

SHERIFF AND DEPUTY SHERIFF EDUCATION AND TRAINING BOARD

Minutes of the November 19, 2019 Meeting

Members Present

James P. Goodman
Stephanie Jirard
Todd A. Martin
Wayne Nothstein
Anthony Sassano
Jody S. Smith
Ed Walker

Members Absent

John McEnroe
Farley D. Toothman
Eric Weaknecht

Commission Staff Present

Doug Hummel
Don Numer
Mike Pennington
John Pfau
Beth Romero
Megan Staub

Others Present

Penn State University
Mike Ecker
Steve Shelow

Penn State University – Fayette
Mike Wystepok

Temple University
Anthony Luongo

PA Sheriffs' Association
Tom Maioli
Beth Appleby

Sheriffs

Ron Anderson, Cumberland Co.
Anthony Harvilla, Carbon Co.

The November 19, 2019 meeting of the Sheriff and Deputy Sheriff Education and Training Board (SDSETB) was called to order by Chairman Todd A. Martin, at 9:03 a.m., at the Pennsylvania Commission on Crime and Delinquency (PCCD), 3101 North Front Street, Harrisburg, Pennsylvania 17110.

Chairman Martin introduced Mr. Mike Pennington, Executive Director of the PCCD. Mr. Pennington informed the SDSETB that he was recently appointed as the Executive Director in September 2019 and that he was pleased to be able to attend today's meeting. He stated the he has over 26 years of experience working in the criminal justice field and has been employed by the PCCD for over 17 years and has served as the Director of the Office of Juvenile Justice and Delinquency Prevention and the Office of Criminal Justice System Improvements. Mr. Pennington commended the hard work and dedication of the Board.

Mr. Pennington explained the PCCD's involvement regarding Governor Wolf's Executive Order on Gun Violence. He thanked Mr. Tom Maioli, Executive Director of the PA Sheriffs' Association (PSA) for recommending several sheriffs to serve on the various workgroups created by the executive order. Mr. Pennington acknowledged Chief Deputy Sheriff Chris Riggs, Lancaster County, for his participation and expertise during a recent gun violence symposium that was held in Dallas, PA.

Mr. Pennington informed the SDSETB of his intentions to attend as many Board meetings as his schedule permits.

Chairman Martin thanked Mr. Pennington for his comments and commitment to the SDSETB.

Mr. Don Numer, PCCD informed the SDSETB of the need to conduct elections for the positions of Chairman and Vice-Chairman. The newly elected officers would take office beginning in 2020.

Mr. Numer acknowledged Chairman Martin's commitment to the SDSETB and wished him well on his pending retirement.

Commissioner Wayne Nothstein nominated Sheriff Eric Weaknecht for the position of Chairman of the SDSETB. Chairman Martin seconded the motion. No other nominations were made and Sheriff Weaknecht was elected to serve as the SDSETB Chairman for the year 2020, with the following votes:

Voting Aye: Board Members Goodman, Jirard, Martin, Nothstein, Sassano, Smith, and Walker

Voting Nay: None

Chairman Martin nominated Chief Deputy Sheriff Jody S. Smith for the position of Vice-Chairwoman of the SDSETB. Deputy Sheriff Ed Walker seconded the motion. No other

nominations were made and Chief Deputy Smith was elected to serve as the SDSETB Chairwoman for the year 2020, with the following votes:

Voting Aye: Board Members Goodman, Jirard, Martin, Nothstein, Sassano, Smith, and Walker

Voting Nay: None

Chairman Martin asked if everyone had an opportunity to review the minutes from the August 27, 2019 Board meeting. He stated that if there was no discussion, then he would entertain a motion to approve the minutes.

