

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

Approved Minutes of the November 3, 2022 Meeting

Members Present

Chair Craig Westover, Constable, Venango Co.
Vice-Chair John Bruno, Constable,
Dauphin County
Major Joanne Reed, PA State Police
Patricia Norwood-Foden, Court Admin,
Chester County
Francis Peitz, Constable,
Allegheny County

Commission Staff Present

Sherry Leffler, Constables' Program
Tracy Beaver, Constables' Program
Nicholas Hartman, Constables' Program
John Pfau, Constables' Program
Dorthey Jacobelli, PCCD
Theresa Ford, PCCD
Megan Staub, PCCD
Debra Sandifer, PCCD
Sally Barry, PCCD

Visitors

Steve Shelow, PSU JASI
Tony Mucha, PSU JASI
Anthony Luongo, Temple University
Constable David Kneller, Lebanon County
Constable Daniel Hollenbaugh, Adams County
Constable Terry White, York County
Constable Robert Dando, Chester County
Constable Joshua Fitting, Adams County

Please note, additional constables were attending the Board Meeting, but did not elect to be recognized.

I. Call to Order:

The Constables' Education and Training Board (Board) meeting was held at 9:00 a.m. on Thursday, November 3, 2022 via in-person, and Teams. The Board Meeting was held in a hybrid style according to the Sunshine Act to make in-person an available option.

Chair Westover explained that the meeting is being recorded. Chair Westover established that a quorum of Board members was established.

II. Introductions:

Board member, PCCD staff and Training Delivery Contractor staff introductions were made.

III. Action Items:

Chair Craig Westover asked Mr. Nicholas Hartman to introduce the first Action Item: Unapproved Draft Minutes of August 11, 2022 Meeting, which can be found on pages 2 through 11 of the Board packet. The Board did not request the item be read and did not offer any discussion. There was no comment by Public Voice.

Constable Francis Peitz made a motion to approve the Unapproved Draft Minutes, with Ms. Patricia Norwood-Foden as the second.

VOTING AYE: Peitz, Norwood-Foden, Westover, Reed, Bruno

VOTING NAY: None

ABSTAINING: None

The motion passed unanimously.

Chair Westover introduced the second Action Item: Unapproved Fiscal Report for November 3, 2022. This can be found on pages 13 through 16 of the Board packet.

Chair Westover asked to discuss the topic of Fee Collections. Chair Westover reviewed the collection fees from the previous years, noting that the COVID-19 Pandemic had a negative impact on the amount of funds collected during the years that lockdown had occurred. Chair Westover recognized that an increase is occurring but asked how often the fees are deposited into the Constable Education Training Act (CETA) account and asked if the fiscal projection for Fiscal Year 2022-2023 is accurate. Ms. Dorthey Jacobelli explained that the revenue from the first quarter is higher than the revenue generated from the prior year but is not certain what the new trend will be regarding future funds collected. Ms. Jacobelli explained that the Fiscal Department at PCCD has opted to use a more conservative projection due to how counties use constables for work that generates funds for the Program.

Chair Westover asked if there is a correlation between the number of certified constables, and the amount of revenue being generated from the work that has CETA fees attached. Mr. John Pfau explained that there was a drop in constables during COVID (roughly 250 certified constables) for various reasons. Mr. Pfau explained that as of the Board Meeting 130 constables had completed Basic Training, and there are a potential 240 new constables that are eligible to take Basic Training in 2023. Mr. Pfau explained that Program Staff will not be able to see if the newly trained constables take on work that generates CETA funds until the following year due to taking a new constable time to become established with the judges and courts. Mr. Pfau stated that with the loss of established constables, and new constables coming in, that the impact on CETA funds would not be clear until the following year.

Chair Westover explained that his questions are trying to lead towards a realistic view of the funds that will be coming into the CETA fund, and that impact it will have on the funds available. Chair Westover revisited that a work group in 2018 made the decision to have a cost associated with Basic Training to help alleviate the stress on the CETA fund that would occur in 2020. Chair Westover explained this decision was made without the knowledge of the pandemic that was to

