

SHERIFF AND DEPUTY SHERIFF EDUCATION AND TRAINING BOARD

Minutes of the March 3, 2015 Meeting

Members Present

Carmen Deluca (Tele-Conference)
David M. Godfrey
Mark Kellam
Todd A. Martin
Wayne E. Nothstein
Eric Weaknecht
Kevin Wevodau

Commission Staff Present

Carolyn DeLaurentis
Norma Hartman
Doug Hummel
JenMcConnell
Bob Merwine
Don Numer
John Pfau
Deborah Williams

Members Absent

Amy Withrow

Others Present

Temple University
Anthony Luongo
Christie Willard

PA Sheriffs' Association
Beth Appleby
Robert Wollyung

Dauphin County Sheriff's Office
Sgt. James Titus

The March 3, 2015 meeting of the Sheriff and Deputy Sheriff Education and Training Board (SDSETB) was called to order by Vice-Chairman, Sheriff Todd A. Martin, at 9:05 a.m., at the Pennsylvania Commission on Crime and Delinquency (PCCD), 3101 North Front Street, Harrisburg, Pennsylvania 17110. Vice-Chairman Martin conducted the meeting because Chairman Carmen C. DeLuca was in attendance via conference call.

Vice-Chairman Martin deferred to Mr. Don Numer, PCCD, to conduct the election of Board officers. Mr. Numer informed all SDSETB members present that they were able to nominate any current members as candidates for Board Chairman and Board Vice-Chairman. Mr. Numer stated that Board member, Judge Ronald C. Nagle, submitted his letter of resignation from the Board. Judge Nagle resigned due to his commitments as a Senior Judge in Chester County.

Mr. Numer asked for nominations for the position of Board Chairman. Commissioner Wayne E. Nothstein nominated Mr. DeLuca. Sheriff Martin seconded the nomination. No other nominations were made for the position of Board Chairman. Mr. DeLuca was elected to retain his position as SDSETB Board Chairman with the following votes:

Voting Aye: Board Members Godfrey, Kellam, Martin, Nothstein, Weaknecht, and Wevodau

Abstained: Board Member DeLuca

Mr. Numer asked for nominations for the position of Board Vice-Chairman. Deputy Mark Kellam nominated Sheriff Martin. Commissioner Nothstein seconded the nomination. No other nominations were made for the position of Board Vice-Chairman. Sheriff Martin was elected to retain his position as SDSETB Vice-Chairman with the following votes:

Voting Aye: Board Members DeLuca, Godfrey, Kellam, Nothstein, Weaknecht, and Wevodau

Abstained: Board Member Martin

Vice-Chairman Martin asked if everyone had an opportunity to review the minutes from the December 4, 2014 Board meeting. He stated that if there were no questions, then he would entertain a motion to approve the minutes.

Lieutenant David Godfrey made a motion to approve the minutes from the December 4, 2014 meeting. Deputy Kellam seconded the motion and it passed with the following votes:

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

Voting Nay: None

Vice-Chairman Martin asked Ms. Norma Hartman, PCCD, to provide the SDSETB fiscal report. Ms. Hartman reviewed the second quarter fiscal report for the state fiscal year 2014-2015, period ending December 31, 2014. The balance from the previous year was \$8,617,503.87. Fee collections as of December 31, 2014 was \$2,099,729.30. The estimated fee collections from January 1, 2015 through June 30, 2015 was \$1,945,270.70. The total estimated funds available as of June 30, 2015 was \$12,662,503.87. The total expenditures was \$2,717,639.46 which included \$711,327.48 in reimbursements to counties. The total expenditures and commitments was \$11,802,486.16 which included \$1,010,197.72 in administrative costs. The uncommitted fund balance as of December 31, 2014 was \$860,017.71.

Vice-Chairman Martin asked if anyone had any questions regarding the fiscal report. He stated that he would entertain a motion to approve the fiscal report.

Lieutenant Godfrey made a motion to approve the SDSETB second quarter fiscal report for state fiscal year 2014-2015, ending December 31, 2014. Commissioner Nothstein seconded the motion and it passed with the following votes:

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

Voting Nay: None

Vice-Chairman Martin asked Mr. Numer to provide the training supervisor's report. Mr. Numer referred to the Training Account Projection Report on page ten of the meeting packet. He informed the SDSETB that the fund projections will be provided at each meeting instead of once a year, as in previous years. The report was for informational purposes and required no Board action.

Mr. Numer stated that he and Mr. Doug Hummel, PCCD, attended the PA Sheriffs' Association's Mid-Winter Conference on February 27, 2015. Mr. Numer stated that he provided an informational session regarding the implementation of the new Training Act. In addition, the new SDSETB policies were explained, as was the additional proposed policy changes. Mr. Numer provided an update on the development of the new training management information system.

