

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

Approved Minutes of the November 16, 2017 Meeting

Members Present

Rodney Ruddock, Indiana County Commissioners
Julie Sokoloff, Constable, Montgomery Co
Honorable William Wenner, MDJ, Dauphin Co.
Major William White, PA State Police

Commission Staff Present

Sherry Leffler, Constables' Program
Tracy Clouser, Constables' Program
John Pfau, PCCD
Beth Romero, PCCD

Visitors

Jeff Watson, IUP
Deidre Beiter, Temple University
Deb Williams, PCCD
Ted Mellors, Penn State Fayette
Anthony Luongo, Temple University

Ronald Quinn, Centre Co.
Craig Westover, Venango Co.
Barry Betz, Lehigh Co.
Craig England, Blair Co.

I. Call to Order:

The Constables' Education and Training Board meeting was held at 10:00 a.m. on Thursday, November 16, 2017 at the Pennsylvania Commission on Crime and Delinquency (PCCD), 3101 N. Front Street, Harrisburg, Pennsylvania.

Ms. Sherry Leffler called the meeting to order at 10:00 a.m. and asked all to join her in the Pledge of Allegiance. Ms. Leffler introduced Constable Craig Westover as a new Board Member who was appointed to the Board on November 14, 2017. Constable Westover cannot sit on the Board until he takes his Oath of Office but plans to attend the February 15, 2018 meeting. Mr. Westover previously served on the Board from 2000 until 2003. Board and staff introductions were then made to audience members.

Ms. Leffler asked for volunteers to chair the meeting. Commissioner Ruddock suggested Constable Julie Sokoloff since this will be her last Board Meeting. Constable Sokoloff agreed to chair the meeting.

II. Action Items:

Constable Sokoloff asked if there were any questions regarding the August 17, 2017 Board Meeting minutes. Hearing none, she asked for a motion to approve the August 17, 2017 Board Meeting minutes.

A motion was made by Commissioner Rodney Ruddock to accept the Board Meeting minutes of August 17, 2017 and the motion was seconded by Honorable William Wenner.

VOTING AYE: Ruddock, Sokoloff, Wenner, White
VOTING NAY: None
ABSTAINING: None

The motion carried unanimously.

The next Action Item on the Agenda was the Financial Report of September 30, 2017, read by Beth Romero. The Financial Report can be found on pages 7-11 of the Board Packet and is for 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 first quarter were \$446,829.50. The total funds available as of September 30, 2017 were \$4,505,040.05. Under Expenditures and Commitments, the total cumulative expenditures as of September 30, 2017 were \$632,769.67. The total cumulative expenditures and commitments as of September 30, 2017 were \$4,152,409.15 and that includes \$286,916.41 of the Administrative Expenditures and Commitments. The total of uncommitted funds as of September 30, 2017 is \$352,630.90

A motion was made by Honorable William Wenner to accept the Financial Report of September 30, 2017 and the motion was seconded by Commissioner Rodney Ruddock.

VOTING AYE: Ruddock, Sokoloff, Wenner, White
VOTING NAY: None
ABSTAINING: None

The motion carried unanimously.

The next Action Item was the review of the Instructor Certifications by Ms. Tracy Clouser. She reviewed the applications and gave staff recommendations as follows:

Temple University:

Matthew Cresta:

Requested Topic Certifications: General, Communications, Firearms

Howard Giles:

Requested Topic Certifications: General, Communications, Firearms

Christopher Prout:

Requested Topic Certifications: General

Michael Yetter:

Requested Topic Certifications: Firearms

Penn State Fayette:

Gerald Edgreen:

Requested Topic Certifications: General, Communications

Robert Harford Jr.:

Requested Topic Certifications: General, Firearms

Brandon Rourke:

Requested Topic Certifications: General, Communications, Firearms

A motion was made by Honorable William Wenner to accept the candidates for Instructor Certifications and the motion was seconded by Major William White.

VOTING AYE: Ruddock, Sokoloff, Wenner, White

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

The fourth Action Item is the Increased Costs of Attending Constables' Training Classes. Ms. Leffler requested the Board's approval to increase the amounts charged to attend Constables' Training Classes for the 2018 Training Year. These charges have not been increased since February 2010. The costs would be assessed on constables and deputy constables who have failed a training class or have failed to attend or notify the training delivery contractor of their non-attendance for a Basic Training, Basic Firearms, Continuing Education, Annual Firearms, or Optional Training Class. The costs are as follows: Basic Training will increase to \$890.00; Basic Firearms will decrease to \$725.00; Continuing Education will increase to \$225.00; Annual Firearms will increase to \$410.00 and Optional Training will decrease to \$170.00. These rates are based on an average of the actual invoiced costs of providing the training in the State Fiscal Year of 2016-2017.

A motion was made by Honorable William Wenner to accept the new rates of attending Constables' Training Classes and the motion was seconded by Major William White.

VOTING AYE: Ruddock, Sokoloff, Wenner, White

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

The last Action Item is the Act 233 Stipend Payments for Training Year 2017. Ms. Leffler reported that 2008 Training Year is the last budget year the stipend payment was made, however this is a yearly action item that must be brought to the Board for approval. Based upon the status of the CETA, Staff recommends that no payments be made under Title 44, Section 7149 (f) to constables and deputy constables for the 2017 training year.

A motion was made by Honorable William Wenner to not pay out the Act 233 Stipend Payment for the 2017 Training Year and the motion was seconded by Commissioner Rodney Ruddock.

VOTING AYE: Ruddock, Sokoloff, Wenner, White

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

III. Discussion Items:

No discussion items were brought forth for the meeting.

