

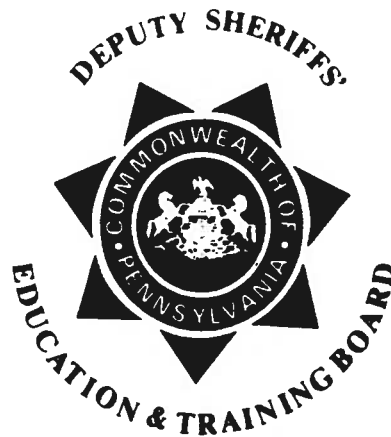
# PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

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## HOUSE JUDICIARY COMMITTEE HEARING REVIEW OF THE DEPUTY SHERIFFS' EDUCATION AND TRAINING BOARD SEPTEMBER 10, 1991

### TESTIMONY OF JAMES THOMAS, EXECUTIVE DIRECTOR PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, AS SHERIFF MICHEL HAS INFORMED YOU, MY NAME IS JAMES THOMAS AND I AM THE EXECUTIVE DIRECTOR OF THE PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY. SINCE THE INCEPTION OF THE DEPUTY SHERIFFS' EDUCATION AND TRAINING BOARD IN 1984, THE COMMISSION HAS PROVIDED THE STAFF AND ADMINISTRATIVE SUPPORT REQUIRED FOR THE IMPLEMENTATION OF ALL ASPECTS OF THE BOARD'S OPERATION. THE REASON FOR THE BOARD'S CREATION AND ALL OF THE ACTIVITIES OF THE BOARD ARE DIRECTLY RELATED TO THE TRAINING OF THE APPROXIMATELY 1,400 DEPUTY SHERIFFS EMPLOYED BY THE COMMONWEALTH'S 67 COUNTY SHERIFFS.

AS THE BASIS FOR CERTIFICATION OF DEPUTY SHERIFFS, THE BOARD'S BASIC TRAINING CURRICULUM CONSISTS OF 160 HOURS OF INSTRUCTION DIVIDED INTO SEVERAL MAJOR TOPICS, INCLUDING: INTRODUCTION TO THE JUSTICE SYSTEM, ROLE OF THE SHERIFF, CIVIL LAW AND PROCEDURE, CRIMINAL LAW AND PROCEDURE,

PRISONER TRANSPORTATION, COURT SECURITY, SELF DEFENSE, CRISIS INTERVENTION, PROFESSIONAL DEVELOPMENT, FIREARMS, AND FIRST AID. AN ABBREVIATED BASIC TRAINING COURSE, KNOWN AS THE WAIVER COURSE, CONSISTS OF CIVIL LAW AND PROCESS, PRISONER TRANSPORTATION, AND COURT SECURITY. THE WAIVER COURSE IS PROVIDED TO THOSE DEPUTIES WHO, BASED UPON RELEVANT PRIOR TRAINING, EDUCATION OR EXPERIENCE, HAVE APPLIED FOR AND HAVE BEEN GRANTED A WAIVER OF BASIC TRAINING BY THE BOARD.

THIS CURRICULUM AND ITS DELIVERY ARE BASED UPON THE BOARD'S REVIEW OF OTHER STATE-LEVEL CRIMINAL JUSTICE TRAINING PROGRAMS, THE TRAINING NEEDS OF DEPUTY SHERIFFS, AND THE INTENT OF ACT 1984-2. DURING THE DEVELOPMENT OF CURRICULUM AND THE ON-GOING PRESENTATION OF BASIC TRAINING, THE BOARD HAS BEEN VERY CONSCIOUS OF MAINTAINING A HIGH QUALITY OF TRAINING. THE BOARD RECOGNIZES THE IMPORTANCE OF ITS TRAINING AS THE FOUNDATION OF PROFESSIONAL DEVELOPMENT FOR DEPUTY SHERIFFS WHO DIRECTLY SERVE THE PUBLIC.

THE BOARD'S APPROACH TO BASIC TRAINING UTILIZES A SINGLE, CENTRAL TRAINING SITE. THE BOARD HAS FOUND THAT THIS APPROACH EMPHASIZES THE SERIOUSNESS OF THE TRAINING, ALLOWS TRAINEES TO TAKE FULL ADVANTAGE OF THE COURSE CONTENT AND TRAINING FACILITIES, PROMOTES THE EXCHANGE OF IDEAS AND METHODS AMONG DEPARTMENTS, AND PROVIDES A UNIFORMITY OF TRAINING RECEIVED BY DEPUTIES FROM ALL PARTS OF THE COMMONWEALTH.

