

SHERIFF AND DEPUTY SHERIFF EDUCATION AND TRAINING BOARD

Minutes of the July 20, 2021 Meeting

Members Present

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

Members Absent

Michael J. Koury Jr.
Ed Walker

Commission Staff Present

Doug Hummel
Don Numer
John Pfau
Beth Romero
Connor O'Boyle
Debra Sandifer
Megan Staub

Present

Penn State University
Mike Ecker
Steve Shelow

Temple University
Tony Luongo
Vanessa Williams

PA Sheriffs' Association
Tom Maioli

Philadelphia Sheriff's Office
Sheriff Rochelle Bilal

Indiana County Sheriff's Office
Sheriff Robert Fyock

Westmoreland County Sheriff's Office
Captain Jen Shipley

The July 20, 2021 meeting of the Sheriff and Deputy Sheriff Education and Training Board (SDSETB) was called to order by Chairman Eric Weaknecht, at 9:06 a.m. Due to the COVID-19 pandemic, the meeting was being held via Teams 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, Mr. Isaac Caraway, Commissioner Wayne Nothstein, Ms. Stephanie Jirard, and Judge Brandon Neuman. He stated that a quorum of members was present.

Mr. Numer acknowledged the attendance of PCCD staff members: Ms. Elizabeth Romero, Ms. Debra Sandifer, Mr. John Pfau, Mr. Douglas Hummel, Ms. Megan Staub, and Mr. Connor O'Boyle.

Others in attendance included: Mr. Michael Ecker and Mr. Steve Shelow, Penn State Justice and Safety Institute; Mr. Tony Luongo and Ms. Vanessa Williams, Temple University; Mr. Thomas Maioli, Executive Director of the PA Sheriffs' Association (PSA); Sheriff Rochelle Bilal, Philadelphia Office of the Sheriff; Captain Jen Shipley, Westmoreland County Sheriff's Office; and Sheriff Robert Fyock, Indiana County.

Chairman Weaknecht asked if everyone had an opportunity to review the minutes from the April 13, 2021 Board meeting. He stated that if there was no discussion, then he would entertain a motion to approve the minutes.

Commissioner Nothstein made a motion to approve the meeting minutes from April 13, 2021. Chief Deputy 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, Neuman, Nothstein, Smith, and Weaknecht

Voting Nay: None

Ms. Romero, PCCD, reviewed the year end fiscal report for state fiscal year 2020-2021, ending June 30, 2021. The balance from the previous year was \$3,120,727.93. The fee collections as of June 30, 2021 was \$2,484,254.00. The total available funds were \$5,604,981.93. The total expenditures as of June 30, 2021 was \$1,165,576.38. The total expenditures and commitments were \$9,758,987.20 which included \$605,080.58 in administrative expenses. The details of the administrative expenses were included on page 13 of the meeting packet. The uncommitted balance as of June 30, 2021 was negative \$4,154,005.27.

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 asked Ms. Romero how much funding was returned to the training account as a result of the contract with Penn State – Fayette being closed. Ms. Romero stated that she did not have that data available for the meeting but would get that amount and respond after the meeting.

Chief Deputy Smith made a motion to approve the year end fiscal report for state fiscal year 2020-2021, ending June 30, 2021. Commissioner Nothstein seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the fiscal report. No further discussion occurred, and the motion passed with the following votes:

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

Voting Nay: None

Chairman Weaknecht asked Mr. Numer to provide the training supervisor's report. Mr. Numer asked if there were any questions regarding the Budget Projection Report, Fee Collection Report, Administrative Expense Report, or the Purchase Order Analysis included in the meeting packet on pages 11 through 14 respectively.

Chief Deputy Smith commented that based on the projected reimbursements owed to the counties, in three years, the Board would be responsible for approximately 12 million dollars in owed reimbursements.

Mr. Numer informed the Board that changes to the "Sunshine Act" will affect how the Board conducts business. The meeting agenda will need to be posted prior to the meeting date. Action items must be included on the agenda. Non-agenda items introduced for discussion can not be considered for a vote. Mr. Numer stated that exceptions could be made in extreme situations. More detail will need to be included on the meeting agenda and addendums to the meeting packet will cease.

