

**DEPUTY SHERIFFS' EDUCATION AND TRAINING BOARD**

**Minutes of the December 6, 2012 Meeting**

Members Present

Kurt Eisele  
David Godfrey  
Mark Kellam  
Todd A. Martin  
Eric Weaknecht

Commission Staff Present

Norma Hartman  
Doug Hummel  
Robert Merwine  
Donald Numer  
John Pfau

Members Absent

Carmen C. DeLuca  
Ronald C. Nagle  
Wayne E. Nothstein  
Steven Wheeler  
Margherita Patti-Worthington

Others Present

Pennsylvania State University  
Dan Miltenberger  
Don Zettlemyer

Temple University  
Tony Luongo  
Christine Willard

Pennsylvania State University – Fayette  
Kirk Hessler  
Ted Mellors

Philadelphia Office of the Sheriff  
Staff Inspector Paris Washington

The December 6, 2012 meeting of the Deputy Sheriffs' Education and Training Board (DSETB) was called to order by Vice Chairman, Dr. Kurt Eisele, at 9:00 a.m., at the Pennsylvania Commission on Crime and Delinquency (PCCD), 3101 North Front Street, Harrisburg, Pennsylvania 17110.

Dr. Eisele requested that the meeting begin with introductions. Staff Inspector Paris Washington introduced himself and stated that he was in attendance to represent Sheriff Jewell Williams, Philadelphia Office of the Sheriff. Mr. Donald Numer, PCCD, welcomed Inspector Washington and thanked him for his support of the Deputy Sheriffs' Training Program.

Introductions continued with Lieutenant David M. Godfrey, DSETB member; Christie Willard, Temple University; Anthony Luongo, Temple University; Sheriff Eric Weaknecht, Berks County; Deputy Mark Kellam, Wayne County Sheriff's Office; Kirk Hessler, Penn State Fayette; Ted Mellors, Penn State Fayette; Don Zettlemoyer, Penn State Main Campus; Dan Miltenberger, Penn State Main Campus; Sheriff Todd A. Martin, Monroe County; John Pfau, PCCD; Robert Merwine, PCCD; Doug Hummel, PCCD; Norma Hartman, PCCD; and Don Numer.

Dr. Eisele requested that since many of the DSETB members were recently appointed to the Board and some members were unable to attend the meeting, the election of Board officers be postponed until the February 26, 2013 DSETB meeting. No one objected to postponing the election.

Dr. Eisele asked if everyone had the opportunity to review the minutes of the September 18, 2012 DSETB meeting. He stated that if there were no questions, then he would entertain a motion to approve the minutes.

Sheriff Martin made a motion to approve the DSETB minutes from the September 18, 2012 meeting. Lt. Godfrey seconded the motion and it passed with the following votes:

Voting Aye: Board Members Eisele, Godfrey, Kellam, Martin, and Weaknecht

Voting Nay: None

Dr. Eisele asked Ms. Hartman to provide the DSETB fiscal report. Ms. Hartman reviewed the DSETB fiscal report for state fiscal year 2012-2013, for the period ending September 30, 2012. The balance from the previous year was \$14,124,834.70. Fee collections from July 1, 2012 through September 30, 2012, was \$1,574,818.00. The estimated fee collections from October 1, 2012 through June 30, 2013 is \$3,222,856.00. The total funds available at September 30, 2012 was \$18,922,508.70. The total expenditures and commitments as of September 30, 2012 was \$5,336,892.78. The estimated balance as of September 30, 2012 was \$13,585,615.92.

Deputy Kellam made a motion to approve the DSETB Fiscal Report. Lt. Godfrey seconded the motion and it passed with the following votes:

Voting Aye: Board Members Eisele, Godfrey, Kellam, Martin, and Weaknecht

Voting Nay: None

Mr. Numer reviewed the DSETB Fiscal Projection Report on page three of the addendum to the Board meeting packet. Mr. Numer stated that we had a healthy fund balance as of September 30, 2012, however, he explained that the fiscal report did not reflect any of the training contracts that will become effective in January 2013. Mr. Numer stated that the next fiscal report is expected to be considerably lower due to the new contracts. Mr. Numer explained that the Comptroller's fiscal reporting rules require the reporting of all committed funds for each contract. These committed funds often include money budgeted for future fiscal years due to the lengths of the contracts. However, Mr. Numer explained that revenue from fee collections can only be reported for the current fiscal year. The reporting requirements may cause the fiscal report to show a very low or even negative balance. Mr. Numer explained that all unexpended funds from all the contracts are returned to the training account.