Chief Deputy Smith made a motion to approve the meeting minutes from August 27, 2019. Deputy Ed Walker seconded the motion. Chairman Martin asked if there was any Board discussion or public comment regarding the minutes. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members Goodman, Jirard, Martin, Nothstein, Sassano, Smith, and Walker

Voting Nay: None

Ms. Beth Romero, PCCD, reviewed the fiscal report for state fiscal year 2019-2020, as of September 30, 2019. The balance from the previous year was \$1,933,050.00. The fee collections as of September 30, 2019 was \$1,622,076.96. The total available funds were \$5,251,612.00. The total expenditures as of September 30, 2019 was \$437,691.28. The total expenditures and commitments were \$3,535,048.18 which included \$214,951.57 in administrative expenses. The details of the administrative expenses were included on page 15 of the meeting packet. The uncommitted balance as of September 30, 2019 was \$1,716,563.82. Mr. Numer explained that the uncommitted balance did not include the cumulative financial obligation for the reimbursements owed to the counties. He explained that the positive account balance is attributed to the changes to training authorized by the SDSETB and reductions to the training contract budgets. Mr. Numer stated that the SDSETB could begin to discuss the possibility of paying reimbursements at some level. The unpaid county reimbursement amount is currently projected at over 3 million dollars as provided in the fiscal projection report on page 13 of the meeting packet.

Chief Deputy Smith stated that she thought the reimbursement obligation was to be included on the fiscal report. Mr. Numer stated the projected financial obligations were included on the projection report. He stated that consideration could be made to include the reimbursement obligations on the fiscal report. Mr. Numer stated that if the financial obligation for reimbursements owed to counties were to be included on the fiscal report, then only the known actual amount could be included. Projections could not be included in the fiscal report because the fiscal report reflects actual expenditures and commitments.

Mr. Maioli asked Chairman Martin if the workgroup could be part of the decision-making process regarding starting or not to start reimbursing counties. He stated that the available funds may be better spent on providing training. Mr. John Pfau, PCCD, stated that maintaining a positive fund balance is important. If reimbursements would be authorized, it would need to be at an appropriate level as to not affect the SDSETB's ability to provide the required training programs.

Ms. Stephanie Jirard made a motion to approve the fiscal report for state fiscal year 2019-2020, ending September 30, 2019. Chief Deputy Smith seconded the motion and the motion passed with the following votes:

Voting Aye: Board Members Goodman, Jirard, Martin, Nothstein, Sassano, Smith, and Walker

Voting Nay: None

Mr. Numer informed the SDSETB that a few new sheriffs were recently elected and will begin their terms of office in January 2020. He stated that staff will schedule visits with all the newly elected sheriffs to discuss the training program. Most of the incoming sheriffs are current or former deputies and would only be required to complete continuing education training for certification. A few new sheriffs are former police officers that will qualify to attend the Waiver Training Program.

Mr. Numer informed the SDSETB that the current Basic Training Class, B-19-02, had five deputies fail firearms training and three will return with the next class to repeat firearms training. Also, he reported that three deputies were dismissed for failing the physical fitness standards. Graduation will be held this Friday, November 22, 2019. He welcomed everyone to attend graduation.

Mr. Numer reported that the on-line Continuing Education Training Program for 2020 is scheduled to be available in January. Deputies will be required to complete ten hours of training each year, to maintain their certification. Information regarding the training and registration process will be issued in upcoming Training Bulletins.

Mr. Numer stated that progress continues with the development of the changes to the Waiver Training Program for 2021. Waiver Training in 2021 will consist of one week of on-line training and one week of classroom training. The on-line portion of the curriculum needs to be developed and finalized by the summer of 2020, to allow deputies time to complete the training prior to attendance at the classroom portion of training.

Mr. Numer reminded the SDSETB that their previously approved revisions to the Code of Conduct and Board Policy will be presented to the PCCD for consideration at their December 11, 2019 meeting. It is staff's intention to have a Board member present at the PCCD meeting to present the Code of Conduct and Board Policy changes.

Mr. Doug Hummel, PCCD, reviewed the time extension requests submitted by Sheriff William Mullen, Allegheny County, for Deputy Vincent Czerniewski, Deputy Erik Hart, and Deputy Christopher Williams. The extensions complied with the SDSETB Policy.

Deputy Walker made a motion to approve the time extension requests for Deputy Czerniewski, Deputy Hart, and Deputy Williams. Commissioner Nothstein seconded the motion. Chairman Martin asked if there was any Board discussion or public comment. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members Goodman, Jirard, Martin, Nothstein, Sassano, Smith, and Walker

Voting Nay: None

Mr. Doug Hummel, PCCD, reviewed the time extension request submitted by Sheriff James Ott, Blair County, for Deputy Kimberly Sanders. The extension complied with the SDSETB Policy.

