

SHERIFF AND DEPUTY SHERIFF EDUCATION AND TRAINING BOARD

Minutes of the June 25, 2020 Meeting

Members Present

Isaac Caraway
Stephanie Jirard
Kenneth L. Klakamp Jr.
Wayne E. Nothstein
Jody S. Smith
Ed Walker
Eric Weaknecht

Commission Staff Present

Doug Hummel
Don Numer
Mike Pennington
John Pfau
Beth Romero
Megan Staub
Sally Barry
Yvonne Murray
Diane Morgan
Debra Sandifer

Others Present

Penn State University
Mike Ecker
Steve Shelow

Temple University
Anthony Luongo

PA Sheriffs' Association
Tom Maioli

Philadelphia Office of the Sheriff
Sheriff Rochelle Bilal
Angelinel Brown
Vernon Muse
Stephen Miller

The June 25, 2020 meeting of the Sheriff and Deputy Sheriff Education and Training Board (SDSETB) was called to order by Chairman Eric Weaknecht, at 9:04 a.m. Due to the COVID-19 pandemic, the meeting was being held via Skype conference call. Mr. Don Numer, Pennsylvania Commission on Crime and Delinquency (PCCD), informed everyone that the meeting was going to be audio recorded.

Mr. Numer informed the SDSETB that protocol for voting on action items would require a voice vote. Should member vote No or abstain, they would need to identify themselves.

Chairman Weaknecht asked if everyone had an opportunity to review the minutes from the February 25, 2020 Board meeting. He stated that if there was no discussion, then he would entertain a motion to approve the minutes.

Commissioner Wayne Nothstein made a motion to approve the meeting minutes from February 25, 2020. Chief Deputy Jody S. Smith seconded the motion. Chairman Weaknecht 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 Caraway, Jirard, Klakamp, Nothstein, Smith, Walker, and Weaknecht

Voting Nay: None

Ms. Yvonne Murray, PCCD, reviewed the fiscal report for state fiscal year 2019-2020, as of March 31, 2020. The balance from the previous year was \$1,933,049.59. The fee collections as of March 31, 2020 was \$2,911,046.96. The total available funds were \$4,844,096.55. The total expenditures as of March 31, 2020 was \$1,441,687.87. The total expenditures and commitments were \$5,403,890.07 which included \$395,718.78 in administrative expenses. The details of the administrative expenses were included on page 15 of the meeting packet. The uncommitted balance as of March 31, 2020 was negative \$559,793.52.

Chairman Weaknecht asked if anyone had any questions or concerns regarding the fiscal report. He asked for a motion to approve the fiscal report.

Deputy Ed Walker made a motion to approve the fiscal report for state fiscal year 2019-2020, ending March 31, 2020. Commissioner Nothstein seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the fiscal report. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members Caraway, Jirard, Klakamp, Nothstein, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Numer reviewed the Budget Projection Report, Fee Collection Report, Administrative Expenses Report, and the Purchase Order Analysis Report. These reports were for information purposes and did not require Board action.

Mr. Numer informed the Board that the next agenda item was the time extension requests. He explained that the extension requests are not specifically addressed by Policy. The Policy does not account for unique situations such as the COVID-19 pandemic or training classes being at maximum capacity and counties not having the ability to enroll deputies. Mr. Numer suggested that the Board review the time extensions for Deputy Samantha Harris and Deputy Thomas Ramsey, both from Luzerne County, separately from the other extension requests. These deputies previously had the opportunity to attend Basic Training and failed the entrance physical fitness test.

Mr. Doug Hummel, PCCD, presented the time extension requests submitted by Sheriff Brian Szumski, Luzerne County, for Deputy Samantha Harris and Deputy Thomas Ramsey.

Due to COVID – 19, the request was for Deputy Harris to attend Basic Training in 2021. Deputy Harris previously failed the entrance physical fitness requirements to gain entrance to class B-19-02 that began in July 2019. She was not employed at the time the January 2020 class began. She was enrolled in class B-20-02, beginning July 13, 2020, but her enrollment was removed on May 22, 2020. Deputy Harris was subsequently re-enrolled in class B-20-01 and placed on the waiting list.

Due to COVID – 19, the request was for Deputy Ramsey to attend Basic Training in 2021. Deputy Ramsey previously failed the entrance physical fitness requirements to gain entrance to class B-20-01 that began in January 2020. He is currently on the waiting list for class B-20-02, beginning July 13, 2020.

