

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

Approved Minutes of the May 10, 2018 Meeting

Members Present

Honorable Thomas Brletic, MDJ, Allegheny Co.
Francis Peitz Jr., Constable, Allegheny Co.
Rodney Ruddock, Indiana County Commissioner
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
Robert Merwine, PCCD
Debra Sandifer, PCCD
Beth Romero, PCCD

Visitors

Mike Marcantino, IUP
Jeff Watson, IUP
Deidre Beiter, Temple University
Anthony Luongo, Temple University
Robert Harford, Penn State Fayette
Ted Mellors, Penn State Fayette
Deb Williams, PCCD
Fred Contino, Delaware Co.
Shawn Vinson, Lancaster Co.
Rich Salter, Monroe Co.
Harry Staub, York Co.
Carol Betz, Lehigh Co.
Antione Malloy, Allegheny Co.
John Pisano, Indiana Co.
Diane Morgan, PCCD

Stacy Wertman, Bucks Co.
David Kneller, Lebanon Co.
Tom Impink, Berks Co.
Barry Betz, Lehigh Co.
Bruce Tice, York Co.
Brad Dubbs, York Co.
Alex Farganis, Lancaster Co.
Mike Mucy, Fayette, Co.
Virginia Salter, Monroe Co.
Salvatore Furino, Monroe Co.
Daniel Hollenbaugh, Adams Co.
Mark Wetzell, York Co.
Paul Pape, Jefferson Co.
Terry Morgan, Clearfield Co.

I. Call to Order:

The Constables' Education and Training Board meeting was held at 9:00 a.m. on Thursday, May 10, 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 audience members. Ms. Leffler took a moment to recognize Albert Richard DiFilippi, a former member on the Constables' Education Board from 2007 until his resignation at the end of 2015. Ms. Leffler found out that he passed away on August 4, 2017. He was a very valuable asset to the Board during his tenure.

II. Public Voice:

Fred Contino (Constable, Delaware County) advised he is being deposed in Federal Court in relation to the law suit against PCCD. He wanted the Board to look into him receiving monetary compensation to be deposed for the civil suit. Mr. Merwine stated he will talk with chief counsel and get back to him.

Stacy Wertman (Constable, Bucks County) wanted to thank the Board for the opportunity to get working constables together to brain storm about the future of the Program through the Workgroup. Judge Brletic thought the process was logical and well thought out. Constable Westover commented on how educated and diverse the work group was from county to county. Constable Peitz thought the same as the other two Board Members involved with the Workgroup. Mr. Merwine appreciated everyone who attended and how they worked through discussions on topics which not everyone agreed.

Ms. Leffler recognized the members of the Workgroup and the association each one represented. Carl Barley from the York County Constables' Association, Stevie Draklan from Lehigh County Constables' Association, Dan Hollenbaugh from Adams County Constables' Association, Dave Kneller from the Pennsylvania Fraternal Order of Constables, Antoine Malloy from Allegheny County Constables' Association, Michael Mucy from Fayette County Constables' Association, Richard Salter from Monroe County Constables' Association, Chris Savage from Montgomery County Constables' Association, Greg Smith from Franklin County Constables' Association, Shawn Vinson from Lancaster County Constables' Association, John Weiser from the Commonwealth Constables' Association, Patrick Welsh from Columbia/Montour Constables' Association and Stacy Wertman from the Bucks County Constables' Association.

Dan Hollenbaugh (Constable, Adams County) wanted to reconvene the Workgroup in a couple of years to reproach and reevaluate the topic of the training constables will receive in the future. He wants to see about bringing back some of the cuts that are being discussed today.

III. Action Items:

Ms. Leffler asked if there were any questions regarding the February 15, 2018 Board Meeting Minutes. Hearing none, she asked for a motion to approve the February 15, 2018 Board Meeting Minutes.

