

PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

Constables' Education and Training Board

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Bureau of Training Services

CONSTABLES' TRAINING BULLETIN

NUMBER 57

FEBRUARY 2007

Tentative Meeting Dates – 2007

MONDAY, FEBRUARY 12, 2007 - 11:00 AM, PCCD, HARRISBURG

MONDAY, MAY 7, 2007 - 11:00 AM, PCCD, HARRISBURG

MONDAY, AUGUST 6, 2007 - 11:00 AM, PCCD, HARRISBURG

MONDAY, NOVEMBER 5, 2007 - 11:00 AM, PCCD, HARRISBURG

Meeting of the Constables' Educational and Training Board (CETB) are public meetings and constables are welcome and encouraged to attend.

Act 2004-233 Continuing Education Assistance

Act 2004-233 amended Title 42, Section 2949 by inserting paragraph (f) Fund Surplus, to permit the PCCD to provide assistance to constables for the costs related to attending continuing education training, when there is sufficient surplus in the training account to provide such assistance.

Specifically, the language of 42 § 2949 (f) Fund Surplus states: "If the account moneys are sufficient to meet the expenses and cost under subsection (a), the commission may allocate any surplus funds in the account to assist constables and deputy constables with the cost associated with attendance at continuing education program under section 2946 (relating to continuing education)."

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It is important to note that the language of Section 2949(f) does not provide for reimbursement for every expense a constable incurs in attending continuing education. Rather, the amendment was intended as a means to assist constables with cost related to attendance of continuing education.

Since passage of Act 233, staff has worked with the Central Services Comptroller, the Office of State Treasurer, and PCCD Chief Counsel to establish the details of and process for the payments to constables allowed under the Section 2949(f). As a result of those efforts, at its December 12, 2006 meeting the Pennsylvania Commission on Crime and Delinquency approved the policy and procedure necessary to authorize payments to Constables' under the provisions of Act 2005-233, attached.

As provided in the policy referenced above, payments under Section 2949(f) are for per diem (meals) and average mileage based on the current Commonwealth Management Directive 230.10, Travel and Subsistence Allowances. In calculating payment for the 2006 training cycle, the Commission considered those rates and applied them to data derived from the PCCD's Constable Information System, as follows.

The statewide average one-way distance a constable traveled to continuing education during 2006 was 25 miles. Based upon the average distance and the length of the training the Management Directive allows three round trips for a total of 150 miles, calculated at the IRS mileage rate for the year that payment is being made, providing \$67.50 for mileage.

The 20-hour continuing education is conducted 4 hours on Friday night, 8 hours on both Saturday and Sunday. Management Directive 230.10 will allow a total per-diem of \$63 for the 20-hour training, which spans three days.

This results in a total, per-diem and mileage, of \$130.50 per constable for the 2006 training year.

Payments for 2006 Training Year

The PCCD anticipates processing payments for the 2006 continuing education in the first quarter of 2007. In order to be eligible to receive Section 2949(f) payments to assist with the costs of attending continuing education constables must have:

- 1) Successfully completed continuing education training during the 2006 training year.
- 2) Filed an IRS Form W-9 with the PCCD by the due date, March 15, 2007.

Southwest Region Training Classes

There have been concerns expressed about the number and location of training classes for the Southwest Region. As part of the training delivery contract with the new training provider, Indiana University of Pennsylvania (IUP), the PCCD has required IUP to provide training in the same geographical areas as the previous training provider, Penn State, Fayette. The short lead-time allowed by the contracting process has in part contributed to IUP being unable to reserve training locations in some areas. But as depicted in the chart below, IUP will be providing training in almost all of the same geographical areas as utilized by PSU Fayette in 2006.

Locations	County	2006 Continuing Education	2007 Continuing Education	2006 Firearms	2007 Firearms	2006 Optional Training	2007 Optional Training	2006 Basic Training	2007 Basic Training
McKeesport	Allegheny	5	0	0	0	4	0	2	0
New Kensington	Westmoreland	2	0	1	4	2	0	0	0
Beaver	Beaver	2	2	0	0	2	0	0	0
Johnstown	Cambria	2	0	2	0	2	0	0	0
Greensburg	Westmoreland	1	1	0	0	0	0	0	0
Washington	Washington	2	3	1	3	0	2	0	0
<i>Connellsville</i>	Fayette	0	2	3	0	0	0	0	0
Uniontown	Fayette	3	0	0	1	2	0	1	0
<i>California</i>	Fayette	0	3	0	0	0	2	0	1
Twin Rivers	Allegheny	0	1	8	6	0	2	0	0
<i>IUP Main</i>	Indiana	0	2	0	1	0	2	0	1
		17	14	15	15	12	8	3	2

Locations in italics = new training locations in 2007

 = Locations not used in either 2006 or 2007.

Training Evaluations

The PCCD and training delivery contractors have been encouraging constables to take a few minutes at the end of each class to fill out the course evaluation forms. Your input is very important to the training process. The feedback that you have to offer will help in the development of the curriculum for the future.

A good example of how your input on the evaluation form can impact training is the judgmental shooting module of the 2006 firearms training. This year judgmental shooting has received excellent reviews in your course evaluations. Staff members at the PCCD have passed the information on to the curriculum development team. In the future, because of your input, the scenarios will reflect some of the areas you have requested.

The next time you are at training and a fellow constable or deputy constable has a suggestion or some constructive criticism, ask them if they have written their suggestion on the course evaluation form. If they have not, encourage them to do so.

