

**DEPUTY SHERIFFS' EDUCATION AND TRAINING BOARD**

**Minutes of the May 18, 2012 Meeting**

Members Present

Carmen C. DeLuca  
Roger S. Gunesch  
William G. Pettigrew, Jr.  
Kurt E. Montz (Conference Call)  
Jody S. Smith (Conference Call)

Commission Staff Present

Doug Hummel  
Bob Merwine  
Don Numer

Members Absent

Chester A. Hawkins  
D. Webster Keogh  
Todd A. Martin

Others Present

Pennsylvania State University  
Bob Stonis  
Don Zettlemyer

Penn State, Fayette Campus  
Ted Mellors

Temple University  
Tony Luongo  
Christine Willard

Crawford County Sheriff's Office  
Sheriff Nick Hoke

Philadelphia Office of the Sheriff  
Staff Inspector Paris Washington

PA Sheriffs' Association  
Beth Appleby

PA Deputy Sheriffs' Association  
Jimmy Lee  
Jack Dolan

General Public  
Kurt Rice

The May 18, 2012 meeting of the Deputy Sheriffs' Education and Training Board (DSETB) was called to order by Chairman Dr. William G. Pettigrew Jr., at 8:06 a.m., at the Days Inn State College, 240 South Pugh Street, State College, PA 16801.

Chairman Pettigrew requested that roll call of the attending DSETB members be taken. Mr. Donald Numer took roll call and Dr. Pettigrew, Lieutenant Roger S. Gunesch, and Mr. Carmen DeLuca were in attendance. Mr. Kurt E. Montz was on conference call for this meeting. Dr. Pettigrew stated that a quorum was not present and that staff would continue to contact Vice Chairwoman Jody S. Smith for attendance via conference call.

Chairman Pettigrew instructed Mr. Numer to provide the Training Supervisor's Report. Mr. Numer stated that the Basic Training Academy, at Penn State, began using the new curriculum with the January 2012 class. The academy staff has been working closely with our curriculum development contractor, Penn State Fayette, to enhance the new training curriculum. Mr. Numer stated that staff is meeting with both Penn State and Penn State Fayette on May 24, 2012 to review any issues with the new curriculum and its initial implementation.

Chairman Pettigrew stated that Vice Chairwoman Smith joined the meeting via conference call, which would give the DSETB a quorum.

Chairman Pettigrew asked if the Board had an opportunity to review the minutes of the March 1, 2012 meeting and asked for a motion.

Mr. DeLuca made a motion to approve the March 1, 2012 DSETB minutes. Lieutenant Gunesch seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Numer reviewed the DSETB fiscal report for state fiscal year 2011-2012, for the period ending March 31, 2012.

The balance from the previous year was \$13,662,066.42. Fee collections from July 1, 2011 through March 31, 2012, was \$3,783,678.67. The estimated fee collections from April 1, 2012 through June 30, 2012 is \$792,769.33. The total funds available at March 31, 2012 was \$18,238,514.42. The total expenditures and commitments as of March 31, 2012 was \$10,326,246.58. The estimated balance as of March 31, 2012 was \$7,912,267.84. Mr. Numer explained that commitments include the full amount of each contract and that we often do not expend the entire amount.

Lieutenant Gunesch made a motion to approve the DSETB Fiscal Report. Mr. DeLuca seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Douglas Hummel, PCCD, reviewed the time waiver requests submitted by Sheriff Denny Nau, Centre County. Sheriff Nau requested time waivers for Deputy Stephen T. Glunt and Deputy Richard H. Smith. The requests were for a time extension to allow their attendance at continuing education training in Altoona, PA, which is the closest available training location.

Chairman Pettigrew made a motion to approve the time waiver requests for Deputy Stephen T. Glunt and Deputy Richard H. Smith. Lieutenant Gunesch seconded the motion and the time waivers were approved with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the time waiver request submitted by Sheriff Carolyn B. Welsh, Chester County. Sheriff Welsh requested a time waiver for Deputy Jason Suydam. Due to a family emergency, the request was for a time extension to allow his attendance at continuing education training in Philadelphia, PA, which is the closest available training location.

Lieutenant Gunesch made a motion to approve the time waiver request for Deputy Jason Suydam. Chairman Pettigrew seconded the motion and the time waiver was approved with the following votes:

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

Voting Nay: None

Mr. Numer reviewed the time waivers approved by the Training Supervisor. This was for informational purposes and did not require DSETB action. Time waivers were approved due to military commitments for Deputy Ryan Corcoran, Chester County; Deputy September Spencer, Chester County; and Deputy Sarah L. Haas, York County.

