revenue has increased by 7.31% and expenditures increased by 6.79%. The previous trend was higher expenditures than revenue. Based on the current estimates, the fund is increasing. Mr. Numer explained that important factors for the projections is the potential increase of reimbursements to counties due to increased turnover rates of due to the timeliness (or lack of timeliness) of requesting reimbursements. Chairman Pettigrew asked how the DSETB would seek a fee increase. Mr. Numer stated that a change to the Training Act would need to be approved through the legislative process. Mr. Numer explained that the last fee increase was initiated by DSETB through PCCD staff. The PCCD Executive Director obtained the support of the legislators that served on the PCCD to propose the change to the Act. Mr. Numer stated the process could take up to two years. Chairman Pettigrew asked what staff believed would be a good estimate of when the DSETB would need to seek a fee increase. Mr. Numer stated that the fund should be solvent through 2016 or 2017. Mr. Numer stated that staff will continue to monitor the fund trends and to report the status to the DSETB. Deputy Gunesch stated that a year or two ago, more revenue was coming in due to an increase in mortgage foreclosures.

Mr. Carmen DeLuca requested a fee collections report for each county. This would show the trends within each county. Mr. Numer stated that we could also track the reimbursement requests. Mr. Numer stated that some counties do not submit for reimbursement. Mr. Numer stated that reimbursement requests will not be processed if older than 18 months. The Commonwealth Comptroller recommended only one year. Mr. Numer stated that the sheriff receives a personalized reimbursement request sheet for each deputy that attends training. Problems often occur at the county level in the timely submission or lack of submission of reimbursement requests.

Mr. Douglas Hummel, PCCD, reviewed the time waiver request submitted by Sheriff Michael Slupe, Butler County. Sheriff Slupe requested a time waiver for Captain Dale A. Paglia. Captain Paglia changed duty assignments from being a full-time deputy to a part-time deputy. The request is for Captain Paglia to be granted an extension to attend

training when offered in their region. The next available training in the western region is scheduled for March 2012. Mr. Hummel explained that the request did not comply with the DSETB Policy. Mr. Numer stated that the DSETB has made previous exceptions to the policy due to the potential economic impact on the sheriff's office. By denying the request, the DSETB would require Deputy Paglia to attend training in the east region, which would include non-reimbursable costs to the county for lodging, travel and meals.

Mr. Montz made a motion to approve the time waiver for Deputy Paglia. Sheriff Hawkins seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Montz and Pettigrew

Voting Nay: None

Mr. Hummel reviewed the time waiver requests submitted by Sheriff Jeffrey Krieg, Elk County. Sheriff Krieg requested time waivers for Deputy Ken Heberling and Deputy David Merritt. The requests were to allow both deputies to attend training in their region. Both requests were in compliance with the DSETB Policy.

Sheriff Hawkins made a motion to approve the time waivers for Deputy Heberling and Deputy Merritt. Deputy Gunesch seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Montz and Pettigrew

Voting Nay: None

Mr. Hummel reviewed the time waiver request submitted by Sheriff John J. Szymanski, Lackawanna County. Sheriff Szymanski submitted a time waiver request for Deputy Lauren Cadden. Deputy Cadden was originally scheduled to attend the Waiver Training Program from September 12, 2011 through September 23, 2011. She was removed from the course as a result of being on medical leave. Upon her return to duty, it was past the registration deadline to re-enroll her in the September 2011 Waiver Training Program. The request was to approve a time waiver to allow her to continue serving as a deputy until she completes the next Waiver Training Program, which ends November 18, 2011.

Mr. Montz made a motion to approve the time waiver for Deputy Cadden. Sheriff Hawkins seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Montz and Pettigrew

Voting Nay: None

Mr. Hummel reviewed the time waiver request submitted by Sheriff Richard Keuerleber, York County. Sheriff Keuerleber requested a time waiver for Deputy Phillips Banks.

Deputy Banks attended continuing education training in May 2011 in York County. He failed to re-certify due to missing the four-hour Legal Updates Module. Deputy Banks was on administrative leave from May 20, 2011 through September 12, 2011. The request was for Deputy Banks to be granted an extension to attend the Legal Updates Module on October 28, 2011 when offered in Bethlehem, PA.

