

SHERIFF AND DEPUTY SHERIFF EDUCATION AND TRAINING BOARD

Minutes of the March 1, 2016 Meeting

Members Present

Carmen Deluca
David M. Godfrey
Todd A. Martin
Wayne E. Nothstein
Eric Weaknecht

Commission Staff Present

Denise Barry
Kathy Clarke
Bob Merwine
Don Numer
John Pfau
Beth Romero
Deborah Williams

Members Absent

Mark Kellam
Kevin Wevodau
Amy Withrow

Others Present

Penn State University
Stephen Shelow
Robert Stonis

Penn State University – Fayette Campus
Ted Mellors
Kirk Hessler
Tony Mucha

Temple University
Anthony Luongo
Christie Willard

PA Sheriffs' Association
Beth Appleby

Sheriffs
Anthony Harvilla, Carbon Co.

The March 1, 2016 meeting of the Sheriff and Deputy Sheriff Education and Training Board (SDSETB) was called to order by Chairman Carmen DeLuca at 9:00 a.m., at the Pennsylvania Commission on Crime and Delinquency (PCCD), 3101 North Front Street, Harrisburg, PA 17110.

Chairman DeLuca asked if everyone had an opportunity to review the minutes from the December 3, 2015 Board meeting. He stated that if there were no questions, then he would entertain a motion to approve the minutes.

Commissioner Wayne Nothstein made a motion to approve the minutes from the December 3, 2015 meeting. Sheriff Todd Martin seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Godfrey, Martin, Nothstein, and Weaknecht

Voting Nay: None

Mr. Don Numer introduced Beth Romero who is filling in for Norma Hartman who is on medical leave at this time.

Chairman Deluca asked Don Numer, Sheriff and Deputy Sheriff Training Division, to provide the SDSETB fiscal report. Mr. Numer stated on page nine of the meeting packet, for state fiscal year 2015-2016 as of December 31, 2015, the balance from the previous year was \$6,847,613.59. Considering the actual estimated collections, the total funds available as of June 30, 2016 are projected as \$11,501,382.59. The expenditures are current, projected or in some cases past in which we are closing out contracts, it also includes reimbursements to the counties. The total expenditures and commitments as of December 31, 2015 were \$7,878,912.02 that would leave the uncommitted balance as of December 31, 2015 as \$3,622,470.57.

There were no questions on the fiscal report.

Lieutenant David Godfrey made a motion to approve the SDSETB fiscal report for state fiscal year 2015-2016, period ending December 31, 2015. Commissioner Nothstein seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Godfrey, Martin, Nothstein, and Weaknecht

Voting Nay: None

Mr. Numer stated on page ten of the meeting packet is the Quarterly Update on the fund projection. The projection shows the anticipated ending available funds balance of the 2015/2016 year to be \$6,605,598. The anticipated available funds decreases each year and when you look at 2019/2020 projection year, it reduces dramatically. Mr Numer said

that he knows the PA Sheriffs' Association is working with some legislators to introduce a sheriffs fee bill that also includes a training fund increase, so hopefully that makes it where it needs to go and does what it needs to do.

Mr. Numer stated on page 11 of the meeting packet is the Purchase Order status for the training program.

Mr. Numer stated on page 12 of the meeting packet is the Fee Collections. In some of the cycles the fees are up a little and some are down a little, but it stays pretty consistent.

Chairman Deluca asked Mr. Numer to provide the Training Supervisor's Report. Mr. Numer indicated that there are 15 new sheriffs and staff has visited 14 of the 15.

Last Friday the PA Sheriffs' Association had their winter meeting and as part of that, Penn State offered an academy tour primarily for new sheriffs. The comments he got about the Sims House were very positive.

Mr. Numer mentioned there are currently six pending possible deputy sheriff revocations, but action can't be taken on three of them yet because their court cases do not have resolutions yet. The other three have had convictions and sentences have been imposed. Working through PCCD's Legal Counsel, revocation letters have been mailed out saying the board is going to consider revocation and basically the individual needs to show why the board should not revoke the individual. The individual can send information in or they can notify us if they want to come and speak to the board. There should be three revocations for consideration at the May Board meeting. Mr. Numer has talked with Legal Counsel about bringing it up in Open Session because everything is public knowledge.

