

**Commissioners**

Hon. Catherine C. McVey (Chairman PBPP)  
R. Scott Schlechter, Chairman  
Robert L. Repard, Vice Chairman  
Thomas R. Schuster  
Hon. Thomas K. Kistler  
Keith A. Graybill  
Larry J. Straitiff  
P. Beth Dombrowsky



**Executive Director**

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February 11, 2008

A regular meeting of the County Probation and Parole Officer's Firearm Education and Training Commission convened at 9:04 a.m. on January 29, 2008 at the Courtyard Marriott, 1730 University Drive, State College, PA. The following Commissioners(\*) and other individuals were present:

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| Larry J. Straitiff, Chairman*            | Ms. Diane M. Schaeffer (Commission Secretary) |
| Robert L. Repard, Vice Chairman*         | Ms. Linda J. Laub (Advisor)                   |
| Thomas R. Schuster, Commissioner*        | Mr. Gary B. Holland (Advisor)                 |
| Keith A. Graybill, Commissioner*         | Ms. Brenda Estep (Guest)                      |
| Hon. Thomas K. Kistler*                  | Ms. Elizabeth J. Zeisloft (Advisor)           |
| R. Scott Schlechter, Commissioner*       | Mr. W. Conway Bushey (Guest)                  |
| H. Lee Van Brederode, Executive Director | Mr. Todd D. Burns, Administrative Officer     |

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

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

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

**MOTION 08-01-01:** A motion was made by Commissioner Schlechter to accept the minutes from the November 20, 2008 meeting. Commissioner Repard seconded the motion and it was passed by a unanimous voice vote.

- Mr. Van Brederode noted that an inadvertent error had been discovered in the minutes of the September 2007 Commission meeting. Under New Business, the minutes of the September 25, 2007 meeting omitted the approval of two officers as Certified Firearms Instructors (CFIs). The names of Jon McEnroe from Erie County Adult and Ronald Seyko from Allegheny County Adult were mistakenly not included in MOTION 07-09-08 which approved the designation of new Range CFIs.

**MOTION 08-01-02:** A motion was made by Commissioner Kistler to accept the noted correction to the September 2007 minutes. Commissioner Schlechter seconded the motion and it was passed by a unanimous voice vote.

**3. ANNOUNCEMENTS**

**Chairman Straitiff:**

- ❑ Chairman Straitiff announced that he would not seek appointment for a new term as a Commissioner. Following a brief discussion of the reasoning behind his decision, Chairman Straitiff observed that, per Section 5.4 of the bylaws, the Commission needed to elect a new Chairman and Vice Chairman.
- ❑ Chairman Straitiff announced that elections would be conducted as an item of New Business.

**Executive Director Van Brederode:**

- ❑ Mr. Van Brederode announced that a meeting was held with representatives from the Philadelphia County Adult Probation Department to discuss the certification process for the Officers they intend to arm. On December 17, 2007 he, Mr. Burns and Ms. Schaeffer met with Maurizio (Mo) DeLisi, the training and special projects supervisor and Ed Quinn, a Division 6 Director, which includes training, from the Philadelphia Adult Probation and Parole office. In 2008 they will begin to arm the initial group of approximately 80 officers who will carry Sig Sauer .40 cal S&W pistols.
- ❑ Executive Director Van Brederode also announced that the Philadelphia County Juvenile Probation Department had made inquiry into the process necessary to arm a number of their officers.
- ❑ The initial basic training of 2008 in May is scheduled to be attended by 13 officers from the Lancaster County Adult Probation Department.
- ❑ Mr. Van Brederode announced that Chief Terry Davis had retired from the Dauphin County Adult Probation Department. Mr. James Gunderman is currently the Acting Chief.

**4. REPORTS OF OFFICERS AND STANDING COMMITTEES**

**Chairman Straitiff:** No report.

**Executive Director Van Brederode:**

- ❑ Mr. Van Brederode provided a current Financial Update as of 25 January 2008, which showed a FETC fund balance is \$1,211,359. Revenues for FY 2007-08 have been running about as expected and projected.
- ❑ The Executive Director reported that in December a Course 6 (*Deadly Force Response and Decision Making*) was piloted for Cumberland County adult and juvenile officers by Ron Millward and Mike Guido. 29 Officers participated and received their CY 2007 in-service training requirement. Course 6 Train-the-Trainer sessions have been scheduled and are available for registration in FCTMS. The dates for these courses are February 20, 2008 in Harrisburg and March 25, 2008 in State College, PA.
- ❑ Mr. Van Brederode asked Mr. Burns to provide an update on the status of the Pennsylvania State Police surplus ammunition distribution. The distribution effort was run smoothly and successfully by Mr. Burns.
- ❑ Mr. Van Brederode gave an update on the status of the upgrade to the FETC's Firearm Commission Training Management System (FCTMS). Version 1.6 was deployed for testing on Friday, November 9<sup>th</sup>. Subsequently, it was released for use by customers on Friday, the

16<sup>th</sup>. Version 1.6 was determined to contain continuing deficiencies and was, therefore, withdrawn. The Executive Director asked the DOC IT staff to reactivate Version 1.0 in late November and it has been in use since then. Mr. Van Brederode reported that he thinks it will be necessary to put out a bid to have the system re-programmed in order to achieve the desired level of performance expected of the system.

