

HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA

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House Bill 1154

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House Judiciary Subcommittee on Courts

Main Capitol Building  
Room 140, Majority Caucus Room  
Harrisburg, Pennsylvania

Monday, August 4, 1997 - 9:30 a.m.

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BEFORE:

Honorable Daniel Clark, Majority Chairman  
Honorable Lita Indzel Cohen  
Honorable Jere Schuler  
Honorable Timothy Hennessey  
Honorable Thomas Caltagirone  
Honorable Harold James

KEY REPORTERS

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1997-120

1 ALSO PRESENT:

2 Brian Preski, Esquire  
Majority Chief Counsel to Committee

3  
4 Judy Sedesse  
Majority Administrative Assistant

5 James Mann  
Majority Legislative Analyst

6  
7 John Ryan, Esquire  
Minority Special Counsel

8 Galina Milohov  
Minority Research Analyst

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1 CHAIRMAN CLARK: This is the time and place  
2 for the hearing with regard to House Bill 1154 which has  
3 been sponsored by Representative Matthew Wright, and this  
4 bill deals with identification of police officers.

5 I am the Chairman of the Subcommittee on  
6 Courts of the Judiciary Committee, and my name is Dan  
7 Clark State, Representative from the 82nd Legislative  
8 District.

9 I'd like to have members of counsel introduce  
10 themselves and then we'll proceed with Representative  
11 Wright's testimony and explanation of this bill. We'll  
12 start on my far left.

13 Thank you, Mr. Chairman. I'm Lita Cohen from  
14 Montgomery County.

15 MR. MANN: James Mann, Majority Legislative  
16 Analyst, Judiciary Committee.

17 REPRESENTATIVE CALTAGIRONE: Chairman Tom  
18 Caltagirone of the Judiciary Committee.

19 MR. RYAN: John Ryan, Special Counsel to the  
20 Minority Chairman.

21 MS. GALINA MILOHOV: Galina Milohov, Judiciary  
22 Committee.

23 CHAIRMAN CLARK: Representative Wright.

24 REPRESENTATIVE WRIGHT: Thank you, Chairman  
25 Clark and the Judiciary Committee for the opportunity to

1 discuss the problem of fraud and the impersonation of law  
2 enforcement officers.

3           I sponsored House Bill 1154 originally in 1993  
4 after the occurrence of an incident in my legislative  
5 district. A local woman was stopped by a car using  
6 flashing lights. The man dressed in plain clothes  
7 identified himself as a state police officer of  
8 Pennsylvania and requested her driver's license and  
9 registration card. He was driving a large unmarked  
10 vehicle, provided no identification and was carrying a  
11 handgun. Later after the investigation determined that  
12 the man was neither a local nor state law enforcement  
13 officer, there had been no incident or injury that had  
14 developed out of this situation, it is believed though  
15 that the perpetrator had desired to obtain the victim's  
16 name and address.

17           The occurrence happened in Bucks County, a  
18 suburb of Philadelphia, which is rapidly becoming  
19 developed. Over the following years additional incidents  
20 have occurred, without listing all of them, I will discuss  
21 those which have happened since the beginning of this year  
22 just in Bucks County alone.

23           I have attached copies of local newspaper  
24 accounts of the incidents for your benefit which will  
25 hopefully provide in greater detail the events as they

1 occurred.

2           January 21st, 1997, stated, at the beginning  
3 of this year a security officer was arrested after being  
4 pulled over for a traffic violation. He apparently  
5 attempted to use a security company badge to imply to the  
6 police officer that he too was a legitimate police officer  
7 and should receive special attention. The newspaper  
8 article was not clear as to what charges were filed, the  
9 disposition of that case.

10           January 24th of this year a woman was pulled  
11 over by a man driving a large white four-door sedan using  
12 flashing blue lights. The suspect was dressed in a blue  
13 sweater and official looking pants. When the driver asked  
14 for identification the suspect refused. The suspect  
15 reached through the victim's car window, hit the driver  
16 and attempted to commandeer the vehicle. The driver  
17 successfully drove off and the suspect fled. No arrests  
18 have been made in this case.

19           January 28, 1997, local police officer driving  
20 past a scene where a man had pulled over a woman using a  
21 flashing red light. Apparently there was a traffic  
22 altercation and the man was attempting to intimidate the  
23 woman. The police officer arrested the man at the scene.  
24 It was not clear what the man was charged with or what the  
25 disposition of the case was.

1                   January 29th, 1997, a woman alleges to be  
2 pulled over by a car using a flashing blue light. There  
3 apparently was no altercation and the newspaper article  
4 did not disclose any details.

5                   February 1st of '97, a man using a flashing  
6 blue light attempted to pull a woman over. She became  
7 leery of the situation, drove to a nearby convenience  
8 store parking lot. Subsequently the suspect did not  
9 follow her and fled from the scene.

10                   February 5th, 1997, a woman was flagged down  
11 by a man flashing a badge at her from his vehicle. Upon  
12 pulling over, he berated her about her driving ability.  
13 She then became suspicious and asked the man to follow her  
14 to the local police station. The suspect then fled the  
15 scene. After media coverage of the incident occurred, the  
16 suspect then turned himself in claiming the incident was a  
17 misunderstanding. I am not aware of the disposition of  
18 the case.

19                   February 10th, 1997, a man was arrested at an  
20 auto body shop after a dispute with the mechanic over an  
21 auto repair bill. The suspect was dressed in uniform  
22 looking clothes and identified himself as a police officer  
23 in an attempt to intimidate the mechanic. He was actually  
24 enlisted in the U.S. Air Force. The mechanic became  
25 suspicious and called the local police department.

1                   February 13th, '97, the woman was followed by  
2 a car flashing a blue light and appeared to want her to  
3 pull over. She became suspicious and refused. She  
4 continued on her way to work and the suspect gave up and  
5 fled.

6                   June 1997, a woman was forced to pull off the  
7 road after a man continuously flashed his light, pulled  
8 his vehicle up next to her and flashed the badge out the  
9 window. Once stopped the suspect ordered her out of the  
10 vehicle, she refused, the suspect became agitated or  
11 argumentive and then eventually fled the scene. It is  
12 suspected that this incident arose out of a traffic  
13 altercation.

14                   And I want to digress from my testimony for a  
15 minute. I was away on vacation last week so last night I  
16 was reading all my local papers, you know how that is, and  
17 I found a few more incidents that had occurred before I  
18 had a chance to write them up.

19                   Two in Montgomery County which is the  
20 neighboring county next to me, according to this one  
21 newspaper account on July 18th a 21-year-old Newtown  
22 Square woman was stopped at 11:45 p.m. by a car with a  
23 blue light on the driver's side rooftop as she drove on  
24 the Blue Route a mile from the Conshohocken exit from the  
25 township, somewhere in your area, Lita. A man wearing a



1 blue T-shirt with a silver badge pinned to the left side  
2 approached the woman's car, asked for her license. He  
3 then reached inside the car and assaulted the woman.

4           The next one Sunday, which was July 20th, a  
5 22-year-old woman was stopped by an unmarked car at 10:50  
6 a.m. as she drove on Route 422 near the Oaks exit in Upper  
7 Provident the police said. They said the man was  
8 stopped -- that stopped -- they said that the man who  
9 stopped her was driving a car with a police light type  
10 light. The man described as six foot tall weighing about  
11 200 -- weighing about 200 pounds and in his early 30s was  
12 wearing a tan uniform. He told the woman she had been  
13 speeding, allowed her to proceed.

14           Now, apparently from a later newspaper account  
15 that could have been a legitimate stop. There's a little  
16 bit of a dispute of where -- that could have been a  
17 legitimate state police detective who pulled the woman  
18 over and then gave her a warning, but they weren't too  
19 sure about that. They were still trying to determine that  
20 as the newspaper article went on later on.

21           In Bucks County a Falls woman reported being  
22 pulled over yesterday by a man impersonating a police  
23 officer in Langhorne Manor, but she managed to escape  
24 asking for the man's identification. He reportedly had  
25 dark hair, was wearing a security guard uniform. The

1 woman said the driver in the gray ford Taurus started  
2 following her, started flashing a blue revolving dashboard  
3 light and pulled her car over. He then approached her and  
4 asked her for her driver's license and registration. She  
5 asked the man to produce his identification before she  
6 would show hers. He couldn't produce identification and  
7 jumped back into his car and fled.

