

SHERIFF AND DEPUTY SHERIFF EDUCATION AND TRAINING BOARD

Minutes of the January 23, 2024 Meeting

Members Present

David Glass
Barry Howe
Michael J. Koury Jr.
Brandon P. Neuman
Jody S. Smith
Ed Walker
Eric Weaknecht

Commission Staff Present

Stephen Ekema-Agbaw
Doug Hummel
Don Numer
John Pfau
Debra Sandifer
Ekaterina Shull
Deb Williams

Members Absent

Angelinel Brown
Stephanie Jirard

Others Present

Penn State University
Steve Shelow
David White

Temple University
Anthony Luongo

Others

Sheriff Barry Custer
Sheriff James Ott
Sheriff Michael Slupe
Chief Deputy Christopher Riggs
Deputy Marc Shaffer

The January 23, 2024 meeting of the Sheriff and Deputy Sheriff Education and Training Board (SDSETB) was called to order by Vice-Chairwoman Jody S. Smith, at 2:00 p.m. The meeting was being held at the Pennsylvania Commission on Crime and Delinquency (PCCD), Harrisburg, PA 17110 and via Teams video conference call. Vice-Chairwoman Smith informed everyone that the meeting was being recorded.

Approximately five minutes into the meeting, it was determined that everyone attending the meeting via video conferencing were unable to hear the original motion and vote on the minutes from the October 24, 2023 meeting. The technical issue was resolved and the meeting continued with Mr. Don Numer, PCCD, confirming the meeting attendance. He informed everyone that the meeting was being recorded.

Mr. Don Numer, PCCD, confirmed the attendance of Board members: Vice-Chairwoman Smith, Deputy Ed Walker, and Mr. Barry Howe. Board members attending via Teams Video Conferencing included: Chairman Eric Weaknecht, Commissioner David Glass, Judge Michael Koury Jr., and Judge Brandon Neuman. He stated that a quorum of members was present.

Mr. Numer acknowledged the attendance of PCCD staff members: Ms. Ekaterina Shull, Ms. Deb Williams, Ms. Debra Sandifer, Mr. Stephen Ekema-Agbaw, Mr. Douglas Hummel, and Mr. John Pfau.

Others in attendance via video conferencing included: Mr. David White and Mr. Steve Shelow, Penn State Justice and Safety Institute; Mr. Anthony Luongo, Temple University; Sheriff Barry Custer, Fayette County; Sheriff James Ott, Blair County; Sheriff Michael Slupe, Butler County; Chief Deputy Christopher Riggs and Deputy Marc Shaffer, Lancaster County.

Chairwoman Smith asked if everyone had an opportunity to review the minutes from the October 24, 2023 Board meeting. She stated that if there was no discussion, then she would entertain a motion to approve the minutes.

Deputy Walker made a motion to approve the meeting minutes from October 24, 2023. Mr. Howe seconded the motion. Chairwoman Smith 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 Glass, Howe, Koury, Neuman, Smith, Walker, and Weaknecht

Voting Nay: None

Ms. Shull, PCCD, reviewed the second quarter fiscal report for state fiscal year 2023-2024, period ending December 31, 2023. The balance from the previous year was \$4,523,319.63. The fee collections as of December 31, 2023 was \$3,041,187.72. The total available funds were \$7,564,507.35. The total expenditures as of December 31, 2023 was \$2,710,340.33 which included \$1,089,763.46 in reimbursements to counties.

The total expenditures and commitments were \$11,211,526.41 which included \$491,896.04 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, 2023 was negative \$3,647,019.06.

Chairwoman Smith asked if there were any questions regarding the fiscal report. She stated that if there was no discussion, then she would entertain a motion to approve the fiscal report.

Deputy Walker made a motion to approve the second quarter fiscal report for state fiscal year 2023-2024, period ending December 31, 2023. Mr. Howe seconded the motion. Chairwoman Smith 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 Glass, Howe, Koury, Neuman, Smith, Walker, and Weaknecht

Voting Nay: None

Chairwoman Smith asked Mr. Numer to provide his training supervisor's report as included on the meeting agenda.

