



pennsylvania

FIREARM EDUCATION AND TRAINING COMMISSION

November 18, 2010

A regular meeting of the County Probation and Parole Officers' Firearm Education and Training Commission convened at 9:01 a.m. on November 18, 2010 at the Courtyard Marriott, 1730 University Drive, State College, PA 16803. The following Commissioners (*) and other individuals were present:

Chairman R. Scott Schlechter (*)	Diane Schaeffer, Commission Secretary
Vice Chairman Keith Graybill (*)	Mr. Greg Young, Advisor (PBPP)
Commissioner Michelle Beaver (*)	Mr. John Manning, Advisor (PBPP)
Commissioner Robert Repard (*)	Mr. Thomas Dougherty, Advisor (PBPP)
Commissioner P. Beth Dombrowsky (*)	Mr. Erik Christensen, (Guest)
Mr. Todd Burns, Executive Director	Mr. William Erickson, (Guest)
Mr. Nicholas F. Klimowicz, Administrative Officer	

1. CALL TO ORDER and PLEDGE of ALLEGIANCE

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

MOTION 1011.01: Commissioner Dombrowsky made a motion to approve the minutes from the September 22, 2010 meeting. Motion was seconded by Commissioner Repard and it was passed by a unanimous voice vote.

3. ANNOUNCEMENTS

- **Chairman Schlechter – NONE**
- **Todd Burns, Executive Director**
 - ✓ Executive Director Burns introduced Nicholas F. Klimowicz as the Commission's new Administrative Officer.
 - ✓ Executive Director Burns recapped the 60th and 61st Basic Firearms Training Academies. Two new departments, Lebanon County Juvenile Probation and Bucks County Adult Probation, attended these classes.
 - ✓ Executive Director Burns regretted to inform all in attendance of the death of retired Probation Officer and Certified Firearms Instructor, Ms. Janeth Walker, of Somerset County Probation.

- ✓ Executive Director Burns announced that the Commission's equipment must be moved from its current location due to construction at the PBPP office. Construction is supposed to run until May 2011.

4. REPORT OF OFFICERS AND STANDING COMMITTEES

- **Chairman Schlechter – None**

- **Executive Director Burns:**

- ✓ Executive Director Burns discussed the current Commission Fund balance.
- ✓ Executive Director Burns reported the status of the Firearm Commission Training Management System (FCTMS). Mr. Burns also discussed correspondence between the Commission and Mr. Clair Bange, Director of the Bureau of Information Technology. Commissioner Schlechter requested a meeting be scheduled with Director Bange to discuss FCTMS.
- ✓ Executive Director Burns reported that the Honorable Thomas King Kistler's term with the Commission has expired. Mr. Burns stated that President Judge Russell D. Shurtleff of the 44th Judicial District was in the process of being appointed to fill Judge Kistler's vacancy.

- **POLICY COMMITTEE:**

- ✓ Executive Director Burns recapped the meeting held in Harrisburg on November 4, 2010.
 - There has been no movement yet by JNET on PFA notifications.
 - The committee is working on accidental discharge (AD) procedures. These procedures should be ready to present to the Commission at the January meeting. In addition to the procedures the committee recommends creating a filing and numbering system for AD incidents and that some type of comment be entered into an officer's profile in FCTMS after such an incident.
 - The committee discussed the wording for a proposed amendment to the Commission's regulations (Section 79.53) allowing for a pro-rated cost of training to be paid by a county department if a probation officer is late and thus turned away from a training event.
 - The committee discussed the status of proposed regulation amendments dealing with weapon change procedures; break in service procedures; Section 79.61(b); and Section 79.61(c).

- **CURRICULUM COMMITTEE:**

✓ Chairman Erik Christensen discussed:

- The committee has finalized Course 7, Weapon Control / Weapon Retention and Disarming. A pilot training is planned for January 2011 to be followed up by a train the trainer event.