8           Another one in Montgomery County, third one in  
9 the same week, unlike the two previous stops in which  
10 women were stopped, the latest involved a male. He was  
11 driving west on Route 422 about a mile and a half east of  
12 the Oaks exit when a light-colored car pulled up behind  
13 him with a portable blue light flashing from atop the  
14 vehicle the motorist said. He pulled over, then watched  
15 the light-equipped car continue west on the highway.

16           The motorist drove to the next exit and  
17 alerted police. That would probably lead me to believe  
18 that that may have been a legitimate fire police  
19 responding and that the motorist suspected something and  
20 pulled over thinking that they were being asked to be  
21 pulled over and maybe they weren't. But I just wanted to  
22 raise that anyway.

23           A little bit lighter, this is a local  
24 community in my area doesn't involve any car. Apparently  
25 one of our local malls there was a shakedown where some

1 person was approaching groups of young teens and saying he  
2 had pot to sell, if anybody wanted to buy it. Whenever a  
3 teen said yes, they would go to a private area, he would  
4 then say he was a police officer and he shook them down  
5 for the money.

6           Now, he wasn't a police officer, of course.  
7 That has nothing really to do with the driving of cars,  
8 and later on, as I point out in my testimony, the act  
9 doesn't -- you don't have to have your uniform police  
10 identification badge if you're in plain clothes. But I  
11 thought I should put that in for a little amusement.

12           They are the ones that appeared just in the  
13 past week's news accounts.

14           Continuing with my testimony. I have brought  
15 to your attention nine specific cases of fraud and  
16 impersonations of law enforcement officers that have  
17 occurred in Bucks County, and actually more than that with  
18 the additional ones in the past eight months.

19           I will admit that what has occurred is  
20 probably a rash of incidents and not normal occurrences of  
21 events. Nevertheless, the incidents do illustrate a  
22 point. People are perpetrating frauds to gain advantage,  
23 to commit a crime, or simply in a moment of anger or  
24 frustration. That's a fraud and in the examples presented  
25 range from verbally claiming to be an officer, wearing

1 clothing or driving vehicles which imply to be law  
2 enforcement authority, using flashing lights or presenting  
3 fake badges.

4           While impersonating a law enforcement officer  
5 is already a crime, each specific type of fraud which I  
6 described may not clearly fall into the event, I do  
7 believe that the proposed legislation change would help to  
8 clarify and update the statutes regarding state fraud  
9 tactics.

10           House Bill 1154 attempts to improve the  
11 identification of proper law enforcement officers within  
12 the Commonwealth. They will not solve the problem of  
13 fraud or even attempt to resolve all the problem's facets.  
14 But House Bill 1154 should establish a more clear  
15 identification system. It requires all municipal police  
16 and authority security officers to display at all times a  
17 uniformed police identification card for public  
18 identification purposes. Undercover officers are excluded  
19 from this requirement.

20           This proposal would direct the Municipal  
21 Police Officers Education and Training Commission to  
22 develop and administer the identification program. The  
23 commission would work with the Department of  
24 Transportation to develop a standardized photo card and  
25 utilize the process using PennDOT card system.

1           The commission will create a central  
2 computerized registry of all current municipal police and  
3 security officers in the Commonwealth which inquiry can be  
4 made. The commission will also create educational  
5 programs to public awareness of the new program. All  
6 expenses for establishing and continuing this program  
7 should be paid for by legislative appropriation and not  
8 borne by local police departments.

9           House Bill 1154 will not address other fraud  
10 issues involving lights and fake badges, but I hope that  
11 the Judiciary Committee will continue to review these  
12 matters of what I believe is a form of fraud. I ask the  
13 Judiciary Committee please consider 1154 in its current  
14 form and even the concept in order to reduce the chances  
15 of the public being put into jeopardy.

16           And secondarily, I did receive correspondence  
17 from Montgomery Township Police Department which I will  
18 present to the committee, not necessarily opposing or  
19 supporting the proposal, but had a series of questions  
20 that they wanted to be asked and get answers for which I  
21 believe are good questions and hopefully maybe I can  
22 present some of these to some of the testifiers later on.

23           CHAIRMAN CLARK: Thank you, Representative  
24 Wright. If you could provide us with that letter, we'll  
25 go ahead and have it distributed to the members.

1                   REPRESENTATIVE WRIGHT: I provided it to Jim  
2 Mann.

3                   CHAIRMAN CLARK: Okay. Representative Wright,  
4 do you know who in the Commonwealth is permitted to use a  
5 blue light and under what circumstances those blue lights  
6 are permitted to be used?

7                   REPRESENTATIVE WRIGHT: I can't be certain,  
8 but I do believe that volunteer fire police are the only  
9 ones that are permitted to use a blue flight or a blue  
10 flashing light. I might be wrong. There could be some  
11 other specific examples.

12                   The Transportation Committee I believe -- I've  
13 been told were going to hold hearings or at least an  
14 investigation about lights in general, emergency status of  
15 lights in general, everything from red flashing lights,  
16 blue flashing lights, a combination of each, et cetera, to  
17 determine if there's any problems, who's actually using  
18 it, should we have any more control. To be honest with  
19 you, I have not heard what has happened to that. That was  
20 the rumor that I heard and I do believe that they were  
21 going to investigate that, but I don't know the  
22 disposition of that either.

23                   CHAIRMAN CLARK: And who did you say could use  
24 the blue lights again, volunteer --

25                   REPRESENTATIVE WRIGHT: Well, I know for sure

1 volunteer fire police, fire police are allowed to use the  
2 blue lights. I don't believe anybody else are, but it's  
3 possible that there could be volunteer firemen that use  
4 red lights.

5 CHAIRMAN CLARK: In your testimony you  
6 indicated that the police officer or security officer  
7 would be required to display at all times the uniform  
8 photo ID cards. My question is is that going be like,  
9 pinned on a shirt or are they going to be required to  
10 carry it and display upon request?

11 REPRESENTATIVE WRIGHT: Looking at the  
12 language from '93, it's not clear. It doesn't say that  
13 they must have it pinned to their chest. So it is not  
14 clear, and that's where I think the language -- after the  
15 testimony and interaction with the committee I believe  
16 that can be one of the areas that we need to decide. Or  
17 we may decide not to make it more clear and allow the  
18 commission or the local police departments to make that  
19 decision.

20 But my intent was that basically it would be  
21 their photo ID badge would be pinned right on their chest  
22 or their jacket, whatever.

23 CHAIRMAN CLARK: And your testimony indicates  
24 that this will cover security officers? And is that like  
25 incorporation of securities officers -- if it does not

1 include those, how are we to identify those?

2           REPRESENTATIVE WRIGHT: Well, the actual  
3 language is municipal security officers, which I'm not a  
4 hundred percent sure, and I'm hoping that through the  
5 testimony today we'll be able to clarify that. But we  
6 believe that it means transit police, we believe it means  
7 capitol security, housing police, college campus police to  
8 name a few. But we're not too sure and we need to clarify  
9 that.

10           And this is part of the process that I'm  
11 hoping to go through. I am not suggesting that we adopt  
12 the proposal word for word. I am in the conceptual stage.  
13 We've done a lot of work on it, and it might need a little  
14 more depending on what the committee wants to do.

15           CHAIRMAN CLARK: Thank you very much. Are  
16 there any more questions? Representative Cohen.

17           REPRESENTATIVE COHEN: Thank you, Mr.  
18 Chairman, Thank you, Representative Wright. I just want  
19 to comment -- two comments. First, my daughter in '89 was  
20 the victim of one of these incidents and she had just got  
21 her license at age 16, and needless to say it was a very  
22 frightening experience for her.

23           But secondly, you are correct, we've had four  
24 of these incidents that at least were reported in  
25 Montgomery County over the last several months. Whatever



1 happens with this bill, however, I think it's really  
2 incumbent upon all of us, the media, those of us as  
3 representatives, the police, everyone, to inform the  
4 citizenry of what their obligations are. And I do use the  
5 word obligations when an incident like this happens.