Mr. Numer stated that the PCCD has re-opened but part-time telework is authorized. Some of the academy restrictions have been relaxed. The August Basic Training class will return to the Penn State campus, at the HUB. Masks will be required.

Mr. Numer reported that the SDSETB 2020 Annual Report was released. The report was sent to the Board, PCCD members, and politicians.

Mr. Numer reported that as of June 30, 2021, the actual reimbursements owed to the counties was approximately 4.9 million dollars. It was projected to increase an additional 1.7 million dollars for unsubmitted reimbursement invoices and invoices for classes to be completed in 2021. He reported that approximately 1,200 reimbursement invoices are pending submission by the counties. Mr. Numer stated that he informed the sheriffs in attendance at the recent PA Sheriffs' Association (PSA) Conference that PCCD staff and the Board will discuss the potential to start reimbursing counties at the October Board

meeting. When the reimbursements resume, the invoices will be paid in the order of submission. Mr. Numer stated that the PCCD may need to approve the Board's decision to start providing reimbursements.

Mr. Numer reminded the Board that the audit of the training program was still ongoing and being conducted by the PA Auditor General's Office's. He stated that he would continue to update the Board regarding the status of the audit.

Mr. Numer stated that approximately 60 percent of the sheriffs and deputies completed the required on-line continuing education training for 2021. The training has been available since early February 2021. Mr. Numer sent an email reminder to all sheriffs and deputies regarding the need to complete the required training for re-certification. The email was sent on July 19, 2021.

Mr. Numer stated that course evaluations of the on-line continuing education training have been mostly positive. Negative comments involved connectivity issues which often was the result of county internet security issues and older computer operating systems. Others preferred "in-person" classes.

Mr. Numer stated that the curriculum for the 2022 on-line continuing education training is in the process of being developed. The subjects include: Legal Updates, Addictions, Court Security, and Lethality Assessment.

Mr. Numer reported that Basic Training class B-21-02 will have a live "in-person" graduation on September 3, 2021. Graduation will be held at the Ramada Inn, State College. The PSA will also live-stream the graduation on their Facebook page. Class B-21-03 begins August 9, 2021. The last Waiver Training for 2021, class W-21-03, will begin September 13, 2021.

Mr. Numer stated that two Basic Training classes have been scheduled for 2022 and four Waiver Training class will be scheduled. The Waiver Training will be revised to one week of on-line training and one-week of residential classroom training at Penn State.

Mr. Numer reported that double room occupancy will resume for basic and waiver training in 2022. Basic training will be held at the HUB. We also plan to reduce our instructor to student ratio to our ratio prior to COVID-19. Staff continue to monitor the COVID requirements and recommendations. Mr. Numer stated that plans can change.

Mr. Maioli asked if the PSA could resume addressing the in-coming basic training classes. Mr. Numer agreed this could occur on August 9, 2021, with class B-21-03.

Mr. Numer reported that the Workgroup had a meeting on June 10, 2021. He stated that Ms. Jirard will be providing input for revisions to the reform and diversity plan. The Workgroup discussed curriculum development for 2023 continuing education training. Mr. Numer stated that the training subjects need to be finalized at September 9, 2021 Workgroup meeting.

Mr. Numer reported that Sheriff Rochelle Bilal, Philadelphia, requested that the Board consider hosting a regional basic training academy in the Philadelphia area. The primary motivation seemed to be to make it easier for single parent students who would then be able to go home each evening. This would assist in their recruitment and hiring process. Mr. Numer explained that Board staff have previously researched this issue on two prior occasions. The Board has declined to implement regional training due to the desire to have a single site training location and one delivery contractor and the increased costs associated to having multiple training sites. Also, the Board has been concerned with the low number of attendees and the inability to project future new hires to plan and contract for additional academies. The Board has also recognized the lack of adequate facilities and unwillingness to prioritize the Board's needs. Mr. Numer stated that attendance numbers does not support a regional basic training program.

Commissioner Nothstein stated that other counties could make the same request. This could create a financial burden. Some of the costs associated to facility rentals could be offset by the savings in not providing lodging and meals. He stated that we might not be given priority to facility usage if training is held at other existing law enforcement training academies. He questioned who would teach the classes. Commissioner Nothstein stated that these questions were never answered in the past discussions to have regional training in Philadelphia.

