



January 15, 2015

A regular meeting of the County Probation and Parole Officers' Firearm Education and Training Commission (FETC) convened at 9:02 a.m. on January 15, 2015 at the Days Inn, 240 S. Pugh Street, State College, PA 16801. The following Commissioners (*) and other individuals were present:

Chairman Keith Graybill*	Mr. Greg Young, Advisor (PBPP)
Commissioner Michelle Beaver*	Mr. Robert McCullough, Advisor
Commissioner Erik Christensen*	Mr. Eric Burkholder, Berks County
Commissioner P. Beth Dombrowsky*	Mr. Craig Christensen, Erie County
Commissioner Russell D. Shurtleff*	Ms. Pam Witwer, Admin. Officer (PBPP)
Commissioner Mark Hamilton*	Ms. Shannon Bennett, Secretary
Commissioner R. Scott Schlechter*	
Mr. John Manning, Legal Advisor (PBPP)	

1. CALL to ORDER and PLEDGE of ALLEGIANCE:

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

MOTION 1501.01: Commissioner Dombrowsky made a motion to approve the minutes from the November 20, 2014 and December 17, 2014 meetings. Commissioner Schlechter seconded the motion and it was passed by a unanimous voice vote.

3. ANNOUNCEMENTS and REPORTS:

• **Chairman**

- ✓ Chairman Graybill announced with sadness the passing of Chairman White. Chairman Graybill stated that he mailed a card on behalf of the Commission to the Chairman White's family expressing our condolences. Chairman Graybill said that Governor Corbett appointed Board member John Tuttle as Acting Chairman. Chairman Tuttle has been on the Board of Probation and Parole for approximately 15 years. Chairman Graybill contacted Chairman Tuttle and welcomed him to the Commission. Chairman Tuttle was unable to attend today's meeting but was extended an invitation to attend any future meetings.

- ✓ Chairman Graybill introduced and welcomed Administrative Officer Pam Witwer to the FETC, and said she has been doing a magnificent job.
- ✓ Chairman Graybill announced that Administrative Officer Witwer and Secretary Shannon Bennett met with Nick Klimowicz in Harrisburg on January 12 to present him with a plaque for his service to the FETC.

- **Administrative Officer**

- ✓ Administrative Officer Witwer stated that Mr. Klimowicz has been very helpful with the transition into her new position. She stated that the procedures manuals for the Executive Director and Administrative Officer positions that Mr. Klimowicz was working on remain incomplete. Administrative Officer Witwer extended appreciation to Advisor Young and Secretary Bennett for their help with getting her acclimated with the duties of her new position.
- ✓ Administrative Officer Witwer announced that she and Secretary Bennett visited the Palmyra Sportsmen's Association and HACC ranges on January 9. Administrative Officer Witwer met Skip Klinger, President of Palmyra Sportsmen's Association, who gave her a membership application as well as some guidelines that will assist her during BTA range weeks. Later that afternoon, Administrative Officer Witwer was introduced to staff at the Picolla Law Enforcement Complex on the HACC campus received a tour of the facility and ranges.
- ✓ Administrative Officer Witwer announced that there are four dates for the 2015 BTAs and she is in the process of entering the dates into FCTMS. Due to the transition with staff, she was unable to obtain range dates in April or May. The first BTA will be held in June. She will contact all counties to make them aware of the dates. She has already received requests from instructors to teach and those who wish to obtain Master Instructor status.
- ✓ Administrative Officer Witwer met with Laura Treaster on January 13 to discuss the FETC website. Ms. Treaster taught Administrative Officer Witwer how to add and edit content to our website. They made several changes to update the website to the current year, including the dates for the BTAs. The In-Service Training dates for 2015 are listed as TBA until a contract to provide those services is in place.
- ✓ Administrative Officer Witwer reported that Cheryl O'Hara from PBPP's Purchasing Division has requested access for her to the agency's purchasing system. This will allow Administrative Officer Witwer to assign approval the purchase orders that Secretary Bennett enters into the system. Administrative Officer Witwer also reported that she will be meeting with Ms. O'Hara on January 16 to discuss the new In-Service Training contract.
- ✓ Administrative Officer Witwer made a commitment to publish a newsletter every quarter, beginning with the first quarter (end of March). She is scheduled to attend Microsoft Publisher training to help with creating the newsletters. She was able to take pictures of the officers who were running a pilot of Course 9 at the HACC range yesterday, and will include some of those in the newsletter.