6           The state police have advised us, and I'm sure  
7 we'll hear testimony today that the state police are  
8 required when they make a stop they wear their  
9 identifiable hats. There are now in the law mandatory  
10 identifications and steps and procedures that officials  
11 who are allowed to make traffic stops must wear, must do  
12 to advise the citizens that indeed they are authorized.  
13 But I think it's incumbent upon us to educate innocent  
14 people in the citizenry as to what they can do to protect  
15 themselves when these things occur, and I think that's  
16 very, very important. It is not always absolutely  
17 necessary to stop right then and there unless certain  
18 criteria are met.

19           And so I would suggest that regardless of what  
20 happens to this bill that we start a campaign to advise  
21 our citizens what their rights are and what they can do  
22 when they look in their rearview mirror and see a flashing  
23 light. Thank you.

24           CHAIRMAN CLARK: Thank you, Representative  
25 Cohen. Any additional questions for Representative

1 Wright? If not, we certainly appreciate your testimony  
2 today, and you're certainly welcome to join the panel and  
3 we'll hear from the remaining individuals who are here to  
4 testify today.

5           The next individual scheduled to testify is  
6 Major Richard C. Mooney. He is the Executive Director of  
7 the Municipal Police Officers Education and Training  
8 Commission.

9           MAJOR MOONEY: I'd like to thank the chairman  
10 and the members of the committee for the opportunity to  
11 testify on House Bill 1154. This bill directly affects  
12 the 1,210 municipal law enforcement agencies who receive  
13 their training and certification from the Municipal Police  
14 Officers Education and Training Commission.

15           At the outset I would like to clarify that as  
16 executive director of the commission I in no way speak for  
17 or on behalf of the over 19,000 police officers in the  
18 Commonwealth. I am here as the Executive Director of the  
19 Municipal Police Officers Education and Training  
20 Commission to comment on the legislation and to answer any  
21 questions.

22           I agree with the concept of a uniform  
23 identification for police officers. However, I have some  
24 concerns with certain aspects of House Bill 1154. Overall  
25 the bill seeks to create a uniform photo identification

1 card system for municipal police officers and municipal  
2 authority security officers.

3           The goal of this legislation appears to be to  
4 prevent the impersonation of police officers and to  
5 protect the public from potential impersonators. The bill  
6 fails to include all police officers in the Commonwealth.  
7 It only focuses on municipal police officers and municipal  
8 authority security officers. Clearly if uniformity of  
9 identification is the goal of this bill, then  
10 consideration should be given to the inclusion of all law  
11 enforcement.

12           One major concern I have with the bill is  
13 found in Section 11 on pages 16 and 17. This section  
14 requires municipal police officers, except those working  
15 undercover, to carry and present an identification card  
16 upon request. I agree that the members of the public have  
17 a right to be certain that the person arresting or citing  
18 them is in fact a police officer. In situations in which  
19 the safety of an officer is not at risk, such as offering  
20 roadside assistance, the concept of presenting a uniform  
21 identification card has merits. However, the issue of  
22 officer safety should be considered in the context of  
23 arrests involving persons who may be armed and dangerous  
24 or simply combative. In these situations it is not  
25 prudent for police officers to expose themselves and the

1 public to danger in order to present a identification card  
2 for inspection by the arrestee or detainee. Control in  
3 these situations is paramount to the safety of the officer  
4 and to the public.

5           Once a police officer, uniformed or otherwise,  
6 displays the badge or other sign of authority and has  
7 announced his or her identity and purpose for an arrest or  
8 detention, allowing the arrestee or detainee to demand to  
9 see another form of identification removes control of the  
10 situation from the officer and places it with the arrestee  
11 or detainee.

12           Furthermore, display of identification in  
13 these situations is not always practical and failure of an  
14 officer to do so should not relieve the arrestee or  
15 detainee of the responsibility to comply with an officer's  
16 lawful orders. Additionally, the failure to display an  
17 identification card could create a viable defense for  
18 those who flee or allude arrest or for those who assault  
19 police officers. I would strongly recommend that the  
20 committee reconsider this requirement.

21           The legislation also provides in Section 10-D  
22 that a person who forges, alters, or possesses a forged or  
23 altered identification card commits a felony of the second  
24 degree. The legislation does not, however, address  
25 situations in which a person possesses a counterfeit card,

1 a card with fabricated information or stolen card.

2           Additionally, the legislation does not address  
3 the use of stolen, forged or altered cards to facilitate a  
4 felony. Persons disposed to commit felonies, felony one  
5 crimes such as rape, murder, assault and robbery, are not  
6 likely to be deterred by the penalties associated with the  
7 use of a forged or stolen identification.

8           I recommend that the legislation should  
9 include severe sentencing enhancements in crime  
10 facilitated by an actor's misrepresentation that he or she  
11 is a police officer. Such enhancement should apply  
12 whether or not a forged, altered or stolen identification  
13 is used.

14           The commission has since 1993 issued a uniform  
15 non-photo identification for all Act 120 certified  
16 officers. I've provided the committee with a sample of  
17 that card. The commission already maintains a registry of  
18 all certified officers as called for in Section 2-B of  
19 House Bill 1154.

20           Since the municipal police officers along with  
21 certain campus police and deputy sheriffs are currently  
22 certified and part of that registry, the committee may  
23 want to consider linking the certification that these  
24 groups are required to obtain from the commission to the  
25 issuance of their identification card. This would prevent

1 the possession of identification card by a non-certified  
2 officer or sheriff. Further, using the existing process  
3 would prevent the duplication of commission resources.

4 Another area of duplication is the requirement  
5 in Sections 3 and 7 on pages 5 and 10 of House Bill 1154  
6 that the commission provide a termination form to  
7 municipal police to be completed and sent to the  
8 commission upon the termination of employment of a  
9 municipal police officer. The commission already uses  
10 this similar form which is referred to as the change of  
11 status form, and I've provided the committee with a copy  
12 of that form. In addition to separations of employment,  
13 the form is also used to report a variety of personnel  
14 actions.

15 As an alternative to Section 7-B on page 8 of  
16 House Bill 1154, it would be cost effective for the  
17 committee to consider allowing the commission to implement  
18 the program in conjunction with our biannual  
19 recertification process.

20 In 1998 the commission will begin their next  
21 biannual recertification process. This process would  
22 provide the opportunity to issue a uniform identification  
23 application or card to all municipal police officers.  
24 Therefore the information required to be collected by  
25 Section 7 of House Bill 1154 could be collected at each

1 recertification. By utilizing this process the commission  
2 would realize significant savings in time and resources.

3           The use of PennDOT photo license centers would  
4 continue to be essential to the production of a photo  
5 identification card. Section 8-C and D on page 12 of  
6 House Bill 1154 requires the commission to conduct a  
7 biannual employment record update. To accomplish this,  
8 section 9-D requires that the commission contact each of  
9 the over 19,000 municipal police officers individually.  
10 The commission does not have the necessary resources to  
11 accomplish this task.

12           As an alternative the committee may consider  
13 utilizing another process already in effect. Currently  
14 the commission requests a biannual update of the  
15 employment records of each department. This update  
16 request is mailed to each of 1,210 departments and not to  
17 the individual officers. This process is less time  
18 consuming and costly than the one suggested by House Bill  
19 1154.

20           Another area of duplication of resources is  
21 the requirement in Section 10 on page 13 of House Bill  
22 1154 that all municipal police departments shall provide  
23 the commission with a written job description for each  
24 municipal police officer. It is my opinion that many of  
25 the departments do not have the time and resources

1 available to comply with this section. This is especially  
2 true for a number of part-time police departments.

3           Currently the commission is developing a  
4 generic job description for the position of municipal  
5 police officer. The committee may want to consider  
6 permitting the departments to continue to use this  
7 description.

8           I would like to conclude by once again  
9 thanking the chairman and the members of the committee for  
10 the opportunity to testify on House Bill 1154. I would be  
11 happy to answer any questions you or the committee may  
12 have. And I also have received two pieces of  
13 correspondence, one from a police chief in Montgomery  
14 Township, Montgomery County, and also the police chief in  
15 the Borough of Norristown, Montgomery County, that I'd be  
16 happy to share with the committee, expressing their  
17 concerns.

