



FIREARM EDUCATION AND TRAINING COMMISSION

March 18, 2010

A regular meeting of the County Probation and Parole Officers' Firearm Education and Training Commission convened at 9:01 a.m. on March 18, 2010 at the Courtyard Marriott, 1730 University Drive, State College, PA. The following Commissioners (*) and other individuals were present:

Mr. R. Scott Schlechter, Chairman*	Mr. Todd Burns (Executive Director)
Mr. Keith Graybill, Vice Chairman*	Ms. Angela Sweigart (Adm. Officer)
Ms. Michelle Beaver, Commissioner*	Ms. Diane Schaeffer (Comm. Secretary)
Mr. Robert Repard, Commissioner*	Mr. Thomas Dougherty (Advisor)
Mr. Mark Hamilton, Commissioner*	Ms. Linda Laub (Advisor)
Mr. Thomas Schuster, Commissioner*	Mr. Conway Bushey (Advisor)
Ms. P. Beth Dombrowsky, Commissioner*	Mr. Jamie Jendrysik (Guest)
	Mr. James Lombardo (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. Chairman Schlechter introduced guests Mr. Jamie Jendrysik and Mr. James Lombardo of the Lawrence County Probation Department.

2. REVIEW and APPROVAL of MINUTES of the PREVIOUS MEETING:

MOTION 1003.01 Motion was made by Commissioner Dombrowsky to accept the minutes from the January 21, 2010 meeting. Motion was seconded by Commissioner Beaver and it was passed by a unanimous voice vote.

3. ANNOUNCEMENTS:

Chairman Schlechter:

- NONE

Executive Director Burns:

- Executive Director Burns announced that in-service classes will begin in mid to late April 2010.
- Executive Director Burns informed the Commissioners that, beginning in May, hardcopies of Commission meeting packets will be sent out prior to the Commission meetings.

- Executive Director Burns announced that the hotel originally secured for the Basic Training classroom portion of training will not be utilized due to issues with the facility.
- Executive Director Burns announced that he and Administrative Officer Angela Sweigart attended the Adult Chief Probation Officers' meeting held on March 12, 2010 in State College.

4. REPORTS of OFFICERS and STANDING COMMITTEES:

Chairman Schlechter

- NONE

Executive Director Burns

- Executive Director Burns reported a current fund balance of \$1,097,432.
- Executive Director Burns reported that version 1.6 of the Firearm Commission Training Management System (FCTMS) will not be fielded until mid May 2010 at the earliest. Executive Director Burns suggested that the commission pursue contracting out for future refinements to FCTMS.
- Executive Director Burns provided the records retention schedules of both the Pa. Board of Probation and Parole and the Commonwealth.
- Executive Director Burns discussed the current method officers use to submit their fingerprints prior to attending basic training. The commissioners authorized allowing probation departments to submit fingerprints via AFIS, as long as they comply with Motion 1001.02 [**MOTION 1001.02:** *Motion made by Commissioner Repard that before an officer can participate in a Commission Basic Training an officer must first submit their fingerprints to the Pennsylvania State Police for a background check and to an NCIC check and be cleared. Motion seconded by Commissioner Beaver and it was passed by a unanimous voice vote.*]
- Executive Director Burns reported that Right to Know Law training CD's were sent out to all Commissioners.

Policy Committee:

- Administrative Officer Sweigart discussed the Policy Committee meeting that was held in Harrisburg on March 5, 2010. Findings of the meeting included:
 - ✓ The committee recommended adopting the Break in Service procedure.
 - ✓ The committee recommended adopting the Essential Eligibility requirements.
 - ✓ The committee recommended adopting the Weapon Change procedure.

MOTION 1003.02: Motion was made by Commissioner Repard to adopt the proposed "Break in Service" procedure and to have it become effective as soon as it is posted on the commission's website. Motion was seconded by Commissioner Dombrowsky and it was passed by a unanimous voice vote.

