

County Chief Adult Probation and Parole Officers Association of PA
General Business Meeting
Friday, March 11, 2022
The Graduate Hotel, State College and Zoom

Meeting minutes

Chief POs in attendance in person: Gale Kendall (Adams), Frank Scherer (Allegheny), Regina Himes (Armstrong), Dan Heydt (Berks), Andrew Hathorn (Cameron), Rick Parsons (Carbon), Chris Murphy (Chester), Jayne Smail (Clarion), Trevor Oates (Crawford), Darby Christlieb (Cumberland) Chad Libby (Dauphin), Jen Quagliani (Elk), Jen Rager (Erie), Doug Wilburne (Franklin), Len Hahn (Huntingdon), Michelle Beaver (Juniata), Nick Wolfkiel (Mifflin), Bernie Sikora (Monroe), Kathy Subbio (Montgomery), James Miller (Montour), Tim Heitzman (Northumberland), Roger Miller (Perry), Jeff Angradi (Pike), Dave Roman (Somerset), April Billet (York)

Chief POs in attendance via Zoom: Amanda Moore (Blair), Christine Shenk (Bucks), Douglas Ritson (Butler), Mark Ledford (Cambria), Ryan Smeltzer (Centre), Shawn Burkhart (Clearfield), Donald Coleman (Columbia), Danielle Hibberd (Delaware), Dan Miller (Fulton), Tracy Gordon (Jefferson), Meghan Osborne (Lackawanna-proxy), Mark Wilson (Lancaster), Jamie Jendrysik (Lawrence), Audrey Fortna (Lebanon), Mark Surovy (Lehigh), Edward McCoy (Lycoming), Marie Bartosh (Northampton), Anthony Aner (Philadelphia), Brian Abel (Potter), Bo Trawitz (Snyder), Scott Kerstetter (Union), Mike Walters (Warren), Eric Leydig (Westmoreland)

Others in attendance in person: Renawn Harris (Allegheny), Brendan Harker (Berks), Andrew Cooper (Dauphin), Gretchen Anderson (Dauphin), Steve Fingado (Cameron), Chris Pawlowski (Chester), Sandra Larson (Chester), William Decker (Elk), Chris Kelller (Erie), Geoffrey Willett (Franklin), Amber Snedeker (Huntingdon), Pam Sheffer (Lehigh), Colton Spade (Mifflin), Steph Landes (Montgomery), Brian Updegrave (Northumberland), Michelle Orris (Perry), Don Overmoyer (York), Rhys Kershaw (York), Kelly Ross (York)

Helene Placey (CCAPPOAP), Nevin Warner (AOPC), Todd Sacket (JNET), Ryan Meyers (PA Commission on Sentencing), Margret Thompson (DOC Interstate Services), Michelle Hair (DOC Interstate Services), Tom Dougherty (DOC Court Services)

Note: there were associate members and other guests participating via Zoom.

Meeting called to order: by President April Billet at 9:00 am

Secretary Len Hahn and Helene Placey took roll call of all county chiefs in attendance. It was determined a quorum had been established.

President's Welcome:

April Billet welcomed all those attending the meeting.

OFFICER'S REPORTS

President

April informed the Chiefs that Dan Heydt would be stepping down as chairman of the Training & Education Committee due to his promotion to Chief Probation Officer. Chris Pawlowski would now be the chairman of this committee. However, April informed the Chiefs that Dan Heydt would still remain the chairman of CAPPAC's Training Subcommittee.

Vice President

Frank Scherer indicated that since he just stepped into this role he didn't have a report. He did however indicate that a goal of his vice presidency will be to get more members of the association involved.

Secretary

Len Hahn reported that a draft of the minutes from the December 3, 2021 General Membership meeting were disseminated by Helene via email. A motion was made by Rick Parsons to approve the minutes. Chad Libby 2nd the motion. A vote was taken and the motion passed unanimously. Helene reminded the Chiefs that all of the general business meeting minutes are posted on the association's website for review.

