

PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY
CONSTABLES' EDUCATION AND TRAINING BOARD

Minutes of the August 14, 2014 Meeting

Members Present

Fred Contino, Constable, Delaware County
Adam Kisthardt, PA State Police
Honorable William Wenner, MDJ, Dauphin Co.
Rodney Ruddock, Commissioner- Indiana County
Harry Walsh, Constable, Allegheny County
Julie Sokoloff, Constable, Montgomery Co

Commission Staff Present

John Pfau, Manager, Bureau of Training Services
Sherry Leffler, Bureau of Training Services
Robert Merwine, Director, OCJSI
Norma Hartman, OFMA
Kathy Clarke, Bureau of Training Services

Members Absent

A.R. DeFilippi, Court Administrator, Beaver Co.

Visitors

Mike Marcantino, Indiana University
Anthony Luongo, Temple University
Van Scott Sr, Temple University
Todd Brothers, Penn State Fayette
Barry C. Betz, Constable, Lehigh County
Ron Quinn, Constable, Centre County, PAFOC
Deb Williams, PCCD
Carol Betz

I. Call to Order

The Constables' Education and Training Board meeting was held at 10:00 a.m. on Thursday, August 14, 2014, at the Pennsylvania Commission on Crime and Delinquency (PCCD), 3101 N. Front Street, Harrisburg, Pennsylvania.

Chairman Fred Contino called the meeting to order at 10:00 a.m. and asked all to join him in the Pledge of Allegiance. Board and staff introductions were then made to audience members.

II. Action Items

Chairman Contino moved to the first Action Item on the Agenda, **Minutes of the May 15, 2014 Meeting**, pages 1-7 of the Board packet.

Commissioner Rodney Ruddock made a motion to accept the meeting minutes from the May 15, 2014 meeting. Constable Julie Sokoloff seconded the motion.

Roll Call vote:

VOTING AYE: Contino, Kisthardt, Sokoloff, Wenner, Ruddock, Walsh

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

Chairman Fred Contino moved to the second Action Item on the Agenda, **Financial Report for August 14, 2014**. Ms. Norma Hartman said the Fiscal Report beginning on page eight is for the fourth quarter of the 2013-14 SFY that ended June 30, 2014. Under Receipts, the balance carried forward from the 2012-13 State Fiscal Year (SFY) was \$5,951,535.86. The fees collected during the fourth quarter were \$495,854.11 resulting in the total fees collected during the 2013-14 SFY of \$1,935,076.09. The quarterly breakdown of fees collected can be found on page 11 of 19. The Total Funds Available as of June 30, 2014 was \$7,886,611.95. Under Expenditures & Commitments, the total expenditures as of June 30, 2014 were \$3,078,636.57. The Total Expenditures & Commitments as of June 30, 2014 were \$5,942,001.76 including \$1,470,513.27 of Administrative Expenditures & Commitments. The breakdown of these costs can be found on pages nine and ten. The account balance as of June 30, 2014 was \$1,944,610.19. The actual carry forward balance for the 2014-15 SFY is \$4,807,975.38 which includes the "Balance as of June 30, 2014" plus "Commitments." Under Administrative Expenditures and Commitments, a new lease was recently signed for the building rental and the Comptroller's Office posted the entire five year committal as \$75, 533.04. That will be corrected on future fiscal Reports to only show the commitment for the 2014-15 SFY.

Mr. Pfau stated that since the CCETS system is now built, the next fiscal year will show a decrease in the IT consulting costs under Administrative Expenditures and Commitments.

Major Kisthardt made a motion to accept the Fiscal Report as of June 30, 2014. Constable Harry Walsh seconded the motion.

VOTING AYE: Contino, Kisthardt, Sokoloff, Wenner, Ruddock, and Walsh.