Mr. Hummel explained that both time extension requests did not comply with Board Policy. Both deputies would be beyond the one-year period to become certified as a Deputy Sheriff and attending the January 2021 class would be beyond the limits of the Policy. Mr. Hummel stated that the Policy allows for extensions not to exceed attendance at the next available class following the one-year period. The deputies are on the waiting list for class B-20-02 which would be the first available class beyond their training period. Both deputies were previously enrolled in classes and failed to gain entrance due to failing the entrance physical fitness test. Mr. Hummel explained that Sheriff Szumski terminated their employment as a result of the failures and re-hired them to afford them another opportunity to become certified.

Chief Deputy Smith made a motion to approve the time extensions for deputies Harris and Ramsey. The motion included the stipulation that the time extensions would be rescinded if they do not pass the academy entrance physical fitness test on July 13, 2020. Commissioner Nothstein seconded the motion. Chairman Weaknecht 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 Caraway, Jirard, Klakamp, Nothstein, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Hummel reviewed the time extension request submitted by Sheriff James Ott, Blair County, for Deputy Brandon Lasure. Since the July 2020 Basic Training Class was full, the request was for Deputy Lasure to attend the January 2021 Basic Training Academy. Deputy Lasure is on the waiting list for class B-20-02, beginning July 13, 2020.

Mr. Hummel reviewed the time extension request submitted by Sheriff James Ott, Blair County, for Deputy Jaime Lynch. Deputy Lynch was deployed with the PA National Guard medic unit since February 2020 and is expected to return to work in May 2020. Since the July 2020 Basic Training Class is full, the request was for Deputy Lynch to attend the January 2021 Basic Training Academy.

Mr. Hummel reviewed the time extension request submitted by Sheriff James Ott, Blair County, for Deputy Robert O'Donald. Deputy O'Donald sustained a lower leg injury in the fall of 2019 and has been on restricted duty. He was unable to perform the Academy Physical Fitness Standards to attend the January 2020 Basic Training Academy. Since the July 2020 Basic Training Academy is full, the extension request was for Deputy O'Donald to attend the January 2021 Basic Training Academy.

Mr. Hummel reviewed the time extension request submitted by Sheriff Milton Warrell, Bucks County, for Deputy James McCole. Deputy McCole was scheduled to attend the Municipal Police Officers Training Program (Act 120) in March 2020. Due to COVID – 19, his academy was postponed until June 8, 2020 and will not finish until December 2020. The request was for Deputy McCole to attend the Waiver Training Program in January 2021.

Mr. Hummel reviewed the time extension request submitted by Sheriff Mark McAndrew, Lackawanna County, for Deputy Geoffrey Enkulenko. Deputy Enkulenko was previously certified as a deputy sheriff. He last served as a deputy sheriff on August 8, 2007. He was re-hired in Lackawanna County on March 28, 2019. Board Policy requires Deputy Enkulenko to attend either Basic Training or Waiver Training to become certified. Deputy Enkulenko was approved to attend the Waiver Training Program and the extension was requested so he can attend training prior to the end of 2020. The Policy would require Deputy Enkulenko to attend the next available training class, which is W-20-03, beginning August 24, 2020.

Mr. Hummel reviewed the time extension request submitted by Sheriff Mark McAndrew, Lackawanna County, for Deputy Brandon Long. The request was for Deputy Long to attend Waiver Training prior to December 31, 2020. Deputy Long was currently scheduled to attend class W-20-03, beginning August 24, 2020.

Chief Deputy Smith made a motion to approve the time extension requests for Deputy Brandon Lasure, Deputy Jaime Lynch, Deputy Robert O'Donald, Deputy James McCole, Deputy Geoffrey Enkulenko, and Deputy Brandon Long. The extensions would allow the deputies to attend the next available training class for certification. Deputy Walker seconded the motion. Chairman Weaknecht 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 Caraway, Jirard, Klakamp, Nothstein, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Numer reported that reimbursements owed to the counties total \$3,478,059 and by the end of 2020, it is estimated to be at four and a half million dollars.