Commissioner Nothstein made a motion to approve the time extension request for Deputy Sanders. Chief Deputy Smith seconded the motion. Chairman Martin asked if there was any Board discussion or public comment. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members Goodman, Jirard, Martin, Nothstein, Sassano, Smith, and Walker

Voting Nay: None

Mr. Hummel reviewed the instructor application submitted by Penn State University, for Mr. Jeffrey White, for Deputy Safety, Firearms, Investigations, and Security.

Ms. Jirard made a motion to approve Mr. White as an instructor. Commissioner Nothstein seconded the motion. Chairman Martin asked if there was any Board discussion or public comment. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members Goodman, Jirard, Martin, Nothstein, Sassano, Smith, and Walker

Voting Nay: None

Mr. Numer introduced Ms. Megan Staub, PCCD. Ms. Staub was recently hired as a contracted employee to serve as our curriculum development coordinator. Ms. Staub provided a demonstration of the 2020 on-line training curriculum through the CANVAS learning management system. CANVAS will be used to deliver the on-line training curriculum. Temple University will host the classes through CANVAS. Mr. Anthony

Luongo, Temple University, stated that a user guide is being created to assist the sheriffs and deputies in navigating the curriculum.

Sheriff Ron Anderson asked if deputies and sheriffs could print a certificate upon completing the on-line trainings. Mr. Numer stated that printing certificates of completion is not a current option. He said that all grades will be recorded in the Sheriff and Deputy Sheriff Information System (SDSIS) for certification and recertification purposes. Training transcripts can be printed from the SDSIS.

Ms. Jirard asked if “Closed Captioning” is available for the on-line courses. Ms. Staub stated that feature is not available for the 2020 courses but could be added to the courses for 2021. Chairman Martin asked how testing would be accomplished. Ms. Staub explained that each training module has a test bank of questions that are randomly selected for each person that completes the training and takes the test.

Mr. Mike Ecker, Penn State University, provided the basic training delivery report. Mr. Ecker stated that Basic Training Class B-19-02 will graduate Friday, November 22, 2019. Thirty-one deputies will graduate. Five deputies failed firearms training and three deputies failed the physical fitness test. Three of the deputies that failed firearms are expected to return with class B-20-01 to repeat firearms training. The other deputies that failed were dismissed from the academy in accordance with policy. The enrollment for class B-20-01 is currently full at 40 deputies. The next Waiver Training will be held in February 2020. Mr. Ecker informed the SDSETB that Mr. Paul Banach was hired to replace Mr. Tim Stringer. Mr. Banach is familiar with the training program as he was previously employed with the academy. Mr. Ecker stated that Mr. Stringer will remain as an instructor, pending his availability.

Mr. Luongo provided the report on continuing education training. Mr. Luongo reported that the registration process is being developed to allow sheriffs and deputies to access the on-line training through CANVAS. Everyone will need to create an access account through Temple University to access the CANVAS learning management system. The on-line training courses are being built in CANVAS. The process of managing course completions and grades is being developed. Mr. Luongo stated that information technology (IT) support for users is being developed. Temple has a live Help Desk to assist users. He said everyone involved in the project from Temple, Penn State Fayette, and PCCD have worked well together to make this project successful. Mr. Luongo stated that he expects deputies to have a good experience with the courses and the method of delivery.

Mr. Pfau stated that one issue is currently being addressed. The Commonwealth has been in the process of implementing a new system access process called Keystone Log-In. It is expected to be implemented for the SDSIS within the next few weeks. This process has delayed the launch of the on-line training. Mr. Pfau stated that Training Bulletins will be issued explaining the log-in process and requirements.

Mr. Mike Wysteppek, Penn State Fayette, provided the report on curriculum development. He stated that the 2020 versions of both Basic Training and Waiver Training curriculum is being finalized and will be delivered to the PCCD staff and academy prior to the end of the year. The 2020 on-line legal updates module for continuing education is still being developed. This curriculum will be delivered to Temple University to be input in CANVAS. Mr. Wysteppek stated that development continues on the 2021 curriculum for the Waiver Training Program.

Mr. Maioli informed the SDSETB that the Workgroup recently held a meeting at the PSA office. It was suggested that hosting regional Waiver Trainings could reduce costs and benefit sheriffs. Mr. Maioli asked Mr. Numer if he had any information concerning this suggestion. Mr. Numer stated that he will analyze the training attendance data and the costs associated with regionalized training and report at a later meeting.

