

Members:

Larry J. Straitiff, Chairman
Hon. Robert Billingsley
Hon. Lawrence F. Clark Jr.
Marshall R. Davis
William R. Erickson Jr.
R. Scott Schlechter
Keith B. Snyder
Hon. William F. Ward
Lt. David Howells



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November 23, 1999

A meeting of the County Probation and Parole Officers' Firearm Education and Training Commission convened at 9:00 AM on November 23, 1999 at the Days Inn, State College, PA. The following Commission members and guests were present:

Larry J. Straitiff, Chairman
Hon. Robert Billingsley
Marshall Davis
Lawrence Clark
William Erickson
R. Scott Schlechter
Keith B. Snyder
William Ward

Erik Christensen (Guest from Erie County)
Michael Guido (Guest from Carlisle Police Dept.)
Robert Repard (Guest from Tioga County)
Rusty Duncan (Guest from Westmoreland County)
Paul Foltz (Guest from Erie County)
Gary Scicchitano (PBPP, Director of Personnel)
K. Scott Roy, Legal Advisor
Robin Walker (PBPP, Commission Secretary)

I. Chairman Straitiff called the meeting to order. Chairman Straitiff requested that a motion be made to accept the minutes from the September 21, 1999 meeting.

MOTION: A motion was made by Commissioner Schlechter to accept the minutes of September 21, 1999. Commissioner Erickson seconded the motion. A vote was taken and the Commission approved the minutes.

II. EXECUTIVE DIRECTOR'S UPDATE:

Mr. Straitiff began with a Petition for Extension letter from Dauphin County for officer Kelly J. Evans until March 2000.

MOTION: Commissioner Schlechter made a motion to grant the Petition for Extension to Officer Kelly J. Evans until March 2000. Commissioner Erickson seconded the motion. Commissioner Clark abstained. A vote was taken and approved by the Commission.

Chairman Straitiff read a Petition for Extension letter from Northumberland County for officer Curt Zettlemyer.

MOTION: A motion was made by Commissioner Snyder to grant the Petition for Extension for one month from the date on the doctor's note to Officer Curt Zettlemyer. Commissioner Erickson seconded the motion. A vote was taken and unanimously approved by the Commission.

Chairman Straitiff read a Petition for Extension from Adams County for officer Claudette Moser until May 15, 2000. The Commissioners held a lengthy and in-depth discussion regarding the conditions upon which they would or would not grant the Petition.

MOTION: A motion was made by Commissioner Clark to revoke Officer Claudette Moser's certification to carry a firearm for failure to obtain a qualifying score by October 31, 1999. Commissioner Snyder seconded the motion. A vote was taken, five members approved the motion and three members opposed the motion. The majority approved the motion.

MOTION: A second motion was made by Commissioner Clark regarding Officer Claudette Moser to preserve her second attempt, provided that she has completed remedial training and has provided the Commission with documentation that she is emotionally stable to take the second requalification attempt no later than May 15, 2000. Commissioner Snyder seconded the motion. A vote was taken and unanimously approved by the Commission.

The Commission decided that, in all cases, the Executive Director will request in the approval letter granting a medical extension, the language that the officer will need to submit a physician's letter stating that they are permitted to return to work.

III. COMMITTEE REPORTS:

- **POLICY**

Chairman Straitiff discussed the Commission's Operational Policy changes suggested by the Executive Director to be made to the policy manual regarding Basic Firearms Training failure procedures. The Chairman then informed the Commission that he and Commissioner Davis would look into the policy change. Commissioner Davis pointed out that page 2, letters E and F in the policy manual pertains to the suggested changes to pages 3 and 4. Chairman Straitiff then stated that if there was another reason why the Executive Director suggested changes be made to the policy to let him know and he and Commissioner Davis would address it.

- **CURRICULUM**

Commissioner Schlechter informed the Commission that he had worked with Mr. Kope to organize two Committee meetings. The Future Planning Committee did not meet because some members could not be present. However, the Curriculum Committee met on November 22, 1999. The Committee developed approximately one-third of the range drills for the Basic Firearms Training Classes. The goal is that anyone who teaches the Basic Training Class will be able to pick up the manual and teach the class. The next Committee meeting will be held on January 17, 2000 in Harrisburg, PA.