- The Executive Director reported The “Low Dim Light Training” by Strategos International, scheduled in April 2008, has been cancelled because the Department of General Services (DGS) disapproved the sole source contract.
- Mr. Van Brederode reported that the sole source contract for SIMUNITION® Instructor re-certification, scheduled for June 2008, has been approved by DGS.
- The Executive Director reported the sole source contract for the Laser Shot equipment, which will be used in Course 6, has been submitted but not yet acted upon by DGS.
- Mr. Van Brederode reported that on January 23<sup>rd</sup> Commissioner Dombrowsky hosted a meeting attended by Mr. Van Brederode and Mr. Burns from the FETC and Mr. John Pfau of the Pennsylvania Commission on Crime and Delinquency (PCCD) to explore options for PCCD possibly assisting in facilitating in-service trainings in 2008. The meeting was productive and informative. Instead of an MOU triangular arrangement Mr. Van Brederode reported he believes the Commission can operate using purchase orders. In effect the FETC will contract for HACC to provide the training using vendor purchase orders. The FETC staff has initiated a Course 5 (SIMUNITION® Training) purchase order to validate the process. To follow will be separate purchase orders for each in-service course to be presented in CY 2008.
- The Executive Director reported receiving an Inquiry from PAPPC about possibly holding the May Commission meeting in conjunction with their conference 18-21 May in Pocono Manor. Currently the Commission meeting is set for Tuesday the 13<sup>th</sup> and there is a basic training range 20-23 May. The Commissioners discussed the proposal and decided not to change the meeting schedule.

#### **Curriculum Sub Committee**

- Commissioner Schlechter reported that both Course 6 (Laser Shot) and Course 5 SIMUNITION® in-service trainings were extensively discussed by the sub committee.

#### **Policy Sub Committee**

- Ms. Laub said the business of the sub committee would be reported under Legal Issues and Comment.

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

#### **Officer Safety Research Sub Committee:**

- Commissioner Schuster reported he is currently developing a “use of force / weapons fired while on/off duty” database to track County officer incidents for the FETC.
- Mr. Conway Bushey, Executive Director for the County Chief Adult Probation and Parole Officers’ Association of Pennsylvania (CCAPPOAP), advised the Commission members that the Association is very interested in data pertaining to officer safety and firearms use by County Probation Officers.

**Fiscal Sub Committee:** No report

## 6. UNFINISHED (OLD) BUSINESS

- ❑ Mr. Burns provided an update on the ongoing effort to acquire Laser Shot equipment to support Course 6 in-service training in CY 2008.
- ❑ Ms. Laub presented an update on the proposed rulemaking pertaining to the Retired Law Enforcement Identification Act. Ms. Laub advised that the proposed regulations are relevant to the FETC. A discussion followed, which explored the possible ways in which the provisions of the act might impact the FETC.
- ❑ Mr. Van Brederode directed the Commissioners attention to the pending CFI application of Charles W. Wehrle, which had been tabled at the November 2007 meeting. It was determined that Mr. Wehrle's application would be discussed in EXECUTIVE SESSION.

### **BREAK 9:57 a.m. – 10:12 a.m.**

- ❑ Mr. Van Brederode re-introduced the petition for extension of time to maintain certification submitted by Officer Julie K. Bullard, Venango County. Officer Bullard had petitioned the Commission to extend her Annual Requalification until April 30, 2008 for medical reasons. This issue was tabled at the November 20, 2007 Commission meeting in order to develop more information on the request. A discussion followed.

**MOTION 08-01-03:** Commissioner Schuster made a motion to approve Officer Bullard's petition for extension until April 30, 2008 under the condition that Officer Bullard participate in eight hours of remedial training and, effective immediately, her certification be suspended. Commissioner Graybill seconded the motion and it was passed by a voice vote. Both Commissioners Schlechter and Repard voted to disapprove the motion.

