

**Members:**

Larry J. Straitiff, Chairman  
Robert Billingsley  
Hon. Lawrence F. Clark, Jr.  
Marshall R. Davis  
William R. Erickson, Jr.  
Lieut. David Howells  
R. Scott Schlechter  
Hon. William F. Ward  
Gregory A. Young



Chester A. Kope  
Executive Director  
1101 S. Front Street, Suite 5600  
Harrisburg, PA 17104-2522  
(717) 783-4692  
Fax 1 (877) 871-4469, 0401  
E-mail [ckope@state.pa.us]

July 17, 2001

A meeting of the County Probation and Parole Officers' Firearm Education and Training Commission convened at 9:00 AM on July 17, 2001 at the Ramada Inn in State College, PA. The following Commission members and guests were present:

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

Hon. William F. Ward  
Gregory A. Young  
Chester A. Kope, Executive Director  
Linda Laub, Legal Advisor  
Robert Campolongo, Chief Counsel  
Doug Walmer, (Guest) PBPP  
Jon Clark, (Guest) Temple University

- I.** In the absence of the Chairman, Vice-Chairman Davis called the meeting to order. He called for a motion to approve the May 25, 2001 Commission meeting minutes.

Commissioner Clark had a question concerning the Executive Session that was listed on page 3 of the minutes. He stated that Executive Session cannot exceed 30 minutes and you must state the purpose of the session. Commissioner Davis said that session did not exceed 30 minutes and it was concerning a contract employee in charge of the Temple contract.

Commissioner Davis asked for a motion to approve the minutes.

**MOTION:** - Commissioner Schlechter made a motion to approve the May 25, 2001 Meeting Minutes. Commissioner Erickson seconded the motion. Commissioner Davis asked if there was any further discussion? Commissioner Clark wanted to know if we were going to make the changes to page 3. Commissioner Davis said yes, and called for a vote. The motion was approved with Commissioner Clark abstaining.

Commissioner Davis called for the Executive Director's Report.

**II. EXECUTIVE DIRECTOR'S UPDATE**

Mr. Kope begin by congratulating Gregory A. Young on his appointment to the Commission and the reappointments of William R. Erickson and R. Scott Schlechter. The effective date of their appointments was July 11, 2001.

Mr. Kope presented the Commissioners with an application that he received from Steve Cover, a Dauphin County Juvenile Probation Officer requesting to become a certified firearms instructor. Mr. Kope recommended that his application to become a certified firearms instructor for the Commission be approved.

**MOTION:** Commissioner Billingsley made a motion to approve Steve Cover's application. Commissioner Ward seconded the motion. A vote was taken and was unanimously approved by the Commission.

Mr. Kope presented the Commissioners with a petition he received from Warren County for Officer Jessica A. Arnold and Officer Sondra K. Sveda seeking medical exemption to requalify due to pregnancy. After a brief discussion a motion was made to give the Executive Director the authority to grant medical exemptions for pregnancies only for up to six months after due date.

**MOTION:** Commission Erickson made a motion to give the Executive Director the authority to grant medical exemptions for pregnancy only, for up to six months after due date. Commissioner Clark seconded the motion. A vote was taken and unanimously passed.

The Commissioners held a brief discussion regarding the various laws governing parental leave. Commissioner Ward recommended that the Office of Chief Counsel explore all federal and state laws regarding parental leave and it will be discussed at the next Commission meeting scheduled for September.

Commissioner Davis relinquished the chair to Commissioner Straitiff who arrived late.

Mr. Kope gave the Commissioners a copy of the memorandum that Linda Laub prepared. It recommended revising the language that we use on all applications regarding civil/criminal penalties. Commissioner Clark took exception with the new language leaving 4904 out of the written statement. After a brief discussion the matter was tabled until the next Commission meeting in September and Linda Laub was directed to incorporate 4904 into the new language and eliminate the reference to perjury.

