

SHERIFF AND DEPUTY SHERIFF EDUCATION AND TRAINING BOARD

Minutes of the January 12, 2021 Meeting

Members Present

Isaac Caraway
Stephanie Jirard
Brandon Neuman
Jody S. Smith
Eric Weaknecht

Members Absent

Wayne E. Nothstein
Ed Walker

Commission Staff Present

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

Others Present

Penn State University
Mike Ecker
Steve Shelow

PA Sheriffs' Association
Tom Maioli

Philadelphia Sheriff's Office
Deputy Chief Angelinel Brown

Westmoreland County Sheriff's Office
Sheriff James Albert
Chief Deputy Roger Eckels

The January 12, 2021 meeting of the Sheriff and Deputy Sheriff Education and Training Board (SDSETB) was called to order by Chairman Eric Weaknecht, at 9:05 a.m. Due to the COVID-19 pandemic, the meeting was being held via Skype conference call. Chairman Weaknecht informed everyone that the meeting was being audio recorded.

Mr. Donald Numer, Pennsylvania Commission on Crime and Delinquency (PCCD) confirmed the attendance of Board members: Chairman Weaknecht, Chief Deputy Jody Smith, Ms. Stephanie Jirard, and Mr. Isaac Caraway. He stated that a quorum of members were not in attendance and that any actions approved by the Board would need to be ratified by a quorum at the next meeting. Ms. Debra Sandifer, attorney for the PCCD, confirmed the need for a quorum of members to ratify any approved action items.

Mr. Numer acknowledged the attendance of PCCD staff members: Executive Director Michael Pennington, Ms. Sally Barry, Ms. Elizabeth Romero, Ms. Yvonne Murry, Ms. Sandifer, Ms. Diane Morgan, Ms. Megan Staub, Mr. John Pfau, and Mr. Douglas Hummel.

Others in attendance included: Mr. Michael Ecker and Mr. Steve Shelow, Penn State Justice and Safety Institute; Mr. Thomas Maioli, Executive Director of the PA Sheriffs' Association (PSA); Deputy Chief Angelinel Brown, Philadelphia Office of the Sheriff; and Sheriff James Albert and Chief Deputy Roger Eckels, Westmoreland County Sheriffs' Office.

Mr. Numer stated that the election of Board Chair and Vice-Chair would be postponed due to not having a quorum of members present.

Chairman Weaknecht asked if everyone had an opportunity to review the minutes from the November 17, 2020 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 November 17, 2020. Chairman Weaknecht 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, Smith, and Weaknecht

Voting Nay: None

Ms. Murray, PCCD, reviewed the fiscal report for state fiscal year 2020-2021, as of December 31, 2020. The balance from the previous year was \$3,120,727.93. The fee collections as of December 31, 2020 was \$1,127,401.00. The total available funds were \$4,248,128.93. The total expenditures as of December 31, 2020 was \$323,228.11. The total expenditures and commitments were \$5,951,966.32 which included \$305,958.46 in administrative expenses. The details of the administrative expenses were included on

page 13 of the meeting packet. The uncommitted balance as of December 31, 2020 was negative \$1,704,137.39.

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

Chief Deputy Smith made a motion to approve the fiscal report for state fiscal year 2020-2021, period ending December 31, 2020. Chairman Weaknecht 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, Neuman, Smith, and Weaknecht

Voting Nay: None

Mr. Doug Hummel announced that Board member Judge Brandon Neuman joined the meeting. Judge Neuman confirmed his attendance during the review of the Fiscal Report and was present and voted to approve.

Since a quorum of members were in attendance, Chairman Weaknecht conducted a re-vote regarding the approval of the meeting minutes of November 17, 2020.

Chief Deputy Smith made a motion to approve the meeting minutes from November 17, 2020. Judge Neuman 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, Neuman, Smith, and Weaknecht

Voting Nay: None

Chairman Weaknecht asked Mr. Numer to provide the training supervisor's report. Mr. Numer reported that as of December 31, 2020, the actual reimbursements owed to the counties was approximately four million dollars. It was projected to increase an additional 1.6 million dollars for unsubmitted reimbursement invoices and invoices for classes to be completed in 2021. He reported that 1,100 reimbursement invoices are pending submission by the counties.

Mr. Numer stated that Act 134 of 2020 was signed by Governor Tom Wolf on November 25, 2020. Act 134 was effective January 1, 2021. The legislation increased the fee collections that support the training account. Fees will increase to \$16 for 2021, \$18 for 2022, and \$20 for 2023. He stated that a Training Bulletin was issued to all the sheriff's offices regarding the fee increase.

