

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

Henry L. Van Brederode
1101 South Front Street, Suite 5600
Harrisburg, PA 17104-2522
(717)-787-5699 Ext. 389
FAX (717)-705-1779
Email Hvanbreder@state.pa.us

March 24, 2006

A regular meeting of the County Probation and Parole Officers' Firearm Education and Training Commission convened at 9:14 a.m. on March 21, 2006 at the Courtyard Marriott, 1730 University Drive, State College, Pennsylvania. The following individuals were present:

- | | |
|--|---|
| Mr. Larry J. Straitiff, Chairman | Mr. A. Gary Scicchitano, (Advisor, PBPP) |
| Mr. Gregory A. Young, Vice Chairman | Mr. William J. McDevitt, Jr., (Advisor, PBPP) |
| Mr. Robert L. Repard, Commissioner | Ms. Linda J. Laub (Advisor, PBPP) |
| Mr. James Fox, Commissioner | Mr. W. Conway Bushey (Guest) |
| Mr. R. Scott Schlechter, Commissioner | Mr. William R. Erickson, Jr. (Guest) |
| Honorable Janet F. Lewis, Commissioner | Mr. David Stager, (Guest) |
| Mr. H. L. Van Brederode (Executive Director) | Mr. Erik D. Christensen (Guest) |
| Mr. Todd D. Burns (Administrative Officer) | Honorable Benjamin Martinez (Guest) |
| Ms. Diane Schaeffer (Commission Secretary) | Mr. Robert Billingsley (Guest) |
| | Mr. Marshall Davis (Guest) |

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Following a call to order and the Pledge of Allegiance Chairman Straitiff welcomed all in attendance.

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

The Minutes from the January 24, 2006 meeting were read and approved subject to the following correction: The motion offered by Commissioner Fox to grant constructive credit to instructors who participate in in-service course development and/or instruction was recorded as being abstained from by Commissioner Young. Commissioner Repard was the abstaining vote.

MOTION 0603.1: Commissioner Young offered a motion to accept the minutes as amended. Commissioner Repard seconded the motion. The motion passed by a unanimous voice vote.

3. **PRESENTATION OF AWARDS:** Ex-Commissioners Martinez, Billingsley, Davis, and Erickson each received from Chairman Straitiff, a plaque which acknowledged and expressed the Commission's appreciation for their past service as Commissioners.

4. **ANNOUNCEMENTS:**

a. Executive Director Van Brederode advised the Commission that Juniata, Berks and Columbia County juvenile departments all have or will have armed officers and are in the process of getting their officers certified to carry a firearm.

b. Mr. Van Brederode announced that the Commission's website now has available on line the proposed regulation and that it is available for public comment.

c. Mr. Van Brederode provided an update on the status of Officer Ethan Weidle's application to be a Certified Firearm Instructor. After confirming his instructor qualifications, Officer Weidle's provisional CFI designation has been made final.

5. **REPORTS OF OFFICERS AND STANDING COMMITTEES:**

a. **CHAIRMAN / POLICY SUB COMMITTEE:** Chairman Straitiff reported that the Regulatory Analysis Form and the Preamble for the proposed regulation had been finalized and were ready to be forwarded to the next step in the approval process.

b. **EXECUTIVE DIRECTOR:**

1. Simunition® Training took place on February 28 - March 1, 2006. 23 officers were trained. Course evaluations completed by the participants contained very positive feedback. Additional Simunition® training is scheduled to take place in May and August.

2. Mr. Van Brederode reported that as of March 16, 2006 the financial status report shows a balance of \$1,305,290. The Commissioners discussed various aspects of what could be causing the overall drop in revenue and, because the revenues have decreased as much as they have, Mr. Scicchitano recommended contacting AOPC to attempt to determine why the revenues have decreased. The Executive Director will do so before the next meeting.

MOTION 0603.2: Chairman Straitiff offered a motion for the Executive Director to make contact with AOPC to investigate allocation of fees to the Commission's fund. Commissioner Young seconded the motion. The motion passed by a unanimous voice vote.

3. Mr. Van Brederode gave a brief update on the status of arrangements for in-service training and reported that good progress was being made and that NCTC had received approval to use HACC as a sole source contractor for the training instructors.

- c. **CURRICULUM COMMITTEE:** Commissioner Schlechter advised the Commission that FETC Course 4 (Wounded Officer) is ready for a pilot program. Additionally, Commissioner Schlechter raised questions about the Legal portion of the Basic Training that may need to be addressed by Ms. Laub. Discussion followed about information needed for the legal portion of basic training to be presented by a person as opposed to watching videotape. The Commissioners agreed that the legal portion of basic trainings should be presented by an attorney in person in order to answer student questions. If an attorney is not able to present the instruction then a Commission MI (see below) may present the instruction.

