

PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY
CONSTABLES' EDUCATION AND TRAINING BOARD

Approved Minutes of the August 9, 2018 Meeting

Members Present

Honorable Thomas Brletic, MDJ, Allegheny Co.
John Bruno, Constable, Dauphin Co.
Francis Peitz Jr., Constable, Allegheny Co.
Craig Westover, Constable, Venango Co.
Major William White, PA State Police

Commission Staff Present

Sherry Leffler, Constables' Program
Wayne Hower, Constables' Program
Tracy Clouser, Constables' Program
John Pfau, PCCD
Diane Morgan, PCCD
Robert Merwine, PCCD
Beth Romero, PCCD

Members Absent

Rodney Ruddock, Indiana County Commissioner

Visitors

Mike Marcantino, IUP
Deidre Beiter, Temple University
Anthony Luongo, Temple University
Robert Harford, Penn State Fayette
Ted Mellors, Penn State Fayette

Ronald Quinn, Centre Co.
Paul Schlosser, Allegheny Co.
Antoine Malloy, Allegheny Co.
Deb Williams, PCCD

I. Call to Order:

The Constables' Education and Training Board meeting was held at 9:00 a.m. on Thursday, August 9, 2018 at the Pennsylvania Commission on Crime and Delinquency (PCCD), 3101 N. Front Street, Harrisburg, Pennsylvania.

Ms. Sherry Leffler called the meeting to order at 9:00 a.m. and asked all to join her in the Pledge of Allegiance. Board and staff introductions were then made to the audience members.

II. Public Voice:

Ronald Quinn (Constable, Centre County) wanted to discuss the issue of Public Voice being held at the beginning of the agenda. He felt the constables should be able to have a voice in the matters that are being discussed at the current time and not prior to the issues being discussed. Chair Thomas Brletic noted the comment and advised the Board will take it into consideration. Constable Quinn wanted to know about the consideration of accepting accreditation from outside agencies. Ms. Leffler advised this is one of the Long-Term Courses of Action the Board is looking into for the future.

Antoine Malloy (Constable, Allegheny County) is concerned about the bottleneck created if the Board decides to certify all constables for two years. At the beginning of 2020, constables will need to be certified to do work. He suggested that maybe the constables who are willing to pay for the training should be able to do that. He just wants to see every constable being certified on time and being able to continue working. Ms. Leffler advised of the Board's decision from July to do a 4-Hour Qualification, basically having the safety briefing review and then shooting the Qualification Course. This is the action that is going to be taken forth to the PCCD in September.

III. Action Items:

Ms. Leffler asked if there were any questions regarding the July 17, 2018 Board Meeting minutes. She did address a typographical error on page four of the minutes. Hearing none, she asked for a motion to approve the July 17, 2018 Board Meeting minutes.

A motion was made by Constable Francis Peitz to accept the Board Meeting minutes of July 17, 2018 and the motion was seconded by Constable John Bruno.

VOTING AYE: Brletic, Bruno, Peitz, Westover, White

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

The next Action Item on the Agenda was the Financial Report of August 9, 2018, presented by Beth Romero. The Financial Report can be found on pages 10-15 of the Board Packet and is for the fourth quarter of the state fiscal year 2017-2018. Under receipts, the balance carried forward from the previous fiscal year was \$2,767,345.05. The fees collected for the fourth quarter were \$1,760,748.71. The total funds available as of June 30, 2018 were \$4,528,093.76. Under Expenditures and Commitments, the total cumulative expenditures as of June 30, 2018 were \$2,765,505.93. The total cumulative expenditures and commitments as of June 30, 2018 were \$6,567,216. The total of uncommitted funds as of June 30, 2018 is (\$2,039,122.97).

Vice Chair Westover questioned Mr. Merwine about what cuts have been made as far as administrative costs because across the board, staff and the schools have made cuts to try and save funds. Mr. Merwine advised we have started conversations in that regard of what other administrative costs could be addressed. Vice Chair Westover wanted to know if there is the potential of diverting the indirect staff costs somewhere else within state government. He also wanted to know how closely the time charged by indirect staff is being audited. Mr. Merwine advised if staff are working for the Board, their time is charged to the Board. The monthly time sheets are reviewed by their Supervisors.

A motion was made by Chair Thomas Brletic to accept the Financial Report of August 9, 2018 and the motion was seconded by Vice Chair Craig Westover.

VOTING AYE: Brletic, Bruno, Peitz, Westover, White

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

The next Action Item was review of the Transition Policy that will need to be implemented before the Board Regulations can be changed. Mr. Pfau advised there are going to be issues that come up that will need a transitional or temporary policy in placed prior to regulatory changes. The two issues worked through with Legal Counsel relating to the Annual Firearms Qualification Course is that remediation is not provided and the second issue is the end date of firearms certification for constables who fail to successfully complete the Qualification Course. The change is the firearms certification would end the day of the failure, and would not carry through until December 31 of the current year.