Mr. Numer reported that Senate Bill 1193 was introduced and approved by the Senate Judiciary Committee on June 23, 2020. The legislation increases the surcharges that fund the training program. Commissioner Nothstein stated that the Bill is expected to be voted on by the Senate on June 29, 2020. If approved, the Bill would be reviewed by the House. Mr. Tom Maioli, Executive Director of the PA Sheriffs' Association, reported that Senate Bill 1193 was supported by the Sheriffs and the County Commissioners' Association. He thanked Mr. Numer for his support. He stated that Senator Browne cited Mr. Numer's supporting data during an Appropriations Committee meeting. Commissioner Nothstein requested a copy of Mr. Numer's report. He stated that he has a meeting with the County Commissioners' Association and would like to address the Board's concerns.

Mr. Numer reported that 85 percent of the active sheriff and deputy sheriff population have created their Keystone Login Accounts to access the Temple University's CANVAS learning management system. He stated that approximately 70 percent completed the required on-line continuing education training for 2020.

Mr. Numer provided an update regarding the recent re-opening of the Basic Training Academy. PCCD staff in conjunction with Academy staff prepared a re-opening plan that was submitted to both the PCCD executive director and Penn State University for their review and approval. The plan was approved and Basic Training class B-20-01 resumed on June 8, 2020. Mr. Numer noted that this was the first program authorized by Penn State to re-open. Class B-20-01 will remain at the academy from June 8, 2020 to graduation on Saturday, July 18, 2020. Training is being held seven days a week.

Mr. Numer reported that one deputy that returned, failed his last opportunity at the physical fitness test and was dismissed. His sheriff reported that his deputy was recovering from a stress fracture. The deputy was medically cleared to attend the training. The sheriff plans to make a formal request to the Board for consideration for an additional opportunity to pass the physical fitness test. He plans to work the deputy in an administrative capacity, non-uniformed and unarmed until the request is made.

Mr. Numer reported that an academy firearms instructor received notification that his daughter's caregiver had tested positive for COVID-19. The instructor did not have close contact with the caregiver. He was serving as a range safety officer at the range and did not have prolonged close contact with the deputies. He was sent home and not able to continue instructing. Staff will continue to monitor the situation.

Mr. Numer reported that Basic Training class B-20-02, scheduled to begin July 13, 2020, was being moved to start August 3, 2020. This was to eliminate an overlap of having two classes operating at the same time. Deputies will need to have a negative COVID-19 test within 10 days of the start of the academy. All academy protocols regarding COVID-19 will continue to apply to class B-20-02. Mr. Numer explained that the 19-week training schedule will be compressed to allow for graduation to be held on November 20, 2020, prior to the Thanksgiving holiday. Deputies will train seven days per week for the first four weeks, prior to the Labor Day holiday.

Chief Deputy Smith asked when the graduation details for class B-20-01 would be announced. Mr. Numer stated that the information would be sent soon. He noted that the graduation will be closed to the public and only open to staff and the graduating deputies. The PA Sheriffs' Association will be live-streaming the ceremony on their face-book page. The details will be provided to all sheriffs, deputies, and their families.

Mr. Numer stated that the Firearms Instructor and Patrol Rifle Instructor re-certification classes will be held July 20th through July 23rd. Chief Deputy Angelinel Brown, Philadelphia Office of the Sheriff, asked if there were any openings in the classes. Mr. Numer replied, "yes," but the program is limited to deputies that are currently certified through the program.

Mr. Numer stated that the remaining Waiver Training classes for 2020 will be split into two smaller groups to be in accordance with our COVID-19 protocols.

Mr. Numer stated that prior Board discussion involved the possibility of beginning to provide for partial reimbursements to the counties. The consensus was to not start issuing reimbursements.

Mr. Maioli stated that the Sheriffs' Association may be able to get support from the Tunnel to Towers organization to provide masks and shields for the academy, free of charge.

Mr. Numer reported that the Workgroup conducted a meeting in May. The focus was on preparing to re-open the Basic Training Academy and for planning for potential future "shut-downs." Options discussed included videotaping lectures and the use of video conferencing. Mr. Numer stated the next Workgroup meeting would probably be in August. Mr. Maioli offered the use of the Sheriffs' Association office for the meeting, should the PCCD building remained closed.