Treasurer

Christine Shenk reviewed the 1st quarter Treasurer's report for 2022 showing an ending balance of \$238,902.66 after all expenses were paid. However, Helene's 1st quarter salary and expenses still needed to be paid. These expenses will be paid out in the 2nd quarter.

Executive Director:

Helene Placey reported the following:

- The status of Memberships and Assessments for 2022; so far 47 Full Chief memberships have been paid, leaving 17 unpaid; 43 counties have paid in full their assessments, 4 counties made a partial payment of their assessments and 19 counties have yet to pay
- Helene listed in her PowerPoint the 17 counties that have yet to pay their membership dues (Armstrong, Bedford, Blair, Bradford, Columbia, Green, Jefferson, Lackawanna, Luzerne, Montgomery, Northampton, Snyder, Sullivan, Tioga, Venango, Wayne and Wyoming).
- She also listed in her PowerPoint the 19 counties that have yet to pay their assessments (Armstrong, Bedford, Blair, Bradford, Cameron, Clearfield, Columbia, Green, Jefferson, Lackawanna, Luzerne, Montgomery, Northampton, Snyder, Sullivan, Tioga, Venango, Wayne and Wyoming).
- EBP Trainings are ending on 3/31/22. A modification request to extend the grant was made; waiting for approval. If approved, EBP training will start up again in the summer
- So far 64 EBP Training sessions have been held with 1200 plus registrants taking part in those trainings

- MI Updates- The MI training has been ongoing; Scheduling is ongoing and counties can still request MI training at this time; However, there is a waiting list for in-person training; Chiefs who have trainers w/in their department need to support them. The association is trying to get as many counties trained as possible.
- Remind to the Chiefs that feedback will be needed after every 2022 quarterly meeting location that the association holds their General Membership meetings. A blue feedback form will be available at each meeting for the members to fill out. This feedback will be used by the Executive Committee to decide which location to use in 2023 for our quarterly General Membership meetings.
- Commended the work of the committees and the chairs the past year
- Shared with the association some Chief Probation Officer milestones; the following Chiefs recently hit either 5, 10, 15 or 30 years as being the Chief Probation Officer in their respected counties: (5 years- Justin Popovich/Bradford, Rick Parsons/Carbon, Brian Abel/Potter; 10 years-Chad Libby/Dauphin; 15 years-Chris Murphy/Chester, Mark Wilson/Lancaster, Jamie Jendrysik/Lawrence and 30 years-Craig Wise/Greene, Jim Miller/Montour and Jeff Shoemaker/Susquehanna.

CAPPAC & SUBCOMMITTEE UPDATES

Funding Subcommittee – Chairman Rick Parson reported that a funding plan for Continuing County Adult Probation & Parole Grants (formerly called GIA) was developed. PCCD leadership is currently reviewing that recommended funding plan. If approved, this recommended funding formula is to be submitted to CAPPAC at their May meeting for final approval.

The CAPPAC funding subcommittee recently began developing a strategic funding plan for Probation with Restrictive Probation (formerly CIP) and Justice Reinvestment (JRI-2) funds. However, Rick indicated that it's being recommended that \$7.8 million of JRI-2 funds be used to make the counties harmless that will see a reduction in their GIA.

Standards Subcommittee – Chairman Scott Kerstetter reported that EBP standards were submitted to CAPPAC. Scott further stated that Judge Charles Ehrlich will be devising a Judicial Education in Probation Practices curriculum to be shared with all other Court of Common Pleas judges.

Training Subcommittee –Chair Dan Heydt reported that a workgroup was established to develop curriculum for a one-week defensive tactics course. This workgroup included reps from each class size county. The workgroup reviewed different models and curriculums. A defensive tactics curriculum for new officers was submitted to PCCD for review. Dan indicated that there are concerns on funding and instructors being liable. These concerns need addressed. Lastly, Dan indicated that subcommittee member Dr. Howard is doing a job task analysis to determine what duties probation officers do most frequently.

