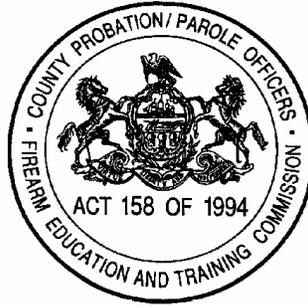


**Commissioners**

Hon. Catherine C. McVey (Chairman PBPP)  
Larry J. Straitiff, Chairman  
Gregory A. Young, Vice Chairman  
Thomas R. Schuster  
Hon. Janet F. Lewis  
R. Scott Schlechter  
Robert L. Repard  
Jim Fox



**Executive Director**

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July 19, 2005

A regular meeting of the County Probation and Parole Officers' Firearm Education and Training Commission convened at 9:07 a.m. on July 19, 2005 at the Courtyard Marriott in State College, Pennsylvania. The following individuals were present:

- |                                       |   |
|---------------------------------------|---|
| Mr. Larry J. Straitiff, Chairman      | Ms. Linda J. Laub (PBPP Advisor)                |
| Hon. Catherine C. McVey, Commissioner | Mr. A. Gary Scicchitano (PBPP, Advisor)         |
| Hon. Janet F. Lewis, Commissioner     | Mr. William J. McDevitt, Jr. (PBPP, Advisor)    |
| Mr. Gregory A. Young, Commissioner    | Mr. W. Conway Bushey (Guest)                    |
| Mr. R. Scott Schlechter, Commissioner | Mrs. Diane M. Schaeffer (Commission Secretary)  |
| Mr. Robert L. Repard, Commissioner    | Mr. Henry L. Van Brederode (Executive Director) |
| Mr. Thomas R. Schuster, Commissioner  |   |

**1. CALL TO ORDER AND PLEDGE OF ALLEIGANCE**

Following a call to order and the Pledge of Allegiance Chairman Straitiff welcomed all in attendance. He then introduced Commissioner McVey, newly appointed Chairman of the Pennsylvania Board of Probation and Parole and those attending then individually identified and introduced themselves.

**2. READING AND APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

No corrections, additions or deletions to the Minutes of the previous meeting were noted.

**MOTION:** Following a motion by Commissioner Young and a second by Commissioner Schuster, the Minutes of the May 17, 2005 meeting were approved by unanimous voice vote.

**EXECUTIVE SESSION**

Chairman Straitiff called for an Executive Session at 9:15 a.m. Mrs. Schaeffer, Mr. Bushey and Mr. Van Brederode were excused from the meeting room. The session ended and the meeting reverted to a public session at 9:37 a.m.

**MOTION:** Commissioner Young offered a motion to promote, without competitive examination, Mr. Henry L. Van Brederode to the position of Executive Director of the County Probation and Parole Officers' Firearm Education and Training Commission effective immediately. Commissioner Lewis seconded the motion and it was passed unanimously by voice vote.

**MOTION:** Following a brief discussion Commissioner Schlechter offered a motion to backfill the Commission's Administrative Officer position being vacated by Mr. Van Brederode's promotion. Commissioner Lewis seconded the motion and it was passed unanimously by voice vote.

### 3. REPORTS OF OFFICERS AND STANDING COMMITTEES

A. Chairman. Commissioner Straitiff had no report.

B. Executive Director. Mr. Van Brederode reported on the following:

1. Simunition® and FX® Scenario Instructor and Safety Certification Course. Mr. Van Brederode reported that the Commission now has a total of 29 Simunition certified instructors following completion of initial and re-certification training in June. Additionally, five officers from the PA Board of Probation and Parole completed the training. The total cost of the training was approximately \$25,000 including lodging, travel and subsistence reimbursements for students. One originally trained instructor who completed re-certification, Rusty Duncan, relocated to Oklahoma shortly after the training. Ms. Laub observed that the Commission should consider some method of ensuring that, in the future, those for whom the Commission pays for training are not apt to depart before some benefit for the expense can be recouped.
2. Firearms Commission Training Management System (FCTMS) Update. Mr. Van Brederode advised that progress continues in implementing the FCTMS and that five 8 hour user-training sessions have been scheduled in July and August to provide concentrated user instruction to representatives of departments throughout the Commonwealth.
3. Commission Certified Firearms Instructor (CFI) Applications. Mr. Van Brederode presented the Commissioners 3 applications from officers seeking designation as a CFI. Following a brief discussion and review of each application the following action was taken:

**MOTION:** Commissioner Young offered a motion to approve Officers Giles H. Guisbert and Douglas M. Angelo of Westmoreland County and Officer James E. Schriener of Lycoming County as Commission Certified Firearms Instructors. Commissioner Schuster seconded the motion and it was passed unanimously by voice vote.