Mr. Numer stated that the Board previously approved issuing up to 2.5 million dollars in reimbursements to counties. Due to the status of the training account, the PCCD began issuing reimbursements up to 1 million dollars. PCCD has processed and paid 540 reimbursement invoices for the period of April 1, 2019 through December 31, 2019. The payments were just over 1 million dollars. Following the October 2023 meeting, the PCCD began to process an additional 1 million dollars in reimbursements. Mr. Numer stated that the additional 1 million in reimbursements would cover invoices submitted from January 1, 2020 through December 31, 2020 and total 1,099 reimbursement requests. Mr. Numer explained that a technology issue occurred in which the initial 35 invoices processed by PCCD and sent to the Controller's Office for payment were not processed for payment. The invoices were not processed due to the necessary document attachments not electronically transferring. Our technology staff corrected the issue and re-sent the original 35 invoices for processing. Mr. Numer stated that fiscal staff will process additional invoices, once the 35 approved invoices processed correctly. Mr. Numer reported that fee collections for this fiscal year was estimated at 5.7 million. We had a low point in collections in fiscal year 2020-2021 of 2.5 million.

Mr. Numer reported that in 2023, 119 deputies were certified through the Basic Training Program, 76 deputies were certified through Waiver Training, and 1,808 deputies completed the continuing education for re-certification. He stated that 44 deputies participated in the Train the Trainer Program.

Mr. Numer reported that 38 deputies were attending Basic Training Class B-24-01. The class began on January 8, 2024 and will graduate on May 17, 2024. Mr. Numer stated

that he sent Board members information regarding the issue of trying to attain maximum class enrollments for Basic Training. He stated that we allow 40 attendees and maintain a 20-person waiting list. He said that the waitlist constantly changes with some deputies leaving employment and new hires occurring prior to the physical fitness entrance test. Staff plans to increase the waitlist to 40. This will allow sheriffs to enroll more deputies and to not have to continually monitor the system for openings on the wait list. As deputies are removed from the class or wait list, the system automatically manages the enrollment order based on the date of enrollment for each deputy. Mr. Numer explained that we will invite the 40 enrolled deputies and the top 20 deputies on the wait list for the entrance physical fitness test.

Mr. Numer reported that 17 deputies were enrolled in the April 2024 Waiver Training class and one deputy was enrolled in the June 2024 class. He stated that 1,931 deputies were enrolled in the on-line continuing education training for 2024. Train the Trainer classes for Firearms Instructor Certification, Patrol Rifle Instructor Certification, and Firearms and Patrol Rifle Instructor Re-Certification will be scheduled for 2024.

Chairman Weaknecht asked Mr. Hummel, PCCD, to review the time extension requests.

Mr. Hummel reviewed the time extension request submitted by Sheriff Frank Pitzer, Armstrong County. The request was for Deputy Joseph Gonzales to continue serving as a deputy sheriff in an administrative capacity, non-uniformed and unarmed, until he completes basic training for certification. Deputy Gonzales is scheduled for Basic Training class B-24-02, beginning on July 8, 2024 and graduating on November 15, 2024. The request complied with Board policy.

Mr. Hummel reviewed the time extension request submitted by Sheriff Jeffrey Leonard, Huntingdon County. The request was for Deputy Kyle Houck to continue employment and to serve in an administrative capacity, non-uniformed and unarmed, until he completes the required training for certification. Deputy Houck is scheduled for Basic Training class B-24-02, beginning on July 8, 2024 and graduating on November 15, 2024. Deputy Houck failed the academy entrance physical fitness test on December 20, 2023 for class B-24-01. The request complied with Board policy.

