

LANCASTER COUNTY, PENNSYLVANIA



CHIEFS OF POLICE ASSOCIATION

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Testimony to be given before the Pennsylvania House of Representatives' Judiciary Committee on Wednesday, October 31, 1990.

Good morning! My name is Paul Rager. I am the Chief of Police for Manheim Township and East Petersburg Borough, Lancaster County, Pennsylvania. I am also the Chairman of the Lancaster County Chiefs of Police Computer Committee which oversees a county based, shared police computer system. With me today, are Rod Hartman, Chief of Police for New Holland Borough and Earl Township and the President of the Lancaster County Chiefs of Police Association, and Craig Ebersole, Chief of Police for East Cocalico Township, West Cocalico Township and Adamstown Borough. As you can see, each of us police more than one municipality in Lancaster County.

Also present are Howard Dougherty, Chief of Police for Lemoyne Borough, Cumberland County and Karen Deklinski, Executive Director, Pennsylvania Chiefs of Police Association. All of the Chiefs present here today are members of and are also representing the Pennsylvania Chiefs of Police Association.

We are here today to support the proposed amendments to the Criminal History Records Act commonly referred to as the CHRIA Amendments. We believe that intelligence and treatment information do need additional safeguards regarding storage and release and that reasonable restrictions can only guard against abuse. Such restrictions are contained in the amendments. We do not believe, however, that investigative information needs to be placed in the same category with those same restrictions which have been placed on intelligence and treatment information.

Investigative information is defined in Section 9102 of the Act as: "Information assembled as a result of the performance of any inquiry, formal or informal, into a criminal incident or an allegation of criminal wrongdoing and may include modus operandi information." Included within this category of information are a police department's crime reports sometimes also called initial, preliminary, incident and follow-up reports.

Currently Section 9106 of the Act states: "Intelligence information, investigative information and treatment information shall not be collected in the central repository nor in any automated or electronic criminal justice information system. This prohibition shall not preclude the collection in the central repository or in any automated or electronic criminal justice information system of names, words, numbers, phrases or other similar index keys to serve as indices to investigative reports." This section is strictly interpreted by some to prohibit our use of electronic word processors to prepare our investigative reports, especially when the word processors are part of an electronic criminal justice information system.

A liberal interpretation of Section 9106 would permit the preparation of those investigative reports in the word processing portion of an electronic criminal justice information system, then electronically stripping the report of the "names, words, numbers, phrases or other similar index keys to serve as indices to investigative reports" and storing those permitted items and finally, prior to erasing the report from the computer, printing off a copy of the report for the manual files which must be kept because we cannot store the report electronically.

Within my own agency, I would like to replace the microfilming of old reports by storing those reports on computerized optical disks. Some claim that this is storing those reports electronically in a criminal justice information system and therefore prohibited because of the restrictions currently contained in Section 9106 of the Act.

I find it interesting that in this electronic and computer age, Pennsylvania's law enforcement agencies are relegated to fighting crime with antiquated manual information systems. It is my understanding that Pennsylvania is the only state in the nation that has a computer storage prohibition such as this.

I find it particularly disturbing when we learn that members of the criminal community are able to more fully and easily use computer generated information than are we in the law enforcement community. For example, in the 1980 report of the Pennsylvania Crime Commission, "A decade of Organized Crime," it is related on page 121, how a "computerized pimp" used a computer to screen out violent and financially risky customers as well as weed out any potential customers filling the stereotype description of a law enforcement officer.

The removal of the prohibition for the electronic storage of investigative information contained in the CHRJA Amendments, is a step in the right direction, but it really does not go far enough.

The proposal contained in Section 9106-a (7) would allow the automated or electronic storage of investigative information provided that the investigative information "is restricted to authorized employees of that agency and cannot be accessed by individuals outside of that agency."

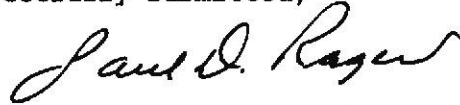
Crime goes across local municipal boundaries and there is a need to share information contained in investigative reports with police investigators and officers of neighboring police jurisdictions. The proposed amendment prohibits our electronic sharing of that data, relegating us to making hard paper copies of the reports which can then be shared by either handing the paper copies of the reports or by mailing them to each other.

Most experts agree that if the police are to have an impact on crime, then they must utilize current state of the art information processing equipment as well as sharing information, especially investigative information with other police agencies. Within Lancaster County, we recently upgraded our shared police computer system and software. That upgraded system currently has the capability of storing and sharing our investigative reports. But we cannot use that available capability until the law is changed. Unless you also remove the restrictions on the sharing of investigative information contained within the Amendments, we will not be able to use our system to full advantage.

Please do not handcuff us in our efforts to attack crime. Allow us to use the tools currently available. Minimally we ask for the passage of the CHRIA Amendments. Hopefully you would remove investigative information from the sharing restrictions and allow us to more fully cooperate and share investigative data thereby using the full potential of the computers and existing police computer software currently available to us.

We thank you for your time, attention and opportunity to appear before you.

Respectfully submitted,



Chief Paul D. Rager, Chairman
Lancaster County Chiefs of Police
Association Computer Committee

PDR/msk