MOTION 1011.02: Commissioner Repard made a motion to approve a pilot training event for Course 7, Weapon Control / Weapon Retention and Disarming, to be conducted in 2011 and to allow participants attending this event to receive 2011 continuing education credit. Permission is granted to conduct a train the trainer event in 2011. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

- The committee determined that until a department decides to approve officers to carry a single action only (SAO) weapon, they will not review the current Commission policy prohibiting them.
- The committee discussed an inquiry requesting that an active-shooter course be developed. This is currently under consideration.
- The committee reviewed the SIMUNITION® roster to determine which CFI's have been assisting in Commission-sanctioned events.
- Crime Scene Security training was reviewed as a potential in-service course.
- The Basic Firearms Training Academy (Course 1) is still being re-worked. Chairman Schlechter is confident the program will be ready for the 2011 training year.
- Accidental discharges were discussed.

5. REPORTS OF SPECIAL COMMITTEES

□ **Officer Safety Research Committee:**

- ✓ Executive Director Burns recapped the meeting held in Harrisburg on November 9, 2010.
 - A procedure should be created and followed if an accidental discharge of a weapon occurs at a training event. This procedure should be published in the Commission's newsletter.
 - The Safety Committee concluded that instructors need to be held to a higher standard and that an AD at a training event by an instructor should result in their immediate removal from the training event. The instructor's

certification should be suspended until a review of the incident by the Commission can be completed.

- The “Best Practices Firearms Policy” should be completed and presented to the Commission at the next meeting. This reference policy will be beneficial to newly-arming departments trying to create a firearms policy.

MOTION 1011.03: Commissioner Repard made a motion that in the event of an accidental discharge of a weapon by a Certified Firearms Instructor at a Commission-sponsored event, the instructor be immediately removed from the range or training site and have their Certified Firearms Instructor certification suspended until the Commission can convene to address the situation. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

- **Fiscal Committee - None**

6. UNFINISHED (OLD) BUSINESS

- **Create a Committee to Research Hiring Additional Staff Member – Tabled.**
 - ✓ The Commission will look into having members oversee various Commission events throughout the state in 2011.

7. NEW BUSINESS

- **Request for Initial CFI Status**
 - ✓ Jeffrey Baker , Pike County Adult Probation
 - ✓ David Eckert, Franklin County Adult Probation
 - ✓ Aaron Harvey, Dauphin County Juvenile Probation
 - ✓ Kassi Morgart, Dauphin County Juvenile Probation
 - ✓ Jason Politowski, Pike County Juvenile Probation

MOTION 1011.04: Commissioner Graybill made a motion to approve initial Certified Firearms Instructor status for Jeffrey Baker, David Eckert, Aaron Harvey, Kassi Morgart and Jason Politowski. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

- **Request for Renewal of CFI Status**
 - ✓ Gerald Davis, Lackawanna County Adult Probation
 - ✓ Andrea McClelland, Lehigh County Adult Probation
 - ✓ Neil Stefanisko, Schuylkill County Adult Probation

MOTION 1011.05: Commissioner Dombrowsky made a motion to approve the renewal of Certified Firearms Instructor status for Gerald Davis, Andrea McClelland, and Neil Stefanisko. Commissioner Beaver seconded the motion and it was passed by a unanimous voice vote. *Commissioner Schlechter abstained from the vote.*

□ **Request for Renewal of MI Status**

- ✓ Seth Reeser, Dauphin County Adult Probation

MOTION 1011.06: Commissioner Dombrowsky made a motion to approve the renewal of Master Instructor status for Seth Reeser. Commissioner Beaver seconded the motion and it was passed by a unanimous voice vote.

□ **Petitions for Extension of Time to Complete 2010 Maintenance of Certification**

- ✓ Mike Brown, Berks County Adult Probation

MOTION 1011.07: Commissioner Repard made a motion to approve the Petition for Extension to complete the 2010 annual requalification requirement for Michael Brown until March 30, 2011. Commissioner Beaver seconded the motion and it was passed by a unanimous voice vote.

- ✓ Janice Dean, Allegheny County Adult Probation

MOTION 1011.08: Commissioner Graybill made a motion to approve the Petition for Extension to complete the 2010 annual requalification requirement for Janice Dean until December 31, 2010. Commissioner Repard seconded the motion and it was passed by a majority vote. Commissioner Schlechter voted against the motion.