- **FINANCIAL**

Chairman Straitiff read over the financial statement that was provided by the Executive Director. There is a balance of \$567,129.12. He then entertained a motion to accept the financial statement as presented.

MOTION: A motion was made by Commissioner Davis to accept the financial statement as presented by the Executive Director. A vote was taken and unanimously approved by the Commission.

IV. UNFINISHED BUSINESS

Chairman Straitiff discussed the letter that was sent to Gary Scicchitano regarding an additional position. Mr. Scicchitano explained that he met with Mr. Kope the day after he received the letter from him. Mr. Kope prepared a job description and submitted it for his review two weeks later. Mr. Scicchitano informed the Commission that his classification person is now looking at it. Chairman Straitiff reiterated the firm stance the Commission is taking on this matter and assured the funding would come out of Commission funds and not out of Commonwealth funds and hopes the Board and Governor's Office would support the Commission in their request. Mr. Scicchitano further explained that it is not the decision of the Board that it is the decision of the Office of the Budget and the Office of Administration. The Board only prepared the documents for submission to them, but the Board is supporting this action. Mr. Kope will meet with his classification person so that the classification document and the request for the additional position document can be prepared and submitted. It will take approximately 2-3 months to complete the process. However, Mr. Kope and the classification person have not been able to meet due to other obligations.

Chairman Straitiff briefly read a letter to Mr. James Anderson, an executive of the JCJC, from Mr. Keith Graybill regarding a 1994 Firearms survey. The Commissioners had a short discussion regarding the survey.

Commissioner Davis stated that several counties requested information regarding carrying firearms. Those counties requesting information were Wayne County, Westmoreland County, and Cambria County. Chairman Straitiff said that Lancaster County and Franklin County are also looking at the possibility of carrying firearms next year.

Chairman Straitiff presented the draft survey the Executive Director prepared for the Commissioners review. It was suggested to add another category. Commissioner Davis asked whether we want to know how many Adults/Juveniles or do we just want to know how many officers they expect to get certified and if the Counties will understand what "Authorized" as opposed to being certified means. Commissioner Clark suggested adding a third part asking if their county is mandated to carry, Y/N. If no, how many officers want to or will be carrying. Chairman Straitiff said to direct the Executive Director of the change. Commissioner Clark also suggested adding a question asking if they had need for instructors and if so how many officers would they be prepared to send to Instructor Training School.

V. NEW BUSINESS:

The 2000 Commission meeting dates were established. They are as follows:

January 18, 2000	Harrisburg
March 21, 2000	State College
May 16, 2000	Harrisburg
July 18, 2000	State College
September 19, 2000	Harrisburg
November 21, 2000	State College

Chairman Straitiff stated that he attended the Adult Chiefs Association meeting last week and they passed a motion that is in the form of a resolution to the Commission. The resolution recommends that the Commission consider assessing fees to juvenile probation officers for attending training. The motion was made due to the fact that the juvenile officers are becoming a larger portion of the training budget and all revenues that support the Commission come from adult criminal offenders. Chairman Straitiff stated that he told the Chiefs Association that he believed that the Commission was adequately funded for the short term.

Commissioner Snyder stated that he did not see the need to assess fees for juvenile officers, but in the event the Commission begins to run out of money, he assured the Commission that he does not see a problem with it and supports it.

Commissioner Clark questioned the statute relating to creating a pre-condition to be able to state that we do not have enough money! Mr. Roy responded that you would have to be able to attempt to forecast expenditures. If forecasted expenditures depleted the funds, then there is value in addressing the issue now as opposed to waiting for the funds to run out. Commissioner Clark commented that there is no reason why juvenile offenders cannot pay an assessment fee due to the lifestyle they are able to choose. Commissioner Snyder stated that he will bring the issue up to JCJC and that he agrees with Commissioner Clark.

Commissioner Schlechter stated that thus far the Commission has only been able to provide Basic Firearms Training and have yet to get into in-service training and we have no idea of how it is going to impact the budget. He believes that future in-service training will have a significant impact on the budget considering simmunition training and the cost of the simmunition ammunition and equipment needed to conduct the training. Mr. Scicchitano said there have been projections done for five years. However, the wild card is the cost of the in-service training, the RFP could cost between \$50,000 and a \$150,000 per year, and you must consider the cost of additional staff. He said that he and Mr. Kope held a meeting and discussed these very issues. They came to a conclusion that there is no way to project any reasonable amount beyond what we have right now and it cannot be done until the RFP and the other issues are resolved.