MOTION 0603.3: Commissioner Schlechter offered a motion to schedule a “train-the-trainer” session for Commission Master Instructors, who would be trained by Ms. Laub to then be eligible to present the legal portion of the Basic training in lieu of an attorney. Commissioner Young seconded the motion. The motion passed by a unanimous voice vote.

Following adoption of the motion, Commissioner Schlechter asked to open the legal “Train-the-Trainer” to interested Curriculum Sub-Committee members to allow them an opportunity to educate themselves and give feedback on trainings as a advisor. Ms. Laub indicated that she had no objection to this suggestion.

BREAK 10:15-10:25

Commissioner Schlechter initiated a discussion about the Commission’s standards for designating a Certified Firearms Instructor (CFI) as a Master Instructor. Commissioner Schlechter recommended expanding the qualifications necessary for CFIs, desiring to become Master Instructors, to lead the classroom portion of Basic Training. Research and investigation of possible new criteria will be discussed at the next Curriculum Sub Committee meeting.

6. **REPORT OF AD HOC COMMITTEES:** The Safety Committee had no report.

7. **OLD BUSINESS:**

- a. Mr. Van Brederode reported that there had been no apparent progress in the attempt to obtain a judge to fill the vacant Commissioner position. Mr. Scicchitano reported that the action had progressed from the Governor’s Office to the Office of General Counsel.
- b. **Loan of Simunition® Equipment:** A protracted discussion was held regarding the Commission’s policy on the loan of its Simunition equipment. Commissioner Schlechter suggested purchasing new equipment to loan to the Pennsylvania Board of Probation and Parole (PBPP) and to County Probation Departments in order to save wear and tear on the equipment now being used. Discussion ensued over Mr. Scicchitano’s proposal from the January 21, 2006 meeting regarding the loaning of Simunition equipment.

MOTION 0603.4: Commissioner Schlechter offered a motion to research the cost to purchase additional sets of Simunition® equipment to be utilized by departments and other requestors. Commissioner Young seconded the motion. After additional discussion, Commissioner Schlechter withdrew motion to research the cost to purchase Simunition equipment.

- c. Advisor Scicchitano explained the need and rationale for supporting the Board's decision to apply a financial assessment against the Commission. A prolonged discussion followed. The proposed assessment for FY 05-06 and FY 06-07 would be \$64,695.00. In consideration of the loan of Commission Simunition® equipment for training of Board personnel, he stated that the Commission would be charged \$32,347.00 for FY –0-06 and 06-07.

MOTION 0603.5: Commissioner Schlechter offered a motion to allow County Probation Departments and the PBPP to borrow Commission Simunition® equipment with the provision that the Commission would be reimbursed for any and all damage to the loaned equipment. Commissioner Repard seconded the motion. The motion passed by a unanimous voice vote.

BREAK 11:50-12:00

- d. Mr. Van Brederode revisited the issue of granting constructive credit for CFIs who instruct Commission in-service training.

MOTION 0603.6: Commissioner Lewis offered a motion to grant in-service credit for any officer serving as an instructor for CY 2006 in-service training. Commissioner Young seconded the motion. The motion passed by a unanimous voice vote.

Note: Commissioners Schlechter and Repard abstained from voting on motion 0603.6.

8. NEW BUSINESS:

- a. **Petition for Certified Firearm Instructor Status:** Mr. Van Brederode presented an application from Officer Timothy Duff, Adams County Juvenile Probation requesting designation as a CFI.

MOTION 0603.7: Commissioner Young offered a motion to approve Officer Timothy Duff as a Certified Firearms Instructor. Commissioner Repard seconded the Motion. The motion passed by a unanimous voice vote.

b. Petition for Re-designation as Certified Firearms Instructors: Mr. Van Brederode presented applications from the following officers requesting re-designation as Commission Certified Firearms Instructors.

1. Nicole A Gutshall, Cumberland County Adult Probation
2. Michael A. Smith, Cumberland County Adult Probation
3. David M. Christian, Dauphin County Juvenile Probation
4. Jonathan C. Flynn, Dauphin County Juvenile Probation
5. Kelly J. Waltman-Sprea, Dauphin County Juvenile Probation

MOTION 0603.8: Commissioner Young offered a motion to approve all applicants as Certified Firearms Instructors for an additional 36 months unless sooner acted upon by the Commission. Commissioner Fox seconded the motion. The motion passed by a unanimous voice vote.

c. Petition for Re-designation as Commission Master Instructors: Mr. Van Brederode presented applications from the following officers requesting re-designation as Commission Master Instructors.