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

Chairman Contino moved to the next Action Item on the Agenda, **Instructor Certifications**. Ms. Kathy Clarke, PCCD staff, reviewed the applications and gave staff recommendations, as follows:

Penn State Fayette:

Roger Eckels

Topic Certifications:

Firearms

Indiana University of PA:

Ray Corll II

Topic Certifications:

General

Communications

Firearms

Christopher Kempson

Topic Certifications:

General

Physical Skills

Temple University:

Van Scott, Sr

Subject Certifications:

Management of Aggressive Behavior (MOAB)

Stephen Sweet

Topic Certifications:

General

Law

Program Staff recommended Board certification for each instructor for the subjects listed above. The Board was advised that Mr. Eckels, Mr. Corll, and Mr. Kempson will be new instructors for the Program. Mr. Scott is currently Board certified in other subjects. Mr. Sweet is a constable who completed the 40-hour PCCD sponsored Instructor Development Course and has completed eight hours of student teaching in the Constables' Training Program at Temple University. He has been recommended for full instructor certification by his Cooperating Instructor and School Director.

Chairman Contino asked how many Constables originally signed up for the Instructor Development course and how many Constables completed it. Ms. Clarke did not have the information with her at this time but advised there were approximately 14 constables in the Instructor Development class. There are still a few instructors who have to complete their student teaching. Chairman Contino advised that he was glad to see that Constables are applying for the instructor positions and Ms. Clarke agreed.

Constable Walsh made a motion to approve the Instructors Certifications. Major Kisthardt seconded the motion.

VOTING AYE: Contino, Kisthardt, Sokoloff, Wenner, Ruddock, and Walsh.

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

Chairman Contino moved to the next Action Item on the Agenda, **2015 Board Meeting Schedule**. The 2015 proposed Board Meeting dates are: February 19th, May 14th, August 13th, and November 19th.

Major Kisthardt made a motion to approve the 2015 Board Meeting Schedule. Commissioner Ruddock seconded the motion.

VOTING AYE: Contino, Kisthardt, Sokoloff, Wenner, Ruddock, and Walsh.

VOTING NAY: None

ABSTAINING: None

The next Action Item on the Agenda was the 2015 Optional Training Classes. Ms. Sherry Leffler advised the Board that at the February 2013 Board Meeting, the Board voted on an Action Item related to the Optional Training classes. At that time, the Board decided to schedule three Optional Training classes, one in each region of the Commonwealth. It was further decided that the Optional Training classes would consist of four hours of Expandable Baton and four hours for Chemical Aerosol. In 2014, there were 49 constables that completed the Optional Training classes. The percentage of constables taking advantage of the Optional Training has only increased by about 1%. Chairman Contino said his personal opinion is to keep the Optional Training even at the minimum of three classes per year and Major Kisthardt agreed. Major Kisthardt indicated that failure to train is the number one reason why state agencies are sued. He stated that when you look at 49 constables completing the class, that is about \$140 a person, which is a pretty good value. He also stated that if they were to go out commercially it would be \$350 to \$600 a person for a course.

Ms. Leffler recommended that the Board keep the Optional Training classes the same as 2014 with one to be scheduled in each of the three regions of the Commonwealth. The training will consist of four hours of Expandable Baton and four hours of Chemical Aerosol. Chairman Contino suggested that it should document in the 2015 Training Schedule that these certifications expire every three years. Chairman Contino further stated that it is the responsibility of the individual constable to keep track of their certification dates for the Expandable Baton and Chemical Aerosol.

Major Kisthardt made a motion to schedule three Optional Training classes for the 2015 training year, with one in each region of the state. Commissioner Ruddock seconded the motion.

VOTING AYE: Contino, Kisthardt, Sokoloff, Wenner, Ruddock, and Walsh.

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

III. Discussion Items

Constables' Certification, Education and Training System (CCETS)

Ms. Leffler reported that the new CCETS system went live on July 22, 2014. Currently, there are 347 constables who have registered, which is approximately 27% of the constable population. Twenty-eight county staff from 18 County Clerk of Courts Office has registered with CCETS. Chairman Contino inquired as to who specifically is registering from the Counties. He assumed it was with the Clerk of Court Office as well as the Prothonotary Office but asked if the Board of Elections were included as CCETS users. Chairman Contino stated he is contacted frequently by the Board of Elections in an attempt to determine the current status of a constable or deputy constable. Ms. Leffler replied that the

Board of Elections staff are currently not users in CCETS but that may be something that could be considered in the future.

