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Senate Law and Justice Hearing

February 4, 2010

Senate Bill 984 Testimony

Good Morning. I would like to begin by thanking Chairman John Pippy for bringing the Law and Justice Committee to Greensburg for this hearing on Senate Bill 984. Welcome Chairman Sean Logan. And welcome also to all of you who took the time out of your schedule to be here today to listen to the testimony on Senate Bill 984.

Senate Bill 984 creates the State Trooper Services Contractual Program. This legislation would allow municipalities that do not operate their own police force to directly contract with the Pennsylvania State Police for troopers beyond the current allowable complement, or number, of troopers. Under current law, municipalities and the state police do not have the ability to enter into a contract for services. This bill would change that and provide an optional tool for municipalities should they take the opportunity to enhance the police presence in their community, or in lieu of an expensive over reaching government mandate which could come down the road at a later time. At this time municipalities can regionalize, start their own police force or use the State Police for primary coverage. SB984 will provide one more option as the policing issue continues to be a topic of concern in Harrisburg.

As we have all been hearing there isn't money for a new cadet class, and because of this situation, a piece of legislation was passed out of Transportation Committee in the Senate last week which addresses this. The legislation is being proposed by Democrat Senator Christine Tartaglione and Republican Senator John Rafferty. It targets the fine money from traffic violations cited by the State Police. Currently all municipalities receive half of the fine amount. Under their bill those communities that have their own police forces continue to keep their 50% of the fines, but those who do not supply at least 40 hours of weekly coverage will send their 50% to a

dedicated fund for a new Cadet class. The lost fine money will come back to the municipalities in the way of new trained troopers who will not only patrol those municipalities, but will continue to provide a level of service to all municipalities.

Some legislators represent entire areas which employ their own police forces, and those legislators are saying that it's unfair that the State Police provide primary coverage to some communities while other communities choose to fund their own police forces. While the "not fair" argument lets these representatives portray themselves as defenders of their areas, the bills they support which mandate huge per capita fees in areas without police do absolutely nothing to alleviate the problems facing the very areas they represent. And while the "unfair" mantra continues to cause unnecessary divisiveness between some in our communities, the real reason for the \$100 – \$156 per head fee mandate in the legislative proposals isn't police protection or fairness, it's money. There is a huge deficit in the state budget and some in government are looking for money to continue funding their programs and special projects. They are looking in every nook and cranny for things to tax and they have made the families in municipalities which have never had a police force, their target. So again, this one size fits all solution which takes money from municipalities and puts it into the big black hole of our state budget has nothing to do with protection, fairness or even helping municipalities who employ a police force and who are struggling to pay for these services. The huge per capita fee is not be earmarked for police protection but the money will be going into the general budget.

Again, simply tacking a huge surcharge on municipalities as punishment for not forming their own police forces, does nothing to help other municipalities that do maintain a local force. These local governments continue to struggle with increased labor costs, capital costs, and legacy costs. Senate Bill 984 has the potential to enhance the State Police's ability to provide more regional assistance and help all of our communities because it increases the number of available troopers at all times. Any troopers assigned to a contracting municipality under SB984 will be new troopers who will be in addition to the current approved compliment of troopers in an area, therefore freeing up existing troopers and creating a greater state police presence in all areas of the state, which will help every community.

Every municipality depends on the State Police in one way or another. Those with police departments rely on the state police for help whether it be for back up, for assistance with crime investigations or for the use of the state crime lab, and at times the local forces assist the State Police. Areas without departments rely on the state police for basic services of crime and speeding issues. And when I say crime, I'm not talking about someone stealing the pink flamingo from a back yard, I'm talking about substantial crime. There is a very different level of police service between the communities with their own forces and those without. The level of service a community receives is decided by their local officials and the taxpayers in those areas, not the state government, and that's the way it should be.

The agreements with the State Police and municipalities will differ based on the individual needs of each municipality. The key provisions are:

1. It is an option to municipalities and not a state mandate. It creates an additional tool to municipalities concerned about the high costs of creating their own police departments; and a better alternative to punitively surcharging local governments.
2. The contract price for the services shall include the labor and benefit costs of providing police protection. Moneys paid for the service shall be credited to a restricted account and used for the express purpose of financing the services for which the contract price was paid. The additional fine money generated by the troopers will be used for training and equipment.
3. Troopers assigned to this program shall not be included in the present Pennsylvania State Police's total number of officers or enlisted members. More specifically on this point, additional troopers needed to satisfy agreements under this program will be new and/or additional troopers.
4. Leaves operational control of all troopers in the program to the Pennsylvania State Police. Municipal governments may negotiate communication details with the PSP, but they will have no direct authority over the troopers assigned to their community.

5. Ensures that the troopers assigned to a respective community will remain in that community except in cases of extreme emergency; in which case, the State Police would notify key municipal officials on the nature of the emergency. This bill does not preclude the contracting municipality and the PSP from agreeing to a standard in which their designated troopers may be needed for support to a larger State Police effort, or to assist an adjacent municipality. This is a common practice through cooperative arrangements.

Police protection whether by the Pennsylvania State Police or a local Police Force is something none of us can afford to be without. When these public servants go to work each day they have no idea what is in store for them. They are always a phone call away from putting their lives in danger and I am taking this opportunity to thank all of them for their service.

I want to again thank Senator Pippy for giving the public and local officials an opportunity to fully vet this legislation which affects vital police services.

Thank you.