

PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

Constables' Education and Training Board

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CONSTABLES' TRAINING BULLETIN

NUMBER 70

APRIL 2012

Board Policy Implementation Reminders

On May 26, 2011 the Constables Education and Training Board approved the following regulation changes which were then approved by the Pennsylvania Commission on Crime and Delinquency on June 14, 2011. The following regulation changes are being made into Board Policy until the completion of the Regulation process through the Independent Regulatory Review Commission. The following policies are effective as of January 1, 2012.

§ 431.43. Firearm and ammunition.

- (b) The firearm provided shall be of a design generally acceptable for law enforcement usage, and shall be in a condition for safe operation as designed and intended by the firearm manufacturer.

The firearm provided shall be one of the following calibers:

- (1) .380.
- (2) .38 special.
- (3) .357.
- (4) .40.
- (5) .45.
- (6) 9MM.

The Board and PCCD voted to eliminate the 10mm caliber firearm as an acceptable firearm to be used during the firearms qualification course.

§431.47. Attendance policies.

- (c) New Weapons: A constable who successfully completes a firearms qualification course may not attend another firearms qualification course in the same training year with the following exception: If a constable obtains a new weapon after having successfully completed his or her annual firearms qualification, the constable may attend, without penalty, another firearms training class and complete the qualification course-of-fire using the new weapon. Attendance at another firearms course is subject to course availability.

- (d) Advanced Firearms Failures: If a constable attends an advanced firearms qualification course and fails to successfully complete the qualification course-of-fire, the constable may attend, without penalty, a basic or annual firearms qualification course in its entirety.
- (e) Weapons Malfunctions: If a constable fails to successfully complete the qualification course-of-fire during any firearms qualification course because of a weapon malfunction, the constable may attend, without penalty, another firearms qualification course in its entirety, or may retake, without penalty, the portion of the firearms qualification course during and after which the malfunction occurred. Attendance at another firearms course is subject to course availability. Firearms instructors will document weapons malfunctions.

Additional Board Policy effective as of January 1, 2012:

Other Person

“Other Person” language as been removed from the Board Regulations. “Other Person” is identified by the Program as a Non-constable, which would be a person who does not have a current valid term of office as a constable or deputy constable. Only a person with an election or appointment certificate on file with the Program will be assigned a Temporary Access Number. This person can still register with the Program but they will not be eligible to enroll into the basic training courses until they have a valid term of office on file with the Program.

The following Board Policy will be effective July 1, 2012.

§431.47. Attendance policies.

- (a) A firearms qualification will lapse immediately if a constable no longer meets all of the eligibility criteria of §431.42 (relating to eligibility for firearms qualification), or does not complete a firearms qualification course in the calendar year following the person’s most recent completion of such a course.
- (b) The Board will reactivate a firearms certification that is lapsed for 3 years or more upon the constable’s successful completion of a basic firearms qualification course.

All firearms class enrollments will be monitored by Program Staff and the constable or deputy constable will be notified by mail if they will be required to attend a basic firearms class because of a lapse of 3 years or more in their firearms certification.

“Docket in Your Pocket” Application

A new application for smartphones called “Docket in Your Pocket” was introduced in Pennsylvania in October 2011. This application links directly to the Administrative Office of Pennsylvania Courts website and can be purchased for \$2.99 at <http://docketinyourpocket.com>.

The following are a few disclaimers regarding this application: ”This application is intended for use by law enforcement, legal professionals, the media, parents, students, singles, and ordinary citizens concerned about their personal safety. It is NOT intended for use by employers, creditors, landlords, or insurance companies”; and “The data or information provided is based upon information received by the Administrative Office of Pennsylvania Courts (“AOPC”). AOPC makes no representation as to the

accuracy, completeness or utility, for any general or specific purpose, of the information provided and as such, assumes no liability for inaccurate or delayed data, errors or omissions. Use of this information is at your own risk. AOPC makes no representations regarding the identity of any persons whose names appear in the records. User should verify that the information is accurate and current by personally consulting the official record reposing in the court wherein the records is maintained.”

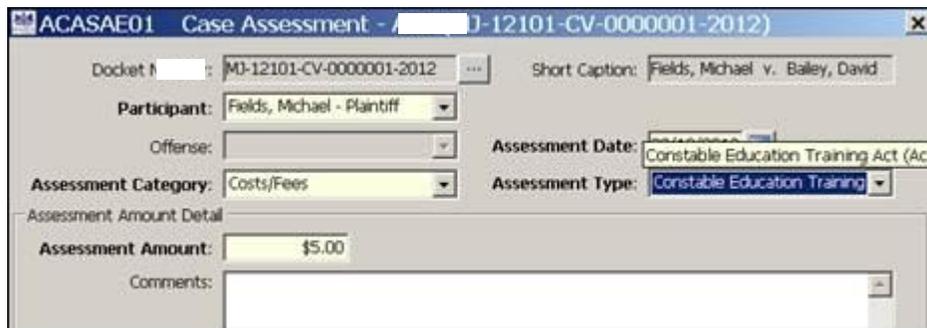
PCCD is not endorsing this application but felt that constables and deputy constables should be made aware of this new technology.