Mr. Numer informed the SDSETB that the PA Sheriffs' Association was planning to seek legislative changes to the fee bill that would include increasing the fees that support the training provided by the SDSETB.

Mr. Numer informed the SDSETB that the new waiver training curriculum was implemented with the January 2015 class. The old curriculum consisted primarily of classroom instruction. The new curriculum incorporated many practical exercises designed to actively engage the deputies. In addition to attending the residential waiver program, all waiver training attendees are now required to complete two on-line courses

for certification. These courses are: Comprehensive Legal Updates and Flying While Armed.

Mr. Numer provided a status report regarding the training request, from the December 4, 2014 Board meeting, from the Office of the Philadelphia Sheriff. Mr. Numer reminded the SDSETB that the Philadelphia Sheriff requested that the Board consider providing Basic Training classes at the Philadelphia Municipal Police Academy. At the Board's direction, Mr. Numer and staff were tasked with investigating the request. Mr. Numer sent the Sheriff's Office a list of specific questions regarding the need and logistics of providing training in Philadelphia. Mr. Numer informed the SDSETB that he received an email response to the questions on March 2, 2015. Mr. Numer spoke with Mr. Tony Payton, lobbyist, representing the Sheriff and informed him that the SDSETB would not be taking action on the request due to just receiving the response the day prior to the SDSETB meeting. In addition, Mr. Numer informed Mr. Payton that responses to several questions did not provide enough information to evaluate. Mr. Numer informed the SDSETB that he and staff were scheduled to tour the Philadelphia Municipal Police Academy on March 12, 2015. Mr. Numer explained that staff will continue to gather pertinent information for further review at the May 2015 meeting.

Mr. Numer provided an update regarding the development of the new Sheriff and Deputy Sheriff Information System (SDSIS). Mr. Numer explained that the current system is limited in functionality. The current system permits viewing deputies training information and electronic course enrollment. Mr. Numer stated that the new system will be virtually paperless. The system will allow for the electronic submission of employment and terminations notices. Time Waiver Applications and Training Waiver Applications will be electronically submitted. In addition, both course enrollment and the training reimbursement process will be completed electronically. Mr. Numer informed the SDSETB that the target date for implementing the new system was in early summer. He stated that a small workgroup was invited to the PCCD on April 22, 2015 for a demonstration of the new system. Trainings will be conducted for the sheriffs and their administrative staff to become familiar with the new system. The tentative plan is to schedule the trainings in May 2015. Mr. Numer stated that the trainings would be considered Merit Courses and could be considered for reimbursement.

Mr. Numer reviewed the proposed changes to the SDSETB Policy. The current Policy with the proposed changes was included in the meeting packet as Appendix A. The proposed changes were initially reviewed by the workgroup, a PCCD staff member that has experience with the implementation of new legislation, and the PCCD legal office. The Policy was provided to both the Pennsylvania Sheriffs' Association and the Pennsylvania Deputy Sheriffs' Association for review and comment. No comments were received. This is the first opportunity the SDSETB has had to review the proposed changes. The PCCD legal office will continue to review the proposed changes. The plan is to have the Board consider approving the new Policy at the May 2015 meeting. If approved by the Board, the Policy would be considered for adoption at the June 2015 meeting of the PCCD.

Mr. Numer explained the first change to the Policy was contained in pages one through seven. The change provided clarification regarding a Home Rule Sheriff.

Section eight addresses the five year restrictions for accepting a person's prior training or law enforcement experience to qualify for a training waiver. Subsection C clarifies the five year restriction to not apply for a person that is seeking election as a sheriff.

Section nine addresses the revocation of certification. Subsection B clarifies the revocation of certification for sheriffs. A sheriff's certification will not be revoked unless he/she is removed from office as provided by the Pennsylvania Constitution. Subsection C addresses the certification revocation of a Home Rule Sheriff. Subsection D defines the SDSETB revocation process. Staff reviewed the revocation procedures that the Municipal Police Officers' Education and Training Commission use as a guide in developing the proposed process.

Section ten addresses the process for Re-Instatement of a revoked certification. Subsection A requires a one year time lapse prior to being eligible to request reinstatement. In addition, an applicant who was convicted of a disqualifying criminal offense, or who are otherwise prohibited from possession of a firearm by state or federal law, shall not be eligible for consideration for reinstatement of certification unless and until they receive necessary and appropriate relief required to possess a firearm again. Subsection B defines what is required to request reinstatement. Subsection C defines what the SDSETB will consider in rendering a decision regarding reinstatement. Mr. Robert Merwine, PCCD, asked for clarification on the time limits. Mr. Numer confirmed that the required one year time lapse to request reinstatement begins after all appeals have been considered. Subsection D requires a majority vote of the SDSETB to revoke certification. Subsection E limits the number of requests for reinstatement an individual can request.