occur that year. Chair Westover asked each Board Member for their opinion because in three years the fund would be insolvent again. Chair Westover asked, if the Board members would like Program Staff to investigate charging constables to attend Continuing Education to help stabilize the fund? Or does the Board feel that the fund should be exhausted to see if the General Assembly would then provide the funding to support the Program? Chair Westover asked the Board, what is it's will on asking Program Staff to prepare for information on what the cost of Continuing Education would be, and other expenses. Mr. Pfau also explained in 2018, Annual Firearms was changed which saved the Program nearly \$740,000.00 a year, due to Annual Firearms Training being the most expensive part of the Training Program. Chair Westover asked what the impact of the Annual Firearms change had on the ability of constables to successfully complete the qualification, and Mr. Pfau stated that there has been an increase in failures since the change in 2019 has been implemented. Chair Westover also said that bringing back Annual Firearms as it was prior to 2018 as a goal. Major Joanne Reed agreed with looking at what can be done now regarding looking at the costs of firearms training. Ms. Norwood-Foden clarified that the question is to have Program Staff begin the process of researching how to charge for Continuing Education and agreed with Major Reed with needing to be fiscally responsible. Ms. Norwood-Foden did ask if there are additional funding streams that the Program would be able to use to help the CETA fund. Ms. Norwood-Foden also provided that in her county, that there are less certified constables, and court staff are having to choose what work needs to be completed first. Ms. Norwood-Foden agrees that the Board will need to make choices to keep the Training Program afloat. Vice-Chair John Bruno provided his thoughts and suggested to draft a letter to the General Assembly and inform the Assembly about the status of the CETA funds, and Vice-Chair Bruno has met with various politicians to inform them about the state of the CETA fund. Vice-Chair Bruno suggested the drafting of a letter to General Assembly, and Mr. Pfau told Vice-Chair Bruno that a letter had previously been drafted but never sent and has recently been approved by PCCD Executive Director, Michael Pennington. Mr. Pfau also provided that the letter is ready to be sent to General Assembly. Mr. Pfau briefly reviewed the contents of the letter, in which it describes the plight of the program, and what both the Board, and Program Staff have done to stabilize the fund. Chair Westover asked Vice-Chair Bruno what his opinion is regarding the initial question of how Program Staff looks at ways to save the Program money when cuts are already deep, or does the Board wait to see if the General Assembly would provide financial relief. Vice-Chair Bruno feels it would be too risky to let the Fund crash and burn. Vice-Chair would like Program Staff to work on recommendations to present to the Board and for Program Staff to send the letter to General Assembly. Constable Francis Peitz supported having a cost to all individuals taking any training, but also felt that a cost needs to be determined. Chair Westover summed up the plight of training hours versus cost.

Ms. Jacobelli explained that there is a computation error on the Fiscal Report, and provided the correction, which was the grand total of expenditures. This total also impacted the uncommitted balance.

Ms. Jacobelli provided the balance from the previous year as \$3,086,320.04, reported that from fee collections for July 1, 2021 thru June 30, 2023 as \$349,090.44 which leaves a total funds available as of September 30, 2022, of \$3,435,410.48. Both the financial expenditures and financial commitments totaled \$362,262.15 and \$3,332,351.43 respectfully as of June 30, 2022 for a grand total of \$3,694,613.58. The uncommitted balance as of September 30, 2022 was \$-259,203.10. Monies generated by class payments totaled \$28,106.00. Chair Westover asked if Program Staff

received a break on the rent paid to use the building, which Chair Westover had asked at a previous Board Meeting. Mr. Pfau said that Program Staff has not received an answer.

Chair Westover then asked for a motion to approve the Unapproved Fiscal Report for November 3, 2022.

The motion to approve the Fiscal Report was provided by Vice-Chair Bruno and seconded by Constable Peitz.

VOTING AYE: Peitz, Norwood-Foden, Westover, Reed, Bruno

VOTING NAY: None

ABSTAINING: None

The motion passed unanimously.

Prior to the Board's approval, Chair Westover asked for any Public Voice on the Fiscal Report presented. Constable David Kneller from Lebanon County addressed his concern about CETA fee collections by defendants who have multiple warrants. Constable Kneller explained that some defendants have multiple warrants, and constables are only receiving one warrant, and when the defendant is taken to the Magisterial District Justice (MDJ), that is the time that the other warrants are addressed. Constable Kneller explained that the CETA fees could be attached to the other warrants but is not being collected, since one warrant was issued, and the issued warrant is the only warrant that fees can be collected. Chair Westover said that he had previously asked the same question and he did not receive answers that explained how to rectify the problem. Mr. Pfau explained that certain action can only be completed by those in a higher position. Mr. Pfau also explained that a past Board President also tried to have the CETA fee be made a mandatory field in the Administrative Office of Pennsylvania Courts (AOPC) system, but AOPC would not do this because then all fees collected would need to be prioritized and made mandatory in their systems. Ms. Leffler reinforced Mr. Pfau's points and provided that AOPC did agree to put the number five in the CETA fee field. But unfortunately, the number five can be removed by court staff and is not mandatory even when the CETA surcharge fee is accessed on a different screen.