Mr. Numer reviewed the partial training waiver request submitted by Sheriff Jonathan Held, Westmoreland County. Mr. Numer reviewed Deputy Rodney Ansell's training records from his previous employment as a PA Game Commission Officer. Mr. Numer recommended that Deputy Ansell be granted a partial training waiver for all subjects except: Module 1, Law (136 hours); Module 6, Security (72 hours); and Module 7, Deputy Safety (94 hours).

Lieutenant Gunesch made a motion to approve the recommended partial training waiver request for Deputy Rodney Ansell. Vice-Chairwoman Smith seconded the motion and the partial training waiver was approved with the following votes:

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

Voting Nay: None

Mr. Numer 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 reviewed the instructor applications submitted by Ms. Emily A. Banach (Penn State), Mr. Trevor J. Kepner (Penn State) and Ms. Deidre H. Sherman (Temple University). The requests for Ms. Banach and Mr. Kepner were to become certified instructors for physical conditioning. The request for Ms. Sherman was to become certified as an instructor for the continuing education program for the following subjects: Criminal Law, Civil Law, Motor Vehicle Code, Investigations, Officer Safety and Security.

Mr. Montz made a motion to approve the instructor applications for Ms. Banach, Mr. Kepner and Ms. Sherman. Lieutenant Gunesch seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the time waiver request submitted by Sheriff Chad Reiner, Northumberland County. Sheriff Reiner requested a time waiver for Chief Deputy Randy Coe. The request was for a time extension to allow his attendance at continuing education training in Williamsport, PA, which is the closest available training location.

Lieutenant Gunesch made a motion to approve the time waiver request for Deputy Randy Coe. Mr. Montz seconded the motion and the time waiver was approved with the following votes:

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

Voting Nay: None

Mr. Numer reviewed the training request submitted by Sheriff Jewell Williams, Philadelphia Office of the Sheriff. Sheriff Williams requested that Deputy Giovanni Hernandez be granted one additional opportunity to attempt the required basic training academy physical fitness test. Deputy Hernandez attended class B-11-03 and failed his final physical fitness test on December 14, 2011. Due to his failure, he was dismissed

from the academy. Sheriff William's request was based on an injury that Deputy Hernandez reported. Deputy Hernandez was medically cleared to take the physical fitness test on December 14, 2011. Deputy Hernandez received further medical evaluation after his dismissal and was informed that he should not have taken the final physical fitness test. Staff Inspector Paris Washington, Philadelphia Office of the Sheriff, was present to address the DSETB. Mr. Numer recommended that the DSETB not vote on this request until such time the sheriff verifies in writing that Deputy Hernandez can pass the physical fitness test. Chairman Pettigrew clarified that the recommendation was that the Philadelphia Office of the Sheriff will test Deputy Hernandez and verify if he can pass the test. Upon verification of passing the test, staff would recommend that the DSETB grant Deputy Hernandez an additional physical fitness test. Mr. Washington agreed. Vice Chairwoman Smith clarified that Deputy Hernandez failed two physical fitness tests and failed the third physical fitness test while experiencing a medical condition. Mr. Numer stated that in past similar situations, in a reasonable amount of time, the DSETB granted additional physical fitness tests to those deputies that have been verified by their sheriff's office as having passed the test. Vice Chairwoman Smith stated that the key is "reasonable amount of time." Chairman Pettigrew asked Mr. Washington what he thought would be a reasonable amount of time. Mr. Washington stated that he spoke with Mr. Numer prior to the meeting. Mr. Washington suggested that his office would test Deputy Hernandez prior to the September 18, 2012 DSETB meeting and would only submit a request if Deputy Hernandez is able to pass the physical fitness test. Mr. Numer stated that assuming Deputy Hernandez can pass the physical fitness test, the sheriff would submit a request for an additional test and then the DSETB could either approve or deny the request at the September 18, 2012 meeting. Chairman Pettigrew asked if any board member objected the process of addressing this request. Lieutenant Gunesch agreed with the recommended process. Mr. Montz and Vice Chairwoman Smith agreed with the process. Mr. Numer provided clarification that if Deputy Hernandez would be granted an additional physical fitness test, that he would be required to pass all the exercises of the test.

