

DEPUTY SHERIFFS' EDUCATION AND TRAINING BOARD

Minutes of the September 21, 2010 Meeting

Members Present

Carmen C. DeLuca
Harry E. Forbes
Roger S. Gunesch
Chester A. Hawkins
Judge D. Webster Keogh
Kurt E. Montz
Dr. William G. Pettigrew, Jr.
Jody S. Smith

Members Absent

Judge Michael J. Barrasse

Commission Staff Present

Norma Hartman
Doug Hummel
Don Numer
John Pfau
Alison Taylor

Others Present

Pennsylvania State University
Bob Stonis
Don Zettlemyer

Penn State, Fayette Campus
Ted Mellors

Temple University
Tony Luongo

PA Sheriffs' Association
Beth Appleby

Berks County
Sheriff Eric Weaknecht

Columbia County
Sheriff Timothy Chamberlain

Montour County
Sheriff Ray Geringer

Schuylkill County
Sheriff Joseph Groody

The September 21, 2010 meeting of the Deputy Sheriffs' Education and Training Board (DSETB) was called to order at 9:00 a.m., in the Commission Room, at the Pennsylvania Commission on Crime and Delinquency (PCCD), Harrisburg, Pennsylvania.

Chairman Forbes introduced the first agenda item. He asked if the Board had an opportunity to review the minutes of the May 21, 2010 meeting and asked for a motion.

Dr. William G. Pettigrew, Jr. made a motion to approve the May 21, 2010 DSETB minutes. Deputy Roger Gunesch seconded the motion and it passed with the following votes:

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

Voting Nay: None

Ms. Norma Hartman, PCCD, reviewed the DSETB fiscal report for state fiscal year 2009-2010, ending June 30, 2010. The balance from the previous year was \$10,027,862.63. Fee collections from July 1, 2009 through June 30, 2010 was \$5,056,972.56. The total funds available at June 30, 2010 is \$15,084,835.19. The expenditures as of June 30, 2010 was \$3,486,938.82. The total expenditures and commitments as of June 30, 2010 was \$10,315,506.10. The balance as of June 30, 2010 is \$4,769,329.09. This balance includes unexpended funds of \$2,295,387.04 from three purchase orders that ended in 2009. Chairman Forbes asked if anyone had any questions regarding the DSETB fiscal report. No one asked any questions and Chairman Forbes asked for a motion.

Mr. Kurt Montz made a motion to approve the DSETB fiscal report. Dr. Pettigrew seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Don Numer, PCCD, reviewed the DSETB funding projections as attached on page ten of the Board meeting packet. Mr. Numer reminded the DSETB that at the last quarterly meeting a discussion was held regarding the possible need to implement cost saving measures to ensure that the training account remained stable. Previous fiscal projections indicated that our expenditures are increasing and greater than the amount of revenue generated through fee collections. Mr. Numer stated that compared to the projection report from the previous year, the account is projected to maintain a positive balance for a longer period, until the year 2016. Mr. Numer explained the reason for the increase in time showed by the current projection report is the result of three contracts that expired which resulted in the unused balances being returned to the training account. Mr. Numer stated that the DSETB renewed one contract and entered into two new contracts as a result of the Request for Proposal process, which was fiscally competitive.

Mr. Numer stated that staff will continue to monitor the training account. Mr. Numer stated that the DSETB may need to begin the process of requesting a fee increase within the next two years. Chairman Forbes asked if the DSETB training account was exposed due to the economic climate and if the DSETB had a say in how much could be taken from the account. Mr. Numer stated that there is always a concern regarding the training account.

Mr. Numer reported that the DSETB co-sponsored K-9 training, with the Pennsylvania Sheriffs' Association, offered in July 2010 was a success. Mr. Numer stated that we have been aggressive in sending letters to sheriffs that have deputies that are not in compliance with the training act. This has caused an increase in time waiver requests. Mr. Numer stated that the letters have been effective. Mr. Numer stated that copies of the letters are sent to the respective County Commissioner's Office and to the Attorney General. Mr. Numer stated that staff will be meeting with the Philadelphia Office of the Sheriff to review their training issues.