Mr. Numer mentioned the firearms curriculum is almost finished. The range safety policy has been updated. For the most part, there were some wording changes to make sure not only the instructors know what their responsibility is but the deputies understand their responsibility as well. Another update is a slight change to the range qualification at basic training. The adjustment is rather than having all the rounds go into the center body; they will also be required to fire a head shot or two. It is a slight change but we wanted to make sure we mentioned it to the board. It brings the curriculum in line with other law enforcement firearms courses.

Ms. Kathy Clarke, PCCD, reviewed the time extension requests of Deputy David Zamoski, Elk County; Deputy Phil Resseguie, Union County; and Deputy Matthew Longiotti, Cameron County.

Sheriff Todd Caltagarone requested a time waiver for Deputy David Zamoski so he can attend the Advanced Supervisor Continuing Education Training in Monroeville, PA. This location is the closest and most convenient Advanced Training class to Elk County. The extension is for Deputy Zamoski to attend class C-16-31, from May 18, 2016 to May 20, 2016.

Sheriff Ernest Ritter III requested a time waiver for Deputy Phil Resseguie so he can attend an Advanced Supervisor Continuing Education Training which is a better suited type of training for him to attend. The extension is for Deputy Resseguie to attend class C-16-31, from May 18, 2016 to May 20, 2016.

Sheriff Allen Neyman requested a time waiver for Deputy Mathew Longiotti so he can attend Continuing Education Training to put him in the same training cycle with his other deputies and also at a location more convenient to Cameron County. The extension is for Deputy Longiotti to attend class C-17-55, from March 15, 2017 to March 17, 2017.

These Time Extension Requests comply with the SDSETB Policy.

Sheriff Martin made a motion to approve the time extensions for Deputy Zamoski, Deputy Resseguie, and Deputy Longiotti. Commissioner Nothstein seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Godfrey, Martin, Nothstein, and Weaknecht

Voting Nay: None

Ms. Clarke reviewed the time extension request submitted by Sheriff Joe Hanna, Lehigh County. The request was for Deputy Scott Bettys. The request is for Deputy Bettys to be granted a time waiver so he could attend the April 2016 Waiver Training Program. The reason for the request is Lehigh County had to wait until there was a CPR class being offered so Deputy Bettys could attend because he did not have current Infant CPR certification from his previous employment.

The request did not comply with the SDSETB Policy. If the request is denied, the County may continue to employ deputy in a civilian role until training is completed. This would not be a violation of the Training Act.

Lieutenant Godfrey made a motion to deny the time extension request. Commissioner Nothstein seconded the motion.

Voting Aye: Board Members DeLuca, Godfrey, Martin, Nothstein, and Weaknecht

Voting Nay: None

Ms. Clarke reviewed the time extension requests that were submitted by Sheriff Weaknecht to extend the Departmental Instructor Certifications for Deputy Robert Essig and Sergeant John Parsons, Berks County. The requests are for the deputies to be granted time extensions for one year, until December 31, 2016 so they could maintain their

Firearms Instructor Certifications. The SDSETB only sponsored one recertification class during 2015.

Mr. Numer mentioned this is consistent with what was done in the past. We had a lot of discussion on this because we recommended the board cut the class down to one a year, but we are also recognizing there have been a lot of these time waivers due to the classes already being full. We have gone back to Penn State and asked them in the next work statement to add in a second recertification class, not a second certification class, just a recertification class to try to catch the deputies up.

Commissioner Nothstein made a motion to approve the time extension requests for Deputy Essig and Sergeant Parsons. Sheriff Martin seconded the motion and it passed with the following votes.

Voting Aye: Board Members DeLuca, Godfrey, Martin, and Nothstein

Voting Nay: None

Abstain: Board Member Weaknecht

Ms. Clarke reviewed the time extension requests that were submitted by Sheriff Bruce Klinger to extend the Departmental Instructor Certifications for Sergeant John Singletary and Sergeant Brad Seyfert, Lebanon County. The requests were for the deputies to be granted time extensions so they could maintain their Firearms Instructor Certifications. The requests were to extend their Firearms Instructor Certifications for one year, until December 31, 2017. Only one instructor recertification class is scheduled for 2016 and enrollment is full.

Sheriff Ronny Anderson requested a time extension for Deputy Jamie DiMartile. The request is for Deputy DiMartile to be granted a time extension so she could maintain her Firearms Instructor Certification. The requests were to extend their Firearms Instructor Certifications for one year, until December 31, 2017. The SDSETB only sponsored one recertification class during 2016 and the enrollment was full.