THROUGH THE REQUEST-FOR-PROPOSALS PROCESS, THE BOARD HAS CONTRACTED WITH THE DICKINSON SCHOOL OF LAW, CARLISLE, FOR THE DELIVERY OF BASIC TRAINING SINCE 1985. UNDER BOARD SUPERVISION, THE LAW SCHOOL HAS TRAINED 1,327 DEPUTIES IN 15 BASIC TRAINING CLASSES AND EIGHT WAIVER CLASSES DURING THE PAST SEVEN YEARS. SINCE THE FIRST TWO YEARS OF BASIC

TRAINING, WHICH TRAINED THE LARGE INITIAL GROUP OF TRAINEES, THE BASIC TRAINING SCHEDULE HAS BECOME STABLE. ON AN ANNUAL BASIS THE BOARD TRAINS AND CERTIFIES BETWEEN 140 AND 160 DEPUTIES THROUGH TWO BASIC TRAINING CLASSES AND ONE WAIVER CLASS.

THE BOARD'S CONTINUING EDUCATION TRAINING, IDENTIFIED IN ACT 1984-2 AS BETWEEN 16 AND 20 HOURS OF INSTRUCTION, MUST BE ATTENDED BY ALL DEPUTIES EVERY TWO YEARS. THE BOARD VIEWS CONTINUING EDUCATION AS A MEANS OF MAINTAINING THE LEVEL OF PROFESSIONAL PROFICIENCY OF DEPUTIES. AS WITH BASIC TRAINING, THE BOARD IS CONCERNED THAT THE TRAINING PRESENTED IS OF A HIGH QUALITY AND DIRECTLY RELATED TO THE DUTIES PERFORMED BY A DEPUTY SHERIFF.

THE CONTINUING EDUCATION CURRICULUM CONTAINS A TOTAL OF 19 SUBJECTS ORGANIZED INTO FIVE MODULES OF 20 HOURS OF INSTRUCTION EACH. ALTHOUGH THE MAJORITY OF CONTINUING EDUCATION SUBJECTS ARE DIRECTLY RELATED TO THE BASIC TRAINING CURRICULUM, THEY ARE DESIGNED TO PROVIDE BOTH A REFRESHER AND AN EXPANSION OF THE TRAINING WHICH DEPUTIES RECEIVE IN BASIC TRAINING.

AGAIN, UTILIZING THE REQUEST-FOR-PROPOSALS PROCESS, THE BOARD HAS CONTRACTED WITH TEMPLE UNIVERSITY DEPARTMENT OF CRIMINAL JUSTICE FOR THE DELIVERY OF CONTINUING EDUCATION TRAINING SINCE 1987. TEMPLE PROVIDES CONTINUING EDUCATION IN TEN LOCATIONS AROUND THE STATE, ON A ROTATING BASIS OVER A TWO-YEAR TRAINING CYCLE. IN THIS MANNER THE BOARD IS ABLE TO ACCOMPLISH CONTINUING EDUCATION TRAINING OF APPROXIMATELY 700 DEPUTIES PER YEAR.

THERE ARE PRESENTLY A NUMBER OF AMENDMENTS TO ACT 1984-2 WHICH, IF APPROVED, WOULD BRING ABOUT SIGNIFICANT POSITIVE CHANGES TO THE OPERATION OF THE BOARD AND THE TRAINING IT PROVIDES TO DEPUTY SHERIFFS. I WOULD LIKE TO BRIEFLY FOCUS ON THE MAJOR CHANGES WHICH THE BOARD CONSIDERS IMPORTANT.