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

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Montz and Pettigrew

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. A time waiver was approved for Deputy Sarah Bard, York County.

Mr. Hummel reviewed the instructor applications submitted by the Penn State University, for Ms. Renee Messina and Mr. William Sindorf. The request was for Ms. Messina to become a certified instructor for emergency medical services and physical conditioning. The request was for Mr. Sindorf to become a certified instructor for emergency medical services.

Deputy Gunesch made a motion to approve the instructor applications for Ms. Messina and Mr. Sindorf. Sheriff Hawkins seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Montz and Pettigrew

Voting Nay: None

Mr. Numer reviewed the Partial Training Waiver Request submitted by Sheriff Mitch Cooper, Blair County. Sheriff Cooper submitted the request for Deputy Timothy Teltow. Deputy Teltow had attended police officer training from the Michigan Law Enforcement Officers Training Council. Mr. Numer reviewed Deputy Teltow's training records and provided a summary of courses that staff recommended would satisfy the training requirements for certification as a deputy sheriff. The recommended training is for his attendance at 247 hours of training as listed on page 14 of the DSETB meeting packet.

Mr. Numer reviewed the Partial Training Waiver Request submitted by Sheriff Richard Ketchem, Greene County. Sheriff Ketchem submitted the request for Deputy Lisa Swoden. Deputy Swoden received her law enforcement training from the PA Liquor Control Board. Mr. Numer reviewed Deputy Swoden's training records and provided a summary of courses that staff recommended would satisfy the training requirements for certification as a deputy sheriff. The recommended training is for her attendance at 399 hours of training as listed on page 15 of the DSETB meeting packet.

Mr. Hummel explained that despite if the DSETB would approve these partial training waivers, the sheriffs would review the schedule requirements and it may not be advantageous to sending the deputies to the amended schedules. It may be more economical to require the deputies to attend the entire basic training program, due to salary, travel and lodging reimbursement restrictions.

Mr. Montz made a motion to approve the Partial Training Waiver Applications for Deputy Teltow and Deputy Swoden, requiring them to complete the recommended training as listed in the DSETB meeting packet. Deputy Gunesch seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Montz and Pettigrew

Voting Nay: None

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

Mr. Don Zettlemyer, Pennsylvania State University, informed the DSETB that during the September 9, 2011 graduation, there was a planned memorial dedication for deceased Deputy Sheriff Kyle Pagerly, Berks County. Due to the flooding, the memorial will be held in conjunction with the December 16, 2011 graduation ceremony. Mr. Zettlemyer extended an invitation to Governor Thomas Corbett to speak at the December graduation ceremony. Mr. Montz stated that if Governor Corbett is unable to attend graduation, it may be possible to extend the invitation to the PA Attorney General. Mr. Robert Stonis stated that the class president is from Berks County and was a personal friend with Deputy Pagerly. Mr. Stonis stated that the president will be invited to return for the memorial.

Mr. Stonis stated that the academy recently hosted a Train the Trainer Firearms Instructor Certification Course. This program is part of the DSETB's Merit Course program. Mr. Stonis stated that the program was well received by the participants. Mr. Stonis stated that the first Train the Trainer Program Patrol Rifle Instructor Course is being offered next week. Deputy Gunesch stated that fellow Deputy Sheriff John McEnroe, Erie County, will be instructing in this course. Deputy Gunesch asked if we offered a Tactical Shotgun program. Mr. Hummel stated that the shotgun instruction is covered in the Firearms Instructor Course and shotgun is taught in basic training. Mr. Numer stated that the Firearms Instructor Program is progressive in nature. He stated that you must attend the Basic Instructor Development Course prior to attending the Firearms Instructor Course and you must attend the Firearms Instructor Course to attend the Patrol Rifle Instructor Course. Mr. Numer stated that the Train the Trainer Program will be expanded to include a course in Physical Security for 2012-2013.

Mr. Montz asked why the DSETB training is not offered to the public. Mr. Numer explained that the Training Act is specific to who is eligible to attend the training. Mr.