CETA Fee Reminder

The following was sent out recently by the Administrative Office of Pennsylvania Courts to all Magisterial District Judges and Clerk of Courts Office.

As a reminder, the CETA (Constable Education Training Act) surcharge of \$5.00 set forth in 44 Pa.C.S.A. 7149(b) must be assessed per named defendant for each civil case in which a constable or deputy constable performs a service. The fee is assessed once per criminal and summary dockets when a constable or deputy constable performs service.

The fee can be added to the case on the 'Case Assessment - Add' screen by selecting 'Costs/Fees' for the Assessment Category and 'Constable Education Training Act (Act 44 of 1991)' for the Assessment Type as shown below.



The screenshot shows a software interface for adding a case assessment. The window title is "ACASAE01 Case Assessment - [Case ID] J-12101-CV-0000001-2012". The interface includes the following fields:

- Docket #: MD-12101-CV-0000001-2012
- Short Caption: Fields, Michael v. Bailey, David
- Participant: Fields, Michael - Plaintiff
- Offense: (empty)
- Assessment Date: (empty)
- Assessment Category: Costs/Fees
- Assessment Type: Constable Education Training Act (Act 44 of 1991)
- Assessment Amount Detail: Assessment Amount: \$5.00
- Comments: (empty text area)

Next Board Meeting

The next meeting of the Constables' Education and Training Board (CETB) will be held on Thursday, May 10, 2012 beginning at 10:30 a.m. at the Fairfield Inn and Suites, 200 Fairfield Lane, Butler, PA. **Please note the time change of the Board meeting from 10 a.m. to 10:30 a.m..** All CETB meetings are public and constables are welcomed and encouraged to attend.

Electronics Usage

There have been several complaints from constables and deputy constables concerning constables and deputy constables using cell phones, Ipads, or other electronic devices during the Constables Training Classes. Please be reminded that per the PA Constables Classroom Code of Conduct, Section III. Unprofessional Conduct, subparagraph A. Unprofessional Conduct is defined as conduct that reflects poorly upon the image of the Constables' Education and Training Board (Board) and the Constables of the Commonwealth. Examples include, but are not limited to: disruptive talking in the classroom, disrespect to instructors, sleeping, eating or smoking in class, disrupting other activities occurring on the training site; false fire alarm, vandalism, illegal parking, lying to training delivery or Board staff or any other person; refusal to cooperate with staff investigations; and other criminal offenses committed at the training site. Cell phone usage during training classes would be deemed disruptive and disrespectful to instructors. Utilizing any other electronic device could also be disruptive and disrespectful to the class environment.

In addition, it has been reported that photographs and videotaping has been attempted by constables and deputy constables during Constables Training Classes. Please be reminded that the Constables' Education and Training Board's curriculum is not to be disseminated in any fashion, including photographs or videotaping. The training delivery contractors also have rules and regulations governing the use of photographs or videotaping taken during classes at their schools.

Please refrain from using electronic devices and taking photographs or videos during the Constables Training Classes.

Contact Information at PCCD

If you have questions regarding certification, insurance,
or where to send your election certificate or appointment order

THESE ARE NOT CONTACTS FOR CLASS ENROLLMENT

WESTERN PA: Armstrong, Allegheny, Beaver, Butler, Cambria, Clarion, Crawford, Elk, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, Mercer, McKean, Somerset, Venango, Washington, Warren, and Westmoreland Counties

Your contact person is: Kathy Clarke, (717) 265-8552, kclarke@pa.gov

CENTRAL PA: Adams, Bedford, Blair, Cameron, Centre, Clearfield, Clinton, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Lycoming, Mifflin, Montour, Northumberland, Perry, Potter, Schuylkill, Snyder, Tioga, Union, and York Counties

Your contact person is: Don Horst, (717) 265-8551, dhorst@pa.gov

EASTERN PA: Berks, Bradford, Bucks, Carbon, Chester, Columbia, Delaware, Lackawanna, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Pike, Sullivan, Susquehanna, Wayne, and Wyoming Counties

Your contact person is: Sherry Leffler, (717) 265-8554, sleffler@pa.gov