Commissioner Davis commented that if projections indicate that the Commission does need money and there is a cost to the juveniles then the juvenile side, rather than this Commission, should have input as to how it is going to be funded. The juvenile chiefs may feel that this is an in-house cost that they may want built into their own budgets. The discussion concluded.

Chairman Straitiff questioned the status of the Annual Report. Chairman Straitiff also handed out a copy of the web page for the Commission to see what is on it and he believes the Commission has failed in our obligation to provide information to the counties. Commissioner Ward clarified that the Webmaster has nothing to do with Pennsylvania Board of Probation and Parole (PBPP) and that Ms. Jennifer Hitz of PBPP has been working with Mr. Kope in getting additional information on the web page.

Commissioner Clark informed the Commission that the Pennsylvania State Police Training Academy (PSPTA) indicated the potential of having more training there. He suggested that if the Commission decided to do so they could conduct a Firearms Instructor Class in the spring at the PSPTA allowing for more instructors. However, the planning needs to be done now because PSPTA is filling up their 2000 schedule. The Commission had a lengthy discussion regarding current and future Basic Firearms Training Classes and the availability of ranges.

The Commission discussed the lapse of time between the classroom and the range training. Commissioner Clark suggested having three academic classes and six range classes. Mr. Michael Guido mentioned the need for audio/visual equipment to accommodate a large class. Commissioner Clark suggested purchasing a projection screen. Chairman Straitiff summed up the discussion by saying the consensus is the Commission would hold three classroom sessions and six range training sessions. The Commissioner s decided to use the Gap if it is still available. Otherwise they will come up with alternative range sites.

Commissioner Schlechter stated that there is a lack of communication among the instructors prior to conducting the Basic Firearms range training. He recommended there should be a mandatory briefing of all line instructors and the range master prior to conducting the range training.

Commissioner Clark questioned why there was nothing on the agenda regarding the Commission certifying Ms. Kim Nelson as a Firearms Instructor. There was a short discussion and the Commission decided to wait until the January 17, 2000 meeting to vote on her certification.

VI. LEGAL ISSUES:

Chairman Straitiff discussed the two memos that were sent to Mr. K. Scott Roy, Chief Counsel, for a legal opinion. Mr. Roy responded to the first letter relating to jurisdiction of juvenile officers in a search scenario by explaining he would advise the Commission against offering advice on anything unrelated to firearms and all county officers requesting a legal opinion should be referred to his office for response. In response to the Executive Director's second letter regarding suggested changes to the Legal Section of the Basic Firearms Training Manual, Mr. Roy stated that he approved the changes and they have been made.

VII. PUBLIC COMMENT AND QUESTIONS

Commissioner Davis brought up a complaint he received from a County Chief regarding an officer being told they would not be allowed on the range unless they had a written note from a physician affirming that the medication they were taking would not affect their abilities on the range. The County Chief felt the instructor did not have the authority or the responsibility to tell the officer not to show up if they are on medication.

Mr. Duncan stated that he was the instructor and the officer came to him and told him that she was not scheduled to attend either training, but wanted to know what to do in that situation. Mr. Duncan said she should have a letter from her physician stating that she is able to safely operate a firearm on the range.

Commissioner Davis said he does not remember anything in the policy requiring anyone to produce anything at the range other than the Range Safety form.

Commissioner Schlechter commented that he believes the range instructor has the right to have documentation stating that the medication they are taking will not alter the officer's physical or mental ability on the range. If the Commission needs to put it in writing, then it should be done.

The Commissioners decided to make a change on the Range Safety form to include in question #2 "Has your physician indicated that it is safe for you to take the prescribed medication and participate in the Firearms Training course?"

MOTION: A motion was made by Commissioner Clark to change the Range Safety form question #2 to include the wording – "Are you under the influence of any prescription/non-prescription drug or alcohol? Y or N. If yes, has your physician indicated that it is safe for you to take the prescribed medication and participate in the Firearms Training course? Y or N. Commissioner Snyder seconded the motion. A vote was taken and unanimously approved by the Commission.

VIII. ADJOURN MEETING

Commissioner Billingsley made a motion to adjourn the meeting. Commissioner Schlechter seconded the motion.