Based on previous trends, Mr. Numer stated that revenues are expected to increase at a rate of 2.41% per year. He stated that expenditures are expected to increase at a rate of 7.55% per year. Mr. Numer explained that at the current rates, we will eventually need to consider seeking a fee increase. A fee increase would require a change to current legislation and would likely be a lengthy process. Mr. Numer stated that the last fee increase took approximately two years to be enacted into law. Mr. Numer stated that the account balance would begin to decrease in 2015 and that staff would continue to monitor the training account. The next fiscal projection report would be completed and reviewed in 2013.

Dr. Eisele asked for clarification of the term "commitments." Mr. Numer stated that fiscal commitments included contract obligations, administrative costs, and reimbursements to counties. Ms. Hartman stated that the fiscal report includes the purchase order numbers and time periods of the purchase orders for each contract. Mr. Numer explained that the contracts have never spent the maximum allotted funding. He stated that the unexpended funds are returned to the training account upon the completion of a contract.

Deputy Kellam asked if our on-line training program would offset any of the projected future losses. Mr. Numer stated that our on-line courses are not mandatory. There are problematic issues with using an on-line training format for any of the mandatory training programs. Mr. Numer stated that he does not expect any cost savings because all the mandatory training requires a deputy to physically attend the courses. If the DSETB would decide to change the continuing education training program to an on-line format, then a cost savings would be expected.

Mr. Numer informed the DSETB that Penn State Fayette was retained on contract for curriculum development, through the Master Agreement process. Mr. Numer also stated that the Basic Training Delivery Contract with Penn State Main Campus was in the process to be finalized through the Master Agreement process.

Mr. Numer informed the DSETB that PCCD is hiring a contracted employee to assist in managing the curriculum for both the Deputy Sheriffs' Training Program and the Constables' Training Program.

Mr. Numer informed the DSETB of the recent safety incidents that occurred at the Basic Training Academy during the Firearms Training Module. Mr. Numer stated that three deputies engaged in three separate incidents in which they muzzled an instructor and/or other deputies. Another deputy had a negligent discharge of his/her duty weapon, in the class room at the end of the training day, while preparing to clean his/her weapon. All the incidents occurred during the last day of firearms training. Mr. Numer stated that no one was injured. Mr. Numer stated that staff met with the academy staff and the lead firearms instructor, at the firing range, to review the incidents. As a result of the meeting, the academy was instructed to provide the PCCD staff with a safety plan due by January 15, 2013. The safety violations occurred after the mandatory qualification testing was completed. All of the deputies involved in the incidents had successfully qualified with their duty weapons. The three deputies that engaged in the muzzling incidents were removed from the range immediately after the incidents. Since the deputies passed all the required testing, the deputies were counseled for their actions and a letter addressing the incidents was sent to their respective sheriff. The deputy that negatively discharged his/her duty weapon was counseled for the safety violation. The deputy's negligent discharge was a violation of the DSETB Policy, which resulted in the deputy failing the firearms training and requiring the deputy to repeat the firearms training.

Deputy Kellam asked if there was an update to the previously reported missing firearm. Mr. Numer stated that the employing sheriff removed the deputy from the training academy and terminated employment. Mr. Numer stated that the authorities investigating the incident are not sure if the weapon became missing in the State College area or in the area where the deputy resides. The PA State Police in the employing County was handling the investigation. The State College Police Department was also involved in the investigation. Mr. Numer stated that the academy has no connection with the missing weapon investigation.

Mr. Hummel 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. Hummel explained that these waivers are in accordance with the Training Act.

Mr. Hummel reviewed the instructor applications for Mr. David Midas, Penn State University; Mr. Christopher Sharamatew, Penn State University; and Mr. Michael Kane, Temple University.

The request for Mr. Midas was to become certified to instructor Firearms, Officer Safety, Security, and Defensive Tactics. The request for Mr. Sharamatew was to become certified to instruct Firearms and Officer Safety. The request for Mr. Kane was to become certified to instruct Criminal Law, Security, Officer Safety, Professional Development, and Investigations.