A motion was made by Honorable Thomas Brletic to accept the Board Meeting Minutes of February 15, 2018 and the motion was seconded by Commissioner Rodney Ruddock.

VOTING AYE: Brletic, Peitz, Ruddock, Westover

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

The next Action Item on the Agenda was the Financial Report of March 31, 2018, presented by Beth Romero. The Financial Report can be found on pages 9-14 of the Board Packet and is for the third quarter of 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 third quarter were \$1,306,292.94. The total funds available as of March 31, 2018 were \$4,505,040.05. Under Expenditures and Commitments, the total cumulative expenditures as of March 31, 2018 were \$2,106,366.02. The total cumulative expenditures and commitments as of March 31, 2018 were \$6,873,855.65 and that includes \$538,666.45 of the Administrative Expenditures and Commitments. The total of uncommitted funds as of March 31, 2018 is (-\$2,368,815.60).

Constable Westover questioned about Alutiq and if they were a sub-contractor with Penn State-Fayette. Ms. Leffler advised they are not a sub-contractor for Penn State-Fayette. This position is for the Sheriffs' & Deputy Sheriffs' and Constables' curriculum manager and Alutiq is no longer considered a small business.

A motion was made by Constable Craig Westover to accept the Financial Report of March 31, 2018 and the motion was seconded by Honorable Thomas Brletic.

VOTING AYE: Brletic, Peitz, Ruddock, Westover

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

The next action item was the conditional approval of Instructor Certifications by Ms. Leffler. Per the Act 49 Instructor Policy, Section II. Conditional Approval, on February 23, 2018, Bureau Manager, John Pfau, conditionally approved Temple Instructors, Samuel Vinicur and Raymond Telnock, to teach Physical Skills:

Temple had four Continuing Education classes (SE03CE18-Mar. 16-18; SE04CE18-Apr. 6-8; NE02CE18-Apr. 27-29; and SE05CE18-Apr. 20-22) and a Basic Training class (SE01BT18-Apr. 2-13) starting prior to this Board meeting. One of Temple's certified Physical Skills instructor's credentials expired at the end of February and there were multiple scheduling conflicts amongst the other certified instructors. Additionally, Raymond Telnock resides in the North-East region and will help to reduce travel expenses for training classes held in that region. Both instructors successfully completed the Pressure Point Control Tactics (PPCT) Defensive Tactics Instructor Course in October 2017.

A motion was made by Commissioner Rodney Ruddock to accept the candidates for Instructor Certifications and the motion was seconded by Constable Francis Peitz.

VOTING AYE: Brletic, Peitz, Ruddock, Westover

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

The fourth Action Item was the CETB Fund Long-Term Courses of Action (COAs). The Board has been tasked with coming up with approximately \$750,000, which is the deficit between the amount of revenue and the expenditures for the Fund. Ms. Leffler went over the four COAs that were developed by the Workgroup. The Workgroup went through an analysis and reviewed different determinations based upon facts, assumptions, and constraints. Pros and Cons were listed for each COA. COA 1 was a reduction in

firearms. Firearms training would either convert or change from the current training to an annual qualification only. Advanced firearms would be eliminated, but Basic Firearms would remain the same. Constable would provide all necessary ammunition for the annual qualification and/or remediation. An estimated cost savings would be \$342,000.

COA 2 involved a training conversion to online training. One day of skills training could be made available based upon curriculum. This would provide flexibility for the number of required training hours and eliminate the actual training classes cancelled due to low enrollments. This would eliminate the optional training, which would save an estimated \$10,000.

COA 3 was a reduction in the number of contracts. This would be to reduce the number of contracts to a minimum number for both training delivery and curriculum development. One contract would be for training and delivery and one contract would be for curriculum development. This would create an estimated savings of \$436,000.

COA 4 was to have a registration/training fee. The Board would establish a means for constables paying for a portion of the trainings. There was not a consensus amongst the Workgroup members, but they felt the need to bring this COA before the Board. This would help eliminate those who are not vested in the occupation. There is an unknown cost savings with this course of action.