4. Inquiry from the Warden of the Lycoming County Prison. Mr. Van Brederode reported receipt of a letter from Mr. David Desmond, Warden of the Lycoming County Prison in which the Warden asked about the possibility of one of his officers receiving Commission Basic Training. Following a brief discussion about the ramifications of offering such training the Commissioners agreed to direct the Executive Director to

write Mr. Desmond and invite him to attend a future Commission meeting to explore and discuss his proposal in person.

5. Update on the Continuing Training initiative with the NCTC. Mr. Van Brederode advised that the MOU action with the Department of Military and Veterans Affairs had been stalled without a sponsor or interested party at the NCTC following Marcie Pesta's departure. He reported that he had established a new contact and would be meeting with him in the near future to further pursue the initiative.

C. Curriculum Sub-Committee. Commissioner Schlechter had no report.

D. Policy Sub-Committee. Chairman Straitiff asked Ms. Laub for an update on the status of the conversion of the Commission's Operational Policy to a regulation. Ms. Laub reported that she has been working on the conversion with the Board's Legislative Affairs personnel and that a final coordinating draft will be ready for review before the next Commission meeting. The final draft will allow both County Chiefs and Commissioners an opportunity to review and comment before the official notice and comment phase. Ms. Laub also advised that the Commission needs to adopt by-laws. Following a brief discussion, the following volunteered to serve on the By-Laws Committee: Commissioner Schuster, Chairman Straitiff, Ms. Laub and Mr. Bushey.

Break 1015 – 1035

#### 4. **REPORTS OF AD HOC COMMITTEES**

Officer Safety Research Sub-Committee. Mr. Bushey advised that there are existing officer safety and research movements with various sectors of the Federal Government. The A.P.P.A. conference will provide information and the collection of data will also be assisted by the Federal Bureau of Investigation. Commissioner Schuster volunteered to chair this sub-committee.

#### 5. **UNFINISHED BUSINESS**

Liability for In-House Basic Training. The Erie County Adult Probation Department, in preparation for conducting an In-House Basic Training, had their Solicitor review materials supplied by the Commission. Their Solicitor questioned item #16 (LIABILITY) in the "Procedures for Conducting" document provided by the Commission which states, "*The Applicant, the designated Master Instructor, and the County shall be responsible for and agrees to indemnify and hold harmless the Commonwealth and the Commission from damages to property or injuries (including death) to any person(s) and other losses, damages, expenses, claims, demands, suits and actions by any party against the Commonwealth and the Commission in connection with providing the Commissions BTA in the County.*" The Erie County Chief postponed the In-House Basic Training and asked for clarification of the issue. Following a discussion among the Commissioners, Ms. Laub

advised that the liability warning order is proper and should be incorporated as part of the application process and not the final implementation procedures.

**MOTION:** Commissioner Schuster offered a motion to place the Commission's In-House Basic Training liability warning in the application so that the applicant county is aware of the disclaimer when initially applying for permission to conduct such training. Commissioner Young seconded the motion and it was passed unanimously by voice vote.

## **6. NEW BUSINESS**

- A. Commissioner Repard noted that a Commission Master Instructor and CFI (Mr. Rusty Duncan) had left the state and, therefore, recommended that the Commission formally revoke his instructor designations. A brief discussion followed.

**MOTION:** Commissioner Repard offered a motion to revoke Mr. Duncan's Master Instructor and Certified Firearms Instructor designations since he no longer resided in the state. Commissioner Schlechter seconded the motion and it was passed unanimously by voice vote. The Executive Director will notify Mr. Duncan of the action in writing.

- B. Commissioner Schuster is following House Bill 1057, the Federal legislation that potentially could impact the Commission by having to certify retired officers to carry a weapon. Ms. Laub suggested that the Commissioners consider providing comments to appropriate legislators. Chairman Straitiff will contact Ms. Lauren Taylor from the PA Board of Probation and Parole Legislative Affairs Office to gain more information regarding this issue.

## **7. LEGAL ISSUES AND COMMENT**

Ms. Laub commented briefly on the legal process involved in a critical incident.

**8. PUBLIC COMMENT AND QUESTIONS** None.

## **9. ADJOURNMENT**

**MOTION:** Commissioner Schlechter moved to adjourn the meeting. Commissioner Young seconded the motion and it was passed unanimously by voice vote. The meeting stood adjourned at 11:35 a.m.

Respectfully Submitted

Henry L. Van Brederode  
Executive Director