Mr. Doug Hummel, PCCD, reviewed the training request submitted by Sheriff Timothy Chamberlain, Columbia County. Mr. Hummel explained that Deputy Scott Mayernick attended the Basic Training Academy with class B-09-02. The DSETB policy requires that any deputy that does not return to complete the required course work within one year of his/her dismissal, he/she would need to repeat the entire academy. Mr. Montz asked if he was injured while attending the academy. Mr. Hummel stated that Deputy Mayernick was injured at the academy. The injury required surgery and rehabilitation that extended beyond the limits of the DSETB policy. Deputy Gunesch asked Sheriff Chamberlain if Deputy Mayernick was prepared to take the physical fitness test. Sheriff Chamberlain stated that Deputy Mayernick has been training. Mr. Hummel stated that if Deputy Mayernick attempted the physical fitness test within the next three weeks, Deputy Mayernick would be able to complete the other missed courses prior to the end of 2010. Sheriff Chester Hawkins, asked if Deputy Mayernick had sufficient time to prepare for the test since he was recently medically cleared to attempt the test. Sheriff Chamberlain stated that Deputy Mayernick had enough time to prepare. Sheriff Chamberlain stated that he told Deputy Mayernick that he needed to complete the test. Sheriff Chamberlain stated that if Deputy Mayernick could not pass the physical fitness test then he had to decide to have Deputy Mayernick return for the entire academy.

Mr. Montz made a motion to grant Deputy Scott Mayernick the opportunity to attempt the physical fitness test and that if he fails, he would be required to repeat the entire Basic Training Academy. Dr. Pettigrew seconded the motion and the motion passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the instructor applications. Temple University requested the certification of Mr. Timothy Evard as an instructor for the Continuing Education Program, for Officer Safety, Emergency Medical Services and Motor Vehicle Law. Temple University requested the certification of Mr. Paul Greiner as an instructor for the Continuing Education Program, for Criminal Law, Security, Firearms, Motor Vehicle Law, Physical Conditioning, Civil Law, Officer Safety, Crisis Intervention, Defensive Tactics and Professional Development. Temple University requested the certification of Mr. Russell Korner Jr. as an instructor for the Continuing Education Program, for Criminal Law, Civil Law, Motor Vehicle Law and Professional Development. Temple University requested the certification of Ms. Janis Pickell as an instructor for the Continuing Education Program, for Criminal Law, Civil Law, Motor Vehicle Law, Security, Professional Development, Officer Safety, Crisis Intervention and Investigations. Temple University requested the certification of Mr. Robert Roemer as an instructor for the Continuing Education Program, for Firearms, Physical Conditioning, Officer Safety, Defensive Tactics and Investigations.

Mr. Montz made a motion to approve the instructor applications of Mr. Timothy Evard, Mr. Paul Greiner, Mr. Russell Korner Jr., Ms. Janis Pickell and Mr. Robert Roemer. Dr. Pettigrew seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Numer reviewed the time waiver request submitted by Sheriff Walter Hoke, Crawford County. Sheriff Hoke requested a time waiver for Deputy Sgt. Matthew Wilcox. The request is to have Sgt. Wilcox attend the next basic supervisors continuing education training in Monroeville, PA from March 23, 2011 to March 25, 2011. This would also get him on the appropriate training cycle for his office. Sgt. Wilcox has attended other DSETB sponsored training, to include the Train the Trainer Instructor Development Course and the Firearms Instructor Course which were completed in March 2009 and May 2010 respectively.

Judge D. Webster Keogh made a motion to grant the time waiver request for Deputy Matthew Wilcox. Deputy Gunesch seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the time waiver request submitted by Sheriff Jeffrey Krieg, Elk County. Sheriff Krieg requested a time waiver for Deputy Theresa Merritt. The request is to have Deputy Merritt attend the advanced supervisor continuing education training in

Monroeville, PA from June 8, 2011 to June 10, 2011. She had previously completed the basic supervisor course.

Dr. Pettigrew made a motion to grant the time waiver request for Deputy Theresa Merritt. Sheriff Hawkins seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the time waiver request submitted by Sheriff Ronald Rossi, Lehigh County. Sheriff Rossi requested a time waiver for Deputy Michael Schoone. The request is because of the sheriff's office's lengthy transitioning process from the use of revolvers to pistols. It was reported that Deputy Schoone is using his personal weapon, which is being repaired. The request was a pre-certification time waiver request that was not in compliance with the DSETB policy.