18           CHAIRMAN CLARK: I thank very much for your  
19 testimony. Are there any questions of Major Mooney?

20           REPRESENTATIVE WRIGHT: I got a late start in  
21 sitting down so I didn't hear the beginning. One of the  
22 questions that we had -- staff and I had after writing  
23 this. We had different staff persons help write this  
24 in '93. That person has gone. So we're retracing the  
25 steps when we determined that there was going to be an



1 interest by the committee to look at this proposal.

2           We're not too sure exactly who the bill as  
3 written covers. It talks about municipal police and  
4 municipal security. We believe municipal security would  
5 also entail university police, capitol police, transit  
6 authority, et cetera. Do you know who currently under the  
7 term municipal -- who you believe municipal security  
8 officers would cover? Do you have an idea who that might  
9 be?

10           MAJOR MOONEY: I would believe that would  
11 include the housing authority police officers in the  
12 Commonwealth.

13           REPRESENTATIVE WRIGHT: What about transit?

14           MAJOR MOONEY: I'm not sure.

15           REPRESENTATIVE WRIGHT: You had mentioned  
16 about I believe, without going back and reading your  
17 testimony, deputy sheriffs are currently under the  
18 Municipal Training Act?

19           MAJOR MOONEY: Only deputy sheriffs in  
20 Allegheny County are under our act.

21           REPRESENTATIVE WRIGHT: And sheriffs aren't  
22 because they're elected?

23           MAJOR MOONEY: That's true.

24           REPRESENTATIVE WRIGHT: Okay. What about  
25 constables?

1 MAJOR MOONEY: They're not included in our  
2 act.

3 REPRESENTATIVE WRIGHT: How about deputy  
4 constables?

5 MAJOR MOONEY: No.

6 REPRESENTATIVE WRIGHT: If you were going  
7 to -- if you would like -- if we would have this become  
8 law, what particular law enforcement entities would you  
9 like to see covered by this?

10 MAJOR MOONEY: I think for the bill to be  
11 effective that anyone that has law enforcement authority  
12 in the Commonwealth should be included.

13 REPRESENTATIVE WRIGHT: Give me examples.

14 MAJOR MOONEY: Campus police, railroad police,  
15 park police capitol police, port authority police, state  
16 law enforcement officers, just to name a few.

17 REPRESENTATIVE WRIGHT: Currently who does the  
18 municipal authority act cover right now? Who has to go  
19 through training with your --

20 MAJOR MOONEY: With our organization all the  
21 municipal police departments; four campus departments,  
22 which are Temple, University of Pennsylvania, Penn State  
23 and Pitt; and deputy sheriffs in Allegheny County.

24 REPRESENTATIVE WRIGHT: When we had written  
25 this originally, we had contacted and thought that using

1 the Department of Transportations camera card system would  
2 be a viable way of doing the photo identification. One of  
3 our testifiers will be the department themselves. In  
4 concept if that is contracted to be done, would you  
5 support that?

6 MAJOR MOONEY: From our point of view I think  
7 it would be appropriate.

8 REPRESENTATIVE WRIGHT: Okay. I'm not asking  
9 if you're wholeheartedly supporting the bill. I'm just  
10 saying if there's one adopted, would your commission be  
11 able to handle the photo ID system themselves?

12 MAJOR MOONEY: Assuming that the appropriation  
13 of \$2 million was included with the bill, we could do  
14 that, yes.

15 REPRESENTATIVE WRIGHT: Currently how do you  
16 get funding? Does the State fund totally right now?

17 MAJOR MOONEY: Yes. We are a separate  
18 appropriation within the state police budget.

19 REPRESENTATIVE WRIGHT: And how many officers  
20 do you train a year?

21 MAJOR MOONEY: There are about 21,698 police  
22 officers that they receive their training through our  
23 agency each year.

24 REPRESENTATIVE WRIGHT: Currently you have the  
25 necessary identification system or record system for all

1 the officers that are active duty?

2 MAJOR MOONEY: Yes. We issue a non-photo ID  
3 for each one of those officers every two years.

4 REPRESENTATIVE WRIGHT: So each two years  
5 each officer that is active receives a new identification  
6 card?

7 MAJOR MOONEY: That's correct.

8 REPRESENTATIVE WRIGHT: Now, does the  
9 department or the officer have to present documents to  
10 you?

11 MAJOR MOONEY: Yes, the department does.

12 REPRESENTATIVE WRIGHT: So each department  
13 every other year, each one of their members has to fill  
14 out forms and verify who's actually working for them?

15 MAJOR MOONEY: Yes. We have that information.  
16 We ask them to verify it every two years and verify other  
17 information.

18 REPRESENTATIVE WRIGHT: That would be -- the  
19 information that we are requesting in the bill, is that  
20 pretty much the same that you request right now?

21 MAJOR MOONEY: Yours is more descriptive. We  
22 don't include any of the hair color and eye color and  
23 gender, height, weight. I don't believe there's room on  
24 the card to do that unless you would do it on the reverse  
25 side.

1           REPRESENTATIVE WRIGHT: Um-hum. Going through  
2 your testimony I was making some quick notes. You don't  
3 believe the legislation as written now covers transit  
4 police, security park, security officers.

5           MAJOR MOONEY: I don't believe so.

6           REPRESENTATIVE WRIGHT: And you're  
7 suggesting -- you gave us a number of suggestions if we  
8 were going to pursue this, some advice to maybe change  
9 some of the requirements, forms, whatnot, some of those  
10 things that we need to look at. That's all I have for  
11 now.

12           CHAIRMAN CLARK: Major Mooney, the rest of  
13 deputy sheriffs in the Commonwealth, who trains them?

14           MAJOR MOONEY: Pennsylvania Commission on  
15 Crime and Delinquency. They also train Allegheny County  
16 deputy sheriffs. They are subject to both our commission  
17 and the PCC.

18           CHAIRMAN CLARK: Because my concern is if  
19 we're going to cover every individual who has law  
20 enforcement authority or arrest powers, is there a  
21 practical way to identify those entities or their  
22 employees?

23           MAJOR MOONEY: I think it would take some  
24 individuals from different organizations to sit down and  
25 brainstorm, come up with a list of everyone that has law

1 enforcement authority in Pennsylvania.

2 CHAIRMAN CLARK: Thank you. Representative  
3 Caltagirone.

4 REPRESENTATIVE CALTAGIRONE: Thank you.  
5 Major, I'm looking at this card you have given us and I'm  
6 just curious, what's the cost factor involved to the  
7 commission in producing this each year and distributing it  
8 to the officers?

9 MAJOR MOONEY: I think it costs us maybe  
10 \$8,000 every time we order the cards, enough to last us  
11 for two years. We issue them every day as people are  
12 newly certified.

13 REPRESENTATIVE CALTAGIRONE: That brings up an  
14 important point of certification. You have centers  
15 throughout the Commonwealth for training purposes;  
16 correct?

17 MAJOR MOONEY: Yes.

18 REPRESENTATIVE CALTAGIRONE: How many centers  
19 are there?

20 MAJOR MOONEY: There's 21 including four state  
21 police academies -- five state police academies.

22 REPRESENTATIVE CALTAGIRONE: They're  
23 found -- the certification card, I guess would there be a  
24 central focus point where they're produced?

25 MAJOR MOONEY: In Hershey. The training

1 academies have no involvement in the certification card at  
2 all. That's directly between our staff in Hershey and the  
3 various departments. The training academies are not  
4 involved in the production.

5           REPRESENTATIVE CALTAGIRONE: Can you run us  
6 through the process as to the paperwork that's involved in  
7 authorizing and producing one of these?

8           MAJOR MOONEY: Yes. We issue a roster of  
9 individuals by department to each agency head. We ask  
10 them to verify that that's an accurate list, that they  
11 don't have anybody that we have no record of or people  
12 that may have left their department that they have not  
13 notified us.

14           We also ask them to verify that they have met  
15 some criteria over the two-year period which would include  
16 maintain their CPR certification, first aid certification  
17 and their weapons certification. And when that  
18 information comes back to our office, we verify it and we  
19 produce the cards.