Mr. Numer provided a preliminary report on revenue projections based on the actual fee collections from fiscal year 2019-2020 and the increased fees mandated by Act 134. Projected fee collections for the next five fiscal years included: 2020-2021 was \$3,589,219; 2021-2022 was \$5,526,273; 2022-2023 was \$6,209,935; 2023-2024 was \$6,836,608; and 2024-2025 was \$6,836,608. Mr. Numer explained that several factors could change the projections. Fee collections have been decreasing since fiscal year 2015-2016. Covid – 19 has limited the PA Court system and reduced the number of court actions and service of process. Fee collections for fiscal year 2020-2021 are significantly low. We do not know if this reduction will be made-up as Courts begin to increase their processing of cases. Mr. Numer stated that Covid -19 restrictions has increased the cost to provide our training.

Mr. Numer stated that fees are collected in February and August. Mr. Numer stated that we would probably not see an increase until after the August collections. It is going to take time for the Courts to assess the new fees and for the collection fees. He recommended the SDSETB wait until the October 2021 meeting to discuss the potential to begin reimbursing the counties for training. This is the first Board meeting after the August fee collection cycle.

Mr. Numer stated that 1,924 sheriffs and deputies completed the required on-line continuing education training for 2020. Nineteen deputies failed to complete the training by the deadline. Email reminders were sent and an on-line “make-up” class was hosted. Nine deputies completed the “make-up” training. The remaining deputies were no longer employed or retiring at the end of 2020. Mr. Numer stated that first year of on-line continuing education was successful.

Mr. Numer reported that the 2021 on-line continuing education training will be available by the end of January 2021. The subjects included: Legal Updates, Deputy Wellness, and Transports. A group of deputies reviewed the training and provided input. Final revisions are being made and the training is being formatted for delivery on Temple University’s Canvas learning management system. Mr. Numer stated that since both Basic Training classes for 2021 have full enrollment, the third class will be made available for enrollment.

Mr. Numer stated that the Workgroup met on January 7, 2021. The workgroup discussed the implementation of mandated training per Act 134 regarding Lethality Assessment. This initiative could be implemented as a “roll call” training for sheriff’s offices, as part of continuing education training for 2022, and in Basic Training. Continuing education training for 2022 will include the subjects: Legal Updates (2 hours), Addiction (3 hours), Security (3 hours), and Lethality Assessment (2 hours).

Mr. Numer stated that the Workgroup discussed the possibility of offering a library of subjects to choose from for the 2023 on-line continuing education. The Workgroup expressed the need to include basic supervisory and advanced supervisory trainings in the continuing education program.

The Workgroup continued its' previous discussion regarding the development of a Strategic Plan for the SDSETB, need for changes to the Board Regulations, and a Job Task Analysis during 2022. The Workgroup discussed the issue of Criminal Justice Reform. Mr. Numer stated that staff and the academy staff have been reviewing our training curriculum, specifically the videos used throughout the curriculum for implicit bias. Ms. Jirard expressed her desire to have the Workgroup review some of the videos and compile a few to show the Board. Mr. John Pfau stated that the videos used as part of the Lasor Shot system were developed by Lasor Shot and are part of the system. Staff and the Board did not have any control over those videos.

The Workgroup also discussed how we could promote diversity in our academy instructor work force. Mr. Numer stated that he was going to create a document for the Workgroup to help this process. The next Workgroup meeting is scheduled for March 16, 2021.

Mr. Hummel reviewed the time extension request submitted by Sheriff James Albert, Westmoreland County. Sheriff Albert requested a time extension for Deputy Codie Szalkay. Deputy Szalkay was attending a part-time PA Municipal Police Officer's Training Academy and is expected to graduate in August 2021. Deputy Szalkay is available to continuing working part-time as a deputy sheriff. The request acknowledges that Deputy Szalkay will serve in an administrative capacity due to staffing needs.

Ms. Jirard made a motion to approve the time extension request for Deputy Codie Szalkay, provided that he serve in an administrative capacity. Chief Deputy Smith seconded the motion. Chairman Weaknecht asked if there was any Board discussion or public comment regarding the motion. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members Caraway, Jirard, Neuman, Smith, and Weaknecht

Voting Nay: None

Mr. Hummel reviewed the time extension request submitted by Sheriff James Albert, Westmoreland County. Sheriff Albert requested a time extension for Deputy Clayton Waldron. Deputy Waldron was attending a part-time PA Municipal Police Officer's Training Academy and is expected to graduate in August 2021. Deputy Waldron is available to continuing working part-time as a deputy sheriff. The request acknowledges that Deputy Waldron will serve in an administrative capacity due to staffing needs.

Chief Deputy Smith made a motion to approve the time extension request for Deputy Clayton Waldron, provided that he serve in an administrative capacity. Mr. Caraway seconded the motion. Chairman Weaknecht asked if there was any Board discussion or public comment regarding the motion. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members Caraway, Jirard, Neuman, Smith, and Weaknecht

Voting Nay: None

Mr. Hummel reviewed the time extension request submitted by Sheriff Richard Keuerleber, York County. Sheriff Keuerleber requested a time extension for Deputy Scott Sullivan. Deputy Sullivan is scheduled to attend Basic Training class B-21-02, from April 26, 2021 to September 3, 2021. Deputy Sullivan will be serving in an administrative capacity until he completes the Academy.