Chairman Weaknecht stated that he did not support another review of the request. Mr. Numer stated that the Board could consider hosting a Waiver Training class in the Southeast region. Attendance numbers from that region could potentially support a class in that area and may be a cost savings for the Board. Mr. Numer stated that the enrollment numbers do not support a regional basic training program.

Mr. Numer reported that Deputy James McCole, Bucks County, attended Basic Training class B-21-01 and failed his final physical fitness test. He was dismissed from the academy. In accordance with Board Policy, Sheriff Milton Warrell, Bucks County, submitted a written request for Deputy McCole to be granted one addition opportunity to pass the fitness test. Sheriff Warrell confirmed that he passed the test when administered by his staff. Staff approved the request and Deputy McCole was scheduled to take the fitness test on August 9, 2021. If Deputy McCole passes the test, he will be scheduled to complete the remainder of the training that was missed as a result of his dismissal.

Mr. Hummel reviewed the training request submitted by Sheriff Bilal, Philadelphia County for Deputy Sheriff Christina Griffin. Sheriff Bilal requested Board approval to re-enroll Ms. Christina Griffin in Basic Training Class B-21-03, to repeat the firearms training module and all other training that was previously not successfully completed during her attendance with class B-21-01. Ms. Griffin was removed from the academy due to safety concerns while participating in the firearms training module. The Sheriff's Office is committed to providing Ms. Griffin with additional training in firearms prior to returning to the academy.

Chairman Weaknecht made a motion to approve the request for Deputy Griffin. Mr. Caraway seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the request. No further discussion occurred, and the motion passed with the following votes:

Voting Aye: Board Members Caraway, Jirard, Neuman, Nothstein, 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 Codie Szalkay. Deputy Szalkay is attending a part-time PA Municipal Police Officer's Training Academy and is expected to graduate on August 28, 2021. The Board previously approved a time extension request on January 12, 2021 to permit him to continue serving in an administrative capacity. Per Policy, the time extension expired, prompting the current request. 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. Upon completing his Act 120 Training, he will be scheduled to attend the Sheriff and Deputy Sheriff Waiver Training Program.

Mr. Hummel reviewed the time extension request submitted by Sheriff Albert. Sheriff Albert requested a time extension for Deputy Clayton Waldron. Deputy Waldron is attending a part-time PA Municipal Police Officer's Training Academy and is expected to graduate on August 28, 2021. The Board previously approved a time extension request on January 12, 2021 to permit him to continue serving in an administrative capacity. Per Policy, the time extension expired, prompting the current request. 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. Upon completing his Act 120 Training, he will be scheduled to attend the Sheriff and Deputy Sheriff Waiver Training Program.

Chief Deputy Smith made a motion to approve the time extension requests for Deputy Szalkay and Deputy Waldron, provided they serve in an administrative capacity. Chairman Weaknecht seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the requests. No further discussion occurred, and the motion passed with the following votes:

Voting Aye: Board Members Caraway, Jirard, Neuman, Nothstein, 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 Thafany

Minguez. Deputy Minguez is currently attending Basic Training with class B-21-02, with an expected graduation of September 3, 2021. She was previously approved for a time extension to permit her continued employment in an administrative capacity to gain entrance in Basic Training. The current request is for Deputy Minguez to continue serving in an administrative capacity and to continue attending training until her graduation on September 3, 2021.

Chief Deputy Smith made a motion to approve the time extension request for Deputy Minguez, provided she serves in an administrative capacity. Mr. Caraway seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the request. No further discussion occurred, and the motion passed with the following votes:

Voting Aye: Board Members Caraway, Jirard, Neuman, Nothstein, 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 Valdyn Sharrar. Deputy Sharrar is enrolled in class B-21-03, beginning August 9, 2021. Deputy Sharrar previously failed the Academy entrance Physical Fitness Test with class B-21-02, on April 26, 2021. The Board previously approved a time extension request on November 30, 2020 to permit her to continue serving in an administrative capacity until her attendance in the April 2021 class. The original time extension was terminated due to her failure to be admitted into the April class, prompting the current request. The request is for Deputy Sharrar to serve in an administrative capacity until the required training is completed for certification.