IV. Informational Items:

The first Informational Item is the Status of Certifications. As of October 30, 2017, there were 1,274 constables and deputy constable currently listed as active and certified. Of these, 1,042 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 4,502 individuals who successfully completed basic training or the waiver examination and were certified by the Board.

The second Information Item is Constables' Certification, Education, and Training System (CCETS) Registered User Update. As of October 30, 2017, there are 1,582 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 1,208 active and certified constables and deputy constables are CCETS users, which is 95% 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 1,582, 1,091 have chosen email as their preferred correspondence method.

Of the total active registered CCETS user of 1,582, 492 active registered constables and deputy constables are sharing their personal information in CCETS.

There are currently 58 registered users from 31 County Clerk of Courts Offices.

The third Informational Item is an update on the Act 49 Constable Training Grievances filed with the Program in 2017. Ms. Leffler reported that she was able to resolve the grievances as follows:

1. Grievance filed in relation to a class "No Show" absence. Program Staff's investigation revealed that there was no attempt by notify the Training Delivery Contractor or six instructors as stated in grievance. Constable showed for first night of training and failed to show for the five remaining dates and no follow up was made by the Constable to inform the Training Delivery Contractor. The "No Show" absence stands.
2. Grievance filed in relation to a class "No Show" absence. Program Staff's investigation revealed that there was a miscommunication between the Training Delivery Contractor and the Constable. Program Supervisor reversed the "No Show" absence to an "Excused" absence.
3. Grievance filed in relation to a failure for an Annual Firearms Class. Program Staff investigated this grievance and concluded that the Constable was under extreme stress and the recent loss of his

Father-in-Law and his family's dog in the span of a few days. Due to mitigating circumstances, the failure was changed to an "Excused" absence and Constable was permitted to attend an additional Annual Firearms Class.

4. Grievance filed in relation to a class "No Show" absence. Program Staff's investigation revealed that it could not be verified either way whether the class confirmation letter was sent and/or delivered to the Constable. Due to mitigating circumstances, the Program Supervisor reversed the "No Show" absence to an "Excused" absence.
5. Grievance filed in relation to Instructor Conduct during a Continuing Education Class. Program Staff had already investigated this incident prior to this grievance being filed and the instructor in question was informed that he would no longer be instructing for the Training Delivery Contractor or the Program.

The fourth Informational Item is an update on the Law Enforcement Training Waiver Applications processed in 2017. Ms. Clouser reported that as of August 24, 2017, Program Staff have processed a total of three Law Enforcement Training Waiver Applications in 2017. Gary Cutenese of Allegheny County and Joseph Pecsatko of Westmoreland County have taken the waiver examination and passed. Both are currently certified. One waiver application has been approved by Program Staff but a date has not been scheduled for the waiver examination.

The last Information Item is a presentation by Ted Mellors, PSU-Fayette, on the 2018 Continuing Education Curriculum update. The four course modules reviewed with the Board were Vehicle Operation and Prisoner Transport; Court Security; Off-Duty Decisions; and Defensive Tactics. Ms. Leffler advised there PSU-Fayette developed a Safe Vehicle Operations Handout that will be passed out to all constables and deputy constables during the 2018 Continuing Education and Basic Training classes.

V. Executive Session:

Constable Julie Sokoloff asked to go into Executive Session at 10:34 am.

A motion was made by Commissioner Rodney Ruddock to go into Executive Session and the motion was seconded by Major William White.

VOTING AYE: Ruddock, Sokoloff, Wenner, White

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

Executive Session ended at 10:38 am.

A motion was made by Commissioner Rodney Ruddock to adjourn Executive Session and the motion was seconded by Major William White.

VOTING AYE: Ruddock, Sokoloff, Wenner, White

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

V. Public Voice:

Ronald Quinn (Constable, Centre County) first brought up the 2018 Prisoner Transport cases presented and advised the first three cases are currently under appeal and active. He does not think it is good business to present the information to classes while the cases are still going on. Judge Wenner spoke up and advised that the cases are standing law until they are reversed. Constable Quinn next brought up the Off-Duty module and advised that constables are never off-duty. Mr. Pfau advised from the state training provider's perspective, the Program trains constables to work for the courts. Constable Quinn's last point was until there are more constables on the Board, PCCD should not continue to have Board Meetings. Mr. Pfau advised PCCD is required by the Act to have scheduled meetings at least four times a year and that four members, regardless of who they are, create a quorum to conduct Board business.

Craig England (Constable, Blair County) wanted to know if the printed copies of the 2018 Training Schedule were being mailed out to the constables. Ms. Leffler advised they were mailed out November 15, 2017 to the constables who have mail selected as their preferred correspondence method in CCETS.

Craig Westover (Constable, Venango County) wanted to reintroduce himself to that Board and stated that he has been a full-time constable since 1995 and an instructor for the Program since 2012. He stated that the issues have not changed over the years that he has served as a constable. Constable Westover stated that his focus is to create a clear definition of a constable and what they can legally do in the realm of their work.

VI. Adjournment:

Before adjourning the meeting, Mr. Pfau wanted to thank Constable Julie Sokoloff for her service to the Board since 2004. She has provided valuable input from the viewpoint of an Eastern Pennsylvania Constable.

Constable Julie Sokoloff asked for a motion to adjourn the meeting at 10:53 a.m. A motion was made by Major William White to adjourn the meeting and the motion was second by the Honorable William Wenner.

VOTING AYE: Ruddock, Sokoloff, Wenner, White

VOTING NAY: None

ABSTAINING: None

The next Board meeting will be held on February 15, 2018 at PCCD's Office in Harrisburg.