Deputy Kellam made a motion to approve the instructor applications for Mr. Midas, Mr. Sharamatew and Mr. Kane. Lt. Godfrey seconded the motion and it passed with the following votes:

Voting Aye: Board Members Eisele, Godfrey, Kellam, Martin, and Weaknecht

Voting Nay: None

Mr. Hummel reviewed the time waivers listed on page five of the addendum to the Board meeting packet, which were approved by the Training Supervisor. The time waivers were for Deputy Salvatore Cardo, Monroe County and Deputy Kevin Clark, Monroe County. Mr. Hummel stated that the DSETB Policy allows the supervisor to approve time waivers for certain documented cases, such as deputies on active military duty or those on medical leave. These time waivers are reported each meeting for informational purposes. No action was required by the DSETB.

Dr. Eisele asked for the report on the Basic Training Delivery Contract. Mr. Zettlemyer, Penn State University, reported that the graduation ceremony for class thirty-nine would be held on December 21, 2012 at 11:00 a.m., on the main campus of the Pennsylvania State University. He informed the Board that the construction project on the academy's second simulation house was completed. The new facility contains a multi-room apartment that is wired with audio and video recording equipment. Audio can also be played during any training scenario to add additional distractions. Mr. Zettlemyer stated that the original simulation building is being renovated. A new court room had been configured that includes padded furniture and a wrestling mat for added safety.

Dr. Eisele asked if we take the Basic Training classes on field trips to other facilities such as the FBI academy. Mr. Numer explained that the curriculum and training regime does not allow for any extensive trips. Mr. Numer stated that the students have attended local events such as the Law Enforcement Memorial Ceremony that is held in Bellefonte each year.

Dr. Eisele asked for the report on the Continuing Education Delivery Contract. Mr. Luongo, Temple University, informed the Board that continuing education was currently being offered in Philadelphia. He stated that the current training cycle will continue in 2013 in Altoona and Clarion, in the late winter and early spring. The continuing education cycle will end in June with classes being held in Harrisburg and Reading. Mr. Luongo stated that the 2013-2015 continuing education training cycle will begin in October 2013.

Mr. Luongo informed the Board that the 2012 on-line merit trainings were complete. He stated that Temple hosts the training that was developed by Penn State Fayette. Temple University issues a certificate upon successful completion of any on-line course.

Dr. Eisele asked for the report on the Curriculum Development Contract. Mr. Ted Mellors, Penn State Fayette, stated that the 2013 on-line merit course curriculum was completed and delivered to Temple University. These courses will be available in 2013. The 2014 on-line merit courses are being developed and are scheduled to be delivered to Temple University in October 2013.

Mr. Mellors stated that the curriculum for the 2013-2015 continuing education training cycle was currently being developed. The student work books are being replaced by course review sheets and study guides. A Use of Force Report Writing Guide was developed for the deputies.

Mr. Mellors stated that the revisions of the Basic Training Curriculum would be delivered to the academy by the middle of December 2012.

Dr. Eisele informed everyone that the next DSETB meeting was scheduled for Tuesday, February 26, 2013. He noted that the other meeting dates for 2013, listed on the meeting agenda, may be subject to change. Dr. Eisele asked if skype could be used to allow members to participate in meetings from a remote location. Mr. Pfau, PCCD, stated that Web-X was being considered as an alternative method for members to participate in meetings.

Dr. Eisele asked if anyone had any additional comments or matters to discuss. Ms. Willard, Temple University, thanked Inspector Washington for his cooperation in scheduling his deputies for continuing education training. Due to his scheduling of his personnel, two training classes scheduled for 2013 in Philadelphia, were able to be cancelled. This resulted in a cost savings for Temple University and the DSETB.

Deputy Kellam stated that deputy sheriffs often do not get recognized for their service. Deputy Kellam mentioned the heroics of Sgt. Christopher Rooney of the Schuylkill County Sheriff's Office. In a reprint of a news article, Sgt. Rooney was acknowledged for his ability to single-handedly apprehend two individuals. Deputy Kellam stated that this is an example of the quality training this organization provides.

Mr. Zettlemyer extended an invitation to anyone who would like to visit the academy and attend any classes.

Mr. Pfau informed the DSETB that the new contract employee was scheduled to start on January 7, 2013. This person is being hired to assist in managing the curriculum. This employee will work for PCCD with the Deputy Sheriffs' Training Program and the Constables' Training Program.

Dr. Eisele asked for a motion to adjourn the meeting.

Sheriff Martin made a motion to adjourn the meeting. Deputy Kellam seconded the motion and the meeting was adjourned.

Voting Aye: Board Members Eisele, Godfrey, Kellam, Martin, and Weaknecht

Voting Nay: None