20           It's a significant work effort on our part.  
21 We're required to employ two temporary -- two employees  
22 each time we do this for a period of about six months.

23           REPRESENTATIVE CALTAGIRONE: You in fact do  
24 get cards back when members of police departments who  
25 either pass away, retire, change jobs or whatever?

1 MAJOR MOONEY: Yes, we do.

2 REPRESENTATIVE CALTAGIRONE: Are there any  
3 that you don't get back?

4 MAJOR MOONEY: I'm sure there are.

5 REPRESENTATIVE CALTAGIRONE: That's as with  
6 anything in this world people lose things, they misplace  
7 them and things happen like that I'm sure, and we try to  
8 be as complete as possible. I now have photo ID for  
9 members of staff for security reasons, and they just  
10 recently updated that. I was just curious what security  
11 you have concerning the production and distribution of  
12 these cards.

13 MAJOR MOONEY: It's a fairly secure process.  
14 Our staff is the only one who has access to the cards.

15 REPRESENTATIVE CALTAGIRONE: Knowing the  
16 genius and ability of our people that can duplicate just  
17 about anything that we can think of, are there any  
18 foolproof systems already -- PennDOT coming up with over  
19 the years the scanner ID. Could this be replicated in any  
20 way that people could just do things like that?

21 MAJOR MOONEY: I think if you went to a more  
22 sophisticated -- I think you would need to go a system  
23 like the photo driver's license where more security  
24 enhancability is built into the card. We also -- there's  
25 a similar card we issue for security guards in



1 Pennsylvania that are certified to carry deadly weapons  
2 deadly force. We issue similar cards to those.

3           REPRESENTATIVE CALTAGIRONE: The point that  
4 I'm trying to get to the problem, could you go to  
5 something like this with the counterfeiters we have in the  
6 state and with the machinery that they're coming out with  
7 replicating, duplicating almost anything? I'm looking at  
8 this and I'm thinking unless we devise a system that's  
9 almost foolproof, people can get their hands on things  
10 like that card, whatever, replicate in some manner,  
11 produce this for their own use; is it possible?

12           MAJOR MOONEY: Yes. I'm not sure there's any  
13 system that could be completely foolproof. People  
14 counterfeit money. It would be very difficult to come up  
15 with a counterfeit-proof card.

16           REPRESENTATIVE CALTAGIRONE: Thank you,  
17 Major. Thank you, Mr. Chairman.

18           CHAIRMAN CLARK: Representative Hennessey of  
19 Chester County has joined us.

20           REPRESENTATIVE HENNESSEY: Good morning.

21           CHAIRMAN CLARK: And do you have any questions  
22 of this witness?

23           REPRESENTATIVE HENNESSEY: Just one. Thank  
24 you, Mr. Chairman.

25           Major Mooney, I didn't hear all of your

1 testimony, but I gather that you agree with the concept of  
2 having a card but object to the idea that an officer  
3 should be required to present it on request? Do you think  
4 it's just not worth having a card at all under those  
5 circumstances?

6 MAJOR MOONEY: Conceptually I think it's a  
7 good idea. I'm not sure it's going to cure the problem  
8 that exists with people stopping cars and impersonating  
9 themselves as police officers. I'm not sure that the fact  
10 that there's a standard photo ID out there is going to  
11 prevent that from occurring.

12 REPRESENTATIVE HENNESSEY: Aside from the fact  
13 that particular arrest or stopping type of situation, what  
14 other kind of -- what other kinds of use -- favorable uses  
15 would you find for the card? What would be its purpose?  
16 If it's a useful idea, what would it be used for,  
17 streamline identification procedures of all people,  
18 officers dealing with state bureaucracy?

19 MAJOR MOONEY: There are many small  
20 departments out there that have no identification cards at  
21 all of their own until 1993 when we began to issue this  
22 card. So for their purposes I think a photo ID card would  
23 be a nice enhancement. But there are many large police  
24 departments out there that have their own photo ID card in  
25 place now, and to require them to have a second photo ID

1 card from the State may be a burden to them.

2 REPRESENTATIVE HENNESSEY: Thank you very  
3 much.

4 CHAIRMAN, CLARK: Represent Wright.

5 REPRESENTATIVE WRIGHT: Let's just go back to  
6 the beginning. The specifics of the proposal aren't  
7 necessarily carved in stone, but going back to the concept  
8 of identification, you mentioned something just a second  
9 ago that some police forces don't even have any  
10 identification at all some small, maybe rural --

11 MAJOR MOONEY: Yes.

12 REPRESENTATIVE WRIGHT: Part-time officers.

13 MAJOR MOONEY: There are a lot of one- and  
14 two-men police departments in Pennsylvania, and I'm sure  
15 many of those do not have a identification card.

16 REPRESENTATIVE WRIGHT: I'm from a large  
17 community. Let's say I'm driving through one of these  
18 little local towns that you're referring to. I get pulled  
19 over. What can I do to learn whether this person who is  
20 walking up and wearing a somewhat of a uniform, because  
21 uniforms are different for different departments, whether  
22 this guy is genuine? What can I do to ask -- or any  
23 motorist, what can they do to verify that this police  
24 officer is legitimate?

25 MAJOR MOONEY: Well, there are a number of

1 things. As you mentioned, when you enforce the vehicle  
2 code you need to either display your badge or other sign  
3 of authority. I think most police officers that stop  
4 motor vehicles are in uniform. And someone in uniform, I  
5 think that goes a long way towards demonstrating that  
6 they're a police officer. Most police officers are using  
7 marked cars, although there are a number of occasions when  
8 unmarked cars are used. Most of those unmarked cars have  
9 some type of lights in them.

10 As you mentioned in your testimony, there's a  
11 laundry list of people over the years that the Legislature  
12 has allowed to have blue lights, red lights, green lights,  
13 and I don't think the public knows for sure when lights  
14 are flashing from a car who's in that car, nor whether  
15 it's a police officer. I think that could be tightened so  
16 police officers would be identifiable by the lighting that  
17 is displayed on their car.

18 REPRESENTATIVE WRIGHT: There's no standard  
19 police uniform across the state?

20 MAJOR MOONEY: No.

21 REPRESENTATIVE WRIGHT: Could any of them look  
22 like security uniforms?

23 MAJOR MOONEY: I suppose they could.

24 REPRESENTATIVE WRIGHT: And if someone in an  
25 official-looking car pulls up wearing a uniform that's

1 flashing a blue light, and if the motorist says how do I  
2 know you're really a police officer, and it's one of these  
3 little rural towns, how can that policeman show the person  
4 that he's a legitimate officer in the state?

5 MAJOR MOONEY: They could display one of our  
6 non-photo ID cards.

7 REPRESENTATIVE WRIGHT: But you had said  
8 earlier that some of the police officers don't have those.

9 MAJOR MOONEY: Those subject to our act have  
10 the non-photo ID card.

11 REPRESENTATIVE WRIGHT: Are you opposed to in  
12 concept replacing -- basically replacing that non-photo ID  
13 card with a photo identification card?

14 MAJOR MOONEY: I'm not opposed to it as long  
15 as the resources are available to us.

16 REPRESENTATIVE WRIGHT: It seems to  
17 be -- well, we don't require it by law, but a lot of other  
18 professions don't require them by law, but a lot of other  
19 professions on a voluntary basis require their employees  
20 to wear photo identification -- universities, hospitals, a  
21 lot of different -- a lot of them just for identification  
22 purposes.

23 In fact we're working on a bill right now I  
24 believe -- I think that requires identification of  
25 nurses. We've decided that that's a viable important

1 field that we want the public to know who's who. Do you  
2 think that just wearing or displaying a photo ID on a  
3 police officer would go a long way to just legitimizing  
4 the pullover?

5 MAJOR MOONEY: Are you suggesting that a  
6 uniformed police officer would be displaying one of these  
7 on the outside of the uniform?

8 REPRESENTATIVE WRIGHT: That's what my intent  
9 was. The bill doesn't exactly say that, but that's what  
10 we're trying to decide. Would it be -- do you think it  
11 would be a problem so the municipal police departments be  
12 able to just have a pinned-on photo identification badge  
13 hanging on their uniform?

