



June 16, 2008

A regular meeting of the County Probation and Parole Officer's Firearm Education and Training Commission convened at 9:02 a.m. on May 13, 2008 at the Courtyard Marriott, 1730 University Drive, State College, PA. The following Commissioners (*) and other individuals were present:

R. Scott Schlechter, Chairman*
Robert L. Repard, Vice Chairman*
Thomas R. Schuster, Commissioner*
Keith A. Graybill, Commissioner*

Mr. Todd Burns, Executive Director
Ms. Diane Schaeffer (Secretary)
Mr. Conway Bushey (Advisor)
Ms. Michelle Beaver (Guest)

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

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

MOTION 0805.01: A motion was made by Commissioner Schuster to accept the minutes from the April 15, 2008 meeting. Commissioner Repard seconded the motion and it was passed by a unanimous voice vote.

3. ANNOUNCEMENTS

Chairman Schlechter:

- Chairman Schlechter announced that two Course 5 SIMUNITION® classes were run in April 2008 at the Harrisburg Area Community College (HACC). Thirty-six Officers were trained. The feedback from the students included the comment that the SIMUNITION® class be extended to a full week.

Executive Director Burns:

- Mr. Burns announced that both Commissioner Repard and Commissioner Schlechter have been re-appointed to the Commission by Governor Edward G. Rendell.
- Mr. Burns announced the appointment Mr. Michael Potteiger as the new Director of the Dauphin County Adult Probation Department.

- Mr. Burns distributed an announcement from Director James R. Jendrysik, Lawrence County Adult Probation, detailing the proposed construction of a law enforcement range and classroom complex in Lawrence County.

4. REPORTS of OFFICERS and STANDING COMMITTEES

Chairman Schlechter: NONE

Executive Director Burns:

- The In-Service training contract was awarded to HACC.
- The financial update as of May 7, 2008 was presented. The current fund balance is \$1,233,959.
- The Firearm Commission Training Management System (FCTMS) upgrade is still in progress. Flaws were discovered with many FCTMS functions and attempts to correct them have as yet been unsuccessful. Any attempt to field the upgraded FCTMS system now could lead to a loss of data if the system would have to be reverted to the old version. Mr. Burns' fiscal year 2009-2010 proposal for approval of funds to an outside vendor to make the necessary FCTMS upgrades was not approved.
- The process to fill former Commissioner Janet Lewis' vacant position is in motion. The County Commissioner's Association of Pennsylvania is working on finding a candidate who meets the requirements of Act 158.
- The vacant Firearm Education and Training Commission (FETC) Administrative Officer position has been posted.
- The unintentional discharge of a weapon, which occurred in Cambria County, is being researched.
- Former Executive Director Lee Van Brederode was sent a letter thanking him for his service to the FETC.

POLICY SUB-COMMITTEE:

- Mr. Burns met with Policy Committee members on Friday May 9, 2008 at the Riverfront Office Center, 1101 S. Front Street, Harrisburg, PA. The meeting dealt with proposed changes to the Regulation. The following items were discussed:
 - ✓ Use of the word "suspension" instead of "revocation" in certain administrative processes. It was determined that, since "revocation" is the language used in Act 158, it should remain in the Regulation and, if necessary, be addressed by amendment.
 - ✓ The differences between "Academic" and "Range" Certified Firearms Instructors (CFI's). It was decided to leave both categories in the Regulation.
 - ✓ Creating stricter requirements to become a CFI and Master Instructor (MI). It was determined that adjustments to the standards could be done through the application process. A discussion ensued about verifying the

standing of non-county probation officer applicants for CFI and MI certifications. Proposals for having the Pennsylvania Board of Probation and Parole's (PBPP) Office of Professional Responsibility (OPR) conduct background investigations and putting all CFI/MI certified individuals into J-NET were discussed.

- ✓ It was proposed that the breakdown of the number of firearm instructor training hours required to be eligible for CFI status be changed. This would change the wording from specifying six hours of classroom and six hours of range to simply stating 12 hours of firearms instruction.
- ✓ It was proposed that language be included in the Regulation linking the CFI and MI re-certification dates.
- ✓ Possible proposals for an Unintentional Discharge policy.