Mr. Montz asked how we score the firearms qualification at the basic training academy. Mr. Robert Stonis, Penn State, stated that the minimum passing score is 75% of 300 points. Mr. Montz asked if we mandated yearly firearms qualification and mandated the use of our course of fire for all deputy sheriffs. Mr. Numer stated that the DSETB does not mandate any ongoing firearms standards. Mr. Numer explained that the DSETB does not have the authority to mandate continued firearms qualification standards. Mr. Numer stated that we offer our Train-the-Trainer Program that includes a firearms instructor course. The firearms instructor course is offered to benefit the sheriffs and is not mandatory. Mr. Montz asked if the National Rifle Association (NRA) training is acceptable. Mr. Numer stated that sheriffs may use any standard they choose. Mr. Montz concluded his participation in the meeting by ending his conference call.

Mr. Numer stated that the issues with the curriculum of the continuing education program have been addressed. Mr. Numer stated that Penn State Fayette and Temple University have been working together to enhance the curriculum and delivery. Mr. Numer stated that the course evaluations have improved. Lieutenant Gunesch was not impressed with

the continuing education he received in Erie County. Mr. Numer stated that Erie County did not have the updated curriculum. Lieutenant Gunesch stated that he spoke with Mr. Ted Mellors, Penn State Fayette, prior to the meeting. Lieutenant Gunesch's issue was that there was a large volume of material that overwhelmed the deputies. He stated that the content of the curriculum was valuable but was too extensive. He stated that deputies often only want to receive what they believe they need to know and what will be required to know for testing. Mr. Numer explained that we want to engage deputies. He stated that the majority of deputies expect to attend and not participate in class. Mr. Numer stated that we want to develop curriculum that incorporates adult learning theories. Lieutenant Gunesch stated that he liked the class but asked that the instructors focus on the most important material. Following the training in Erie County, Lieutenant Gunesch received telephone calls from both Penn State Fayette and Temple University. He stated that Mr. Mellors and the staff from Temple were very receptive to his concerns regarding the curriculum and training delivery.

Mr. Numer reviewed the Training Expiration Report provided on page 20 of the DSETB meeting packet. Mr. Numer explained that the issue of training expiration dates was mentioned during the March 2012 DSETB meeting. Mr. Numer stated that two issues exist to the discussion. First, we have law enforcement officers and former law enforcement officers requesting a partial waiver of training for their prior training and experience. The concern is that some of these individuals may have been out of the academy or law enforcement for many years. Mr. Numer stated that at what point, if at all, should the DSETB claim that too much time has elapsed and the person must attend the entire basic training academy. Second, Mr. Numer stated there could be deputies that were trained in the 1980's or 1990's, when the academy consisted of far less training hours and subjects, left employment and now seek to return as a deputy. He stated, at what point, if at all, should the training deputies received in the past not be acceptable. Mr. Numer stated that we do not have any requirements to maintain continuing education for those deputies who leave employment. The Training Act only requires training for active deputy sheriffs.

In the past, the DSETB required a waiver training exam for law enforcement officers and those who had graduated from an Act 120 academy that were more than two years past employment or graduation. The exam was required to be eligible to attend the Waiver Training Program. The waiver exam was problematic and was abolished by the DSETB. Many sheriffs were angry and frustrated because they hired 20 year retired state troopers and other retired police officers that were failing the test. The DSETB had discussed hosting study groups to review the exam questions and creating a study guide. It was getting to the point that we were trying to ensure that no one failed the exam. The DSETB finally decided to eliminate the waiver exam.

Mr. Numer provided an outline of the issue with some suggestions. Mr. Numer stated that he believes the issue has two points. The DSETB could reinstate some form of a waiver exam. The basic training curriculum is broken down into a few training modules that could be graded separately. The downside of having a waiver exam is we could have the problem of having failures and it is very time consuming administering waiver tests.

Also, if a person fails certain modules and only needs the ones failed, scheduling becomes an issue. Our basic training academy does not schedule classes by the module. The curriculum is delivered in smaller blocks of instruction spread out over several days and/or weeks. The other option would be to choose a date/time limit and require those that exceed the limit to attend the entire basic training academy. Mr. Numer stated that one issue with a time limit would be if you set the limit at five years and you receive a partial training waiver application one day after the five years, they will question what is the difference with the one day.

Mr. DeLuca asked staff if the Pennsylvania State Police (PSP) had ever accepted our training program as a form of credit towards receiving a waiver for their training. Mr. Numer replied that the PSP never accepted our training, however, other states have accepted our training. Mr. DeLuca stated that Act 120 does not recognize our training but we accept their training. Lieutenant Gunesch stated that the sheriffs do not like this situation. Mr. Numer stated that three quarters of our training population attend the waiver program.