Constable Daniel Hollenbaugh from Adams County asked if Program Staff can access what constables are completing work that generates CETA fees and that would "cover" the individual constable's cost for training. Constable Hollenbaugh said that there are also constables who utilize the training, but do not provide any court work, which in turn does not generate any CETA fees. Constable Hollenbaugh said he would pay for his training to help keep the fund stable, but also feels constables that are not providing judiciary support should also pay for the training. Mr. Pfau explained that Program Staff does have this information from AOPC (from 2018-2021), and the data is currently being analyzed by two data specialists at PCCD. The report will be extensive and provide additional breakdowns of data sets. Chair Westover asked will this report show what Courts are generating CETA fees. Mr. Pfau said yes, but also explained that CETA fees can take years to be paid to the training fund. Mr. Pfau explained the fields that were requested, such as constable Certification Number, and Docket Number. Chair Westover clarified that it is not just constable contributing, but also what Courts are, or are not collecting, or assessing CETA fees. Mr. Pfau said that the data analysts at AOPC were helpful in the data request. Mr. Pfau said the last time this

exercise was completed was 2015/2016, and it had shown that the majority of the CETA fees were collected in the first year but could also take up to four additional years for the CETA fee to be collected. Ms. Leffler also provided that looking at the county level would also be able to explain where missing collections from the MDJ offices are occurring. Ms. Norwood-Foden asked that this not be a witch hunt, and due to the state of economy, collections have been impacted due to defendants being declared indigent. Mr. Pfau explained that a delay in collections will always occur, and that an increase in the surcharge amount would take several years to be reflected in the Fiscal Report. Chair Westover explained that he brought the conversation up now, because even an increase would take time to be visible and wanting to be proactive with the life expectancy of the fund. Chair Westover reiterated the frustration of the time it takes to collect a fee, and that the fee is not collected in its entirety right away. Mr. Pfau also said that the ability for a defendant to pay online has also decreased work available for constables. Chair Westover lamented about the online payment. Ms. Norwood-Foden suggested again looking for another funding stream to help support the CETA fund due to instability.

Chair Westover introduced the third Action Item: 2023 Board Meeting Schedule, which can be found on page 17 of the Board packet. Mr. Hartman reviewed the dates and asked if there were any questions. The Board Meeting will continue to be in a hybrid status.

The motion to approve the Board Meeting Schedule was provided by Ms. Norwood-Foden and seconded by Major Reed.

VOTING AYE: Peitz, Norwood-Foden, Westover, Reed, Bruno

VOTING NAY: None

ABSTAINING: None

The motion passed unanimously.

Prior to the Board's approval, Chair Westover asked for any Public Voice on the Board Meeting Schedule for 2023. Constable Terry White from York County asked that the Microsoft Teams Meeting link be sent out in an email versus the link to call into the meeting. Ms. Leffler explained the limitations of Teams, and that if a constable would like to request the link, then they can contact Program Staff to receive the link to join. Mr. Pfau explained that Teams will be continued to be used as the meeting platform.

Chair Westover introduced the fourth Action Item: Instructor Certifications, which can be found on pages 18 through 24 of the Board packet. Ms. Tracy Beaver was asked to introduce the instructors for Board approval: Timothy Abbate (PSU-JASI – General, Communication, and Firearms); Michael Crow (PSU-JASI - General, Physical Skills and Firearms); Thomas Horan (PSU-JASI – General, and Communications); Eric Lawson (Temple – General, Communication, Physical Skills, and Firearms); Stephen Marshall (PSU-JASI – General, Communications, and Firearms); Daniel McMurtrie (PSU-JASI – General, and Firearms); and James Vogel (PSU-JASI – General, Communications (including Management of Aggressive Behavior) and Firearms). All the instructor candidates met the requirements for Board certification to teach their requested topics. Ms. Leffler added that Mr. Horan and Mr. Vogel were previously certified Board Instructors for PSU-Fayette.