Firearms Subcommittee –Co-Chair Michelle Beaver stated that there was a subcommittee meeting just yesterday. Michelle reported that the Continuing ED Course schedule was recently sent to all of the Chiefs. The classes are filling up fast, so Chiefs should get those signed up now.

The firearms subcommittee is concerned that the ammo shortage could affect continuing Ed courses. It is being recommended to the Chiefs to start purchasing ammo when they can find it.

COMMITTEE REPORTS

EBP Committee

Report from April Billet, Chair

- A video of the PCCJI-virtual Stakeholder forums that were recently held have been posted on the Chiefs website; Good feedback was provided at the forums; There was a panel presentation and breakout sessions; also, a resource page was posted on the Chiefs website
- 3 demo counties (York, Berks and Dauphin) will be validating the ORAS;
- PPCJI EBP expansion grant (smart probation) submitted to PCCD; expected start date is 4/1/22; the Carrey Group devised the deliverables/goals; there will be 20 learning sites available (participating counties may receive \$14,000 to support EBP initiatives)
- Next steps are to have in person regional planning workshops (tentatively to be held in Sept/Oct for 1 ½ days); There will be two locations (east/west); Counties will have to apply to attend and bring a team; The Carey Group will help your team come up with an implementation plan
- Developing series of briefs to be handed out to stakeholders (EBP overview; court personnel; case management; programming; research & data; partnership)

Work Group #1- Risk Assessments; Report from Chad Libby

- Meeting was held on 3/9/22
- Continued work on specialized profile sheets
- Plan is to provide recommendations to Chiefs at the June membership meeting
- York County is offering WRNA Training

Work Group #2- Implementation; Report from April Billet

- Disseminated two EBP Briefs: RNR principles and Unintentionally Doing Harm to chiefs
- Two new videos: Overcoming Resistance and Building a Professional Alliance will be released soon; working on creating a companion discussion guide for both videos
- Creating a mentor program

Work Group #3- Data & Dashboard; Report from Rick Parson

- Continue to fine tune performance data recommendations (phase #1)
- How to fund this to become an automotive data collection device (phase #2)

Work Group #4- Victims; Report from Ashlee Lynn (Allegheny)

- Working on training guide related to victims
- Create outline to assist development of brief
- Create one page summary of victim's rights for PO Staff

Inter-County Affairs Committee

Report from Pam Sheffer, Chair

- Nothing new to report since last meeting

Communications Committee

Report from Doug Wilburne, Chair

- Nothing new to report since last meeting

Policy & Legislative Committee

Report from Helene Placey (in lieu of Todd Bergman's absence)

- EBP standards approved by CAPPAC and by PCCD at their Dec 8th meeting
- Comments submitted to PA Supreme Court Rules Committee on proposed rule changes for criminal procedure
- Testimony provided to PA Commission on Sentencing; working on draft for proposed guideline changes; District Attorney's felt probation departments will be overworked
- Proposals for eliminating cash bail are being considered; fear is increased caseloads for Pretrial Services due to those offenders put on supervised bail that normally wasn't able to post bail
- SB 1060 (budget bill)- no increase in funding for GIA or CIP
- SB 913 (probation reform)-passed in Senate, no movement in House
- SB 904 and 905 (use of technology; scheduling appointments) passed in Senate
- HB 773 (DUI)- passed in House; in Senate since November
- HB 2351 (earned time credit) introduced March 8th

Training & Education Committee

Report from Chris Pawlowski, Chair

- Chris indicated that there are three (3) workgroups within the Training & Education Committee
- The conference planning workgroup is working on details for the 2022 conference
- The continuing education workgroup is identifying free or low-cost continuing education for county probation departments; utilizing 2019 & 2021 survey results for topics and priorities
- The defensive tactics workgroup recommended a training curriculum to CAPPAC training subcommittee; the defensive tactics workgroup had concerns on class size, student to instructor ratio; frequency of the classes, and instructor pool; DT is currently on hold at PCDD
- Association will send letter to CAPPAC about the DT workgroups concerns