Montz mentioned that the new commissioner of the PA State Police is law enforcement friendly. Mr. Montz asked if the DSETB could request that the Municipal Police Officers Education and Training Commission (MPOETC) accept our training to become a police officer. Mr. Numer stated that his opinion is that the DSETB's mission is to train deputies and not to help people become municipal police officers. Mr. Numer explained that if our training was accepted by MPOETC, turnover rates would increase because many deputies would seek employment as a police officer because of the disparity in pay. Mr. Numer stated that we adjust our training based on the needs of the sheriffs and what is set forth by the Legislature.

Mr. John Pfau, PCCD, informed the DSETB that previous House Resolution 167 in 1999 commissioned a study to review the possibility of implementing a post-training commission to oversee all core training that is needed by all law enforcement entities. The thought was that once an individual completed the core training, they would attend more specific training for their designated law enforcement position. The core training was approximately 300 hours. Back in 1999, the economy was not as bad as is today. Due to the tough economic times, we may see this issue resurface. Chairman Pettigrew stated that it makes sense to have a single source training entity. Mr. Pfau stated many of the instructors that teach for the DSETB also teach in MPOETC and at other law enforcement programs. Mr. Pfau stated that the report regarding House Resolution 167 is available on-line.

Mr. Anthony Luongo, Temple University, provided the Continuing Education Delivery Report. Mr. Luongo stated that the 2009-2011 training cycle ended June 30, 2011. The next training cycle for 2011-2013 begins October 1, 2011. Sixty-four (64) line officer classes are being offered. Also, 5 supervisory trainings, 4 Train the Trainer Instructor Development classes, and several on-line distance learning courses will be offered. In August, an instructor development session was held to discuss the new curriculum that was created by Penn State, Fayette Campus.

Mr. Luongo stated that Temple is working with the Dering Consulting Group, Camp Hill, PA, in developing a new course evaluation process for the Continuing Education Program. The new process will be electronic in nature. We will be able to generate usable reports.

Mr. Numer stated that a cost analysis is being completed to determine the possibility of utilizing electronics more within our training programs. Currently, deputies attending Basic Training are issued 5, 3-inch ring binders of course material and additional paper resources to supplement the course. It may be more cost efficient to issue deputies an electronic note book. Mr. Montz stated that many high schools issue computers or require the need of computers. Deputy Gunesch stated that this could be "cutting edge." Mr. Numer stated that it must be cost effective.

Mr. Ted Mellors, Pennsylvania State University, Fayette Campus, provided an update on the Curriculum Development Contract. Mr. Mellors stated that he hopes to be ready to provide a demonstration on the use of technology for the December 8, 2011 meeting. Mr.

Mellors stated that they are creating the Continuing Education Courses for the 2011-2013 training cycle, as well as the supervisory training and on-line merit courses. Also, the new Basic Training Curriculum is scheduled to be delivered to Penn State in two phases, half by November 1, 2011 and the last half by December 1, 2011.

Mr. Mellors stated that a process will be implemented for instructors to provide input on necessary changes to any curriculum. This will assist in keeping our training material current.

Sheriff Hawkins stated that the PA Sheriff's Association wanted him to discuss the issue of reinstating the arrest powers for deputies. Two concerns are that deputies are not required to participate in psychological testing and they are not subject to a decertification process. Sheriff Hawkins stated that he did not believe the DSETB has the authority to require psychological testing. Mr. Numer stated that instituting psychological testing would require a change in the Training Act. Sheriff Hawkins stated that the hire/termination form submitted by the sheriff would be decertifying the deputy due to his termination of employment. Mr. Numer suggested that decertification would mean the DSETB would decertify a person and not allow the deputy to keep his certification. Mr. Numer explained that a person could leave his employment as a deputy sheriff for any length of time and return to his status as a deputy and just attend the next continuing education training offered.

Mr. Montz made a motion to adjourn the meeting at 10:35 a.m. Deputy Gunesch seconded the motion and the meeting was adjourned with the following votes:

Voting Aye: Board Members DeLuca, Gunesch, Hawkins, Montz and Pettigrew

Voting Nay: None