Major Reed made the motion for approval, with Vice-Chair Bruno seconding the motion.

Chair Westover asked Mr. Tony Mucha if the approval of these instructors helps with PSU-JASI scheduling, and Mr. Mucha said that the approval is helping him move in the right direction with additional instructors added to his cadre. Chair Westover then asked Mr. Tony Luongo what his status is regarding instructors, to which Mr. Luongo replied that Temple University is actively recruiting new instructors as well. Chair Westover explains that the COVID-19 pandemic had caused the Program to lose many instructors. Mr. Pfau explained that the Program drafted a letter to the Municipal Police Officers' Education and Training Commission (MPOETC) asking if any of their instructors would like to be instructors for the Constables' Program. The Training Delivery Coordinators have received several applications as a result of this email to MPOETC. Chair Westover recognized the struggle that Training Delivery Coordinators have with retaining instructors.

There were no other comments made by the Board or Public Voice.

VOTING AYE: Peitz, Norwood-Foden, Westover, Reed, Bruno

VOTING NAY: None

ABSTAINING: None

The motion passed unanimously.

IV. Discussion Items:

Ms. Leffler introduced the first Discussion Item: Constables' Program Supervisor's Report.

Ms. Leffler introduced statistics as of November 2, 2022, regarding the 2022 Continuing Education Courses: 39 training classes scheduled, with 32 being completed, and 7 canceled. 762 constables have successfully completed the 8-Hour in-person Continuing Education class. For Online Classes: Crisis Intervention is 75% or 608 completions (there were 15 first attempt failures, and 1 second attempt failure); Legal Updates is 68%, or 552 completions (there were 21 first attempt failures, with 3 second attempt failures); Service of Criminal Warrants is 68%, or 566 completions (there were 2 first attempt failures). 449 constables have completed all 2022 Continuing Education requirements. Ms. Leffler provided a reminder that the due date to complete the online subjects is Friday, November 18, 2022 at 5 p.m.

Ms. Leffler introduced statistics regarding the 2022 Annual Firearms Qualifications to the Board: 40 classes scheduled, with 32 being completed, and 8 canceled. 602 constables have attempted qualification, and of the 602, 461 successfully completed the Annual Firearms Qualification with their primary weapon, and/or a second weapon. There was a 6.3% total failure rate of annual qualifications thus far equaling 38 constables, with 5 of the 28 failures being double failures.

Ms. Leffler explained that there are currently four Basic Training classes scheduled: SE01BT22, with 30 successfully completed and 30 certified; SE02BT22, with 35 enrolled; SW01BT22, with 29 successfully completed, 28 certified and 1 subject failure that will be attending SW02BT22 to

retake; and SW02BT22, with 29 enrolled and 1 subject retake. There will be four 40-Hour Basic Firearms Training Courses following each Basic Training Course. The first Basic Firearms Training Course, SW01BF22, with 20 successfully completing; the second, SE01BF22, 24 enrolled, 17 successfully completing, 1 excused absence, 5 failures, and 1 weapon malfunction. The last two Basic Firearms Courses are currently accepting enrollments, SW02BF22 with 13 enrolled, and SE02BF22 with 24 enrolled.

Ms. Leffler stated that the training schedule for 2023 Basic Training and Basic Firearms Training Courses has been finalized for the constables who were not able to enroll into 2022 Courses and Program Staff emailed over 220 constables and deputy constables regarding these Courses. The current enrollments for the classes are as followed: SE01BT23 with 12 enrolled; SW01BT23 with 16 enrolled; NE01BT23 with 3 enrolled; NW01BT23 with 2 enrolled; SE02BT23 with 2 enrolled; and SW02BT23 with 1 enrolled.

Ms. Leffler provided the statistic that Program Staff have processed over 300 class payments for Basic Training, Basic Firearms, No Shows, and Failures in 2022.

Ms. Leffler reported that as of November 2, 2022, there are 847 certified constables and deputy constables. 622 of the 847 are firearms certified and a total of 4,758 constables and deputy constables have either completed the Basic Training or passed the Waiver Exam since 1996.