Mr. Hummel reviewed the time extension request submitted by Sheriff Jeffrey Leonard, Huntingdon County. The request was for Deputy Ian Watson to continue employment and to serve in an administrative capacity, non-uniformed and unarmed, until he completes the required training for certification. Deputy Watson is scheduled for Basic Training class B-24-02, beginning on July 8, 2024 and graduating on November 15, 2024. Deputy Watson failed the academy entrance physical fitness test on December 20, 2023 for class B-24-01. The request complied with Board policy.

Deputy Walker made a motion to approve the time extension requests for deputies Joseph Gonzales, Kyle Houck, and Ian Watson. Sheriff Weaknecht seconded the motion. Chairwoman Smith asked if there was any further Board discussion or public comment regarding the time extension requests. No further discussion occurred and the motion was approved with the following votes:

Voting Aye: Board Members Glass, Howe, Koury, Neuman, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Hummel reviewed the time extension request submitted by Sheriff Michael Slupe, Butler County. The request was for Deputy Mark Heider to continue serving in full duty capacity until he completes the Waiver Training Program on April 12, 2024. The request is made based on his prior law enforcement experience as a police officer with the Middlesex Township Police Department and as a County Detective for Butler County. The request did not comply with Board policy. Sheriff Slupe explained that his former Chief Deputy retired and he had hired a new Chief Deputy and the deadline passed for Deputy Heider to attend the October 2023 Waiver Training. Sheriff Slupe also expressed that his office was having staffing issues and needed the manpower to continue serving the Courts.

Chairwoman Smith made a motion to approve the time extension request for Deputy Mark Heider. Deputy Walker seconded the motion. Chairwoman Smith asked if there was any further Board discussion or public comment regarding the time extension request.

Sheriff Weaknecht stated that he would support the request because of the extenuating circumstances in which Deputy Heider is a current police officer. Chairwoman Smith agreed with Sheriff Weaknecht. Mr. Numer stated that the Board would be creating precedence if they would grant an exception to the policy. Sheriff Smith noted that Deputy Heider is a current police officer. His training due date is February 27, 2024 and the extension would be for approximately six weeks.

Commissioner Glass suggested that the policy should be changed prior to granting exceptions. Chairwoman Smith stated that the policy was written several years ago and should be reviewed for potential updates. Mr. Numer explained that policy changes follow a process in which a work group is formed to review and propose changes to the Board for consideration. The Board would need to approve any changes and the policy would need to be approved by the PCCD. Mr. Numer stated that Board members may be part of the work group. Commissioner Glass stated that he would prefer changing the policy rather than grant exceptions. He stated that he appreciated the sheriff's perspective. Sheriff Slupe stated that he respected Commissioner Glass's position on the request.

Chairwoman Smith asked if there was any further Board discussion or public comment on the motion for the time extension for Deputy Heider. No further discussion occurred, and the motion was approved with the following votes:

Voting Aye: Board Members Howe, Koury, Neuman, Smith, Walker, and Weaknecht

Voting Nay: Glass

Mr. Hummel reviewed the time extension request submitted by Sheriff Sean Kilkenny, Montgomery County. The request was for Deputy Daniel Otto to continue serving in full duty capacity until he completes the Waiver Training Program on April 12, 2024. The request is made based on his completion of the Act 120, Municipal Police Officers' Education and Training Commission, police academy training. Deputy Otto was previously approved for a time extension due to medical leave. He returned to duty and served in an administrative capacity while attending Act 120 training.

Chairwoman Smith made a motion to approve the time extension request for Deputy Daniel Otto. Mr. Howe seconded the motion. Chairwoman Smith asked if there was any further Board discussion or public comment regarding the time extension request. No further discussion occurred. A roll-call vote was conducted and the motion was approved with the following votes:

Voting Aye: Board Members Howe, Koury, Neuman, and Smith

Voting Nay: Glass and Weaknecht

Abstained: Walker

Mr. Hummel reviewed the time extension requests that were approved by the program supervisor. This was for informational purposes and did not require Board 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 Board action.