14 MAJOR MOONEY: I think that would be a novel  
15 concept that I don't think any police department does that  
16 in Pennsylvania now require uniformed officers to wear  
17 photo ID cards.

18 REPRESENTATIVE WRIGHT: Do you know of any  
19 other professions that require the employees to wear  
20 uniform identification cards?

21 MAJOR MOONEY: Uniformed officer people?

22 REPRESENTATIVE WRIGHT: Not necessarily  
23 uniformed, just any employees?

24 MAJOR MOONEY: There's a lot of employees that  
25 are required to wear photos ID cards.

1                   REPRESENTATIVE WRIGHT: Why do you think that  
2 is?

3                   MAJOR MOONEY: Identification purposes.

4                   REPRESENTATIVE WRIGHT: Okay. Why do you  
5 think the businesses in those cases --

6                   MAJOR MOONEY: I'm not disagreeing with you.

7                   REPRESENTATIVE WRIGHT: Okay. I don't have  
8 any more questions.

9                   CHAIRMAN CLARK: Major Mooney, if I'm driving  
10 down the road and in my rearview mirror I see a blue  
11 flashing light, do you know what I'm supposed to do?

12                   MAJOR MOONEY: I wouldn't think you'd have to  
13 do anything because I think it would be a volunteer  
14 fireman.

15                   CHAIRMAN CLARK: I think you're right. Thank  
16 you. Any more questions? Thank you very much for your  
17 testimony.

18                   The next person to offer testimony is Rebecca  
19 Bickley. She's the director of driver licensing for the  
20 Pennsylvania Department of Transportation.

21                   MS. BICKLEY: Good morning. My name is  
22 Rebecca Bickley, and I am the Director of the Bureau of  
23 Driver Licensing in the Department of Transportation. I  
24 have with me Joy Gross who is the manager of the driver  
25 license division.

1 I want to thank you for the opportunity to  
2 testify before the Judiciary Committee regarding the  
3 municipal police photo identification card system as  
4 provided for in House Bill 1154. We recognize and  
5 appreciate the need for the photo identification card  
6 system for our municipal police and municipal authority  
7 security officers. The safety of the citizens of the  
8 Commonwealth is of primary importance and the Department  
9 of Transportation will do whatever it can to assist with  
10 this endeavor.

11 While we recognize the importance of this  
12 program and want to provide assistance in its  
13 implementation, we have concerns about the legislation as  
14 it is currently written. The process that is defined by  
15 this bill is incompatible with our highly automated  
16 license issuance system. Please bear with me as I explain  
17 the process currently utilized by the Bureau of Driver  
18 Licensing when an individual applies for a Pennsylvania  
19 identification card.

20 A customer visits a local driver license  
21 center to apply for an identification card. The applicant  
22 is required to present proof of identity to the driver  
23 license examiner before the examiner completes the  
24 necessary application form for the photo identification  
25 card.



1           The information found on your driver's license  
2 today and on our photo identification cards is data  
3 entered into our large, complex main frame driver  
4 licensing system data base. The data we capture includes  
5 name, address, date of birth, sex, height and eye color.  
6 The expiration dates and the identification numbers are  
7 automatically assigned to the applicant by the computer  
8 system. The format for the ID card number is already  
9 programmed within the computer. The computer also  
10 automatically computes these and establishes any other  
11 relevant requirements for the customer's record.

12           All of this involves very little data entry  
13 because of the sophistication of the main frame, the  
14 computer system. However, it also reflects a complex main  
15 frame computer system that is very difficult to adapt to  
16 other types of cards and other program needs.

17           When data entry is complete, the computer  
18 produces a camera card which has a two-dimensional bar  
19 code containing all of the information for the  
20 identification card issuance. I provided at the back of  
21 your package a sample camera card with the two-dimensional  
22 bar code.

23           When you renew your driver's license or your  
24 photo ID card, you also receive a camera card which you  
25 then take to a photo license center. When the customer

1 takes their camera card to the photo license center to  
2 have their picture taken, the photo technician scans the  
3 two-dimensional bar code to capture all the data that will  
4 be printed on the identification card.

5           The photo license center equipment does not  
6 capture the customer data and can only read the already  
7 encrypted data within the 2-D bar code. The customer  
8 signs her name on a digitized signature pad and the  
9 technician then takes the person's picture. The  
10 customer's signature and image are retained on our  
11 centralized imaging data base. The identification card is  
12 produced three to four minutes later.

13           These are several of the key components of  
14 this process. Please note that the photo technicians are  
15 not trained in data entry and our 144 photo stations  
16 cannot generate an ID card without an encrypted bar code  
17 on the camera card.

18           I felt it was important to take you through  
19 the photo identification card process in Pennsylvania so  
20 you can better understand our concerns. With the  
21 municipal police officer identification card process as  
22 outlined in the current version of House Bill 1154, the  
23 process as presented in the proposed legislation is not  
24 compatible with the highly computerized driver license  
25 photo identification program.

1           For example, the proposed legislation requires  
2 that the data elements for the registry data base be  
3 captured after the photo identification card is produced.  
4 We cannot produce a photo identification card unless the  
5 data entry has been completed and a camera card has been  
6 produced.

7           The legislation, while not specific, infers  
8 that the photo technician would enter the data to be  
9 captured on the card. Once again our 372 photo  
10 technicians are not skilled in data entry and our image  
11 capture stations cannot produce ID cards via a data entry  
12 process. In addition, the information that is included on  
13 the card would probably be inconsistent with the data  
14 elements on our current driver license system.

15           If we are to pursue issuance of uniformed  
16 identification cards via PennDOT, we should develop a  
17 process that is compatible with the technologically  
18 sophisticated system we operate. The commission could  
19 establish the officer's identity on the centralized  
20 registry and issue a camera card to the officer. The  
21 officer could then have their picture taken.

22           Development and installation of the software  
23 for the photo stations alone would cost approximately  
24 \$75,000. If on the other hand PennDOT were required to  
25 complete the data entry on its main frame computer system

1 to generate the camera card, the cost of just developing a  
2 main frame system to support this program would approach  
3 half a million dollars. In addition, this would create  
4 additional personnel costs and costs for supplies. In  
5 either case there will be additional costs for photo  
6 license technicians.

7           Please note that the Department of  
8 Transportation's participation in this program must be  
9 funded through the general fund because the Pennsylvania  
10 Constitution prohibits motor license funds from being  
11 utilized for programs other than those associated with  
12 construction and maintenance of the Commonwealth's  
13 highways and bridges and for highway safety. Therefore  
14 all system development, personnel and other costs must be  
15 tracked and charged to a special general fund  
16 appropriation. Any administrative overhead associated  
17 with the tracking must also be funded.

18           Another issue that we must address if PennDOT  
19 participates in this program is the critical issue of  
20 service to our driver licensing customers. The public  
21 will not tolerate long lines at photo centers, and adding  
22 more than 22,000 customers to photo centers in a  
23 relatively compressed time frame would have an adverse  
24 impact on customer wait times.

25           One of our greatest challenges as licensing

1 administrators is maintaining acceptable service in our  
2 very busy metropolitan photo centers. Unfortunately the  
3 greatest demand for the municipal police officers ID would  
4 be at our metropolitan sites. The legislation also  
5 addresses ID for an unspecified number of municipal  
6 security guards and we assume that many of these  
7 individuals also work in very busy metropolitan areas.

8           Therefore we recommend that municipal photos  
9 for police officers and security guards only be taken  
10 after 4:30 p.m. or on Sunday to avoid exacerbating the  
11 already long lines we are currently trying to reduce.  
12 This would help us track the personnel costs.

13           Our other concern with the legislation as it  
14 is currently written is with the security of the municipal  
15 police ID card and the data associated with the issuance.  
16 Using PennDOT systems will result in very extensive data  
17 being retained regarding law enforcement officers and  
18 their place of employment.

19           We are concerned about the potential security  
20 breaches for officers who may in the future become  
21 undercover officers. Our imaging data base is currently  
22 on line at 43 locations throughout the state, and our main  
23 frame system is on line at hundreds of locations including  
24 other state agencies and at over 40 on private businesses.