Mr. Kope said that he and Linda Laub had met to discuss the sample court order that she prepared for the May meeting, and since the Commission decided that it would not require the counties to submit one to the Commission for our records, it may be more appropriate to add language to the Annual Request to Conduct Form. Commissioner Clark stated that in his county they created a docketed administrative order and it referenced various statutes. Commissioner Clark stated that the Commission should take a look at it, because it would be very difficult to undo it, that it is a record for the entire world and recommended contacting his office to get a copy. After a brief discussion it was decided that Linda Laub would get a copy of the court order and prepare a sample order for the Commissioners review at the next Commission meeting.

Mr. Kope stated that he received a letter from Armstrong County requesting assistance in building a range in their county and plans to schedule a meeting with them. He also said that the Dauphin County Commissioners said they did not have time to meet with us regarding building a range and they would contact us when they are ready to meet. Commissioner Clark said they were in the process of moving their offices.

Mr. Kope also stated that he, Dan, and Commissioners Straitiff and Schlechter met with Regional Game Commission Manager in Jersey Shore, PA on July 10, 2001 to discuss the possibility of improving or building a range on Scotia Game Commission land. From the discussion it appeared that they are more than willing to work with the Commission to build or improve a range at that location or some other location. They have no in-house expertise so they are requesting our help. On Wednesday, July 18, 2001 Officer Keith Trohoske from Warren County will meet with the land manager to survey the ground. Commissioner Straitiff said that he had talked with the land manager last year and that they wanted nothing to do with us. However, based on the meeting we had with them, they want all the support we can give them. The Commissioners had a brief discussion regarding lead contamination and environmental studies.

Mr. Kope presented a copy of a letter that he received from the Chief Probation Office in Somerset County, requesting that the Commission pay her Firearms Instructors a stipend when they conduct firearms training. On June 25, 2001 Ms. Linda Laub was sent a copy of the letter and asked to provide a legal opinion. Mr. Kope asked Ms. Laub if she would present her opinion. Ms. Laub stated that the letter not only addressed paying stipends, but liability issues. The Commission does not have statutory authority to give grants, which this would be, and the firearms instructors are covered under the sovereign immunity statute when they are acting on behalf of a state agency. Commissioner Clark wanted to know if the instructors would be covered under Workers Compensation. Ms. Laub said she did not check into that. There was a lengthy discussion regarding Workers Compensation and liability issues. Chairman Straitiff said that it appears that we should look into the liability issue further and called for a motion.

**MOTION:** Commissioner Clark made a motion that the Commission should direct the General Counsel to investigate the issues of Workers Compensation and general and specific liability, including legal representation as they may apply to the activities conducted by the Commission. That would include instructors or other personnel from the counties in Pennsylvania, so that we are in a position to know with a reasonable certainty who is responsible for what aspects of those matters. Commissioner Young seconded the motion. A vote was taken and was unanimously approved by the Commission.

The Commission directed Mr. Kope to write a letter to the Chief Probation Officer in Somerset County telling her that that the Commission has requested that the Chief Counsel review the matter regarding paying firearms instructors' stipends.

Mr. Jon Clark from Temple University made a presentation regarding the In-Service Firearms contract. He stated that they had a change in program personnel and that on July 2, 2001 he had received the resignation for Mr. Keith Gebler. Mr. Gebler had been in charge of the program and now Mr. Clark would be assuming personal responsibility for the program from this point forward. Mr. Clark stated that after he was informed that there was a problem with the registration material that was mailed to the officers in the Western part of the State he stopped the mailing in the Eastern part of the State. He gave the Commissioners a packet of information containing the revised registration materials that will be mailed to the officers.

He discussed the distribution of officers that are located throughout the State in conjunction with the scheduled classes and locations. He has scheduled 22 training sessions over a two-year period. His goal is to train half of the officers in the fall of this year and the remaining officers in the spring of 2002. He said that the Chief in Somerset contacted them to have Temple schedule a training session at the game lands in Somerset. He stated that he did not commit to conduct a training session in Somerset.