Mr. Montz made a motion to deny the time waiver request for Deputy Michael Schoone. Dr. Pettigrew seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Numer reviewed the time waiver request submitted by Sheriff John Mankey, Somerset County. Sheriff Mankey requested a time waiver for Deputy Robert Logsdon. Deputy Logsdon's employment situation is unique in that he is currently a federal employee at the Flight 93 Crash Site in Somerset County and a deputy sheriff as part of those duties. His employment is coming to an end 9/30/2010 and the county would like to retain him as a deputy sheriff working solely for Somerset County. He is a former PA State Trooper. Sheriff Mankey has submitted a training waiver and Deputy Logsdon is scheduled for the 11/8/2010 Waiver Academy.

A motion to approve the request was made by Dr. Pettigrew and seconded by Sheriff Hawkins. Under discussion, Chief Deputy Jody Smith and Mr. Carmen Deluca stated that the request did not comply with the DSETB policy. Dr. Pettigrew stated that he thought Deputy Logsdon was to continue working at the Flight 93 Crash Site. Mr. Numer stated that he would not be at the crash site but performing tradition deputy sheriff duties. The motion was withdrawn by Dr. Pettigrew and seconded by Sheriff Hawkins.

Deputy Gunesh made motion to deny the time waiver request for Deputy Robert Logsdon. Dr. Pettigrew seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the time waiver request submitted by Acting Sheriff Charles Moore, Westmoreland County. Acting Sheriff Moore requested a time waiver for Deputy Carol Wisniewski. Deputy Wisniewski attended Basic Training with class B-10-01 which began January 11, 2010. Deputy Wisniewski was dismissed from the academy on January 22, 2010 as a result of her inability to continue in training due to an abdominal injury she sustained while completing sit-ups during a training exercise. The request is for a time extension until she is medically able to attend training. Mr. Montz questioned how she could be medically able to work but not attend training. Mr. Hummel stated that limited information was supplied with the time waiver request and that the request did not comply with the DSETB policy.

Mr. Montz made a motion to deny the time waiver request for Deputy Carol Wisniewski. Chief Smith seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the time waiver requests submitted by Sheriff Richard Keuerleber, York County.

Sheriff Keuerleber requested a time waiver for Deputy Michael R. Hill. The request is to have Deputy Hill attend the continuing education training in York County, class C-11-46 from 2/12/2011 to 2/26/2011 (weekend course). The request is due to Deputy Hill having a previously scheduled commitment.

Sheriff Keuerleber requested a time waiver for Deputy Justin R. Kollar. The request is to have Deputy Kollar attend the continuing education training in York County, class C-11-46 from 2/12/2011 to 2/26/2011 (weekend course). The request is due to a manpower shortage.

Sheriff Keuerleber requested a time waiver for Deputy Bienamino Lopez. The request is to have Deputy Lopez attend the continuing education training in York County, class C-11-46 from 2/12/2011 to 2/26/2011 (weekend course). The request is due to Deputy Lopez having a previously scheduled family vacation.

Mr. Hummel stated that these requests complied with the DSETB policy.

Judge Keogh made a motion to approve the time waiver requests for Deputy Michael Hill, Deputy Justin Kollar and Deputy Benamino Lopez. Sheriff Hawkins seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Numer referred to the addendum to the DSETB meeting packet and reviewed the training request submitted by Sheriff John Green, Philadelphia Office of the Sheriff. The request is for the reinstatement of Deputy Sheriff Michael Johnson, to the Basic Training Academy. Deputy Sheriff Johnson was dismissed from the Basic Training Academy due to a violation of the Training Code of Conduct as a result of physically assaulting another deputy sheriff. The dismissal was approved by Mr. Michael Kane, Executive Director, PCCD. Mr. Numer stated that in addition to Sheriff Green's request, letters of support of Deputy Johnson are included. Documentation of Deputy Johnson's attendance in an anger management program was submitted. Dr. Pettigrew asked the academy personnel in attendance for their recommendation. Mr. Don Zettlemoyer, Penn State Justice and Safety Institute, stated that he would prefer not to have Deputy Johnson return to the academy due to the assaultive behavior toward a fellow officer. Judge Keogh, Philadelphia Commonwealth Court, stated that he would recuse himself from any vote on this request. Judge Keogh stated that he is familiar with Deputy Johnson and that he has been an exemplary employee. He noted that Deputy Johnson is a little older than the typical deputy attending the academy and mentioned that maybe a generational difference was a factor in the incident. Mr. Robert Stonis, Penn State Justice and Safety Institute, stated the incident started over which team won the recent National Basketball Association championship. Judge Keogh stated Deputy Johnson was a quality person. Deputy Gunesch asked how Deputy Johnson's performance was during his attendance at the academy and how far into the academy was he dismissed. Mr. Hummel stated that he attended training for approximately eight or nine weeks. Mr. Zettlemoyer stated that he was fine academically and noted that it was an assault and an offense that could have resulted in an arrest. Chief Smith stated that the request stated that Deputy Johnson completed an extensive anger management program and the letter from the program said he attended only three – one hour sessions. Chief Smith stated that she did not believe one could learn anger management in three sessions. She stated her opinion that she would deny the request. Sheriff Hawkins stated that Deputy Johnson is beyond the one year training requirement of the Act. Mr. Numer stated that staff have been addressing the training time limit with the sheriff's office. Deputy Gunesch stated that the letter of support from Ms. Sandra Taylor states that she had been working with Deputy Johnson for two years. Chairman Forbes stated the DSETB set standards and that the Board needs to abide by the policies, to include the Code of Conduct. Chairman Forbes stated that Deputy Johnson could have been arrested. Mr. Montz stated that we do not know everything that may have led up to this incident. Mr. Montz stated that if it was a criminal offense, then why was he not arrested. Mr. Montz stated that if Deputy Johnson committed a criminal offense then he should have been arrested. Mr. Montz stated that