Mr. Numer introduced Ms. Carolyn DeLaurentis. Ms. DeLaurentis is the Acting Chief Counsel for the PCCD. Mr. Numer introduced Sgt. James Titus, Dauphin County Sheriff's Office. Sgt. Titus was in attendance to answer any questions concerning the requests that were to be addressed by the SDSETB.

Mr. Hummel reviewed the Time Waiver Applications submitted by Sheriff Charwin Reichelderfer, Bedford County. The requests were for Deputy Brian Kaszubski and Deputy Mandi Miller to attend continuing education at a training location more convenient to Bedford County. Their training expiration date was December 21, 2014 and the extension was requested to March 25, 2015. The time waivers complied with the SDSETB Policy.

Lieutenant Godfrey made a motion to approve the Time Waivers for Deputy Brian Kaszubski and Deputy Mandi Miller. Commissioner Nothstein seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the time waiver request submitted by Sheriff Jack Lotwick, Dauphin County, for Deputy Karl Schmidhamer. Deputy Schmidhamer's training due date was January 21, 2015 and he was unable to enroll in the March Waiver Training Program due to the course being at maximum enrollment. The time waiver request did not comply with the SDSETB Policy.

Mr. Hummel reviewed the time waiver request submitted by Sheriff Jack Lotwick, Dauphin County, for Deputy Luke Spaseff. Deputy Spaseff's training due date was January 21, 2015. Deputy Spaseff's Partial Training Waiver Application was incomplete because he needed to complete the required First Aid and CPR training. Deputy Spaseff was also on intermittent leave due to a medical issue. The time waiver request did not comply with the SDSETB Policy.

Mr. Hummel reviewed the time waiver request submitted by Sheriff Jack Lotwick, Dauphin County, for Deputy Lucas Starsinic. Deputy Starsinic's training due date was January 21, 2015. Deputy Starsinic was scheduled to attend the March Waiver Training Program. The time waiver request did not comply with the SDSETB Policy, but the class begins within two weeks.

Sgt. Titus stated that he could resubmit the request for Deputy Spaseff since he was currently off on medical leave. Mr. Numer recommended that the time waiver for Deputy Spaseff be pulled and resubmitted as medical waiver.

Sgt. Titus stated that he had another deputy enrolled in the March class that he could replace with Deputy Schmidhamer. Mr. Numer commented that all of these requests are for deputies that have prior law enforcement experience and the March class was full. Lt. Godfrey stated that he would consider a motion if the deputies could attend the March class, since they have prior law enforcement and the class is being held within two weeks. Sgt. Titus stated that he would make the necessary switch so Deputy Schmidhamer would attend the March 2015 waiver training.

Lt. Godfrey made a motion to approve time waivers for both Deputy Karl Schmidhamer and Deputy Lucas Starsinic, considering they have prior law enforcement experience and that the required certification training they will attend will begin within two weeks from today. Commissioner Nothstein seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the time waiver request submitted by Sheriff Dane Anthony, Franklin County. The request was for Deputy Jonathan Nalewak to be granted a time waiver so he could attend Continuing Education Training in Grantville, PA, which is the most convenient location to Franklin County. The extension was for Deputy Nalewak to attend class C-15-56, from April 20, 2015 to April 22, 2015. The time waiver request complied with the SDSETB Policy.

Lt. Godfrey made a motion to approve the time waiver for Deputy Jonathan Nalewak. Commissioner Nothstein seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the time waiver request submitted by Sheriff Brian Tennant, Greene County. The request was for Deputy Hannah Toski to be granted a time waiver so she could attend the June 1, 2015 Waiver Training Program. Deputy Toski was currently attending Act 120 training and was scheduled to graduate on April 26, 2015. The June class is the first available class that she would be eligible to attend. The request did not comply with the SDSETB Policy.

Lt. Godfrey made a motion to deny the time waiver but approve Deputy Toski's ability to serve in a non-uniformed, unarmed administrative capacity until such time she completes the required training for certification. Chairman Carmen DeLuca seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the time waiver request submitted by Sheriff Mark McAndrew, Lackawanna County. The request was for Deputy Timothy Langan to be granted a time waiver so he could attend the June 2015 Waiver Training Program. The sheriff's office

was unable to obtain Deputy Langan's supporting credentials indicating proof of his Act 120 certification. An oversight occurred, as it was determined that Deputy Langan needed to complete a missed section of training prior to obtaining his documentation. Deputy Langan's Partial Training Waiver Application was approved by staff on February 3, 2015. Deputy Langan was unable to attend the March 2015 Waiver Training Program, due to the class being at maximum capacity. The time waiver request does not comply with the SDSETB Policy.

The time waiver request failed to receive a motion.