Chairman Weaknecht made a motion to approve the time extension request for Deputy Sharrar, provided she serves in an administrative capacity. Chief Deputy Smith seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the request. No further discussion occurred, and the motion passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the time extension request submitted by Sheriff John Loomis, Erie County. Sheriff Loomis requested a time extension for Deputy Michael Venezia. Deputy Venezia is in the process of obtaining his supporting documentation, (First Aid and CPR training) to attend the Waiver Training Program. The request is for Deputy Venezia to serve in an administrative capacity, pending his completion of the Waiver Training Program for Certification.

Chief Deputy Smith made a motion to approve the time extension request for Deputy Venezia, provided he serves in an administrative capacity. Chairman Weaknecht seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the request. No further discussion occurred, and the motion passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed four-time extension requests submitted by Sheriff Albert, Westmoreland County. The sheriff requested time extensions for deputies Ryan Francis, Sierra Jenkins, Shawn Miller, and Jacob Pomaybo. All the deputies are attending a PA Municipal Police Officer's Training Academy and are expected to graduate on August 28, 2021. The request is for the deputies to continue serving in full-time capacity as deputies. Upon completing their Act 120 Training, they will be scheduled to attend the Sheriff and Deputy Sheriff Waiver Training Program. Mr. Hummel explained that the requests were not in accordance with Board Policy. He stated that the requests were made due to staffing shortages and acknowledged that Captain Jennifer Shipley, Westmoreland County, was attending the meeting.

Chief Deputy Smith asked why there was a difference between the two earlier requests from Westmoreland County, for deputies to work in an administrative capacity and now four to serve full duty. Mr. Hummel explained that the four additional requests were submitted after the original two requests and the sheriff is experiencing staff shortages prompting the requests for some to serve in full capacity. Chief Deputy Smith stated that the Board would have the liability if the extension was approved. Ms. Jirard asked if the deputies completed any training. Mr. Numer stated that the deputies are currently attending MPOETC training but have not yet graduated. Ms. Jirard stated that she does not support the request. Chairman Weaknecht agreed with Ms. Jirard. He noted that the Board has Policy and precedent with approving extensions for deputies to only serve in administrative duties.

Chief Deputy Smith made a motion to approve the time extensions for deputies Francis, Jenkins, Miller, and Pomaybo, with the provision that the deputies serve in an administrative capacity and attend the September 2021 Waiver Training Program. Chairman Weaknecht seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the request.

Mr. Numer asked if Captain Shipley had any comments. Captain Shipley stated that the deputies began the MPOETC academy in October 2020 and have completed most of the training. She explained that staffing shortages prompted the requests. She stated that four deputies are already enrolled in the September class. Chairman asked if there were any further comments. No further discussion ensued and Chairman Weaknecht asked for a vote on the motion.

Voting Aye: Board Members Caraway, Jirard, Neuman, Nothstein, 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 requested the Board to revoke the certification of Mr. Jerome Passariello. Act 1948-2 (P.S. Title 71), requires the Board to revoke the certification of any deputy sheriff who is convicted of a felony or misdemeanor of the first or second degree. Mr. Passariello is currently certified as a deputy sheriff by the Board, #W003740. He was convicted of Aggravated Assault on May 4, 2018, which is a misdemeanor of the second degree. He was notified of the Board's intent to revoke his certification on April 9, 2021 and given an opportunity to show cause as to why the Board should not take this action in accordance with Board policy. He did not respond. Mr. Passariello is no longer employed as a deputy sheriff in Pennsylvania.

Chairman Weaknecht made a motion to revoke the certification of Mr. Passariello. Chief Deputy Smith seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the motion. No further discussion occurred, and the motion passed with the following votes:

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

Voting Nay: None

Mr. Numer requested the Board to revoke the certification of Mr. Stephen Springfield. Mr. Springfield is currently certified as a deputy sheriff by the Board, #B003141. He was convicted of Indecent Exposure on March 5, 2018, which is a misdemeanor of the second degree. He was notified of the Board's intent to revoke his certification on April 9, 2021 and given an opportunity to show cause as to why the Board should not take this action in accordance with Board policy. He did not respond. Mr. Springfield is no longer employed as a deputy sheriff in Pennsylvania.