- ✓ Administrative Officer Witwer will begin a project of reviewing FETC forms and the In-House course curriculums. She feels it would be helpful to review and update them, as some of the documents may contain outdated information and/or errors.
- ✓ Administrative Officer Witwer announced that there is going to be a review of the FCTMS system. Chairman Graybill stated that there have been some major issues with the FCTMS system and upgrades could be a possibility. Advisor Young stated that the Commonwealth hired a company called PAI to update all Commonwealth websites. PAI has a 10-year contract with the Commonwealth to update applications and computer software. They will evaluate any application used by any state agency and offer revisions or a replacement system. They are already under contract with the Commonwealth so there is no cost to the Commission. Advisor Young stated that Ms. Treaster spoke with her contact person at PAI. PAI stated that they could analyze FCTMS. Meetings will need to be scheduled with PAI to communicate to them what the problems are with FCTMS and what the system needs to make it more efficient. Advisor Young advised that this project is in the infancy stage.
- ✓ Chairman Graybill praised Administrative Officer Witwer for being a self-starter and having a good scope of the Administrative Officer's position.

4. REPORTS of OFFICERS and STANDING COMMITTEES:

- **Chairman Keith Graybill**

- ✓ Chairman Graybill asked every Commissioner pick up a 'Completion of State Ethics Commission Financial Statement of Interest' form. Every Commissioner is expected to fill out this form and submit it to the contact listed.
- ✓ Chairman Graybill shared some updated information about the vacant Executive Director position. Commissioner Graybill has been working with OA, who has been in contact with the Civil Service Commission, and there's reason to believe that a decision could be made by January 21. Pending approval from the Governor, we would be able to advertise for this position. Chairman Graybill chose members for a Search Committee. This Committee will look at all the applications submitted for the Executive Director position, then select three candidates for the entire Commission to interview. Chairman Graybill asked the Commissioners and Advisors if this is acceptable. Advisor Manning suggested that the Search Committee conduct the initial interviews. Chairman Graybill stated that Commissioners Beaver and Dombrowsky were on the Search Committee. Commissioner Shurtleff asked if the interviews could be scheduled during a regular Commission meeting rather than have a special meeting. Chairman Graybill stated that this could be done. Advisor Manning stated that the interviews would be conducted during Executive Session. Chairman Graybill will proceed as planned and asked that anyone who would like to serve on the Search Committee and is able to travel to Harrisburg to conduct initial interviews, please advise him of such.
- ✓ Chairman Graybill stated that we did not have a full financial report prepared for this meeting but he did contact Mr. Jeff Cushey and was able to obtain a balance sheet via email. Revenue YTD is \$192,679.46. Total revenue is \$1,043,238. Balance is \$850,559, which is without the anticipated expenditures and commitments removed. The Finance Committee needs to schedule a meeting in January or early February. A copy of the balance sheet will be emailed to all Commissioners, with a full copy of the financial report sent via email once Mr. Cushey has prepared such. Commissioner

Dombrowsky asked when the fiscal year begins. Chairman Graybill responded that July 1 is the start of the fiscal year, with June 30 being the end date.

- **FISCAL COMMITTEE:**

- ✓ Nothing to report; did not meet.

- **POLICY COMMITTEE:**

- ✓ Nothing to report; did not meet.

- **CURRICULUM COMMITTEE:**

- ✓ Committee Chairman Burkholder reported that the Curriculum Committee met on January 14 at the HACC indoor range.