Sheriff Martin made a motion to approve the time extension requests for the instructor certifications for Sgt. Singletary, Sgt. Seyfert, and Deputy DiMartile. Lieutenant Godfrey seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Godfrey, Martin, Nothstein, and Weaknecht

Voting Nay: None

Sheriff Martin said he thinks firearms training is important and glad that we decided to move forward with these extensions due to the fact that he is a firm believer that the more we get our deputies involved in teaching the exact same firearms training, the liability

issues are less as compared to 67 sheriffs doing 67 different things. He mentioned that he is glad we discussed this and have acknowledged the concern with only having one recertification class. He feels it is very important to offer enough classes for the people that we need to get trained so we do not want that backlog.

From the board addendum packet, Ms. Clarke reviewed the time extension request submitted by Sheriff Brian Tennant, Greene County. The request was for Deputy Michael Pavlic. Deputy Pavlic attended Basic Training Class B-15-03 beginning August 10, 2015. On December 3, 2015 he was injured during Defensive Tactics and was unable to continue training. Deputy Pavlic has been on restricted duty due to the injury. He had leg surgery on February 19, 2016. The extension request is so Deputy Pavlic has time to recover and rehabilitate his injury and then come back to the training.

This Time Extension Request as requested does not comply with the SDSETB Policy. Mr. Numer said that staff recommendation is to approve the Time Extension in accordance with Board Policy, which would be for the duration of his medically documented term of light duty, plus an additional six months upon his return to full duty. Per Board Policy, if Deputy Pavlic does not return to complete all the required training for certification prior to December 18, 2016 he would be required to repeat the entire Basic Training Program

Sheriff Martin made a motion to approve a Time Extension in accordance with Board Policy, which would be for the duration of his medically documented term of light duty, plus an additional six months upon his return to full duty. Per Board Policy, if Deputy Pavlic does not return to complete all the required training for certification prior to December 18, 2016, he would be required to repeat the entire Basic Training Program. Lieutenant Godfrey seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Godfrey, Martin, Nothstein, and Weaknecht

Voting Nay: None

Ms. Clarke reviewed the Time Extension Requests submitted by Sheriff William Walters, Huntingdon County. The requests were for Deputy Warren Edwards and for Sheriff William Walters so they can attend Continuing Education Training in Altoona on March 1-3, 2017. This location is the closest and most convenient Training class to Huntingdon County.

These Time Extension Requests comply with the SDSETB Policy.

Commissioner Nothstein made a motion to approve the time extension requests for Deputy Edwards and Sheriff Walters. Lieutenant Godfrey seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Godfrey, Martin, Nothstein, and Weaknecht

Voting Nay: None

Mr. Numer introduced Denise Barry who will be preparing the board meeting minutes today.

Mr. Numer reviewed the list of Time Extensions approved by the Training Supervisor. Time extensions were approved for Deputies Richard Bailey, Delaware County; William Gerg and Jason McDermott, Elk County; Nicholas Marino, Lackawanna County; Sherry Hanley, Lehigh County; Lori Neff, Jill Kirchgessner, and Jason Laubach, Northampton County; and Tilghman Smith, Union County. This was for informational purposes and did not require SDSETB action.

Mr. Numer reviewed the Partial Training Waiver Applications that were approved by the Training Supervisor. These waivers were in accordance with the Training Policy. This was for informational purposes and did not require SDSETB action.

On page 23, Mr. Numer said these are action items and are partial waiver “other out of state law enforcement training experience.” Mr. Numer said that staff is trying to work with the sheriffs when there is someone who does meet the strict particular requirements of a partial training waiver. Staff can make a recommendation to the board after review of the deputy’s past training they had and what time period the training took place.

The first is a little unique in that the individual is a lawyer in Pennsylvania and also a U.S. Army officer, now a JAG lawyer. It is for Sheriff Sean Kilkenny from Montgomery County. Sheriff Kilkenny has sent Mr. Numer a lot of records for review. He is also a serving Army officer who has a current physical fitness test that is tougher than the Board’s test, so we are recommending he doesn’t have to come up and do PT because he obviously does meet the standards we have.

Mr. Numer reviewed the Partial Class Waiver request submitted by Sheriff Kilkenny, Montgomery County for himself. The request was for Sheriff Kilkenny to be granted partial credit because he is a lawyer in the Commonwealth of Pennsylvania and is a serving U. S. Army officer in the Judge Advocate General Corps. Staff has reviewed his training records and experience and recommends that the Board waive his sheriffs’ training, based on his prior training, education, and experience, except for: Basic Training Module’s #5 Defensive Tactics- 66 hours, #6 Security- 72 hours, #7 Deputy Safety- 88 hours, #8 Investigations- 48 hours, and #9.3 Emergency Vehicle Operations- 40 hours. The total number of hours needed to be eligible for certification would be 334.