Racial Diversity Committee

Report from Renawn Harris, Chair

- Met on 1/12/22
- Developing resource document for job/career fairs statewide
- Goals are being established; criminal justice and in general

STATE AGENCY UPDATES

AOPC

Report from Nevin Warner

- Problem Solving Courts is currently receiving grant applications
- AOPC is making a big push on offering trainings; copies of training information was sent to all of the judges and court administrators

DOC-Reentry

No update

JNET

Report from Todd Sackett

- Rolling out soon- User Provisions system on tasks and rolls; Phase #1 of PennDot search; Electronically reporting RM systems on the Recidivism dashboard
- Recidivism dashboard- Continue to work on investigating data errors and it's impacts on the dashboard; work effort continues internally to enable the automatic updates of AOPC via court case event messaging (should be completed and incorporated into the dashboard by 4/22); Strongly encourage counties that have not implemented the JNET ER2P service with their record management system vendors please discuss/review
- JNET training available via JNET portal online trainings and in person regional trainings; Chiefs interested in training for staff please contact Todd Sackett
- JNET Conference in person in State College on 6/16-17/22
- Todd asked if counties were willing to give their JNET data for VUFA convictions to the PA Commission on Sentencing (PCS); Several Chiefs raised issues regarding Right to Know and release of data; it was determined that Ryan Myers on behalf of PCS would need to formally request the data from the Chiefs. In doing so, he would need to provide details of what data the Sentencing Commission was requesting and for what reasons. Then the Chiefs would vote on providing the data or not. Ryan indicated that he would provide the detailed request via email ASAP

PCCD

Report from Jackie Weaknecht, Deputy Director

- Jackie informed the Chiefs that the IP Funding announcement was being released today and would need to be submitted by 4/25/22; IP grants will be only for one year period
- Continuing County Adult Probation & Parole Grant (GIA) funding plan being created
- JRI-2 funding being delayed due to new funding formula being created; will be retroactive

- DT Curriculum has been proposed and is under consideration; liability concerns since the instructors are volunteers so logistics are being worked out; possibility of using Sheriff Academy Instructors to teach DT; Frequency of DT Trainings and/or certification still needs determined
- Jackie informed the Chiefs that Nancy Heisler and Dan Hoover will be joining Vance VanOrder in supporting the work of PCCD's County Adult Probation and Parole Advisory Committee (CAPPAC)
- PCCD is in the process of developing its monitoring plan for county departments
- PCCD is having the CJAB Conference in person April 12-13, 2022; deadline to register is 3/25/22

PA Commission on Sentencing

Report from Ryan Meyers

- The PA Commission on Sentencing's Education & Outreach is available for trainings, videos and monthly updates; remotely or in person for trainings, seminars and SGS overview; Schedule of seminars is posted on their website
- Since Linda Bell retired, the Commission has created an SGS Web help desk portal; submit a ticket and staff will respond to your questions
- Working draft proposals for SGS changes, 6 public meetings will be held; Review in June
- Deadline for 2021 Sentencing Guidelines was Jan 2021 but they can still be reported
- Certification of Compliance of SGS and CIP has been delayed; Sentencing Commission is still going to let counties know if they would have been in compliance or not. Will work with counties to improve
- Sentencing Report is to be released in April
- Chief Audrey Fortna asked Ryan if Chiefs could get a copy of their county's sentencing report anytime and he indicated not at this time; however, the Sentencing Commission is working on this
- Chief Mark Wilson asked how long the certification process will be delayed and Ryan indicated that there will be an informal process in 2022 and then it will be formal in 2023.
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PPB - Court Services