1. Erik D. Christensen – Erie County Adult Probation
2. William R. Erickson, Jr. – Erie County Adult Probation
3. Paul A. Foltz – Erie County Adult Probation
4. James E. Gunderman, Jr. – Dauphin County Adult Probation
5. Kim J. Nelson – Dauphin County Juvenile Probation
6. Robert L. Repard – Tioga County
7. R. Scott Schlechter, Lehigh County Adult Probation
8. Michael E. Shrauder - Dauphin County Adult Probation
9. J. Keith Trohoskie – Warren County Adult Probation
10. James N. Trozzi – Allegheny County Adult Probation

MOTION 0603.9: Commissioner Young offered a motion to approve all applicants as Master Instructors for an additional 36 months unless sooner acted upon by the Commission. Commissioner Fox seconded the motion. The motion passed by a unanimous voice vote.

Note: Commissioners Repard and Schlechter abstained from voting on motion 0603.9.

d. Officer Crystal Travis, Allegheny County: Mr. Van Brederode provided the Commissioners a decision packet on Officer Crystal Travis from Butler County Adult Probation. For several reasons Officer Travis did not requalify by December 31, 2005 and her Chief requested an extension of time. Additionally, she requested the Commission exempt her from having to qualify with her Butler County issued weapon. A discussion followed and resulted in the following motion.

MOTION 0603.10: Commissioner Fox offered a motion to follow the Executive Director's decision process and recommendation to wit: For Officer Travis to again be authorized to carry a weapon on duty she must first successfully shoot the qualification course of fire with her county-issued duty weapon. Commissioner Repard seconded the motion. The motion passed by a unanimous voice vote.

- e. **Request from Chief J. David Hartman, Armstrong County:** Chief Hartman requested the Commission grant Officer Michael Focht an exemption from having to attend Basic Training based on his background in law enforcement.

MOTION 0603.11: Commissioner Schlechter offered a motion to deny the requested exemption for Officer Focht. Commissioner Young seconded the motion. The motion passed by a unanimous voice vote.

- e. **Request from Chief David Stager, Tioga County:** Chief Stager, who was in attendance, requested approval to credit his officers who participated in county-conducted Simunition training in October 2005 in-service credit for their mandatory training in CY 2006. A brief discussion followed.

MOTION 0603.12: Commissioner Fox offered a motion to deny Chief Stager's request because the training in question had taken place in 2005. Commissioner Schlechter seconded the motion. The motion passed by a unanimous voice vote.

Note: Commissioner Repard abstained from voting on motion 0603.12.

- f. **Request from Director Stephen J. Suknaic Dauphin County Juvenile Probation Department:** Mr. Van Brederode presented a request from Director Suknaic to grant the Commission Course 5 in-service credit for his officers who will participate in in-house Simunition training planned to be conducted in August 2006.

MOTION 0603.13: Commissioner Fox offered a motion to provide the proposed regulation to Director Suknaic with the provision that if he complies with the regulation, approval for in-service credit for the August 2006 Simunition training would be granted. Commissioner Young seconded the motion. The motion passed by a unanimous voice vote.

- g. **Request from Director Suknaic Dauphin County Juvenile Probation Department:** In a separate request Director Suknaic sought Course 3 in-service credit for county-conducted night firing, which had already been conducted.

MOTION 0603.14: Commissioner Schlechter offered a motion to deny the request for Course 3 in-service credit. Commissioner Young seconded the motion. The motion passed by a unanimous voice vote.

- h. Body Armor:** Commissioner Repard initiated a discussion about the wear of armor at Commission live fire trainings. A discussion followed and resulted in Commissioner Repard agreeing to contact Mr. Gary Holland, Parole Agent with the Pa. Board of Probation and Parole to gather additional information and input about the wearing of armor during trainings.
- i. Pre-Requisite Training prior to Attendance at Basic Firearms Training:** Discussion tabled until the next Curriculum Meeting.
- k. Location of next Meeting in May:** Chairman Straitiff advised the members and requested that the May Commission meeting be held in Pittsburgh, PA to coincide with the PAPPC conference and activities.

MOTION 0603.15: Commissioner Schlechter offered a motion to move the location of the May Commission meeting to Pittsburgh, PA to coincide with the PAPPC Conference. Commissioner Repard seconded the motion. The motion passed by a unanimous voice vote.

- 9. LEGAL ISSUES AND COMMENT:** None.
- 10. PUBLIC COMMENT AND QUESTIONS:** None.
- 11. ADJOURNMENT:** Chairman Straitiff asked for a motion to adjourn.

MOTION 0603.16: Commissioner Repard offered a motion to adjourn. Commissioner Schlechter seconded the motion. The motion passed by a unanimous voice vote. The meeting stood adjourned at 1:10 PM.

Respectfully Submitted,

Henry L. Van Brederode
Executive Director