- ✓ It was determined that forms 19B and 19C should be modified as applications rather than amending the regulations.
- ✓ Student Code of Conduct modifications were proposed. It was recommended that the portion of the Student Code of Conduct referencing the use of prescription drugs be made into a separate policy.
- ❑ Executive Director Burns reported that new Code of Conduct rules will be drafted which will include clarification of unprofessional conduct as well as the policy for students who are late for training events.
- ❑ Executive Director Burns discussed Motion 1001.02 requiring the results of the fingerprint background check prior to a student attending a commission Basic Firearms Training Academy or a County In-House Basic Firearms Training Academy. The recommended procedure would be that once the fingerprints have cleared, the responsible county Approving Authority should update the officer's basic application by placing a "yes" in the fingerprint requirement section along with the date the clearance was received.

MOTION 1003.03: Motion was made by Commissioner Dombrowsky to adopt the proposed "Essential Eligibility" requirements both for range and classroom. Motion was seconded by Commissioner Repard and it was passed by a unanimous voice vote.

MOTION 1003.04: Motion was made by Commissioner Schuster to adopt the "Weapon Change" procedure. Motion was seconded by Commissioner Hamilton and it was passed by a unanimous voice vote.

Curriculum Committee:

- ❑ Chairman R. Scott Schlechter reported that a new course of fire will be evaluated by Mr. James Gunderman, Dauphin County Adult Probation, Mr. Robert Repard, Tioga County Probation, Mr. Ron Millward, Centre County Probation, and Chairman R. Scott Schlechter, Lehigh County Probation.
- ❑ The committee revisited the motion, approved March 23, 1999, that established a pass/fail exam standard for the legal portion of the basic training. The committee requested that the standard be rescinded.

MOTION 1003.05: Motion was made by Commissioner Hamilton to rescind the motion made by Commissioner Clark on March 23, 1999 stating that all students attending a Basic Firearms Training Academy must take a separate legal or justification of the use of force, as defined under the crimes code, examination and achieve a score of 100%. Motion was seconded by Commissioner Graybill and it was passed by a unanimous voice vote.

- The committee plans to revise the test portion of the basic training and to present a 70-question exam, incorporating all the legal test questions, for consideration at the next commission meeting.

BREAK 10:38 a.m. – 10:55 a.m.

5. REPORTS of SPECIAL COMMITTEES:

Officer Safety Committee:

- Executive Director Burns reported that the committee has not met recently due to a delay with posting the new Chair of the committee, but that they will be working on a template to be used in reporting weapon discharges.
- The committee continues to work on a best practices firearms policy.
- Mr. Conway Bushey reported that the Adult Chief Probation Officers' Association will be adding an ad-hoc Safety Committee.

Fiscal Committee:

- Mr. Keith Graybill reported the Fiscal Committee held a meeting on March 17, 2010. Items discussed at the meeting included:
 - ✓ A proposed presentation to the Juvenile Chief Probation Officers' Association by Executive Director Burns.
 - ✓ A discussion of Juvenile Probation Officer staffing level trends throughout the Commonwealth.
 - ✓ Mechanisms which could be used to provide additional revenue to the commission.

MOTION 1003.06: Motion was made by Commissioner Graybill to amend a statement from the January 21, 2010 commission meeting minutes by striking the word "necessity" from the Fiscal Committee report and replacing it with the word "option." Motion seconded by Commissioner Schuster and it was passed by a unanimous voice vote.

6. UNFINISHED (OLD) BUSINESS:

NONE

7. NEW BUSINESS:

- Request for Initial CFI Status:
 - ✓ Joseph MacLaughlin, Franklin County Probation
 - ✓ Jerry Spiegel, Lackawanna County Probation

MOTION 1003.07 Motion was made by Commissioner Schuster to approve Certified Firearms Instructor status for Joseph MacLaughlin and Jerry Spiegel. Motion seconded by Commissioner Repard and it was passed by a unanimous voice vote.

- Request for Renewal of CFI Status:
 - ✓ Bruce Cunningham, Allegheny County Adult Probation
 - ✓ Steven Daugherty, Tioga County Probation
 - ✓ Rocky Hileman, Sullivan County Adult Probation
 - ✓ James Lombardo, Lawrence County Adult Probation
 - ✓ Sean Madden, Union County Adult Probation
 - ✓ Ralph Markel, Dauphin County Adult Probation
 - ✓ William McMullen, Dauphin County Adult Probation
 - ✓ Patrick Michaels, Westmoreland County Adult Probation
 - ✓ Brian Miller, Cambria County Adult Probation
 - ✓ Carmen Perfetta, Schuylkill County Adult Probation
 - ✓ M. Scott Pierce, Jefferson County Adult Probation
 - ✓ Thomas Shepherd, Somerset County Adult Probation
 - ✓ George Stiles, III, Cambria County Adult Probation
 - ✓ Keith Van Louvender, Pike County Adult Probation
 - ✓ Michael Varner, Cumberland County Adult Probation