Ms. Leffler stated that CCETS is running very smoothly with only a few minor exceptions. The Board was advised that a Training Bulletin was mailed to all constables with specific instructions on how to register with CCETS. The major issue encountered with the CCETS system involved logging into the PA Login registration page. Sometime in the past, several constables had created user accounts with PA Login and did not remember their user id or password. Program Staff as well as the IT Staff worked diligently to resolve these issues.

Chairman Contino then asked if the development of the CCETS system will be a start for possibly implementing on-line training. Mr. Pfau advised this does give the Board a tool to use if the Board would consider on-line training in the future. Currently, each Constable creates their own user id and password, which now can be used to validate the individual constable's information. Mr. Pfau advised the Board could consider the possibility of developing on-line training. However, there are still numerous constables who have not registered for CCETS and many more who do not have access to a computer. Mr. Pfau stated that even in the old system only about 60% of the constables utilized the system. Chairman Contino advised that with utilizing on-line training, the Board can save a lot of money on training expenses.

Ms. Leffler advised the Board that development of the pocket guide for Civil Process has been completed.

Ms. Leffler advised that Board that the 2015 take home cds for constables will also include instructions on how to download the information contained on the cd onto their smart phones.

Ms. Leffler updated that Board on the proper procedures for entering and adjourning Executive Sessions because Commissioner Ruddock brought this issue up at the May 15, 2014 meeting. Ms. Leffler advised that the Board should make a motion before going into Executive Session as well as when the Executive Session is adjourned. These motions will need to be documented in the Board's meeting minutes. Ms. Leffler thanked Commissioner Ruddock for bringing this issue to the Board and Program Staff's attention.

IV. Informational Items

Law Enforcement Basic Training Waiver Applications

The following individuals applied to take the Law Enforcement Basic Training Waiver Examination and their applications were reviewed and approved by Program Staff. The applications were in full compliance with the Board's Regulations and the following individuals successfully passed the Waiver Examination.

Clement R. Smith - Adams County
Alan W. Sigafos - Bucks County
Dean C. Schwartz - Lehigh County
Kevin J. Seidel - Luzerne County
Jay D. Mckee - Erie County

Chairman Contino asked if staff could change the wording from “Law Enforcement Training Waiver Applications” to “Law Enforcement Basic Training Waiver Applications” because constables may see this excerpt in the meeting minutes and think they are entitled to a training waiver. It is strictly for the Basic Training only.

Status of Certifications Issued

As of July 11, 2014, there were 1,246 constables and deputy constables currently listed as active and certified. Of these, 995 or 80% are also certified to carry a firearm in the performance of their constable duties.

Since the inception of the Constables’ Training Program in 1996, there have been a total of 4,050 individuals who successfully completed basic training or had taken the basic training waiver examination and were certified by the Board.

Constable Contino advised the Constables in attendance at the CETB that it is imperative that all Constables practice with their duty weapons before attending their firearms training class. During the course of the firearms training, there may be instructors yelling orders on the firing line, if they cannot handle the pressure, then they are in the wrong profession.

V. Public Voice

Constable Quinn stated that several members of the Pennsylvania Fraternal Order of Constables have brought to his attention, and requested that he bring it to the Board for discussion, to possibly hold the Board Meetings on a weeknight or possibly on a weekend. This would allow the Constables to work during the day and still have the opportunity to attend the Board Meetings. Chairman Contino replied that the Board is working with WebEx to allow all Constables throughout the Commonwealth to view the Board meetings remotely. Chairman Contino advised that as far as weeknight meetings, that will not occur. Mr. Pfau responded that just for the record, that when the CETB meetings were held throughout the Commonwealth on weeknights, there was no change in the attendance. An example of this occurred when the CETB was scheduled for Allegheny County, which has the largest number of certified constables, and only eight constables attended that meeting. Ms. Leffler stated Program Staff will try their best to have the WebEx functioning for the November 2014 Board meeting.

VI. Adjournment

Constable Walsh made a motion to adjourn the meeting and Commissioner Ruddock seconded the motion.

The motion carried unanimously.

Chairman Contino adjourned the meeting at 11:20 a.m.

The next Board meeting will be held on November 20, 2014 at the PCCD offices in Harrisburg.