Reminder Regarding 2007 Training

This is a reminder about scheduling yourself for the upcoming year. As usual, all classes will be filled “first come, first served.” In order to fulfill your training obligations, the sooner you get your paper work in or accomplish on-line registration, the easier it will be for you to adjust your schedule. Waiting until the last minute will only inconvenience you. In 2007, class size limits will be strictly enforced.

General Reminder:
ETHICS STANDARDS AND FINANCIAL DISCLOSURE

Recently the State Ethics Commission mailed forms to constables and deputy constables for the filing the Statements of Financial Interests. May 1 of each year is the deadline to file your disclosure information. Additional information is available on the State Ethics Commission web site at www.ethics.state.pa.us.

Any questions regarding the information should be directed to the State Ethics Commission as follows.

Toll-free telephone number: (800) 932-0936

E-mail: ethics@state.pa.us.

Address:

State Ethics Commission

P.O. Box 11470

Harrisburg, PA 17108-1470

**POLICY STATEMENT – Act 233 PAYMENT
PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY**

I. Definitions.

The following words and phrases, when used in this policy, shall have the following meanings unless the context clearly indicates otherwise.

Act - The Constables' Education and Training Act (42 Pa.C.S. § 2941 - § 2950)

Board - The Constables' Education and Training Board.

Executive Director – The Executive Director of PCCD.

Constable - An elected or appointed constable or deputy constable.

PCCD - The Pennsylvania Commission on Crime and Delinquency.

Payment –Funds paid to constables for costs associated with Continuing Education.

Training Year – period of time during any calendar year, in which the Act 44 training cycle starts and ends.

II. Constable payment under 42 Pa.C.S § 2949(f)

A. Eligibility Criteria for 233 Payment

1. Payment will be made if account moneys are sufficient to meet the expenses and costs, as determined by PCCD. In accordance with Title 42 Pa.C.S § 2949(f), for costs associated with continuing education a constable shall:
 - a. The constable must have current term dates of office (Title 37 Pa. Code § 431.11) at the time of training.
 - b. The constable must be currently or have been previously certified and have a valid, current certification number issued by PCCD. (Title 42 Pa C.S.§ 2942.).
 - c. The constable must have filed a W-9 with the PCCD within 90 days of registering with PCCD in compliance with Title 37 Pa. Code § 431.11.
 - d. The constable must pass all of the required subjects in continuing education as defined in Title 37 Pa. Code § 431.31 and Title 37 Pa. Code § 431.32.
 - e. The constable must maintain his or her professional liability insurance (Title 42 Pa C.S.§ 2942) for the training year he or she participated in continuing education.

f. The constable must maintain his / her current address as outlined in the Act (Title 42 Pa C.S. § 431.11 Registration), including the correct zip code + 4.

g. The constable may only receive one payment for each training year regardless of the circumstances.

2. The following areas will result in a constable not receiving the payment.

a. The constable who resigns during the training year will only receive a payment for the last training year that he or she meet the eligibility requirements.

b. The constable who receives a partial waiver of continuing education will receive a proportionate partial payment.

c. If a constable fails continuing education and does not retake and successfully complete continuing education (Title 37 Pa. Code § 431.32) during the same training year.

d. If a constable is dismissed or prohibited from a class based on a safety or discipline problem, he or she will not receive a payment for that training year.

B. Payment.

1. If account moneys are sufficient to meet the expenses and costs, PCCD will make a recommendation annually as to the amount of the payment to the Commission based on the annual fiscal statement of the Constables' Training Fund.

2. The Commission will have the authority to change the rates based on the financial considerations of the fund and the need to meet the statutory training requirements under Title 42 Pa C.S § 2941.

3. The Executive Director, PCCD, shall stop the payment based on an unforeseen fiscal shortage.

4. The following is the process for execution of payment:

a. Processing of payment of funds will occur once annually at the end of the training year. Corrections or adjustments for payments will be made on a case-by-case basis, based on eligibility.

b. Any payments, not processed due to a constable's failure to meet the eligibility requirements for the training year, will not be made after 15 March during the following training year.

c. PCCD will be responsible for coordinating with appropriate state agency, in accordance with Commonwealth procedures for distribution of funds, to establish a vendor number for each constable. PCCD will maintain the vendor number as part of a constable's training record.

d. PCCD will track payment information from Comptroller, Office of Budget and Treasury regarding stipend paid to each constable.

f. Payments made under Title 42 Pa C.S § 2949(f) only apply to continuing education training as defined in Title 42 Pa C.S § 2946 and Title 37 Pa. Code § 431.31

C. Amount of Payment

1. The payment will consist of:
 - a. A per diem rate based on the per diem rate as specified in the Commonwealth Management Directive 230.10, Travel and Subsistence Allowances (Dec 28, 2005).
 - i. Specifically the per diem is based on Management Directive 230.10, Section 11, paragraph c (3). This per diem is only intended to assist with the cost associated with attendance at annual continuing education.
 - ii. As the above rates are changed, so will the rates paid to constables under Title 42 Pa C.S § 2949(f).
 - iii. Section 11, paragraph c (3) is the only section of Management Directive 230.10 that will apply to payment to constables under Title 42 Pa C.S § 2949(f).
 - b. Mileage for travel will be based on the statewide average mileage that constables travel, one way to attend continuing education training. This average is based on data in the PCCD's Constable Information System (CIS).
 - i. Mileage will be paid using IRS rate as of the date of payment. This rate will apply to all constables /deputies who qualify for the payment.