The Workgroup went through a screening process and fully weighed the COAs. The Workgroup looked at the cost, sustainability and the quality of the training. COA 3 received the highest score out of all four COAs.

Discussion was brought up about the importance of having the Workgroup meet again to reevaluate the different COAs and the training decisions that will be made by the Board. Once the Fund is solvent, additional training types could possibly be added.

A motion was made by Constable Francis Peitz to reconvene the 2018 Workgroup in one year and on an annual basis thereafter and the motion was second by Constable Craig Westover.

VOTING AYE: Brletic, Peitz, Ruddock, Westover

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

Discussion continued regarding the different COAs. Ms. Leffler advised the goal of the Short-Term COAs is to free up some of the committed money needed to implement the Long-Term COA. The decisions the Board makes will need to be presented to the Commission on June 13, 2018 for the Commission's approval or denial. Constable Westover asked if the Commission has approved online training for other organizations. Mr. Merwine stated the Commission has contracted several other vendors to do online training. There was discussion on the Short and Long-Term COAs regarding a proposed timeline, the Commission's approval or disapproval of these COAs and the implementation of these COAs. Constable Westover asked if there would be any controversy that might come up from MPOETC if the Board would accept Act 120 or Act 235 for the Program's firearms certification. Major White advised there is another Major who oversees MPOETC, but he does not see any problems.

Chairman Brletic stated that both Act 120 and Act 235 have been around for a very long time and that the Board should look at what the cost savings could be if those were accepted for firearms certification. Mr. Merwine stated that one of the previous issues was that there was not a standard qualification course of fire between police departments. Ms. Leffler advised this was why the Board decided to eliminate the law enforcement waivers for firearms as the Board did not feel that this was not an adequate standard for the Board to have.

The fifth Action Item was the CETB Short-Term COA. COA 1 was to suspend all firearms and basic trainings, eliminate optional training and instructor updates, do not provide training ammunition, and to reduce continuing education to 8 hours. The estimated cost savings would be \$879,843.76. COA 2 was to reduce firearms and continuing education to 8 hours, suspend all basic training, eliminate optional and instructor updates, and to not provide training ammunition. The estimated cost savings would be \$781,379.76. COA 3 was to suspend all firearms and basic trainings, eliminate optional and instructor updates and to not provide ammunition. The estimated cost savings would be \$715,134.29. COA 4 was to suspend all basic training, eliminate optional and instructor updates, and to not provide ammunition. The estimated cost savings would be \$222,810.29.

Discussion was brought up about having to tweak the Regulations that are in place for the Board. Ms. Sandifer advised she has met with Mr. Merwine, Mr. Pfau, and Ms. Leffler and there would be no problem with anything being in violation of any laws, any Board policies or regulations. Constable Westover commented that COA 1 would allow the maximum amount of monies to implement online training.

A motion was made by Constable Craig Westover to accept the first Short-Term Course of Action, with an estimated saving of \$879,843.76 with no time frame attached, and the motion was seconded by Honorable Thomas Brletic.

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

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

A motion was made by Constable Craig Westover to accept the second Long-Term Course of Action to allow staff to implement online training and evaluate other firearms training programs to be recognized and accepted by the Board for firearms certification. The motion was seconded by Honorable Thomas Brletic.

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

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

A motion was made by Honorable Thomas Brletic to reject the third Long-Term Course of Action and the motion was seconded by Commissioner Rodney Ruddock.

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

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

IV. Adjournment:

Ms. Leffler asked for a motion to adjourn the meeting at 10:17 a.m. A motion was made by Honorable Thomas Brletic to adjourn the meeting and the motion was second by the Constable Craig Westover.

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

VOTING NAY: None

ABSTAINING: None

The motion carried unanimously.

The next Board meeting will be held on August 9, 2018 at PCCD's Office in Harrisburg.