Chair Westover voiced concern about the newly trained constables completing court work that would generate funds. Mr. Pfau said it will take until the next year to see if any of the new constables' complete court work that will generate CETA funds. Mr. Pfau explained that pre-COVID there were over 1,000 certified constables, but Mr. Pfau is not sure if the Program will ever have over 1,000 certified constables again. Vice-Chair Bruno asked if Program Staff can see an increase in online Continuing Education grades being processed as the training year is closing. Mr. Pfau said that Ms. Beaver typically receives 20-30 grades a week, but as the training year ends, staff can see up to 100-150 grades a week. Mr. Pfau explained that constables tend to wait until to the end of year to complete their online Continuing Education training. Mr. Pfau also stated that Temple's Canvas Help Desk has received an increased number of calls asking for help with logging into the Canvas online subject training. Mr. Pfau explained that the Deputy Sheriff Program also has a similar problem with Deputies waiting until the end of the year to take the training.

Vice-Chair Bruno asked Ms. Beaver how many constables typically complete one or two online subjects and have not completed the third subject. Ms. Beaver said that there are many constables whom this impacted last year and they had to enroll into the earliest Continuing Education classroom in 2022 and complete their online subjects as quickly as possible to become recertified. Ms. Leffler explained that Program Staff have tried to make it as transparent and informative as possible so that constables know what the Continuing Education training requirements are each year. Ms. Norwood-Foden asked how many seats are available for the 2023 80-Hour Basic Training Courses and Ms. Leffler answered that there are 245 seats available seats in 2023. Mr. Pfau explained that Program Staff have more seats available in 2023 than 2022 to accommodate those that could not enroll in 2023. Chair Westover asked if new constables are willing to travel for Basic Training, and Ms. Leffler said yes. Ms. Leffler also explained that Program Staff has

attempted to spread out the 2023 80-Hour Basic Training Courses across the state. Mr. Pfau addressed that the submission of paperwork and the class payment in a timely manner is key to enrollment. Chair Westover asked how much lead time is needed for a new constable to get enrolled and Ms. Leffler explained that four to six weeks is needed for Program Staff from registration to enrollment. Ms. Leffler explained that Program Staff opened enrollment for the 2023 Basic Training Courses in the Fall, so that if these classes would fill up quickly, and if another Basic Training is needed, it provides Program Staff, and the Training Delivery Coordinators additional time to coordinate and schedule.

Mr. Pfau also explained that Program Staff are looking into having online payment be an option, and Staff are working on this project. Chair Westover also mentioned that a new constable receiving their Certificate of Election in a timely manner also impedes a constable's ability to enroll into Basic Training. Ms. Leffler explained that in 2022 there was a delay due to the election and/or appointment process for many individuals.

Chair Westover introduced the second Discussion Item, Board Regulation Revision Discussion. Ms. Leffler explained that she has accepted all the housekeeping changes that were previously discussed by the Board. Ms. Leffler explained that in the document presented, that the sections referencing the Law Enforcement Basic Training Waiver have been removed and those are the only changes visible for the Board to review. Ms. Leffler said if there are no other changes at the February 2023 Board Meeting, then the document will be forwarded for internal PCCD before being sent to the Independent Regulatory Review Committee (IRRC) for review. Chair Westover asked where the changes are in the process, and Mr. Pfau explained that we are in the beginning stages, and that if there are no issues, it could take one to one and a half years for complete approval.

V. Informational Items:

The first Informational Item was presented by Ms. Megan Staub, to which she provided the 2023 Constable's Curriculum Overview. The full course descriptions can be found in the Board Packet on pages 26 and 27. Ms. Staub provided the following summarized information regarding the following 2023 training topics.

Prisoner Transports (8-Hours-classroom) – This course will focus on teaching constables how to plan and execute a prisoner transport in a safe and appropriate capacity. Best practices will be reviewed, including proper searching techniques and appropriate methods of applying handcuffs, leg irons, and transport belts. Constables will be taught to recognize and anticipate issues that can interrupt transport, result in the failure of a transport, or that can result in a prisoner escape. Finally, constables will be taught the appropriate steps in response to prisoner who escapes during transport.

De-Escalation (4-Hours-online) – This course will begin with a presentation on the concept of procedural justice and how the four core principles of procedural justice extend to the successful execution of constable duties. Emphasis will be placed on the constable's understanding of how emotional intelligence, legitimacy, and critical decision-making are indispensable elements in de-escalating potentially dangerous circumstances. Risk and threat assessment will be taught to

identify the best course of action in response to an escalating circumstance. De-escalation and containment methods will be presented, in addition to the use of verbal engagement as a way to reduce risk, avoid force, and to minimize escalation, in order to create a zone of safety.