MOTION 1003.08 Motion was made by Commissioner Dombrowsky to approve the renewal of Certified Firearms Instructor status for Bruce Cunningham, Rocky Hileman, James Lombardo, Sean Madden, Ralph Markel, William McMullen, Patrick Michaels, Brian Miller, Carmen Perfetta, M. Scott Pierce, Thomas Shepherd, George Stiles III, Keith Van Louvender, and Michael Varner. Motion was seconded by Commissioner Repard and it was passed by a unanimous voice vote.

MOTION 1003.09: Motion was made by Commissioner Schuster to approve the renewal of Certified Firearms Instructor status for Steven Daugherty. Motion was seconded by Commissioner Dombrowsky and it was passed by a unanimous voice vote. *Commissioners Repard and Hamilton abstained from the vote.*

- Request for Renewal of MI Status:
 - ✓ Michael Guido, Dickinson College
 - ✓ Shawn Morgan, Butler County Adult Probation
 - ✓ Thomas Schuster, Bradford County Probation

MOTION 1003.10: Motion was made by Commissioner Repard to approve the renewal of Master Instructor Status for Michael Guido, Shawn Morgan, and Thomas Schuster. Motion was seconded by Commissioner Beaver and it was passed by a unanimous voice vote. *Commissioner Schuster abstained from the vote.*

- Recertification to carry a firearm on duty for Richard Anglemeyer, Dauphin County Adult Probation:

MOTION 1003.11: Motion was made by Commissioner Repard that Officer Anglemeyer be required to successfully pass the commission's course of fire in order to become recertified. Commissioner Repard also specified that Officer Anglemeyer attend the first available in-service training event in 2010. Motion was seconded by Commissioner Dombrowsky and it was passed by a unanimous voice vote.

- 2010 In-Service credit for Steve Merino, Dauphin County Adult Probation

MOTION 1003.12: Motion was made by Commissioner Graybill to grant 2010 in-service credit to Steve Merino for a four-day handgun course presented by Front Sight Firearms Training Institute, provided he supply the commission with verification he completes the course. Motion was seconded by Commissioner Repard.

DISCUSSION: Ms. Linda Laub advised the commission that section 79.63(b) of the regulation requires that an application be made to the commission 90 days prior to the first day of the training event. An application was not made prior to the 90 day mark in this case.

Commissioner Graybill's previous motion, 1003.12, was withdrawn.

MOTION 1003.13: Commissioner Repard made a motion to waive the 2010 in-service training requirement for Steve Merino. Motion was seconded by Commissioner Dombrowsky. The motion did not carry.

- Chairman Schlechter recommended that the Policy Committee consider amending the 90 days language in section 79.63(b).

MOTION 1003.14: Motion was made by Commissioner Repard to task the Policy Committee with amending regulation section 79.63(b) to remove the 90 day requirement for applications to be submitted to the commission prior to a training event. Motion was seconded by Commissioner Beaver. A roll call vote was requested. Commissioners Beaver, Dombrowsky, Hamilton, Repard, Schuster, and Schlechter voted in favor of the motion. Commissioner Graybill voted against the motion. The motion carried.

8. LEGAL ISSUES AND COMMENT:

- Advisor Linda Laub announced she was being considered as the possible Chief Counsel for the Pa. Board of Probation and Parole. Such a promotion would necessitate a new counsel for the commission.

9. PUBLIC COMMENT AND QUESTIONS:

- Mr. Jamie Jendrysk, Chief, Lawrence County Adult Probation thanked the Commissioners for allowing him to participate and expressed an interest in becoming more involved with the commission.

10. ADJOURNMENT:

MOTION 1003.15 Motion made by Commissioner Schuster to adjourn at 11:59 a.m. Motion was seconded by Commissioner Beaver and it was passed by a unanimous voice vote.

Respectfully Submitted,

Todd Burns
Executive Director