Chief Deputy Smith made a motion to approve the time extension request for Deputy Scott Sullivan, provided that he serve in an administrative capacity. Ms. Jirard seconded the motion. Chairman Weaknecht asked if there was any Board discussion or public comment regarding the motion. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members Caraway, Jirard, Neuman, Smith, and Weaknecht

Voting Nay: None

Mr. Hummel reviewed the time extension requests that were approved by the program supervisor. 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. Numer reviewed the training request submitted by Sheriff James Albert, Westmoreland County. The request was for an exemption from attending the Basic Training Program and the Waiver Training Program for certification, for Chief Deputy Roger Eckels.

Chief Deputy Eckels completed the Municipal Police Officers' Education and Training Commission's Act 120 Training for certification as a police officer on July 26, 1976. He served as a police officer from January 1976 through October of 1979. He then served as the supervisor of the Westmoreland County District Attorney's Office Vice/Narcotics Unit from October 1979 to July 1990. Chief Deputy Eckels served as a Magisterial District Judge (MDJ) from July 1990 to April 2019, at which time he began serving as a Senior MDJ. Mr. Numer explained that the request does not comply with the SDSETB

Policy. The Policy requires Chief Deputy Eckels to attend the Basic Training Program for certification.

Mr. Numer reviewed Chief Deputy Eckels's training and experience that could be considered in accordance with the SDSETB Policy. He explained that this was similar to the partial training waiver request that was approved for Sheriff Sean Kilkenny, Montgomery County. Mr. Numer stated that the SDSETB could consider a partial training waiver for Chief Deputy Eckels that would require his completion of the following subjects as part of the Basic Training Program: Defensive Tactics (84 hours), Security (56 hours), Table-Top (4 hours), Patrol Operations (76 hours), Crisis Management (24 hours), Role of the First Responder (8 hours), Standard Field Sobriety/DUI (32 hours), Tactical First Aid (16 hours), Emergency Vehicle Operations (40 hours), and Competency Development Training Days (48 hours).

Sheriff Albert stated that based on Chief Deputy Eckel's career experience in law enforcement and as a judge, he believed the exemption request would be appropriate. He stated that Chief Deputy Eckels is needed in the office and attending the nineteen-week academy would not help the needs of his office. He suggested that Chief Deputy Eckels be permitted to attend on-line training.

Mr. Numer stated that the Basic Training Program is not available in an on-line format. He stated that if the SDSETB approved a partial waiver and requires the previously stated subjects, that those subjects are primarily "hands-on" training.

Mr. Numer stated that the SDSETB had four options. The first option was to deny the request. The second option was to approve the request to exempt Chief Deputy Eckels from attending Basic or Waiver Training. The third option was to exempt Chief Deputy Eckels from attending Basic Training and requiring his attendance at the Waiver Training Program. The fourth option was to approve a partial training waiver in accordance with the Policy and require his completion of the subjects previously reviewed.

Chief Deputy Smith stated that she supported a partial training waiver as mentioned in the fourth option.

Chief Deputy Smith made a motion to approve a partial training waiver for Chief Deputy Roger Eckels. The partial waiver requires Chief Deputy Eckels to complete the following subjects for certification: Defensive Tactics (84 hours), Security (56 hours), Table-Top (4 hours), Patrol Operations (76 hours), Crisis Management (24 hours), Role of the First Responder (8 hours), Standard Field Sobriety/DUI (32 hours), Tactical First Aid (16 hours), Emergency Vehicle Operations (40 hours), and Competency Development Training Days (48 hours).

Chairman Weaknecht seconded the motion. Chairman Weaknecht asked if there was any Board discussion or public comment regarding the motion. No discussion ensued and the motion passed with the following votes:

Voting Aye: Board Members Caraway, Jirard, Neuman, Smith, and Weaknecht

Voting Nay: None

Mr. Numer provided the report on continuing education training for Temple University. He stated that Temple University is in the process of finalizing the 2021 on-line continuing education training. The training is projected to be available by the end of January 2021.

Mr. Michael Ecker, Penn State University, provided the basic training delivery report. Mr. Ecker stated that Basic Training Class B-21-01 started yesterday with the Physical Fitness entrance test. The class began with 40 deputies. Four deputies failed the sit-ups and were dismissed from the academy.

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 April 13, 2021, 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. Chairman Weaknecht seconded the motion and the meeting was adjourned with the following votes:

Voting Aye: Board Members Caraway, Jirard, Neuman, Smith, and Weaknecht

Voting Nay: None