Legal Updates (4-Hours-online) – Legal Updates will provide clarity and definition on the issue of residency as it pertains to constables. Content detailing the legal authority of constables will be covered and presented along with the implications and possible outcomes of the misrepresentation of constable legal authority. Relevant case law will be reviewed regarding the execution of constable duties. New rules of civil process will be presented, while best practices for performing service and the landlord/tenant process will be reviewed.

Disease of Addiction (4-Hours-online) – Given the public and hands on nature of constable work, it is likely that a constable will encounter issues related to addiction in some form while executing his/her duties. This course will provide explanation on the relationship between life trauma and addiction. Constables will be taught to recognize trauma and the constable will learn constructive strategies for implementing conversations to provide connection to treatment. There will be a heavy emphasis placed on the opioid crisis, as this category of substance has and continues to be a commonly encountered problem for first responders. Explanations on the role of Naloxone as a response to this public health crisis will be provided.

Annual Firearms Qualification Course (5-Hours) – This five-hour course will accommodate second weapon qualifications. A written test will be administered at the opening of the course. Constables will have prior access to the Student Firearms Study guide in CCETS for preparation.

Mr. Pfau added that the Department of Health created the subject material for “Disease of Addiction,” and has presented the materials to First Responders. Temple University only needed to create a lead in portion for this subject material. Mr. Pfau explained that there is no cost to the Program for the subject material.

Chair Westover asked when the last change was made to the Firearms Qualification Course. Mr. Pfau explained that he is in the process of creating a work group to review the Basic Firearms, and the Course of Fire. Chair Westover asked when the exam, and study guide were last updated, and Mr. Pfau responded in 2019. Chair Westover reminded that the constable population that they cannot shoot the qualification Course of Fire, if they do not pass the written exam, so he encouraged them to review the Study Guide that is available in CCETS. Vice-Chair Bruno asked how Program Staff remind constables where the Study Guide is available, and Ms. Leffler explained it is contained in Training Bulletins and the Training Schedule. Chair Westover commented that the exam also is common sense when it comes to firearms and there should not be any failures of the written exam.

The second Informational Item was introduced by Chair Westover regarding the use of, and validity of the court case *Commonwealth versus Legree*. Ms. Debra Sandifer said there is a misunderstanding. Ms. Sandifer reviewed the court case. Ms. Sandifer understands that it is taught in the curriculum of Basic Training but does not see how the case has a direct impact on the goal of the Board providing training for constables to provide judiciary support. Ms. Sandifer said that Chief Counsel is not prepared to provide a legal analysis to the public for a case that does not at

face value address the Board, and the ability for a constable to do judiciary work. Ms. Sandifer discussed she felt the issue was not if it was valid case law but rather if it was appropriate to be taught during the basic training.

Chair Westover introduced Mr. Pfau's update on the US Department of Veterans Affairs' (VA) Approval for Basic Training. Both Mr. Pfau and Ms. Beaver have been working on this task. Mr. Pfau said that Program Staff has submitted documents for review by the VA, and also explained that certain criteria has to be met for the Program to be approved by the VA. Mr. Pfau has worked on the checklist provided by the VA for approval, and said that one example is the Board Regulations have to be provided for the VA to review. It was also explained that a Refund Policy would need to be created and included in the annual training schedule to meet the requirements of the VA. Mr. Pfau explained the constable wanting to attend Basic Training would need to secure a Certificate of Eligibility, that says that the constable has benefits left. Mr. Pfau said that even if the Program is approved, it is possible that a constable does not have benefits left that could pay for the Basic Training. Mr. Pfau said it would be case-by-case depending on when the constable served, their GI Bill (Servicemen's Readjustment Act of 1944), and any benefits left. Mr. Pfau explained the GI Montgomery Bill as an example and explained that it may not work for each constable. Chair Westover asked when it could be completed, and it would be 2023 according to Mr. Pfau. Mr. Pfau also explained that the VA would pay the Program directly, and in turn, the Program would need to provide supporting documentation that the constable had completed training. Mr. Pfau said there are mechanisms that need to be created for VA funds to be accepted. Ms. Leffler provided that less than six individuals had asked about using GI Bill funds to pay for Basic Training this year, and three of those individuals have already paid to attend Basic Training.