- ✓ Chairman Burkholder announced that they ran a pilot run of Course 9. He stated that it is a very good course but a very difficult course. Commissioner Christensen and Ken Smith did a great job of organizing the course. Chairman Burkholder would like the committee to meet in February to work out and finalize some logistical issues before running Train-the-Trainer class. The Curriculum Committee would like the Train-the-Trainer class to be a two days, which would consist of the Curriculum Committee teaching the course to the CFIs on the first day, then having the CFIs taking part by doing teachbacks on the second day. This will enable the CFIs to be better prepared to go back to their home counties and teach their officers to be better shooters in anticipation of the new standards are coming out in 2016 and being enforced in 2017. It is expected that Course 9 in its entirety with all the logistical details will be ready for approval by the Commission at the March meeting. The Curriculum Committee is hoping that Course 9 will be placed into the new contract, with an initial offering of 15 classes this year. Chairman Burkholder stated that multiple Train-the-Trainer classes will needed to be offered taking into account range size and the number of CFIs interested. Chairman Burkholder requested permission for the Curriculum Committee to meet in February, as well as approval to run the Train-the-Trainer classes once the course is finalized and approve by the Commission, and that the Commission would reimburse the Curriculum Committee for any hotel, mileage and meals in order to run these courses. Chairman Graybill stated that this course has to be approved before it can be submitted for bid. Chairman Graybill asked if additional expenses would be needed to move forward with this course. Chairman Burkholder replied that he would like the Curriculum Committee to meet in February to finalize the course because the committee spent most of their time on the range learning the course from Commissioner Christensen with little time to discuss how to deliver this course to CFIs, which is why an additional meeting is needed to discuss how to train the CFIs and detail the Train-the-Trainer class. Chairman Graybill stated that a motion is needed to approve the expenses of the Curriculum Committee incurred during the development of Course 9.

MOTION 1501.02: Commissioner Shurtleff made a motion that participants in the curriculum development for Course 9 be reimbursed for mileage, meals and lodging pending the curriculum being presented to the Commission. Commissioner Hamilton seconded the motion and it was passed by a unanimous voice vote. Commissioner Dombrowsky abstained.

- ✓ Commissioner Shurtleff asked how many members were participating in developing Course 9. Chairman Burkholder stated that there are 10 participants.
- ✓ Commissioner Christensen asked if they were responsible for making their own hotel reservations. Secretary Shannon Bennett stated that if they advised her of their need for hotel reservations, she would make the arrangements.
- ✓ Mr. Burkholder said the Master Instructor request for Dan Mosier was discussed. Mr. Burkholder questioned whether or not Officer Mosier taught in the classroom or the range because he did not see his evaluations. Administrative Officer Witwer stated that Officer Mosier had been evaluated for the classroom portion of a BTA but not the range portion and therefore does not qualify at this time.

5. REPORTS of SPECIAL COMMITTEES:

- **OFFICER SAFETY RESEARCH:**

- ✓ Nothing to report; did not meet.

- **FISCAL COMMITTEE:**

- ✓ Nothing to report; did not meet.

6.UNFINISHED (OLD) BUSINESS:

- ✓ Chairman Graybill stated that as in every Commission meeting, what is said here is recorded.
- ✓ Commissioner Shurtleff inquired as whether an individual who wishes to become a CFI and MI status must be a serving probation or parole officer. Mr. Burkholder responded that one does not have to be an active probation or parole officer.

7. NEW BUSINESS

- **Request for the Initial of CFI Status**

- ✓ John Toner, Centre County Adult and Juvenile Probation
- ✓ Jeffrey Daniell, Centre County Adult and Juvenile Probation
- ✓

MOTION 1501.03: Commissioner Schlechter made a motion to approve the Request for Initial CFI Status for John Toner and Jeffrey Daniell. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

- **Request for the Renewal of CFI Status**

- ✓ Brian Updegrove, Northumberland County Adult and Juvenile Probation
- ✓ Larry Smith, Lycoming County Juvenile Probation
- ✓ Ethan Weidle, Lebanon County Adult and Juvenile Probation
- ✓ Shane Schmeckenbecher, Lehigh County Adult Probation

MOTION 1501.04: Commissioner Shurtleff made a motion to grant the Renewal of CFI Status for Brian Updegrove, Larry Smith, Ethan Weidle and Shane Schmeckenbecher. Commissioner Hamilton seconded the motion and it was passed by a unanimous voice vote. Commissioner Schlechter abstained from Shane Schmeckenbecher's renewal.