he has been in law enforcement for 26 years and supports giving someone a second chance and it seems that Deputy Johnson has taken some corrective action. Mr. Montz stated that he knows many law enforcement personnel that attended anger management and other classes due to the stresses of the profession. Mr. Montz stated that we may have done a disservice by not having Deputy Johnson arrested. Mr. Zettlemoyer stated that he could not attest to the desire of the victim to file a criminal complaint.

Sheriff Hawkins made a motion to deny the training request for Deputy Michael Johnson. Dr. Pettigrew seconded the motion and it passed with the following votes:

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

Voting Nay: None

Abstained: Keogh

Mr. Hummel referred to the addendum to the DSETB meeting packet and reviewed the training request submitted by the Philadelphia Office of the Sheriff. The request was for Deputy Reginald Riley to be granted one additional opportunity to attempt the academy physical fitness test. Deputy Riley attended basic training with class B-09-02, from April 13, 2009 to August 29, 2009. Deputy Riley was unable to attempt his last opportunity to complete the physical fitness test, due to an injury. Upon becoming medically cleared to attend training, Deputy Riley returned to the academy on July 30, 2010 and failed his last physical fitness test. Attached is the letter of request submitted by Mr. Mark Roane, Training Director for the Philadelphia Office of the Sheriff. Deputy Riley claimed to have stopped running to render assistance to another deputy that collapsed during the test. Mr. Hummel stated that he was not present for the test. Mr. Numer stated that according to policy, the DSETB would not grant the request, however, there is the issue of the effects of the other deputy that collapsed. Mr. Hummel stated that the DSETB has granted additional physical fitness test in cases in which the deputy was not beyond their training due date. Deputy Riley was beyond his due date. Mr. Numer asked how far off he was with his required time for the 1.5 mile run. Mr. Hummel stated that he was at 14 minutes and 1 second during the 5th lap of the 6 lap test. He needed to complete the 6 laps in 15 minutes and 14 seconds. Deputy Riley did not complete the run. Dr. Pettigrew asked if Deputy Riley stopped to assist the injured deputy. Mr. Hummel stated that he was not present for the test. The academy did not have specific information as to whether or not Deputy Riley stopped to render assistance to the injured deputy. Chairman Forbes asked the academy staff for their recommendation. Mr. Zettlemoyer stated that he recommends the DSETB to be consistent. Chief Smith stated that the training instructor should have had more information regarding this incident. Chairman Forbes stated the incident should have been documented.