Mr. Numer mentioned the Act allows the four years to become certified if he wants to run again and he does want to get certified. Mr. Numer mentioned to him we really don’t want to stretch this out for four years. He would like to fit it into one or two classes. He agreed with the recommendation Mr. Numer was going to make to the board.

Commissioner Nothstein made a motion to approve the Partial Class Waiver for Sheriff KilKenny. Lieutenant Godfrey seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Godfrey, Martin, Nothstein, and Weaknecht

Voting Nay: None

Mr. Numer reviewed the Partial Class Waiver request submitted by Sheriff Tony Guy, Beaver County, for Chief Deputy Dean Michael. Chief Deputy Michael has received extensive training through MPOETC and the Federal Law Enforcement Training Center and retired as a Deputy U.S. Marshal on 1/11/14. Staff has reviewed his training records and experience and recommends that the Board waive his sheriffs' training, based on his prior training, education, and experience, except for: Basic Training Module #1 Law-148 hours, Module #8.2 Field Sobriety Testing- 24 hours, and Basic Training Module #8.3 Sobriety Checkpoints- 8 hours. The total number of hours needed to be eligible for certification would be 180.

Sheriff Martin made a motion to approve the Partial Class Waiver for Deputy Dean Michael. Commissioner Nothstein seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Godfrey, Martin, Nothstein, and Weaknecht

Voting Nay: None

Mr. Numer mentioned we will have several sheriffs coming through the waiver training and a number of chief deputies.

Ms. Clarke reviewed the instructor applications submitted by the Pennsylvania State University for Ms. Jamie DiMartile, for Security; Mr. Joseph Hogarth, for Law, Firearms, and Security; Mr. Andrew Mincer, for Firearms and Professional Development; and Mr. Thomas Snyder, for Firearms and Security.

Lieutenant Godfrey made a motion to approve all four of the instructor applications. Commissioner Nothstein seconded the motion and it passed with the following votes:

Voting Aye: Board Members DeLuca, Godfrey, Martin, Nothstein, and Weaknecht

Voting Nay: None

Chairman DeLuca asked Mr. Anthony Luongo, Temple University, for the report on Continuing Education. Since the last board meeting, several continuing education courses in Chester and Montgomery County were held. Classes are going smoothly. There was one Train the Trainer class held, which was the instructor development workshop. The online courses are going well. In the next quarter, there will be continuing education courses primarily in Monroeville and Altoona. There will also be two advanced supervisory courses scheduled for the next quarter; one in Philadelphia County and one in Monroeville.

Ms. Christie Willard, Temple University, mentioned there was one change to the active shooter that was scheduled for March. It has been moved to June at the Lancaster County Public Safety facility. She is also happy to report there has been no push back about not getting certificates for continuing education. She anticipated some phone calls, but they seem satisfied getting their distance learning certificates.

Chairman DeLuca asked for the report on Curriculum Development. Mr. Ted Mellors, Penn State Fayette, informed the SDSETB that they are finishing up the 2017-2019 continuing education modules. Mr. Mellors mentioned that Kirk Hessler, the subject matter expert for firearms and use of force is retiring on March 15, 2016. He is being replaced by Tony Mucha. Mr. Mucha stated that he retired on July 31, 2015 from criminal investigation and had over 28 years of service with the Federal Government.

Chairman DeLuca asked Mr. Robert Stonis to provide a report on Basic Training. Mr. Stonis said the tour at Penn State went very well. He appreciated everyone taking the time to attend the tour. The current Basic class is in week eight and they have 11 more after this week.

Mr. Numer pointed out the next meeting is May 20, 2016 in State College at the Days Inn. The SDSETB Meeting will be at 8:00 a.m. After the meeting, he is hopeful that members will stay for the graduation immediately following the meeting.

Mr. Numer said the another change is in December. One of our board members came back and pointed out that Tuesdays are bad for them and are unable to make Tuesday meetings. So please make note that we are changing the December meeting to Wednesday, December 7, 2016.

Sheriff Martin made a motion to adjourn the meeting. Lieutenant Godfrey seconded the motion and the meeting was adjourned at 9:38 a.m. with the following votes:

Voting Aye: Board Members DeLuca, Godfrey, Martin, Nothstein, and Weaknecht

Voting Nay: None