- ✓ Athena Dedes, Berks County Adult Probation

MOTION 1011.09: Commissioner Graybill made a motion to approve the Petition for Extension to complete the 2010 annual requalification requirement for Athena Dedes until March 31, 2011. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

- ✓ Shannon Eberhart, Cumberland County Juvenile Probation

MOTION 1011.10: Commission Repard made a motion to approve the Petition for Extension to complete the 2010 in-service training requirement for Shannon Eberhart until May 31, 2011. Officer Eberhart is encouraged to attend the Course 7, Weapon Control / Weapon Retention and Disarming pilot training event in January, 2011. Officer Eberhart is required to complete two in-service training events in 2011. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

- ✓ Scott Erb, Lycoming County Adult Probation

MOTION 1011.11: Commissioner Repard made a motion to approve the Petition for Extension for Scott Erb to complete the 2010 annual requalification requirement until December 17, 2010. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

- ✓ Bruce Gallagher, Somerset County Probation

MOTION 1011.12: Commissioner Graybill made a motion to approve the Petition for Extension for Bruce Gallagher to complete the 2010 annual requalification and in-service training requirements until July 1, 2011. Commissioner Repard seconded the motion and it was passed by a unanimous voice vote.

- ✓ Amanda Riston, Allegheny County Adult Probation

MOTION 1011.13: Commissioner Repard made a motion to approve the Petition for Extension for Amanda Riston to complete the 2010 annual requalification requirement until January 31, 2011. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

- ✓ Ed Robbins, Chief, Lycoming County Juvenile Probation

MOTION 1011.14: Commissioner Graybill made a motion to approve the Petition for Extension for Edward Robbins with the requirement that he is to enroll in the Course 7, Weapon Control / Weapon Retention and Disarming, pilot training event in January 2011. Commissioner Repard seconded the motion and it was passed by a majority vote. Commissioner Schlechter voted against the motion.

BREAK 10:25 a.m. – 10:43 a.m.

Motion 1011.15: Commission Dombrowsky made a motion to amend Motion 1011.14. Chief Robbins has until May 31, 2011 to complete his 2010 in-service training requirement. Commissioner Beaver seconded the motion and it was passed by a majority vote. Commissioner Schlechter voted against the motion.

- **Approved 2011 Commission Meeting Dates**
 - ✓ Thursday, January 27, 2011
 - ✓ Thursday, March 24, 2011
 - ✓ Thursday, May 19, 2011
 - ✓ Thursday, July 28, 2011
 - ✓ Thursday, September 8, 2011
 - ✓ Thursday, November 17, 2011

- **Weapon Accidental Discharge/Procedures** – to be discussed in Executive Session.

- **2010 Financial Presentation**
 - ✓ Executive Director Burns presented a financial update to the Commissioners.

EXECUTIVE SESSION 11:20 a.m. – 12:18 p.m.

Motion 1011.16: Commissioner Repard made a motion to revoke the Certified Firearms Instructor Certification for Tim Duff for the negligent discharge of a firearm on October 19, 2010 for twelve months effective immediately. A letter will be sent to Officer Duff, his Chief Probation Officer, and his President Judge. The Commission will allow Officer Duff to reapply for Certified Firearms Instructor status at the end of the twelve month revocation period. Officer Duff is encouraged to attend safety training prior to reapplying for Certified Firearms Instructor status. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote. *Notation of this revocation will be made in FCTMS.*

8. LEGAL ISSUES and COMMENT- None

9. PUBLIC COMMENT and QUESTIONS

- Commissioner Repard stated that he may be seeking public office and would therefore lose his ability to be on the Commission. He will make a decision by February 2011.

10. ADJOURNMENT

MOTION 1011.17: Commissioner Dombrowsky made a motion to adjourn at 12:25 p.m. Commissioner Repard seconded the motion and it was passed by a unanimous voice vote.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Todd Burns", followed by a long horizontal line extending to the right.

Todd Burns
Executive Director