He had several concerns regarding the contract requirement of having restrooms and running water at the ranges, and that there needed to be hotels and restaurants in close proximity to the range. He asked the Commissioners if they would consider waiving these requirements. After a brief discussion the Commissioners decided that they would need to supply some type of bathroom facilities (portable toilets), water, and the ranges should be in close proximity to hotels and restaurants since it was specified in the contract. The water does not need to be running, but it should be provided in jugs. Mr. Clark gave the Commissioners a list of firearms instructors, including their resumes, which he wanted the Commission to approve. There was a brief discussion regarding the approval of instructors and it was decided to give the Executive Director the authority to certify firearms instructors.

**MOTION:** Commissioner Clark made a motion to give the Executive Director the authority to certify firearms instructors as long as they meet Commission criteria. Commissioner Ward seconded the motion. Commissioner Straitiff asked if there were any questions regarding the motion. Commissioner Howells asked if the approval of these new instructors would automatically make them a Commission Certified Instructor or would they just be approved to conduct the In-Service Training. Commissioner Straitiff said that these instructors would only be approved to conduct this training. A vote was taken and unanimously approved by the Commission.

Mr. Kope presented the Commissioners with a copy of a letter that he received from Ms. Vicki L. Saylor, Chief Probation Officer in Somerset County, requesting that the Commission hold an In-Service Firearms Training class in Somerset. The Commissioners held a brief discussion. Mr. Kope was directed to write to Ms. Saylor addressing the first issue, and also to include that the Commission asked the contractor to review her request to conduct an In-Service Firearms Training class in Somerset.

Mr. Kope gave the Commissioners copies of the lodging and ammunition requests that were submitted to the Comptroller's office for payment to the counties. The lodging request totaled \$6,970.00 and the ammunition request totaled \$10,481.19. Commissioner Clark wanted to see a comparison of what we paid in prior years for ammunition to what we are currently paying the counties. Mr. Kope said he would work up a comparison for the Commissioners.

Commissioner Ward wanted to know if we ever purchased the projector, camera, and lap top computer to do PowerPoint presentations. Mr. Kope said that he did not because after meeting with people in the training division and with David Davis from the Municipal Police Officer Education and Training Center he did not think that it would be cost effective and wanted to bring it back to the Commissioners for review. After a lengthy discussion Mr. Kope was directed to proceed to purchase the necessary equipment to do PowerPoint presentations. In addition, the Commission would pay for the instructors to attend PowerPoint training.

Chairman Straitiff called for an Executive Session to discuss the Executive Directors performance evaluation. The session lasted 20 minutes.

### **III. COMMITTEE REPORTS**

#### **FINANCE**

Mr. Kope gave the Commissioners a copy of the fiscal year ending financial report dated June 26, 2001, showing a balance of \$825,932.02 and a copy of the fiscal year beginning report dated July 16, 2001 showing a balance of \$800,460.73. There was a brief discussion regarding the available balance and the two encumbrances. Mr. Kope could not recall what the \$2,463.66 encumbrance represented. Chairman Straitiff directed Mr. Kope to identify what the \$2,463.66 was and inform the Commissioners in writing.

## **CURRICULUM**

Commissioner Schlechter said that they were planning to look at some new holsters that are on the market and would come back to the Commission with a recommendation of possibly adding some of them to the approved list.

## **POLICY**

Chairman Straitiff said that they would amend the policy to accommodate the statement regarding pregnancies or other medical conditions.

## **IV. UNFINISHED BUSINESS**

Ms. Linda Laub stated that at the last meeting the question was raised about using social security numbers and that we should not post them in a public place. After a brief discussion Commissioner Davis recommended that we post the last five (5) digits of the social security number. Chairman Straitiff directed Mr. Kope to only post the last five digits of an officer's social security number when they fail a test.

## **V. NEW BUSINESS**

Commissioner Ward stated that Mr. Ronald Copenhaver retired and that Mr. Conway Bushey is acting director and he hopes Conway will attend these meetings.

## **VI. OLD BUSINESS**

There was no old business.

## **VII. PUBLIC COMMENTS OR QUESTIONS**

There were no public comments or questions.

## **VIII. LEGAL ISSUES**

There were no additional legal issues.

## **IX. ADJOURN MEETING**

Chairman Straitiff adjourned the meeting.