Mr. Hummel reviewed the Partial Training Waiver Request submitted by Sheriff Fred Harran, Bucks County. The request was for Deputy Caroline Roe. Deputy Roe served as an Inspector with the New York City Police Department from July 7, 1991 to July 19, 2023. Based on her experience, staff recommended that she be waived from training for the following subjects: Module 2, Professional Development; Module 3, Physical Training; Module 4, Firearms; Module 5, Defensive Tactics; Module 6, Security/Rapid Deployment; Module 7, Deputy Safety; Module 8, Investigations; Module 9, Emergency Services; and Module 10, Competency Training. Deputy Roe would be required to complete Module 1, Law and Module 6, Security.

Mr. Hummel reviewed the Partial Training Waiver Request submitted by Sheriff Fred Harran, Bucks County. The request was for Deputy Mark Willis. Deputy Willis graduated from the New Jersey Police Officers' Basic Training Program on October 16, 2020. Based on his training, staff recommended that he be waived from training for the following subjects: Module 2, Professional Development; Module 3, Physical Training; Module 4, Firearms; Module 5, Defensive Tactics; Module 6, Security/Rapid Deployment; Module 7, Deputy Safety; Module 8, Investigations; Module 9, Emergency Services; and Module 10, Competency Training. Deputy Willis would be required to complete Module 1, Law and Module 6, Security.

Deputy Walker made a motion to approve the partial training waiver requests for Deputy Caroline Roe and Deputy Mark Willis. Sheriff Weaknecht seconded the motion. Chairwoman Smith 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 Glass, Howe, Koury, Neuman, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Hummel informed the Board that the Partial Training Request submitted by Sheriff Sean Kilkenny, for Deputy Jorge Adames, contained on page 24 of the meeting packet was rescinded.

Mr. Hummel reviewed the Training Request submitted by Sheriff James Ott, Blair County. The request was for Deputy George Ralston. Sheriff Ott requested one additional opportunity for Deputy Ralston to attempt the Basic Training Academy Physical Fitness Test. Deputy Ralston attended class B-23-03 and was dismissed on November 13, 2023 for failing his last attempt of the physical fitness test. Deputy Ralston chose not to attempt the final event, the 1.5-mile run, due to pain that he was experiencing in his leg/hip area.

Board policy allows sheriffs to request an additional attempt at completing the physical fitness test, provided the sheriff tested the deputy and provides written documentation that the deputy passed the standards when administered by the sheriff's office.

Deputy Ralston is on medical leave and is expected to be cleared for duty within the next few weeks. The sheriff requested that the Board grant Deputy Ralston an additional physical fitness test with the stipulation that the sheriff will test Deputy Ralston and provide staff written documentation of Deputy Ralston passing the physical fitness test administered by the sheriff's office. If the sheriff waits to make the request at the April 2024 meeting, Deputy Ralston would take the Board-approved fitness test and if he passes, he would return in November 2024 to finish the training that he previously missed due to his academy dismissal. If the Board grants the current request and Deputy Ralston passes the fitness test administered by the sheriff's office and then passes the academy administered fitness test, he would be able to return for the missed training in April/May 2024.

Deputy Walker made a motion to approve granting one additional physical fitness test for Deputy Ralston and that the Academy will issue the test only upon the sheriff testing Deputy Ralston and verifying that he passed the test administered by the sheriff. Chairwoman Smith seconded the motion. Chairwoman Smith asked if there was any further Board discussion or public comment regarding request. No further discussion occurred, and the motion was approved with the following votes:

Voting Aye: Board Members Glass, Howe, Koury, Neuman, Smith, Walker, and Weaknecht

Voting Nay: None

Additionally, Sheriff Ott requested that once Deputy Ralston is medically cleared to return to duty, that he be permitted to serve in full duty capacity. The request to work in full duty capacity does not comply with Board policy.