A motion was made by Vice Chair Craig Westover to approve the Transition Policy and the motion was seconded by Chair Thomas Brletic.

VOTING AYE: Brletic, Bruno, Peitz, Westover, White

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

The last Action Item was review of the Constables' Education and Training Board's 2019 Meeting Schedule. Ms. Leffler stated that the start times will be at 9:00 a.m. The meeting dates will be: Thursday, February 14, 2019; Thursday, May 9, 2019; Thursday, August 8, 2019; and Thursday, November 7, 2019.

A motion was made by Constable Francis Peitz to accept the 2019 Meeting Schedule and the motion was seconded by Vice Chair Craig Westover.

VOTING AYE: Brletic, Bruno, Peitz, Westover, White

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

III. Discussion Items:

The first Discussion Item was the Long-Term Courses of Action (COA) updates. Mr. Pfau provided a verbal update of the online training. The Sheriffs' and Deputy Sheriffs' Training Program is also looking to transition to online training so staff have talked with some entities who have Learning Management System (LMS) platforms for online training. The Program received three quotes for how much it would cost using an existing curriculum module and putting it in an online format in their platform. Two are very similar and the third one was significantly higher. The next step is to work up a technical work statement that will get into the specific details of the requirements needed to offer training to the constables and deputy constables. The goal is to have some form of online training ready to go in 2020.

The second Discussion Item was the Cost-Savings updates. Mr. Pfau passed out an update of the cost savings estimates based on the budgets for training year 2019. This will be another working document as

staff start getting online cost estimates and projections. The document shows the financial costs of the different COAs the Board approved at the May 10, 2018 and July 17, 2018 meetings. The total estimated cost of training for 2019 is \$1,232,845.56.

The third Discussion Item was presented by Assistant Chief Counsel Diane Morgan on behalf of Chief Counsel Debra Sandifer. There were two questions raised during the July 17, 2018 Board Meeting. The first was whether constable associations around the state who provide optional training to constables can advertise through PCCD. It is determined this is not an allowable practice as it would be a conflict of interest for PCCD to advertise such commercial endeavors and it would also give the appearance that PCCD and the Board are endorsing the training and they cannot assume the responsibility for this. The second question asked was whether PCCD can maintain the outside training records, meaning training provided by other entities outside the purview of the Board for constables and the answer is similarly no. PCCD staff cannot assume responsibility for maintaining other entities' records.

IV. Informational Items:

The first Informational Item was the status of certifications presented by Ms. Leffler to the Board. As of July 30, 2018, there were 1,178 constables and deputy constable currently listed as active and certified. Of these, 974 or 82% were also certified to carry a firearm in the performance of their constable duties.

Since the inception of the Constables' Training Program in 1996, there have been a total of 4,548 individuals who successfully completed basic training or the waiver examination and were certified by the Board.

The second Information Item was Constables' Certification, Education, and Training System (CCETS) Registered User Update. Ms. Leffler reported as of July 30, 2018, there are 1,640 active registered constables and deputy constables who are CCETS users. These are constables and deputy constables who have a valid term of office in CCETS.

A total of 1,129 active and certified constables and deputy constables are CCETS users, which is 96% of the currently active and certified constable population. Active and certified indicates that they have a valid term of office, have valid professional liability insurance and have met the training requirements to be certified.

Of the total active registered CCETS users of 1,640; 1,144 have chosen email as their preferred correspondence method.

Of the total active registered CCETS user of 1,640, 524 active registered constables and deputy constables are sharing their personal information in CCETS.

There are currently 61 registered users from 33 County Clerk of Courts Offices.

Vice Chair Westover brought up the Opioid Crisis Fact Sheet that was sent out to the constables and deputy constables. Ms. Leffler advised it was supposed to go out in a Training Bulletin, but with the delay in getting a bulletin approved, staff thought it was relevant to send it out separate. Vice Chair

Westover thinks NARCAN training is important to incorporate down the road for constables. It is a real danger for those in law enforcement.

V. Adjournment:

Ms. Leffler asked for a motion to adjourn the meeting at 9:42 a.m. A motion was made by Chair Thomas Brletic to adjourn the meeting and the motion was second by the Vice Chair Craig Westover

VOTING AYE: Brletic, Bruno, Peitz, Westover, White

VOTING NAY: None

ABSTAINING: None

The next Board meeting will be held on November 15, 2018 at 9:00 am at PCCD's Offices in Harrisburg.