HOUSE BILL 1361, PRINTER'S NUMBER 1579, INTRODUCED BY REPRESENTATIVE MAYERNICK, CONTAINS FOUR MAJOR AMENDMENTS TO ACT 1984-2. OF IMMEDIATE CONCERN IS A CHANGE IN THE POINT OF COLLECTION OF THE SURCHARGE FROM THE SHERIFF TO THE PROTHONOTARY. THIS IS OF CRITICAL IMPORTANCE TO THE BOARD SINCE IT WOULD RESTORE THE LOSS OF REVENUE EXPERIENCED AS A RESULT OF THE RECENT SUPREME COURT CHANGE IN RULE 400, RULES OF CIVIL PROCEDURE. THE SUPREME COURT HAS SUSPENDED RULE 400 FOR PHILADELPHIA COUNTY, REMOVING THE REQUIREMENT FOR SERVICE BY THE SHERIFF FOR THE MAJORITY OF CIVIL PAPERS AND ALLOWING SUCH SERVICE TO BE PERFORMED BY PRIVATE PROCESS SERVERS. IT IS OUR UNDERSTANDING THAT THIS CHANGE WAS PROMPTED BY A BACKLOG OF SERVICE IN CIVIL MATTERS IN PHILADELPHIA. THIS CHANGE HAS EFFECTIVELY REDUCED THE SURCHARGE COLLECTIONS BY \$190,000 OR APPROXIMATELY 30 PERCENT OF THE ANNUAL TOTAL. IF THIS SITUATION IS ALLOWED TO CONTINUE, WE PROJECT DEPLETION OF THE DEPUTY SHERIFFS' TRAINING ACCOUNT WITHIN THE NEXT TWO YEARS.

BECAUSE THE BASIC TRAINING CURRICULUM HAS BEEN IN USE FOR SIX YEARS AND IN ANTICIPATION OF FUTURE TRAINING NEEDS, THE BOARD RECENTLY DETERMINED THE NEED TO REVIEW THE PRESENT BASIC TRAINING CURRICULUM TO ENSURE THAT IT CONTAINED THE MOST JOB-RELEVANT AND RECENT INFORMATION AVAILABLE. THIS ANALYSIS, CONDUCTED BY APPLIED SCIENCE ASSOCIATES, INCORPORATED, UNDER CONTRACT WITH THE BOARD, REVIEWED THE BASIC TRAINING CURRICULUM IN LIGHT OF THE SPECIFIC DUTIES PERFORMED BY A DEPUTY SHERIFF

AND THE KNOWLEDGE AND SKILL WHICH AN ENTRY LEVEL DEPUTY MUST POSSESS IN ORDER TO ADEQUATELY PERFORM THOSE DUTIES. THE ANALYSIS INDICATES THE NEED TO EXPAND BASIC TRAINING BEYOND THE CURRENT 160 HOURS TO AT LEAST 280 HOURS OF INSTRUCTION.

HOUSE BILL 1361 WOULD AMEND SECTION 5 OF ACT 1984-2 TO ALLOW THE EXPANSION OF BASIC TRAINING TO A MINIMUM OF 280 HOURS AND A MAXIMUM OF 360 HOURS. THE INCREASE IN TRAINING HOURS PROVIDED BY HOUSE BILL 1361 IS ACCOMPANIED BY A \$1.50 INCREASE IN THE SURCHARGE TO A TOTAL OF \$3.50, AMENDING SECTION 8(b) OF THE ACT.

THE BOARD'S EXPERIENCE IN OBTAINING COMPLIANCE, BY SHERIFFS AND THEIR DEPUTIES, WITH THE TRAINING MANDATES OF ACT 1984-2 INDICATES A NEED TO STRENGTHEN THE ENFORCEMENT PROVISIONS OF THE ACT. HOUSE BILL 1361 CONTAINS TWO SUCH PROVISIONS. FIRST, IT WOULD PROVIDE A MORE DIRECT TIE BETWEEN REQUIRED SUCCESSFUL COMPLETION OF BASIC TRAINING AND THE ABILITY TO EXERCISE THE POWERS AND DUTIES OF A DEPUTY SHERIFF. SECONDLY, IT WOULD ALLOW A \$100 PER DAY CIVIL PENALTY FOR EACH DAY THAT A COUNTY EMPLOYS A DEPUTY IN VIOLATION OF THE TRAINING MANDATES OF THE ACT.

FINALLY, HOUSE BILL 1360, PRINTER'S NUMBER 1578, ALSO INTRODUCED BY REPRESENTATIVE MAYERNICK, WOULD STRENGTHEN THE LINKAGE BETWEEN THE BOARD AND THE COMMISSION BY IDENTIFYING THE CHAIRMAN OF THE DEPUTY SHERIFFS' EDUCATION AND TRAINING BOARD AS AN EX-OFFICIO MEMBER OF THE COMMISSION ON CRIME AND DELINQUENCY.

WE WOULD BE HAPPY TO RESPOND TO QUESTIONS AT THIS TIME.