Mr. Hummel reviewed the list of time extensions that were approved by the Training Supervisor. Extensions were approved for: Deputy Daniel Tyner, Deputy Emily Irwin, Deputy Samuel Mersing, Allegheny County; Deputy Jeffrey Jones, Deputy Lindsey Spayd, Centre County; Deputy Austin Seitzinger, Deputy Natalie Funk, Deputy Samantha Cumor, Deputy Paula Tallarico, Deputy Joshua Sharp, Deputy Kaitlin Brown, York County; Deputy Scott Sullivan, Deputy Paul Radatovich, Beaver County; Deputy Wanda Babula, Deputy Glenn Murchison, Luzerne County; Deputy Cynthia Price, Westmoreland; Deputy Linsey Landis, Mifflin County; and Deputy Joseph Cesari, Lebanon County. This was for informational purposes and did not require SDSETB action.

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. Mike Ecker, Penn State University, provided the basic training delivery report. Mr. Ecker stated that Basic Training Class B-20-01 resumed training on June 8, 2020. All COVID-19 protocols are being followed. The Firearms Instructor and Patrol Rifle Instructor re-certification classes will begin on July 20, 2020. Basic Training class B-20-02 will begin on August 3, 2020. All COVID-19 protocols remain in effect for all classes.

Mr. Ecker provided more detail regarding the earlier report given by Mr. Numer, regarding the firearms instructor's daughter being exposed to a caregiver that tested positive for COVID-19. The instructor was serving as a range safety officer. He did not have contact with the deputies that was within the CDC guidelines of six feet for more than ten minutes. He was responsible for making sure the firing line was cleared. This was done at a safe distance. The process of using orange colored bands to indicate that a weapon has been cleared was changed to allow the individual deputy to apply the band, not the range safety officer. Mr. Ecker stated that the academy is in compliance with EPA and CDS standards of cleaning areas with micro-fiber cloth and a solution of 99 percent isopropyl alcohol.

Mr. Ecker stated that he has been communicating with Mr. Maioli regarding the live-streaming of the graduation ceremony.

Mr. Anthony Luongo, Temple University, provided the report on continuing education training. Mr. Luongo reported that 1,440 deputies out of 1,900 completed the on-line continuing education training. That represents approximately 72 percent. The subjects include: Legal Updates, Social Media for Law Enforcement, and Officer Safety. Test scores primarily ranged from 80 percent to 100 percent. The Temple Help Desk received 435 help requests and have resolved over 95 percent of the issues.

Chief Deputy Smith suggested that the Board issue a statement regarding the recent events and current issues involving social injustice and law enforcement. Mr. Numer stated that he would organize a conference call to discuss the proposal.

Mr. Michael Pennington, Executive Director, PCCD, informed the Board regarding the Law Enforcement Reform initiatives recently announced by Governor Tom Wolf. He stated that the PCCD is working on the reform initiatives. He expressed his appreciation of the Board and their on-going efforts to provide quality training. Mr. Pennington stated one action calls for the creation of a State Law Enforcement Advisory Commission and other strategies that are aligned with recommendations from the final report for the President's Task Force on 21st Century Policing, published in 2015. Mr. Maioli offered to recruit sheriffs to be part of the committee.

Chairman Weaknecht stated that he would like the conference call to be scheduled within a week, to discuss drafting a statement from the Board. Mr. Numer stated that he would schedule the meeting. Mr. Pennington stated that a press release can be issued regarding the statement.

Sheriff Rochelle Bilal, Philadelphia, stated that her office will be hiring numerous deputies in the future. She stated that the Philadelphia Police Department would be willing to conduct our certification training. This would help the Philadelphia Office of the Sheriff and open available slots at the training academy for other counties. Mr. Numer stated that this issue was previously analyzed, and that more information would be needed to revisit the proposal. Mr. Numer stated that the current statistics support adding a third class to the Basic Training schedule for 2021 and current timing would require all classes to be conducted in State College.

Chairman Weaknecht asked if anyone had any additional comments for the good of the order. Chairman Weaknecht announced that the next Board meeting was scheduled for August 25, 2020, at the PCCD or via video conferencing. The meeting will begin at 9:00 a.m.

Chief Deputy Smith made a motion to adjourn the meeting. Deputy Walker seconded the motion and the meeting was adjourned at 10:09 a.m., with the following votes:

Voting Aye: Board Members Caraway, Jirard, Klakamp, Nothstein, Smith, Walker, and Weaknecht

Voting Nay: None