MOTION 0805.02: Commissioner Schuster made a motion that Section 79.61 (b) of the Regulation state that when a Master Instructor (MI) is certified, their MI certification date should default to their Certified Firearms Instructor certification date. Commissioner Graybill seconded this motion. All voted to oppose this motion and it was not passed.

MOTION 0805.03: Commissioner Schuster made a motion that Section 79.61 (b) of the Regulation state that when a Certified Firearms Instructor (CFI) is certified to become a Master Instructor their CFI certification date defaults to their Master Instructor certification date. Commissioner Graybill seconded the motion and it was passed by a unanimous voice vote.

MOTION 0805.04: Commissioner Schuster made a motion clarifying the hours of training in Section 79.61 (c) (1) of the Regulation. The clarification states that, for CFI renewal, Certified Firearms Instructors must complete a minimum of 12 hours of relevant firearms instruction including the requirement to conduct one Basic Training event, which may be waived by the Commission, during the preceding 36 month period. Commissioner Repard seconded the motion and it was passed by a unanimous voice vote.

BREAK 10:08 a.m. – 10:20 a.m.

- ❑ Mr. Burns discussed the issue of reinstatement of County Probation Officers who resign their positions and then later return to employment as County Probation Officers. Creating a policy for when an officer can “test out” versus when an officer must re-attend the Basic Firearms Training Academy (Course 1) would be beneficial.
- ❑ Discussion ensued regarding whether a County Probation Officer who resigns and then returns to service before two (2) years have elapsed should be given

the opportunity to test out and not have to re-attend the Basic Firearms Training Course. An officer would have to take and pass both the Basic Firearms Training Academy (Course 1) 10-question Legal and 60-question multiple choice written exams. Additionally, the officer would have to qualify on the Commission's course of fire. It was proposed that any Officer who resigns and is absent for two (2) or more years must re-take the Basic Firearms Training Academy (Course 1). The subject was tabled for more review.

CURRICULUM SUB-COMMITTEE:

- Mr. R. Scott Schlechter, who is a member of the Curriculum Sub-Committee, presented several issues to the Commission members.
- ✓ Critical Incident Report Writing (Course 2) is being rewritten by Mr. Tom Bengé and Mr. Mike Guido.
- ✓ The Curriculum Sub-Committee has questions to ask Advisor Linda Laub regarding the copyrights of the Commission's curricula.
- ✓ The order in which the In-Service Education Classes should they be taken needs re-addressed.

MOTION 0805.05: Commissioner Schuster made a motion requiring County Probation Officers to take Officer Survival Mindset, Cover and Concealment, and Immediate Action Drills (Course 3) as their initial In-Service Course after completing the Basic Firearms Training Academy. Commissioner Graybill seconded this motion. Commissioner Schlechter and Schuster voted for the Motion. Commissioner Repard and Graybill voted against the Motion. The Motion did not pass.

- ✓ Unintentional discharges are being researched. One possible way to deal with the issue is the creation of a Firearms Safety Course. This option is being investigated by both the Curriculum and Policy Sub-Committees.
- ✓ The Curriculum Sub-Committee is in the process of recruiting new members.
- ✓ There was discussion about changing the standards for becoming a CFI and an MI. The proposed changes would create CFI 1, CFI 2, and MI classes. A CFI 1 would be the initial CFI classification and permit the instructor to perform annual requalifications and assist with the Commission's Basic Firearms Training Academy; a CFI 2 would be the next progression allowing an instructor who has been a CFI 1 for at least two years to conduct all the trainings of a CFI 1 and to also conduct in-service trainings; an MI would be the final progression allowing an instructor who has been a CFI 2 for two years to perform all the trainings of a CFI 1 and CFI 2 and to additionally be able to conduct in-house trainings. This classification system was tabled until the July 2008 Commission meeting.
- ✓ The Commission is not currently able to contribute money to the development of the Steelton Police Firing Range.