Mr. Maioli stated that Mr. Numer was going to research the availability of existing “pre-packaged” training programs that could be beneficial for future continuing education training modules. This could be a cost savings to developing our own training courses. Mr. Numer clarified the discussion of the Workgroup by stating that everyone was going to research the availability of existing trainings.

Mr. Maioli stated that as a cost saving measure, the instructor labor rate of pay could be lowered. Mr. Numer stated that more discussion is needed prior to considering any pay reduction. Penn State no longer pays mileage and overnight subsistence to the instructors. Lodging is provided to the instructors. The academy obtains lodging at the approved government rate (GSA). Chief Deputy Smith stated that lead instructors are paid \$57.00 per hour and assistant instructors are paid \$44.00 per hour. She questioned if we could lower the pay rate without losing instructors. Mr. Numer stated that we may lose quality instructors. He stated that lead instructors invest a lot of time outside of instructional hours. They participate in the curriculum revision and development process.

Chief Deputy Smith stated that some of her deputies are instructors and stated that they would continue to teach for less money. We pay more than other law enforcement training programs. Mr. Pfau stated that the issue needs to be analyzed. He stated that there are multiple municipal police academies and they all pay their instructors different rates. He stated that we have quality instructors and we don't want to jeopardize the quality of our training. Chief Deputy Smith stated that our goal should be for the betterment of our training program. She stated that quality training is important and that our academy is better than many other training programs. Mr. Pfau explained that municipal police academies are privately ran and each school determines their instructor pay rates and the costs the students pay to attend. Schools set their prices to be profitable. He stated that we are different in that we can not charge a cost for attendance.

Mr. Maioli suggested that another Workgroup meeting be scheduled in January or February 2020. Ms. Jirard stated her previous schedule prohibited her from attending the last Workgroup meeting, but that she would like to attend the next meeting. She stated that it is the Board's duty to review the pay rate issue. Ms. Jirard stated that quality

education is important and that reducing instructor pay may be viewed by many instructors as an assault on their integrity. She said pay is viewed as a reflection of worth and value. Mr. Numer stated that he will schedule the next workgroup meeting prior to the next Board meeting.

Mr. Maioli reported that a meeting was held last week, with representatives from Senator Browne's office. Senator Browne is planning to issue a co-sponsor memorandum requesting support for the creation of legislation to increase the surcharge for the training account. Mr. Maioli stated that Senator Browne is waiting for a letter of support from the incoming Lehigh County Commissioners. Mr. Maioli stated that Senator Browne's memorandum should be released in January or February 2020. Mr. Maioli stated that meetings were scheduled for next week with Senator Baker and Representative Kaufman to discuss the need for a surcharge increase.

Mr. Hummel 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.

Mr. Numer announced the meeting dates for 2020 as: February 25, 2020, at PCCD; May 22, 2020, at State College; August 25, 2020, at PCCD; and November 17, 2020, at PCCD.

Commissioner Nothstein made a motion at 10:05 a.m. to adjourn the meeting and enter into an executive session. Deputy Walker seconded the motion. Chairman Martin asked if there was any Board discussion or public comment. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members Goodman, Jirard, Martin, Nothstein, Sassano, Smith, and Walker

Voting Nay: None

At 10:15 a.m. Deputy Walker made a motion to re-open the public meeting of the SDSETB. Commissioner Nothstein seconded the motion. The motion passed with the following votes:

Voting Aye: Board Members Goodman, Jirard, Martin, Nothstein, Sassano, Smith, and Walker

Voting Nay: None

Commissioner Nothstein asked Mr. Numer for an updated report regarding the amount of reimbursements owed to the counties. He wanted to address the issue at the next County Commissioners' Association meeting. Mr. Numer stated that he would provide an updated report as requested.

Mr. Sassano announced that he would be stepping down as the Board's representative for the Attorney General. He stated he is retiring at the end of the year. Mr. Sassano thanked everyone for their service to the Board and that it was a pleasure working with everyone. Chairman Martin thanked him for his service and wished him well on his retirement.

Deputy Walker made a motion to adjourn the meeting. Commissioner Nothstein seconded the motion and the meeting was adjourned with the following votes:

Voting Aye: Board Members Goodman, Jirard, Martin, Nothstein, Sassano, Smith, and Walker

Voting Nay: None