Mr. Hummel reviewed the time waiver request submitted by Sheriff Ray Gerring, Montour County. The request was for Chief Deputy Heath to be granted a time waiver so he could maintain his Firearms Instructor Certification and attend the re-certification class to be scheduled in 2016. Only one instructor re-certification class was scheduled for 2015 and Chief Deputy Heath is unable to attend due to a pre-scheduled leave.

Vice-Chairman Martin stated that the SDSETB addressed the issue of only hosting one re-certification course per year at the September 2014 meeting. Lt. Godfrey explained that if a Nation Rifle Instructor (NRA) instructor failed to recertify, the NRA would grant a one year extension.

Lt. Godfrey made a motion to grant the time waiver request for Chief Deputy Heath. Commissioner Nothstein seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the time waiver requests submitted by Sheriff Russell Bono, Montgomery County. The requests were for the following deputies: Tim Metz, Carleen Burns, John Foster, Ethan Kaplan, Trevor Keller, Vincent Roncace, Edwin Walker, James Wilkinson, Adam Berry, Brian Dayoc, Matt Hansen, John Siletta, Jim Valesky, Ryan Volk, and Carl Robinson. All the requests to extend the time permitted to attend continuing education training were for the purpose of scheduling the deputies at a site that is more convenient. All of the requests were in accordance with the SDSETB Policy except the request for Deputy Metz.

Lt. Godfrey made a motion to grant the time waiver requests for deputies Carleen Burns, John Foster, Ethan Kaplan, Trevor Keller, Vincent Roncace, Edwin Walker, James Wilkinson, Adam Berry, Brian Dayoc, Matt Hansen, John Siletta, Jim Valesky, Ryan Volk, and Carl Robinson. Commissioner Nothstein seconded the motion and it passed with the following votes:

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

Voting Nay: None

Lt. Godfrey made a motion to approve the time waiver request for Deputy Tim Metz to attend continuing education training prior to July 1, 2015. Commissioner Nothstein seconded the motion and it passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the list of Time Waivers approved by the Training Supervisor. Time extensions were approved for Deputy Matthew Brown, Lackawanna County and Deputy James Martin, York County. This was for informational purposes and did not require SDSETB action.

Mr. Hummel reviewed the list of Partial Training Waiver Applications approved by the Training Supervisor. This was for informational purposes and did not require SDSETB action. Mr. Hummel explained that these waivers are in accordance with the Training Policy.

SDSETB member, Mr. Kevin Wevodau left the meeting.

Mr. Hummel explained that the Training Waiver Request on page 22 was removed from consideration. Pike County informed staff that Deputy Colton Mastriaco was no longer employed as a deputy sheriff.

Mr. Hummel reviewed the instructor applications submitted by the Pennsylvania State University for Deputy Sheriff Dennis Fry for Security and Officer Safety; Mr. Gregory Koehle for Criminal Law, Security, Motor Vehicle Law, Civil Law, Officer Safety, Profession Development, and Investigations; Deputy Sheriff Douglas Kubiak for security and Firearms; Deputy Sheriff Benjamin Sites for Security, Officer Safety, and Firearms; and Sheriff Clinton Walters for Firearms. Mr. Hummel reviewed the instructor application submitted by Temple University for Mr. Joseph Klemmer for Criminal Law, Civil Law, Security, Officer Safety, Crisis Intervention, Investigations, and Professional Development.

Lt. Godfrey made a motion to approve the instructor applications. Deputy Mark Kellam seconded the motion and it passed with the following votes:

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

Voting Nay: None

Vice-Chairman Martin asked for the report on the Continuing Education Delivery Contract. Mr. Anthony Luongo, Temple University, reported that continuing education training classes recently concluded in the Philadelphia area. Classes are now being offered in Altoona, PA and Clarion, PA. Mr. Luongo stated that the on-line classes have shown a large number of participants. Ms. Christie Willard, Temple University, reported that two Active Shooter merit courses were held in Ambler, PA and Lancaster, PA. Both courses were well attended and received. Lt. Godfrey stated that if needed he could provide access to Temple to host an Active Shooter course in York, at an abandoned three story elementary school.

Mr. Robert Wollyung, Executive Director, PA Sheriffs' Association addressed the SDSETB. He informed the Board that the Association was planning on introducing two bills for consideration by the Legislature. He stated that one bill was to address the fee structure and seek to incorporate a fee increase from \$10 to \$20. The Association would like to have the bill incorporated into either Title 42 or Title 44, where most appropriate. Mr. Wollyung stated that the second bill for consideration would address the authority of sheriffs.

Vice-Chairman Martin announced that the next SDSETB meeting was scheduled for Friday, May 22, 2015 at 8:00 a.m., in State College, PA.

Deputy Kellam made a motion to adjourn the meeting. Commissioner Nothstein seconded the motion and the meeting was adjourned at 10:20 a.m. with the following votes:

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

Voting Nay: None