25           An alternative to PennDOT issuance of the

1 photo identification card is the technology transfer  
2 partnership between PennDOT and the Municipal Police  
3 Officers Education and Training Commission. If the  
4 commission were to contract with our digitized photo  
5 license vendors for stand-alone issuance stations in each  
6 county, the cost to administer the program might be  
7 reduced.

8           In light of our experience with this type of  
9 technology, we could proactively support the development  
10 of the unique issuance system as a component of the  
11 centralized registry. Development of a single centralized  
12 registry that also supports the ID issuance would also  
13 address any information and photo security concerns.

14           Once again we remain committed to supporting  
15 the efforts of the commission in establishing a uniform  
16 identification card either as an issuing agent of the card  
17 or as a development support partner. However, the process  
18 delineated in House Bill 1154 should be modified to  
19 provide for a viable and efficient issuance system that  
20 can utilize existing and emerging technology.

21           Thank you for the opportunity to testify  
22 today.

23           CHAIRMAN CLARK: We thank you for your  
24 thoughtful comments and testimony. Are there any  
25 questions of Ms. Bickley? Representative Wright.

1                   REPRESENTATIVE WRIGHT: Thank you, Mr.  
2 Chairman. It's quite obvious that as PennDOT is set up  
3 right now it really isn't going to be a viable process  
4 under the current system to achieve the intended purpose  
5 of the bill.

6                   You had talked -- I just want to get some  
7 specifics about that. I want to go into what you had  
8 suggested at the end. You had thrown out some numbers,  
9 some suggested numbers or you had talked about what I  
10 believe was \$75,000 for photo station. Is that \$75,000  
11 per photo station?

12                   MS. BICKLEY: No. That's statewide.

13                   REPRESENTATIVE WRIGHT: So at the specific  
14 photo sites would be a total of approximately \$75,000?

15                   MS. BICKLEY: Yes.

16                   REPRESENTATIVE WRIGHT: To administer or to  
17 set up a computer program?

18                   MS. BICKLEY: That's just to change the  
19 software within the issuance station.

20                   REPRESENTATIVE WRIGHT: Okay. And then you  
21 estimate another half a million dollars towards the  
22 centralized system for computer --

23                   MS. BICKLEY: Now, that is only if we were to  
24 generate camera cards with the encrypted two-dimensional  
25 bar code. The reason we do this within PennDOT is to

1 prevent fraudulent issuance of ID cards and licenses.  
2 Even with the proposed process if you were to have a paper  
3 form that was then brought in to a PennDOT center for data  
4 entry, even though that might be notarized, that type of  
5 paper document is very readily reproduced and issued  
6 fraudulently if you will. There are fraudulent notary  
7 stamps. So we use encrypted data and only encrypted data  
8 for issuance. That gives us an additional security  
9 feature.

10           So if we were to actually issue this, that  
11 would be half a million dollars. We have a partnership  
12 with Labor and industry for its inspection officers  
13 wherein L and I actually issues the camera card with the  
14 encrypted 2-D bar code and then that is brought to the  
15 photo center for issuance of a photo ID card. It's a less  
16 costly option both for L and I and for PennDOT.

17           REPRESENTATIVE WRIGHT: Could you explain that  
18 further, what the inspectors -- so currently you do have  
19 an arrangement with another department to do a photo ID  
20 for inspectors?

21           MS. BICKLEY: That's correct. We receive from  
22 them -- well, the inspector shows up at a photo license  
23 center with an already encrypted two-dimensional bar code  
24 on their document. We've been able to do that  
25 successfully because quite honestly the volume is very



1 low. This only involves several hundred statewide  
2 throughout the state, and they are staggered in terms of  
3 the issuance of the card.

4           As I mentioned in my testimony, one of our  
5 concerns is that within a very compressed time frame we  
6 suddenly would have to address processing through more  
7 than 22,000 individuals. And in reading the legislation  
8 that's currently written, it appears that that could  
9 happen within a two-week time frame which would be  
10 extremely difficult at best. So if we were able to  
11 stagger the utilization of the system and to level the  
12 demand for the service, it could have less of an impact on  
13 our customers throughout the state.

14           REPRESENTATIVE WRIGHT: How much of an effort  
15 was it -- and if you happen to know any numbers, financial  
16 numbers, was it for L and I to develop the encrypted form  
17 program and interact with you?

18           MS. BICKLEY: I don't know quite honestly. I  
19 know that our computer support people were proactively  
20 involved in that development with them. We were a partner  
21 in the development. That was a technology transfer  
22 partnership with L and I so I would assume that the costs  
23 were minimal.

24           REPRESENTATIVE WRIGHT: So they may have  
25 requested a lot of particular facts and documents from

1 their inspectors and they internally do whatever they want  
2 with that, but when it comes to photo ID, then they have  
3 limited amount of data that they're putting on the  
4 encrypted form so that when the photo is produced it looks  
5 just like a photo license, a regular driver's license?

6 MS. BICKLEY: No, it doesn't look just like  
7 the regular driver's license. It has a unique banner, a  
8 unique cover and a unique look. But the data is very  
9 similar to what we put on the driver's license.

10 REPRESENTATIVE WRIGHT: You had suggested an  
11 alternative by maybe the commission working with your  
12 vendor to develop this software for the computers. Is  
13 that what you're suggesting is a better way to go and have  
14 the commission themselves develop a photo system instead  
15 of your department doing it?

16 MS. BICKLEY: Not necessarily. I think we  
17 should look at the cost to both options and the efficiency  
18 and the security issues and analyze which would be  
19 better. Quite honestly I don't know today which would  
20 have overall efficiency, but the digitized imaging  
21 technology isn't unique to PennDOT. It's the same type of  
22 technology that is typically used today by universities in  
23 issuing student photo ID.

24 For example, I know Penn State uses digitized  
25 imaging. It's also used to produce T-shirts at

1 carnivals and posters and any number of application. So  
2 it's relatively inexpensive in and of itself.

3           The thing that gives us really the unique  
4 nature of the Pennsylvania driver's license is the  
5 holographic overlay. But we could once again partner in  
6 terms of the use of the holographic overlay. I see  
7 someone has one of these licenses in hand. If you look at  
8 that you'll see a 3-dimensional overlay and on the one  
9 level you have Pennsylvania and embedded behind that are  
10 all of the names of all of the counties.

11           It might even be better if it were stand alone  
12 and you have a unique overlay unique to law enforcement.  
13 But that wouldn't be feasible through our process. So I  
14 think that's issues we see weighing. I don't have the  
15 optimal solution today, but I think we should collectively  
16 analyze the options and come up with the most efficient  
17 approach.

18           CHAIRMAN CLARK: Thank you. No other  
19 questions? I thank you, and we'd also like to welcome  
20 Representative Jere Schuler from Lancaster County and  
21 Representative James from Philadelphia.

22           Thank you very much for your insightful  
23 testimony and your insight into the issue.

24           The next individual to testify before the  
25 committee is Christopher Moonis. He is the Director of

1 Legislative Affairs for the Pennsylvania League of Cities  
2 and Municipalities.

3           Maybe move on to the next individual who is  
4 scheduled to testify, Thomas J. Nestel, II, Esquire. He  
5 is the Deputy Commissioner of Administration and Training  
6 for the Philadelphia Police Department. Welcome.

7           MR. NESTEL: Good morning. I'm Thomas J.  
8 Nestel, Deputy Commissioner Philadelphia Police  
9 Department. And with me is Lt. Harry Giordano of our  
10 records identification unit.

11           Thank you for the opportunity to testify in  
12 reference to House Bill 1154. It is my recommendation  
13 that further study be done before implementation of this  
14 house bill.

15           If the house bill were to be implemented, I  
16 recommend that Philadelphia be exempt from this bill.  
17 Uniform officers in the City of Philadelphia presently  
18 wear a badge on their outermost garment with a distinctive  
19 number. They have a frontispiece on their uniform hat  
20 that also bears that same number. And they have a name  
21 tag on the other side of their chest. So they have a  
22 badge number, a fronticepiece and a name tag, plus a  
23 distinctive uniform.