Chief Deputy Smith made a motion to revoke the certification of Mr. Springfield. Mr. Caraway seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the motion. No further discussion occurred, and the motion passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the instructor applications for Ms. Vanessa Adler, Mr. Matthew Coxford, Sheriff James Ott, Mr. Joseph Sproveri, Mr. Derek Swope, and Mr. Anthony Clements submitted by Penn State University. The request is to certify Ms. Adler, Mr. Coxford, and Mr. Clements to instruct Firearms and Defensive Tactics; and to certify Sheriff Ott, Mr. Sproveri, and Mr. Swope to instruct Firearms. All the candidates have the required instructor certifications in the subjects.

Chief Deputy Smith made a motion to approve the instructor applications for Ms. Adler, Mr. Coxford, Sheriff Ott, Mr. Sproveri, Mr. Swope, and Mr. Clements. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the motion. No further discussion occurred, and the motion passed with the following votes:

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

Voting Nay: None

Mr. Hummel reviewed the instructor application for Deputy Sheriff Joel Bohannon, submitted by Penn State University. The request is to certify Deputy Bohannon to instruct Defensive Tactics. Deputy Bohannon has the required instructor certifications in the subject.

Chairman Weaknecht made a motion to approve the instructor application for Deputy Bohannon. Mr. Caraway seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the motion. No further discussion occurred, and the motion passed with the following votes:

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

Voting Nay: None

Abstained: Smith

Mr. Hummel reviewed the instructor application for Deputy Sheriff Nicholas Wingate, submitted by Penn State University. The request is to certify Deputy Wingate to instruct Firearms. Deputy Wingate has the required instructor certifications in the subject.

Chief Smith made a motion to approve the instructor application for Deputy Wingate. Mr. Caraway seconded the motion. Chairman Weaknecht asked if there was any further Board discussion or public comment regarding the motion. No further discussion occurred, and the motion passed with the following votes:

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

Voting Nay: None

Abstained: Weaknecht

Mr. Tony Luongo, Temple University, provided the report on continuing education training and curriculum development for Temple University. He reported that approximately sixty percent of the sheriffs and deputies completed the 2021 on-line continuing education training. The training subjects include: Deputy Wellness, Transports, and Legal Updates. The deadline to complete the continuing education training is November 19, 2021. Mr. Luongo stated that curriculum for the 2022 on-line continuing education training was being developed for the topics: Addictions and Harm Reduction, Lethality Assessments, and Legal Updates. He reported that curriculum for the new Waiver Training Program was being developed. The Waiver Training is being converted to one week of on-line training and one week of classroom training. Mr. Luongo stated that all the legal subjects in basic training are being updated.

Ms. Vanessa Williams, Temple University, reported that she attended the PSA conference and filmed numerous interviews with sheriffs and deputies. The videos will be reviewed for the potential use in the on-line training curriculum. She thanked the PSA and the sheriffs for their cooperation. Mr. Maioli expressed his appreciation for Ms. Williams's work at the conference.

Mr. Michael Ecker, Penn State University, provided the basic training delivery report. He stated that Basic Training Class B-21-02 started on April 26, 2021 with 27 deputies. Two deputies failed the entrance PT test. Graduation will be a live "in-person" event on September 3, 2021, at the Ramada Inn. Mr. Ecker reported that class B-21-03 will begin on August 9, 2021. Forty-one deputies are enrolled in that class. He stated that the newly revised Firearms Instructor and Patrol Rifle Instructor Re-Certification classes will be held August 17 – 19, 2021. Mr. Ecker stated that his staff continues to assist in the curriculum development process with Temple University, at no additional cost to the Board.

Chairman Weaknecht asked if there was any further Board discussion or public comments. He announced that the next Board meeting is October 12, 2021, at 9:00 a.m. Mr. Pfau stated that the meeting will be conducted in a hybrid format. The PCCD will be open and staff will be present to conduct the meeting. Board members and the public are welcome to attend but may also attend via video conference call.

Mr. Maioli asked if anyone heard any news regarding appointments for the vacant “sheriffs” position and “deputy sheriff” position on the Board. Mr. Numer stated that Sheriff Robert Fyock, Indiana County, and a deputy from Dauphin County were recommended. He stated that no decisions regarding appointments have been forward to staff.

Chairman Weaknecht made a motion to adjourn the meeting. Chief Deputy Smith seconded the motion and the meeting was adjourned with the following votes:

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

Voting Nay: None