Chairman Pettigrew stated that he is interested in obtaining input from the sheriffs. He suggested that we survey the sheriff regarding this issue. Vice Chairwoman Smith agreed with conducting a survey. She stated that she believes we would receive varying opinions on this issue. She stated that there are many sheriffs that only hire Act 120 graduates or retired Pennsylvania law enforcement officers. This is because they only deal with staffing issues for the two weeks of training rather than the 19 weeks of basic training. Vice Chairwoman Smith stated that she would be in support of setting a time limit instead of implementing a waiver exam.

Lieutenant Gunesch stated that the sheriffs are trying to get deputies to be accepted as equal to police officers. Sheriff's are able to hire individuals that qualify for the waiver training program because the DSETB accepts the training and there are many Act 120 training facilities in the Commonwealth, thus there are many candidates. He stated that with having many academies, the training is not always the same. Lieutenant Gunesch stated that some individuals that successfully completed Act 120 a year or two prior to being hired by a sheriff would not be able to complete the physical standards that our academy requires. Mr. DeLuca asked Lieutenant Gunesch if he was considering offering pre-service training. Lieutenant Gunesch stated no. Mr. Numer stated that the Deputy Sheriffs' Training Act only includes training for individuals that are employed as deputies. Mr. DeLuca stated that courses could be added to the waiver program, such as firearms and physical fitness. Mr. Numer agreed but stated that many sheriffs would not support those course additions to the waiver training. Mr. Numer stated that the DSETB's mandate is to train Deputy Sheriffs. The DSETB agreed to accept Act 120 training. We could review the waiver program to determine if other courses should be included. The focus of the DSETB needs to be on our training program, not on whether or not other programs accept our training.

Chairman Pettigrew stated that Mr. Numer presented the options regarding the training expiration issue and asked him for a recommendation. Mr. Numer stated that he

presented some ideas on the topic for consideration and further discussion is needed. Chairman Pettigrew wants input from the sheriffs. Mr. Numer agreed that input from the sheriffs is needed. Mr. Numer asked for clarification on the content of the proposed survey. Mr. Numer was concerned with providing the option to eliminate the waiver training program. He stated that he believes that option would alarm many sheriffs since it is a popular program. Lieutenant Gunesch stated that he did not want to handicap a sheriff's office by requiring everyone to attend the basic training program. He stated that he would like everyone to view us as equal to other law enforcement programs. Mr. Numer stated that a deputy sheriff would need to challenge Act 120 in court. This is not the fight of the DSETB.

Mr. Washington addressed the DSETB. He stated the sheriffs already accepted having the two week waiver training program. He stated that there is no training that is forever, not CPR or Act 120. The DSETB could implement a training expiration time limit. Mr. Washington stated that if a time limit would be set, additional courses could be added to the waiver program to address identified subject areas of concern. He stated that you could create a separate training program for those deputies that are beyond the time limit. Mr. Washington stated that there are key subjects that should be put in the training, such as legal updates and use of force. Sheriff Nick Hoke, Crawford County, stated that he does not oppose setting a time limit on accepting training, but he does not want to have the waiver training program eliminated. Sheriff Hoke asked what time limits the Municipal Police Officers' Education and Training Commission (MOPETC) has for training. Ms. Christie Willard, Temple University, stated that she had not attended Act 120 trainings for over eight years and she was required to take an exam. She stated that she passed the exam and that no additional training was required. She stated the test contained approximately 300 questions. There are no study guides.

Mr. Numer stated that a survey would be conducted.

Vice Chairwoman Smith concluded her participation in the meeting. Chairman Pettigrew asked for the training reports.

Mr. Don Zettlemoyer, Pennsylvania State University, informed the DSETB that graduation will be held following the meeting at 11:00 a.m. In addition, class 38 is in their third week of class.

Mr. Zettlemoyer informed the DSETB that his office was able to obtain \$95,000 in funding from the University to assist in the development and renovation of an additional simulation building. Once completed, we will have two separate buildings used for training. The new facility will be wired with video and audio equipment. The second facility will have a holding cell. Mr. Stonis stated that they purchased padded furniture to construct a court room.

Mr. Tony Luongo, Temple University, provided the Continuing Education Delivery Report. Mr. Luongo stated that continuing education training was recently completed in the west region. Classes are currently being held in the Scranton, PA. He stated that the

curriculum and delivery has improved and that the program evaluations have also improved.