- ❑ Mr. Van Brederode re-introduced the petition for extension of time to maintain certification submitted by Officer Timothy L. Duff, Adams County Juvenile Probation. Officer Duff had petitioned the Commission to extend his Annual Requalification until April 30, 2008 for medical reasons. This issue was tabled at the November 20, 2007 Commission meeting in order to develop more information on the request. A discussion followed.

**MOTION 08-01-04:** Commissioner Repard offered a motion to approve Officer Duff's Petition for Extension to complete an in-service training by June 2008. Commissioner Graybill seconded motion and it was passed by unanimous voice vote.

## 7. NEW BUSINESS

- ❑ Commissioner Schlechter was nominated to be the new FETC Chairman.

**MOTION 08-01-05:** Commissioner Schuster moved to close nominations and approve the appointment of Commissioner Schlechter as the Firearm Education and Training Commission Chairman. Commissioner Repard seconded the motion and it was passed by unanimous voice vote.

- Commissioner Repard was nominated to be the Vice Chairman of the FETC.

**MOTION 08-01-06:** Commissioner Schuster moved to close nominations and approve the appointment of Commissioner Repard as the Firearm Education and Training Commission Vice Chairman. Commissioner Straitiff seconded the motion and it was passed by unanimous voice vote.

- Ms. Laub noted potentially confusing language in Section 5.3 of the Commission Bylaws. A brief discussion followed resulting in the following motion:

**MOTION 08-01-07:** Commissioner Schuster offered a motion to amend the wording of section 5.3 of the bylaws to state that the Commission Chairman has the authority to designate an acting Vice Chairperson to act on his or her behalf when the current Vice Chairperson is temporarily unable to discharge his or her official duties. Commissioner Graybill seconded the motion. The motion was passed by a unanimous voice vote.

- Mr. Van Brederode presented a request for designation as a Master Instructor from Officer James A. Kovacs of Fayette County Adult Probation and Parole.

**MOTION 08-01-08:** Commissioner Repard offered a motion to accept Officer Kovacs' application for Master Instructor. Commissioner Schuster seconded motion and it was passed by a unanimous voice vote.

- Mr. Van Brederode presented a proposal to eliminate paper publication and mailing of the Commission quarterly newsletter. The Newsletter was initially created to disseminate information, a function now adequately accomplished by the Commission website and email. He recommended stopping paper production of the newsletter noting that each edition costs the Commission approximately \$550 for postage and \$400 for design, materials, set up and printing. The annual cost is approximately \$3,800 and increasing.

**MOTION 08-01-09:** Commissioner Repard offered a motion to approve the proposed change to newsletter publication following one final printed and mailed version. Commissioner Graybill seconded the motion it was passed by a unanimous voice vote.

- Mr. Van Brederode requested clarification of the exact intent of the Commission's requirement for participation in basic training as a condition for renewal of CFI status necessary. Should the nine CFIs who will be eligible for renewal of CFI in 2008 have the standard applied to them? The decision of the Commissioners was not to make the requirement retroactive.

## 8. LEGAL ISSUES AND COMMENT

- A discussion of the necessary adjustments proposed by the Policy Sub Committee to the FETC Regulations was presented by Ms. Laub, advisor to the Commission. A brief discussion followed.

**MOTION 08-01-10:** Commissioner Schlechter offered a motion to accept the changes proposed by the Policy Sub-Committee to the regulations and to submit the adjustments informally to the Independent Regulatory Review Commission. Commissioner Graybill seconded the motion. The motion was passed by a unanimous voice vote.

- Mr. Bushey, Advisor to the Commission, announced that the next County Chief Adult Probation and Parole Officers' Association of Pennsylvania meeting will be held at the Toftrees Resort in State College on March 14, 2008.

**9. PUBLIC COMMENT AND QUESTIONS** None

**10. EXECUTIVE SESSION 11:32a.m. – 12:55p.m.**

**Following conclusion of the Executive Session the following motions were offered:**

**MOTION 08-01-11:** Motion was made by Commissioner Schlechter to deny the request for Mr. Wehrle, Erie County, to become a Commission Certified Firearms Instructor. Commissioner Repard seconded the motion. Motion was passed by a unanimous voice vote.

**MOTION 08-01-12:** Motion was made by Commissioner Repard to approve the promotion of Mr. Todd Burns as the Executive Director for the Commission after the retirement of Mr. H. L. Van Brederode in March 2008 pending administrative action. Commissioner Schlechter seconded the motion. Motion was passed by a unanimous voice vote.

**11. ADJOURNMENT**

**MOTION 08-01-13:** Commissioner Schlechter offered a motion to adjourn. Commissioner Repard seconded the motion and it was passed by a unanimous voice vote. The meeting stood adjourned at 11:10 PM.

Respectfully Submitted,

Henry L. Van Brederode

Henry L. Van Brederode  
Executive Director