Report from Tom Daugherty

- Tom reported that the Supervision Fee Account wasn't transferred over to PCCD so renewal documents will be sent out and will need to be returned to him by 4/29/22.
- There will be one payment
- April Billet asked if there will need to be a legislative process to transfer this process to PCCD and Tom indicated to the best of his knowledge it was already in ACT 114 of 2019

PPB- Interstate Services

Report from Margret Thompson

- Margret wanted to remind the Chiefs of the significant changes to the Interstate Compact Rules and definitions that become effective on 4/1/22.
- NEW DEFINITION OF RESIDENT: Resident means a person who-
 1. has resided in a state for at least 1 year continuously and immediately prior to either the supervision start date or sentence date for the original offense for which transfer is being requested.

WHAT HAS CHANGED: This removes the language: ‘has continuously inhabited a state for at least 1 year prior to the commission of the offense for which the offender is under supervision.’ So, the definition will no longer be contingent upon the date of the offense. The rest of the language in the definition is essentially the same.

- CHANGES TO RULE 5.108- Probable cause hearing in receiving state
 - b. No waiver of probable cause shall be accepted unless accompanied by an admission by the offender to 1 or more violations of the conditions of supervision that would result in the pursuance of revocation of supervision in the receiving state and require retaking.
 - f. If the hearing officer determines that there is probable cause to believe that the offender has committed the alleged violations of conditions of supervision that would result in the pursuance of a revocation of supervision, the receiving state shall hold the offender in custody...

WHAT THIS MEANS: Receiving states cannot require retaking when waivers are signed or PC is found on only minor violations that would not result in revocation in the receiving state.

- CHANGES TO ALL RULES REQUIRING WARRANTS: 2.110, 4.111, 5.101, 5.102, 5.103, 5.103-1: There is now a 15-business day standard timeframe to issue ALL warrants required by Interstate rules.
- The roll out of a Warrant Tracking System within ICOTS that was to coincide with the effective date of these rule changes has been delayed until 6/1/2022. This delay will not impact the effective date of 4/1/2022 for the rule changes involving warrant timeframes, as noted above. As of 4/1/2022, all interstate warrants must be fully extraditable and issued within 15 business days of submission of the warrant request by the receiving state.
- Please ensure the courts, District Attorney’s Offices, Sheriff Departments, 911 Centers, or anyone else involved in this process, are made aware of the requirement for full extradition and the timeframe within which warrants must be issued.
- At the last State Council meeting it was voted that the transfer fee would remain \$125. Please remember that all offenders that are requesting an interstate transfer are to pay this fee. Only Sentencing Judges can waive the fee if the offender has the inability to pay.

- PA Interstate Compact will be contacting the Chiefs in order to clean up ICOTS and get junk cases (created but not submitted) deleted out of the system
- Consecutive Special Probation cases need to be submitted by counties
- Margret will provide a general overview of the Interstate Compact rules and process at BTA
- Chris Murphy asked if anything has been done about the costs of retaking offenders and Margret replied “no, it’s the county’s responsibility”
- Jim Miller asked if anything was being done on old warrants for cases that would have expired. Margret said “no and if found must be retaken”

OLD BUSINESS

- None

NEW BUSINESS

- Retirements: Don Neil, Beaver County (January 24)
- Recognized new chief appointments: Danielle Hibberd, Delaware County (December); Ann Marie Braskey, Luzerne County (January 3); Dan Heydt, Berks County (January 4); and Ian Thomson, Beaver County (February 21)
- Kathy Subbio, Montgomery County has been appointed Acting/Interim Chief
- 2022 Chiefs Conference (September 12th-13th) at the Penn Stater
- 2022 Quarterly meeting dates; 6/17/22 at the Wyndham, Boalsburg, 9/14/22 at the Penn State Conference Center & Hotel, and 12/2/22 at the Hyatt Place, State College

Meeting adjourned at 11:23 am.

Respectfully submitted,
Leonard R. Hahn
Secretary