Dr. Pettigrew made a motion to grant Deputy Reginald Riley one additional opportunity to attempt the physical fitness test. Mr. Montz seconded the motion and it passed with the following votes:

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

Voting Nay: DeLuca and Smith

Abstained: Keogh

Mr. Numer referred to the addendum to the DSETB meeting packet and reviewed the training request submitted by the Philadelphia Office of the Sheriff. The Philadelphia Office of the Sheriff requested that Deputy Sheriff Ernestine Wiggs be granted the opportunity to return to the Basic Training Academy to complete the requirements for certification. Deputy Wiggs previously failed the Basic Training Academy during her attendance with class B-09-02, from April 13, 2009 through August 29, 2009. Specifically, Deputy Wiggs failed the firearms module. As per the DSETB policy, she was given an opportunity to repeat the firearms module in October/November 2009. Deputy Wiggs failed her second attempt of the firearms module, which prompted a request for her to repeat the entire basic training program. On March 18, 2010 the DSETB granted the request and Deputy Wiggs was enrolled in class B-10-02, beginning May 3, 2010. On August 11, 2010 Deputy Wiggs failed the firearms module. As per the DSETB policy, Deputy Wiggs was dismissed from the academy. Attached is the letter of request submitted by Mr. Mark Roane, Training Director for the Philadelphia Office of the Sheriff. Mr. Numer stated that he did not support this request. Mr. Montz stated that if the deputy or sheriff is willing to pay for the training, then it is not costing the DSETB, then let the deputy repeat the training. Mr. Numer stated that the deputy or sheriff only pays for lodging and meals. The DSETB pays the cost of the training and ammunition. Dr. Pettigrew asked if she would take only the test or the entire training. Mr. Hummel explained that Deputy Wiggs attended the academy and failed the firearms qualification test and was given remediation training and a retest for qualification. Deputy Wiggs failed the retest and returned with the next academy class to repeat the entire firearms module. Deputy Wiggs failed to qualify and was provided re-mediation training and failed her retest for qualification. The DSETB granted Deputy Wiggs the opportunity to repeat the entire training academy, at which time she failed the firearms module. She was given remediation training and failed the retest for qualification. Mr. Hummel stated that she failed the firearms qualification test six times.

Dr. Pettigrew made a motion to deny the training request for Deputy Ernestine Wiggs. Chief Smith seconded the motion and the motion passed with the following votes:

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

Voting Nay: None

Abstained: Keogh

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

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

Mr. Hummel reviewed the instructor application that was included in the addendum to the DSETB meeting packet. Penn State University requested the certification of Mr. William Cline as an instructor for the Basic Training Academy for Firearms and Defensive Tactics.

Sheriff Hawkins made a motion to approved Mr. William Cline as a Firearms and Defensive Tactics instructor for the Basic Training Academy. Dr. Pettigrew seconded the motion and it passed with the following votes:

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

Voting Nay: None

Abstained: Smith

Mr. Zettlemoyer stated that the 33rd academy class at Penn State graduated last week. The 34th Basic Training Class is currently in session and will graduate in December 2010.

Mr. Anthony Luongo, Temple University, provided the report for the Continuing Education Training delivery contract. He reported that no classes were held in July and August 2010. Mr. Luongo stated that classes resumed this month in Williamsport, York, Philadelphia and Washington County. Also, an advanced supervisors course was recently held in Montgomery County. Training will continue through December 2010 in Philadelphia.

Mr. Ted Mellors provided the report on the Curriculum Development contract. Mr. Mellors stated that he conducted a presentation at the PA Sheriffs' Association Conference that was held in July 2010. He stated that a training concern for sheriffs was the need for Taser training in the Basic Training Academy. The sheriffs also expressed

the need to emphasize training on civil law and process, prisoner transport and court security. Mr. Mellors stated that the target date for implementing the revised Basic Training Curriculum is January 2012. He stated that course content is being developed along with the adjunct instructor materials. Mr. Mellors stated that the curriculum will utilize multiple methods of instruction to include hands on training components and problem-based learning. Mr. Mellors showed a video presentation created for the firearms module regarding trigger pull. Mr. Numer stated that the goal of the curriculum revision is to update the instructional material and to enhance the delivery methods.

Sheriff Hawkins distributed a letter from Sheriff H. Thomas Lyter, Juniata County Sheriff and President of the PA Sheriffs' Association to all the DSETB members. The letter was addressed to Mr. Pfau, PCCD. Sheriff Hawkins read the letter which addressed the issue regarding DSETB Chairman Forbes's testimony that he provided during the September 13, 2010 public hearing before the Labor Relations Committee of the PA House, regarding House Bill 2585. The letter stated that it was a conflict of interest in that Chairman Forbes testified on behalf of the PA County Commissioners' Association in opposition of House Bill 2585, regarding the restoration of the powers of sheriffs and deputy sheriffs.