- ✓ There is a need to secure a facility to be used by the Commission for SIMUNITION® training events.
- ✓ The process of standardizing the format of all SIMUNITION® training scenarios is underway.
- Chairman R. Scott Schlechter appointed Ms. Michele Beaver as a member of the Fiscal Sub-Committee.
- Chairman R. Scott Schlechter appointed Mr. Erik Christensen as the Chair of the Curriculum Sub-Committee.
- Chairman R. Scott Schlechter appointed Mr. Thomas Schuster as the Chair of the Policy Sub-Committee.

5. REPORTS of AD HOC COMMITTEES

- **SAFETY**
 - ✓ Commissioner Schuster requested that Mr. Burns continue to follow up with the unintentional discharge of a weapon which occurred in Cambria County.
 - ✓ Commissioner Schuster informed the Commission that May 15, 2008 is National Peace Officer Memorial Day. It is authorized to fly flags at half-staff.
- **FISCAL**
 - ✓ The Fiscal Committee has not yet conducted a meeting. Commissioner Graybill plans to conduct a Fiscal Sub-Committee meeting prior to the next Commission Meeting.

6. UNFINISHED (OLD) BUSINESS

- Mr. Burns advised the Commission members of the delays with the acquisition of the Laser Shot equipment. Mr. Burns has been told the equipment should be ordered within 60 days.
- Mr. Burns stated that the Policy Sub-Committee saw no needed changes for the SIMUNITION® Intergovernmental Agreement. The Commissioners expressed concern over the many approvals required by the form and the item was tabled until the next meeting.

7. NEW BUSINESS

- Request for re-certification for Lawrence County Officer Andrea Anderson

MOTION 0805.06: Commissioner Repard made a motion for Officer Anderson to be recertified to carry her weapon provided she successfully passes both the 10-question legal exam and 60-question multiple choice exam from the Basic Firearms Training Course (Course 1) as well as shooting the qualification course of fire with her county-issued duty weapon and achieving a passing score. Officer Anderson has until July 31, 2008 to meet these requirements. Motion was seconded by Commissioner Schuster and it was passed by a majority vote. Commissioner Schlechter voted against the Motion.

Commissioner Repard requested that County Probation Departments make all future requests for such actions on official agency letterhead signed off on by the department's Chief Probation Officer.

- Request for waiver from 2007 In-Service requirement for Kelly Armstrong, Wyoming County Adult Probation Department.

MOTION 0805.07: Commissioner Repard made a motion to grant the request from Chief Ciprich to waive the in-service requirement that was mandated by the Commission in October 2007. *This motion was not seconded.*

There were several other officers in the same situation as Officer Armstrong [as listed below].

- ✓ William Decker, Blair County Adult Probation Department
- ✓ Stephanie Donaldson, Clearfield County Adult Probation Department
- ✓ Timothy Duff, Adams County Juvenile Probation Department
- ✓ Melissa Gally, Allegheny County Adult Probation Department
- ✓ Denise Schechterly, Columbia County Juvenile Probation Department
- ✓ Elizabeth Umstead, Dauphin County Juvenile Probation Department
- ✓ Richard Wienczkowski, Erie County Adult Probation Department

The Commissioners decided to act on these officers in a single motion:

MOTION 0805.08: Commissioner Schuster made a motion to waive the 2007 in-service requirement for the following officers: Officer Armstrong, Decker, Donaldson, Duff, Gally, Schechterly, Umstead, and Wienczkowski due to the Commission being delayed in providing In-Service classes in a timely manner in 2008. Motion was seconded by Commissioner Repard and was passed by a unanimous voice vote.

- Dauphin County Juvenile Probation request to conduct in-house SIMUNITION® training for 2008 in-service credit.

MOTION 0805.09: Commissioner Schuster made a motion to allow the Dauphin County Juvenile Probation Department to conduct an in-house SIMUNITION® course to satisfy their 2008 In-Service training credit. Motion was seconded by Commissioner Graybill and it was passed by a unanimous voice vote.

8. LEGAL: NONE

9. PUBLIC COMMENT AND QUESTIONS: NONE

10. ADJOURNMENT:

Motion 0805.10: Commissioner Repard made a motion to adjourn at 12:12 p.m. Commissioner Schuster seconded the motion it was passed by a unanimous voice vote.

Respectfully Submitted,

Todd Burns

Todd Burns
Executive Director