- **Request for the Renewal of MI Status**

- ✓ Ronnie Millward, Centre County Adult and Juvenile Probation
- ✓ John Yarnell, Luzerne County Adult and Juvenile Probation

MOTION 1501.05: Commissioner Schlechter made a motion to grant the Renewal of MI status for Ronnie Millward and John Yarnell. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

- ✓ Chairman Graybill asked if the Commission can approve Mr. Yarnell since he is retired from Sullivan/Wyoming Counties and had not worked for Luzerne County. Advisor Young stated that he isn't attached to Luzerne County. We need to determine how he will be labeled in FCTMS. Currently, there isn't an option to list anyone under retired status in the system and it would be helpful to have a county they are attached to. In FCTMS, we have the option of choosing employed or unemployed. This is something that needs to be updated in FCTMS. There are some instructors who are not POs. Commissioner Schlechter asked if these officers were attached to other counties. Advisor Young stated that we are unable to locate someone in FCTMS that is active and unemployed; we would have to specifically locate that one person. We can't locate all of the CFIs and have someone marked as unemployed – they wouldn't appear on the list. Usually the AA of the county needs to submit their information into FCTMS. They would have to submit paperwork to the Commission to ask for permission. The officers need to be attached to a county for that officer to remain active. Advisor Manning stated that it isn't a requirement to be attached to a county. Chairman Graybill asked if Luzerne County submitted the petition for Mr. Yarnell. Commissioner Dombrowsky asked if Mr. Yarnell would still teach. Administrative Officer Witwer stated that Mr. Yarnell would teach for Luzerne County and it was Mr. Yarnell who submitted his application for the renewal of his MI status. Chairman Graybill asked if there were any questions or concerns moving forward with Mr. Yarnell's petition for MI renewal. Chairman Graybill also asked if there was precedence for this situation. Advisor Young stated that Bill Erikson retired but may still teach as a private contractor and that would be our precedence. We would need to delineate who they are in FCTMS. Advisor Manning suggested using their county of residence. Commissioner Schlechter stated that police officers are attached to the

counties in which they teach. Advisor Young said that in FCTMS, we can attach them to a county probation department.

- **Petition for Extension**

- ✓ Anton Allsop, Berks County Adult and Juvenile Probation
- ✓ Colin Kilkenny, Philadelphia County Juvenile Probation
- ✓ Brent Welton, Philadelphia County Juvenile Probation

MOTION 1501.06: Commissioner Shurtleff made a motion to approve the Petition for Extension for Anton Allsop due to deployment. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

MOTION 1501.07: Commissioner Shurtleff made a motion that the Petition for Extension for Colin Kilkenny be denied due to the fact that it was not timely filed before the Commission. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

- ✓ Chairman Graybill stated that he was contacted by the Chief Probation Officer from Philadelphia County Juvenile Probation (and also received a follow-up letter) with regard to Officers Kilkenny and Welton. Officers Kilkenny and Welton did not complete all Continuing Education requirements and were suspended from carrying until such time that they complete the requirements and fulfilled them to such an extent that they are approved by the Commission. Chairman Graybill stated that both officers are scheduled to attend a January 22 class that will go towards their 2014 requirements. Chairman Graybill stated that if an officer has not filed an extension and has not completed the Continuing Education requirement, then he is not permitted to carry. Commissioner Shurtleff stated that by approving the request for extension, this individual could carry but he has not used a weapon since May 2014. Administrative Officer Witwer read from the Chief's letter that both officers have requalified for the 2014 calendar year and only need the Continuing Education requirements. Chairman Graybill stated that the Chief, the AA and the Officer should receive a letter reflecting the Commission's decision, and that the officer would need to follow through on the training that is scheduled and then file a petition for approval for the March Commission meeting. Advisor Manning stated that the Commissioner could allow for a waiver for training. Chairman Graybill stated that the absence of any direction, the Commission would need to create a pathway of what is expected through a waiver process so that the officer can resume carrying his firearm.