VI. Other Business:

Chair Westover asked if there was any Other Business, and none was presented.

VII. Public Voice:

Ms. Beaver introduced Constable Kneller. Constable Kneller said that on class reviews that he has written in suggestions that constables suggested a training on reporting judicial board conduct complaint. Constable Kneller said 775 complaints are filed and feel that constables would benefit from knowing how to report given their proximity of working with MDJ's. Constable Kneller asked for a cheating policy to be created due to allegations of cheating. Constable Kneller addressed the cheating scandal with State Police and does not want the reputation of constables to be affected.

Ms. Beaver introduced Constable Terry White. Constable White mentioned that Program Staff has resolved his training grievance regarding the 302 Section of the current Crisis Intervention online training. Constable White spoke about his second training grievance regarding the mandate of training and would like the Board to address. Constable White asked for clarification regarding Sections 431.33, and 431.34 for Continuing Education waivers, and Ms. Leffler explained that language was removed in the first draft of the Board Regulations that was presented to the Board at the August meeting. The changes brought to the Board at this meeting were reflecting the Law Enforcement Basic Training Waiver.

Ms. Beaver introduced Constable Daniel Hollenbaugh. Constable Hollenbaugh presented the idea that additional checks be completed for constables. Currently, the only check against constables occurs when Background Checks are completed for constables to attend Basic Firearms, and Annual Firearms. Constable Hollenbaugh asked for clarification from Act 44 regarding constables being able to sign-up separately for trainings, but a check on the constable be completed for both enrollments; meaning that Basic Training, and Continuing Education also have a background check completed. Constable Hollenbaugh asked if the Board could change a policy to have this occur. Constable Hollenbaugh believes this would help with the professionalism of the office of the constable for those who elect to be certified and have firearms training. Chair Westover said Program Staff will need some time to research this from a legal perspective. Ms. Leffler explained that for firearms certification, you cannot be precluded by State or Federal law in order to enroll into any firearms courses and add that this suggestion would take legislative action. Ms. Norwood-Foden explained that in her county, additional backgrounds need to be completed before a constable can be assigned work. Constable Hollenbaugh asked if there is anything, past legislation, that the Board has control over to cause this background to occur. Ms. Leffler explained that a constable needs to be certified first, and complete Basic Training to be able to enroll into Basic Firearms, which is where the background check occurs. Constable Hollenbaugh said he understood there is nothing in the law requiring a constable to complete a Background Check before attending Basic Training. Constable Hollenbaugh asked if both trainings could be combined so that a constable would need to have a Background Check completed to attend either training. Chair Westover explained there is no law requiring that a constable be firearms certified. Mr. Pfau explained that the Board went with existing statute on what prohibits a person from being able to carry a firearm. Mr. Pfau explained that there needs to be a basis on completing the Background Check. Chair Westover agreed with Ms. Leffler that legislative action would need to occur to fix the problem.

Constable Robert Dando from Chester County asked to speak and requested clarification regarding Continuing Education, and if he had to attend Continuing Education this year, as he had completed his Basic Training in August. Mr. Pfau explained he is certified through 2023 and will need to take Continuing Education in 2023 to be remain certified in 2024. Chair Westover explained the end dates on the constable ID card issued by PCCD. Constable Dando expressed concerns about the cost of training, which is around \$4,500.00, and if training costs increase, would it deter individuals from working as a constable. Chair Westover explained that the CETA fee has stayed at \$5.00 since 1994, and inflation has also had a direct impact on the health of the fund.

Constable Joshua Fitting from Adams County asked to speak and addressed his hopes of more constables entering the Instructor positions because of their inherent understanding of the job and asked how to incentivize those constables into applying to be in an Instructor position.

VIII. Executive Session:

The Board members and PCCD Staff enter an Executive Session at 10:48 am and the recording was stopped. The Board members and PCCD Staff returned to the Board meeting at 11:57am.

IX. Adjournment:

Chair Westover asked for a motion to adjourn the meeting at 11:58am. A motion was made by Vice-Chair Bruno to adjourn the meeting and the motion was second by Ms. Norwood-Foden.

VOTING AYE: Westover, Norwood-Foden, Reed, Peitz, Bruno

VOTING NAY: None

ABSTAINING: None

The motion passed unanimously. The next Board meeting will be held on February 9, 2023 at 9 a.m. via Teams, and in-person at PCCD.