



**TESTIMONY BY
THE PENNSYLVANIA STATE ASSOCIATION OF
TOWNSHIP SUPERVISORS**

**BEFORE THE
SENATE LAW AND JUSTICE COMMITTEE**

ON

SB 984 (PN 1299)

PRESENTED BY

**ELAM M. HERR
ASSISTANT EXECUTIVE DIRECTOR**

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GREENSBURG, PA**

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Chairman Pippy and members of the Senate Law and Justice Committee:

Good morning. My name is Elam M. Herr, and I am the assistant executive director for the Pennsylvania State Association of Township Supervisors. Thank you for the opportunity to appear before you today on behalf of the 1,455 townships in Pennsylvania represented by the Association.

Townships comprise 95 percent of the commonwealth's land area and are home to more than 5.4 million Pennsylvanians, nearly 42 percent of all state residents. These townships are very diverse, ranging from rural, agricultural communities with fewer than 200 residents to more urban, populated communities with populations approaching 70,000 residents.

SB 984 would authorize the Pennsylvania State Police Commissioner to enter into contractual agreements with municipalities that do not have an organized local police force to provide police services through one or more state troopers. A municipality could partner with one or more adjacent municipalities for such agreements.

This bill is similar to the "Resident Trooper" program of the early 1990s that established a system in which a State Police trooper would be assigned to provide police protection within a specific municipality. However, Act 12 of 1991, which established the program, was ultimately a flawed program because of its sunset date, which ended the program just six months after the State Police formulated regulations for its implementation. Ultimately, no municipality took advantage of the Resident Trooper program and the 50 troopers hired were folded into the State Police's overall complement.

SB 984 is a much-improved proposal and, most importantly, does not have a sunset provision. The proposal would not require a state appropriation because the costs associated with the program would be borne by the contracting municipalities. These revenues would be credited to a restricted account and used to cover expenses related to the implementation of the contract, including labor and benefit costs for the contracted troopers.

A number of other states currently have programs where their state police may enter into agreements with communities for police protection. For instance, over a quarter of all of the local governments in Connecticut have entered into an agreement with their state police for a full-time assigned trooper, with costs shared between the state and the municipality. In addition, Maryland's resident trooper program has been in existence since 1968 and provides troopers, and even clerical support staff, to certain counties and municipalities. The Maryland program goes beyond basic police services and also includes crime prevention, juvenile matters, and community relations.

The State Police would retain administrative control over the assigned troopers who would serve under the local State Police field commander and be covered by State Police orders, regulations, and directives. In addition, troopers assigned under the bill

would not count against the overall State Police complement, thus reducing the risk of troopers being pulled from existing assignments to serve in a contracting municipality.

Municipalities would benefit under SB 984 because they would have control over local police service levels and benefit from the professionalism, efficiency, and logistical support of the State Police. Troopers would serve exclusively in the assigned municipality or municipalities and could not be removed except in cases of extreme emergencies. A current disadvantage for municipalities relying on the State Police for police coverage is the fact that troopers do not enforce local ordinances. SB 984 would partially address this limitation by empowering contracted troopers to enforce the municipality's public safety ordinances, in addition to the Vehicle Code and Pennsylvania's criminal laws.

Local police departments are very expensive to establish and operate, and can be unattainable for many communities. Local departments require a full range of equipment, including communications devices, weapons, protective gear, vehicles, a station where officers are based, and support services for managing incoming calls and records administration. In addition, salaries, health insurance, and pension costs rise as officers gain more experience and may become legacy costs that remain with the community for decades. In contrast, SB 984 would maximize the existing structure of the State Police at what we hope will be a reasonable cost to local taxpayers.

There are some areas of SB 984 that we feel could be improved. For instance, Section 713.1(a) states that only municipalities that do not have a police department on the *effective date* of the act may participate. What about existing small or part-time departments that could use this type of support? In addition, the bill does not address whether a municipality that is unsatisfied with an assigned trooper can request a new trooper under the program.

Another provision that could be clarified is the role, if any, that a municipality has in scheduling and overseeing the work of an assigned trooper. Also, there is no definition for "extreme emergency." Perhaps "declared" emergency would be a more appropriate term to use. Finally, while the bill states that a contracted trooper could enforce local ordinances pertaining to "public safety," what about the enforcement of parking violations or other township ordinances? We do see these concerns as minor issues that could be clarified in the State Police's implementing regulations or the contracts.

The Association has long supported local control of police services, increased funding for local police departments, and reasonable alternatives for the provision of police services. For example, the Association supported the majority of the recommendations made in 1999 by the House Resolution 167 Task Force, such as allowing municipalities with police departments to retain all fine monies collected; creating a Municipal Police Fund with surcharges on misdemeanors of the third degree and above to provide grants for municipalities that are considering providing police services; and authorizing municipalities to levy a special dedicated real estate tax for funding police services not to exceed 10 mills. PSATS also supports the establishment of

a low-interest revolving loan program for police equipment and facilities similar to the program available to volunteer fire departments. We believe that SB 984 is a positive alternative for those municipalities that want to provide police services to their residents and is compatible with the spirit of the HR 167 report.

In closing, there are currently a number of proposals in the General Assembly attempting to address the alleged inequity between municipalities that have their own departments and those that do not. Most of these schemes are punitive, seeking to penalize the over 1,200 municipalities in Pennsylvania that rely upon the State Police for patrol services. Please keep in mind that these communities have deliberated over the prospect of providing local police services and for various reasons have determined that it is in the best interest of their residents to rely on the State Police for police coverage. SB 984 offers a fair approach for addressing the expense of operating the State Police while providing dedicated police protection to municipalities at a reasonable cost.

Thank you for this opportunity to testify before you today. I will now attempt to answer any questions that you may have.