Mr. Luongo stated that a Basic Supervisors course was held in Bethlehem. He stated that a Training the Trainer Instructor Development Training was held in Monroeville, PA. Both courses were well received. An Advanced Supervisors course is scheduled in State College, PA in June 2012.

Mr. Luongo stated that all deputies attending the basic training program have completed the online Flying Whiled Armed course, as required by the DSETB. He stated that having required online training is a good addition to the training program. Mr. Luongo suggested that the DSETB could consider using online training as a component to address the training expiration issue that was previously discussed during the meeting.

Mr. Mellors, Penn State Fayette, provided the report on curriculum development. Mr. Mellors stated that his staff had been working on revisions to the basic training curriculum and continuing education curriculum. Training subjects are being developed for consideration for the 2013-2015 continuing education training cycle. Mr. Mellors stated that the goal for continuing education is to create courses that have an appropriate amount of learning objectives as to not overwhelm the students.

Chairman Pettigrew asked if any person had any public comments. Sheriff Hoke stated that he was in attendance to represent the PA Sheriffs' Association. Sheriff Hoke was asked to address concerns the sheriffs had with the continuing education program. Sheriff Hoke acknowledged that Mr. Numer spoke with the sheriffs at their winter board meeting. The PA Sheriffs' Association received an email from Lieutenant James McGeehan, Beaver County, addressing concerns with the continuing education training held in Allegheny County. Mr. Numer stated he had not seen the email but spoke with Ms. Beth Appleby (PA Sheriffs' Association) regarding the issues. Sheriff Hoke stated that his concern is that these issues are addressed. Mr. Numer stated that he is often not informed of problems prior to meetings of the DSETB. One issue occurred in which deputies were not informed of the change in a training location. Chairman Pettigrew asked how issues are communicated. Sheriff Hoke stated that in the past, deputies would inform their sheriff who would call the PA Sheriffs' Association or one of the sheriffs that are members of the DSETB. Ms. Appleby stated that a sheriff would call her and she would encourage them to send an email to her. She stated that she would contact the sheriffs that are DSETB members and members of executive committee of the PA Sheriffs' Association. She stated that Sheriff Hawkins would often contact Mr. Numer. Mr. Numer recommended that he should be contacted with all issues. Mr. Numer stated that almost all the time, he would be the person to address any concerns. Chairman Pettigrew stated that it is ok to contact DSETB members, but not all members are contacted. He stated that the DSETB only meets quarterly and not all members attend every meeting. Information is not always shared in a timely manner. Chairman Pettigrew stated that Mr. Numer should be the primary contact person for training issues. Mr. Numer is the person responsible to inform the DSETB of issues regarding the training program. Chairman Pettigrew stated that if you contact him, he will contact Mr.

Numer because he is the person responsible for the day to day operations of the training program.

Sheriff Hoke stated that his understanding from the PA Sheriffs' Association's last board meeting was that all issues were to be forwarded to the sheriff members of the DSETB and Mr. Numer. Mr. Numer stated that he is not being contacted directly. Mr. Numer asked to be contacted will any issues regarding the training program.

Lieutenant Gunesch stated that this is the first time there has ever been an outcry of concern with the continuing education program. He stated that the curriculum development team and training delivers are working on the issues. He stated that the first person he contacted after he completed the continuing education training was Mr. Numer. He stated that after speaking with Mr. Numer, he received calls from Ms. Willard, Temple University and Mr. Mellors, Penn State Fayette. Lieutenant Gunesch stated that he was pleased with the follow-up to his concerns. Lieutenant Gunesch stated that Mr. Numer is excellent in responding to issues and informing the DSETB. Mr. Numer stated that we are not perfect, but we are responsive.

Mr. Jim Lee, representative of the PA Deputy Sheriffs' Association, informed the DSETB that Deputy Steve Korpalski, Philadelphia Office of the Sheriff, was denied an opportunity to take the MPOETC test.

Chairman Pettigrew announced that the next DSETB meeting is scheduled for Tuesday, September 18, 2012 at 9:00 a.m., at the PCCD.

Chairman Pettigrew asked for a motion to adjourn the meeting.

Lieutenant Gunesch made a motion to adjourn the meeting. Mr. DeLuca seconded the motion and the meeting was adjourned.

Voting Aye: Board Members DeLuca, Gunesch, Pettigrew