Mr. Numer explained that as a staff member to the DSETB he also has the duty to provide oversight of the DSETB to the PCCD. Mr. Numer stated that the DSETB does not have a position on the sheriff's authority issue. The DSETB should not take a stance on this issue due to the DSETB Training Act addresses training. Mr. Numer reminded the DSETB to not speak on behalf of the DSETB regarding House Bill 2585. Mr. Numer stated that he is confident in defending the training program. Mr. Numer stated that accusations have been made regarding the testimony of Chairman Forbes and his representation of the DSETB. Mr. Numer explained that he and his superiors will review the testimony. Mr. Numer stated that if the impression was made that Chairman Forbes was speaking on behalf of the DSETB, then he would recommend that a letter be sent to the Labor Relations Committee expressing that the testimony was not the position of the DSETB.

Dr. Pettigrew stated that he testified at a public hearing two years ago and he was unaware of a policy regarding representing the DSETB. Dr. Pettigrew suggested that the DSETB should agree taking a position. Mr. Numer stated that the DSETB's focus is on training that is based on legislation. The DSETB is not a political body that lobbies for legislation. Mr. Pfau stated that he informed the PA Sheriffs' Association that the PCCD does not get involved in legislative issues. He explained that the PCCD does not lobby for a position on a particular issue. Issues arise from the Legislature and they may come to the PCCD for information regarding the potential impact of the legislation. We do not actively pursue a legislative position. When asked for information, our legal counsel and executive director usually process these requests. Mr. Pfau stated that we have no control over the comments made by DSETB members that are speaking on behalf of another organization. Mr. Pfau noted that it was not an issue two years ago when Dr. Pettigrew spoke on behalf of the PA Sheriffs' Association. Mr. Pfau stated that it may be a "double standard." Mr. Montz stated that it may be a "double standard." He stated that he is not

appointed to the DSETB and is actually assigned as the representative of the PA Attorney General. Mr. Montz stated that the DSETB should not be commenting on legislation and should remain neutral.

Deputy Gunesch stated that he understands that Chairman Forbes was representing the County Commissioners' Association, but stated that he still has the title of being the Chairman of the DSETB. Deputy Gunesch stated that people will link the testimony to the DSETB. Deputy Gunesch stated that all the sheriffs need to support their issues and that is not happening.

Mr. Montz made a motion to support the Executive Director of the PCCD in his decision on whether or not to send a letter to the Labor Relations Committee of the PA House, regarding the testimony of Chairman Forbes not be a representation of the DSETB. Sheriff Hawkins seconded the motion and it passed with the following votes:

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

Voting Nay: None

Sheriff Joseph Groody, Schuylkill County, stated that everyone is entitled to their own opinion. He stated that he has been in office for two and a half years and was a police officer for 31 years. He stated that prior to becoming sheriff, he was not aware of the quality and extensive training that is provided by PCCD to deputy sheriffs. Sheriff Groody stated that he attended some of the training and was impressed with the training and instructors. He stated that he spoke with some of the legislators after the public hearing. Sheriff Groody stated that he believes the legislators were swayed by the testimony of Chairman Forbes.

Sheriff Ray Gerringer, Montour County, stated that he attended a rally at the Capital, at which time he stated that he did not recall Chairman Forbes identifying himself as a member of the DSETB. Sheriff Gerringer stated that he attended the public hearing on September 13, 2010. He stated that Chairman Forbes testified that he was Chairman of the DSETB. He stated that he respected Chairman Forbes's opinion but that there should not have been mention of his status as a DSETB member. His testimony should have been only as a representative of the County Commissioners' Association. Sheriff Gerringer stated that he spoke with many members of the Labor Relations Committee and expressed that the legislators were confused as to who Chairman Forbes represented. Sheriff Gerringer stated that either the DSETB or the PCCD should send a letter to Representative Robert Belfante or to all the members of the Labor Relations Committee clarifying Chairman Forbes's role as a County Commissioner. Chairman Forbes stated that he would submit a personal letter to each member of the Labor Relations Committee.

Sheriff Eric Weaknecht, Berks County, stated that he supported the comments of Sheriff Gerring and Sheriff Groody. Mr. Numer thanked the Sheriffs for their support of the training. Sheriff Hawkins stated that the PA Sheriffs' Association solicitor Tom King did express his pleasure of Chairman Forbes's support of the training. Chairman Forbes asked if anyone had any additional comments or concerns.

Chairman Forbes adjourned the meeting at 10:45 a.m.