MOTION 1501.08: Commissioner Shurtleff made a motion to amend the previous motion to provide that Officer Kilkenny shall not be permitted to carry a firearm until such time that he completes a Continuing Education class for 2014 and Continuing Education class for 2015 at which time the Chief of Probation shall provide the Commission with a written request for reinstatement to carry. Commissioner Schlechter seconded the motion and it was passed by a unanimous voice vote.

MOTION 1501.09: Commissioner Schlechter made a motion that the Petition for Extension for Brent Welton be denied due to the fact that it was not timely filed before the Commission and providing that Officer Welton shall not be permitted to carry a firearm until such time that he completes a Continuing Education class for 2014 and Continuing Education class for 2015 at which time the Chief of Probation shall provide the Commission with a written request for reinstatement to carry. Commissioner Shurtleff seconded the motion and it was passed by a unanimous voice vote.

- ✓ Advisor Young stated that in the past, officers have submitted Petitions for Extensions when they missed training. And as long as they've done the training for the previous year, they can carry a firearm but they must complete training for the current year as well. The officer was allowed to carry a firearm after they completed their missed training. However, they were given a timeline to complete the second training.

Break at 10:27 a.m. Back in session at 10:42 a.m.

- ✓ Advisor Manning announced that Chief Counsel Barbara L. Christie is retiring on January 20. No replacement has been announced at this time.
- ✓ Chairman Graybill added another agenda item under New Business, which is a Request for Reinstatement under the break in service provision and is submitted by Commissioner Burkholder. He had an officer who was certified and attended at BTA in 2008 and attended a Continuing Education class in 2009 and a Continuing Education class in 2010. He went to the Criminal Justice Advisory Board in Berks County for a term of 19 months. He came back to the adult probation department. He is looking to be reinstated under the break in service 12 – 24 month policy. He would need to take the written test and requalify. His name is Brendan Harker. Some of the documentation can't be accessed because at the time Berks County Adult and Juvenile were separate in FCTMS. Mr. Harker was listed as unemployed and when Adult and Juvenile merged in FCTMS; his records were lost. The specific dates of his training are non-existent. Advisor Manning stated that there doesn't need to be a motion. The 'Break In Service Policy/Procedure' needs to be followed. He can do this In-House. The Chair will note that he has met all the requirements. Chairman Graybill asked if Mr. Burkholder had an records for Mr. Harker so a new file could be started. Mr. Burkholder has his original BTA certificate and he will check his files for any Continuing Education class certificates.

- **Petition for Waiver**

- ✓ Edward McCoy, Lycoming County Adult Probation

MOTION 1501.10: Commissioner Schlechter made a motion to approve the Petition for Waiver for Edward McCoy that he does not need to attend a BTA. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

- ✓ Chairman Graybill stated that he received Mr. McCoy's request for a waiver. However, he was advised that he was unable to grant a waiver, that it would have to go before

the Commission. Administrative Officer Witwer stated that Mr. McCoy is requesting a waiver from attending a BTA because he has many years of experience and substantial training. He was a Lycoming County detective from 2003–2011, so he does have a break in service. Advisor Manning stated that a break in service as defined in the Regulations refers to a break in service as a Probation Officer. Chairman Graybill said that Mr. McCoy's break in service was as a Probation Officer.

8. Legal Issues and Comments / Executive Session

- ✓ Chairman Graybill appointed a Teller's Committee during the November Commission meeting consisting of Advisor Young (Chair) and Advisor McCullough. Advisor Young distributed the nomination forms for the Vice Chairman of the Commission. The nominees for the Vice Chairman position were Scott Schlechter and Mark Hamilton. The Commissioners voted and Scott Schlechter was nominated as the Vice Chairman of the Commission. Advisor Young distributed the nomination forms for Chairman of the Commission. Advisor Young announced that there was only one (1) nominee. Keith Graybill was nominated as the Chairman of the Commission. Chairman Graybill thanked the Teller's Committee.

9. PUBLIC COMMENT AND QUESTIONS.

- ✓ None

10. ADJOURNMENT:

MOTION 1501.11: Commissioner Shurtleff made a motion to adjourn at 11:04 a.m. Commissioner Dombrowsky seconded the motion and it was passed by a unanimous voice vote.

Respectfully Submitted,

Shannon Bennett

Secretary