Sheriff Ott stated that one-third of his staff complement is vacant and he is having trouble filling positions. Sheriff Ott stated that Deputy Ralston has prior military experience and served with the Department of Corrections for 20 years. He explained that Deputy Ralston is looked upon as a leader within his office.

Chairwoman Smith made a motion to approve the time extension request for Deputy Ralston, upon being medically cleared for duty, to serve in full duty capacity until the end of May 2024. This is to allow him to attempt his previously approved one attempt to pass the academy physical fitness test and complete the remainder of his incomplete training hours. Sheriff Weaknecht seconded the motion. Chairwoman Smith asked if there was any further Board discussion or public comment regarding the time extension request. No further discussion occurred. A roll-call vote was conducted and the motion was approved with the following votes:

Voting Aye: Board Members Howe, Koury, Neuman, Smith, Walker, and Weaknecht

Voting Nay: Glass

Mr. Numer reviewed the certification revocation of former Deputy Sheriff Mary Agnus Handzus. She was previously certified (certification has expired) as a deputy sheriff by the Board, #B004891. She was convicted of a Felony of the 3rd degree, Access Device Issued to Another Who Did Not Authorize Use (Federal Conviction). She was notified of the Board's intent to revoke her certification on October 4, 2023 and given an opportunity to show cause as to why the Board should not take this action in accordance with Board policy. She did not respond.

Deputy Walker made a motion to revoke the certification of Mary Agnus Handzus. Sheriff Weaknecht seconded the motion. Chairwoman Smith asked if there was any further Board discussion or public comment regarding certification revocation. No further discussion occurred and the motion passed with the following votes:

Voting Aye: Board Members Glass, Howe, Koury, Neuman, Smith, Walker, and Weaknecht

Voting Nay: None

Mr. Dave White, Penn State University, provided the basic training delivery report. He reported that the new format of having the entrance physical fitness test conducted a few weeks prior to the start of the academy class was successful. He reported that 42 deputies passed the entrance test and one had resigned the day after the test. Two other deputies were removed by their counties prior to the start of the academy. Class B-24-01 began with 39 deputies. Mr. White stated that the current class enrollment is at 38 because one deputy resigned after the first week of training. Mr. White stated that we have an additional five deputies attending class on a hybrid schedule as previously approved by the Board. Graduation for class B-24-01 will be on May 17, 2024, at the Penn Stater Hotel and Conference Center.

Mr. White stated that Waiver Training class W-24-01 will be held from April 8, 2024 through April 12, 2024.

Mr. White reported that the Academy will be moving from the HUB training location to the new training site at the Lupert Building. The move will occur in May 2024. The July Basic Training class B-24-02 will be held at the Lupert Building. Mr. White reported that the Lupert Building is located in Innovation Park, next to the Penn Stater Hotel and Conference Center.

Mr. Tony Luongo, Temple University, provided the report on continuing education training and curriculum development. He reported that the 2023 on-line continuing education training concluded on November 17, 2023.

He stated that the 2024 online training will consist of the following subjects: Legal Updates, Preparation of Service, and Judicial Security. He provided an update on the Job Task Analysis project that Temple is conducting.

Mr. Luongo reported that Temple is developing the 2025 curriculum for continuing education. The subjects included: Legal Updates, Professional Liability, and the Fergusson Affect. He stated staff are also addressing any revisions with the basic training curriculum.

Chairwoman Smith asked if there was any other business to be discussed or public comment. Mr. Numer reported that he will begin creating a work group to review the Board policy for potential modifications.

Chairwoman Smith announced that the next Board meeting was scheduled for 2:00 p.m., April 23, 2024, at the PCCD and via Teams video conferencing.

Chairwoman Smith asked for a motion to adjourn the meeting. Deputy Walker made a motion to adjourn the meeting. Mr. Howe seconded the motion and the meeting was adjourned at 3:15 p.m. with the following votes:

Voting Aye: Board Members Glass, Howe, Koury, Neuman, Smith, Walker, and Weaknecht

Voting Nay: None