24           I feel that exempting the City of Philadelphia  
25 from the requirements of House Bill 1154 would not set a

1 precedent. As the law is presently written, Pennsylvania  
2 State Police Department is presently excluded from this  
3 house bill. It would be difficult for the Philadelphia  
4 Police Department to adopt a new uniform identification  
5 card.

6           Presently the Philadelphia Police Department's  
7 identification card contains a photograph, bar codes,  
8 name, rank and badge number of each individual. The card  
9 is utilized not only for identification but also for  
10 evidence tracking, monitoring attendance in and out of  
11 court, and other enhancements are presently being  
12 developed for the utilization of this identification  
13 card.

14           The administrative and financial burden in  
15 implementing this proposed legislation would present a  
16 hardship for the City of Philadelphia. The Philadelphia  
17 Police Department has invested \$1,200,000 for its image  
18 capturing system which is utilized to produce the  
19 department's identification card. The Philadelphia Police  
20 Department will have 7,000 sworn personnel by June 30th,  
21 1998. Implementation of House Bill 1154 would require the  
22 department to issue 7,000 photo identification cards every  
23 other year.

24           Pennsylvania Municipal Police Officers  
25 Education and Training Commission presently maintains a

1 central registry which contains information and  
2 fingerprints on every certified police officer within the  
3 Commonwealth of Pennsylvania. This appears to negate the  
4 necessity of creating another central data base. The  
5 commission also issues a biannual certification card for  
6 law enforcement officers in the Commonwealth. If House  
7 Bill 1154 were implemented, consideration should be given  
8 to redesigning or eliminating the current MPOETC  
9 certification card.

10 I recommend that House Bill 1154 not be  
11 enacted until further study is conducted to address the  
12 serious problem of individuals impersonating law  
13 enforcement officials. Consideration should be given to  
14 exploring the feasibility of enacting legislation to  
15 prevent unauthorized personnel from purchasing police  
16 equipment such as uniforms, badges, dome lights and other  
17 equipment. Thank you.

18 CHAIRMAN CLARK: I thank you. Are there any  
19 questions for Mr. Nestel? Representative Wright.

20 REPRESENTATIVE WRIGHT: Thank you, Mr.  
21 Chairman. Do you have one of those Philadelphia cards on  
22 you?

23 MR. NESTEL: Just happen to have several.

24 REPRESENTATIVE WRIGHT: I think that would be  
25 helpful to see what you're already doing. And my question

1 along that line, I think we know the answer to it, why did  
2 Philadelphia decide to go to a photo identification system  
3 and then probably -- and then bar codes?

4           MR. NESTEL: Philadelphia Police Department,  
5 in 35 years I have been a member, has used photo  
6 identification cards mainly for their ununiformed  
7 personnel, their plain clothes personnel, but everyone  
8 does have a photo identification card and that card is  
9 used, as I say, if you're not in uniform mainly to show  
10 with the badge to identify yourself as a Philadelphia  
11 police officer.

12           We did go to the image -- or to the bar coding  
13 so that we could get other utilization out of that card.  
14 As I mentioned we actually check in and out of court with  
15 that card, now we're doing evidence tracking. We're  
16 looking at the feasibility of expanding that to entrance  
17 in and out of secure police facilities and units. So  
18 there are several uses of that card for us.

19           REPRESENTATIVE WRIGHT: What type of  
20 background data do you request from the officers before  
21 you -- before you issue them a card? What do you -- name,  
22 address, their rank, and what other types of things?

23           MR. NESTEL: Well, our initial investigation  
24 prior to hiring a police officer just covers the gamut of  
25 information that you had talked about, but that card will

1 not be issued until we hire the individual. And we do the  
2 photographing ourselves in our automated system so unless  
3 that individual is a police officer we would not  
4 photograph that individual or issue a card.

5 REPRESENTATIVE WRIGHT: Do you only take  
6 photos at one specific site or do you have multiple photo  
7 sites?

8 MR. NESTEL: Actually we do the majority of  
9 our photographing of our police personnel in one specific  
10 site. We have seven remote locations where we also  
11 photograph prisoners, and we do have the ability to adopt  
12 those so we can produce our photo identification card at  
13 those sites.

14 REPRESENTATIVE WRIGHT: And currently you have  
15 7,000 employees then that you require have photo  
16 identification?

17 MR. NESTEL: Seven thousand sworn. We also  
18 have a thousand civilians that have a photo  
19 identification. That identifies the individual as a  
20 civilian with the Philadelphia Police Department. The  
21 color code will also tell us that is -- if that civilian  
22 is a supervisor or not.

23 REPRESENTATIVE WRIGHT: Now, do you require  
24 them to wear the card or just to present it on various  
25 circumstances?



1 MR. NESTEL: While in the building, in the  
2 police administration building, the identification worn.

3 REPRESENTATIVE WRIGHT: It is worn?

4 MR. NESTEL: Yes.

5 REPRESENTATIVE WRIGHT: And why?

6 MR. NESTEL: Not by uniformed personnel. It's  
7 worn by civilian employee personnel for identification.

8 REPRESENTATIVE WRIGHT: You had said that you  
9 spent \$1.2 million on the photo system.

10 MR. NESTEL: Yes.

11 REPRESENTATIVE WRIGHT: Is that the current  
12 system? Is that your current -- is that a one-time  
13 expense or does that number include --

14 MR. NESTEL: No. That was the cost of  
15 purchasing the system and the software that goes with  
16 that. The production of that specific card is  
17 approximately \$1.50 per card.

18 REPRESENTATIVE WRIGHT: That's all the  
19 questions.

20 CHAIRMAN CLARK: Representative James.

21 REPRESENTATIVE JAMES: Thank you, Mr.  
22 Chairman. Thank you, Commissioner, for being here. I was  
23 looking at these new photo cards and I've only been out  
24 about ten years and I was wondering because it has  
25 captain -- this is from the detective, police officer on.

1 Was that made just for this?

2 MR. NESTEL: Yes, it is. Because if you look  
3 at that the lieutenant -- goes as high as commissioner on  
4 those cards.

5 REPRESENTATIVE JAMES: Okay. The other thing  
6 you raised a good point in your testimony. I'm sorry I  
7 didn't hear Mr. Mooney from the commission because I  
8 understand that they have concerns as it relates to  
9 uniformed police officer have to show an ID card.

10 Of course, I think that should not be  
11 necessary. You're in uniform, you should not have to show  
12 an ID card. But the other thing you said that I was  
13 concerned about is the costs for Philadelphia because they  
14 don't need any more costs. But if the State paid for  
15 this, would it be acceptable to you?

16 MR. NESTEL: Sir, I really believe we need to  
17 look at this whole issue closer. I personally do not  
18 believe that a uniformed police officer who is clearly  
19 identifiable, whose vehicle is clearly identifiable, needs  
20 to wear an ID card or produce ID card. And I share some  
21 of the concerns that were mentioned earlier that there are  
22 cases where they could become a safety hazard.

23 REPRESENTATIVE JAMES: I didn't have a chance  
24 to look at the legislation in its entirety. I didn't know  
25 they have to wear the ID card.

1 MR. NESTEL: The wearing of it was mentioned  
2 during prior testimony, and there were prior comments of  
3 some representatives.

4 REPRESENTATIVE JAMES: And I would agree that  
5 I don't think they need to wear the ID, street, plain  
6 clothes or something like that.

7 MR. NESTEL: I believe that the concept was  
8 that uniformed police officers would wear the ID card.  
9 That's my understanding.

10 REPRESENTATIVE JAMES: I think that would be a  
11 little bit too much because they already wear a badge, you  
12 have a name identification. I think that's enough at that  
13 point.

14 I thought we've have some problems with people  
15 posing as police officers in Philadelphia recently, a  
16 couple of people stopped. I like the idea where you  
17 talked about there needs to be some type of legislation  
18 looked into into buying police equipment. And I think  
19 that would help in terms of that, and maybe we can amend  
20 this legislation that we have to maybe include that and  
21 also address the concerns of you and the Municipal Police  
22 Officers Education and Training Commission raised. I  
23 think that would be helpful.

24 If the sponsors amended that and have the  
25 problem looked at in order to do that. But I do think

1 that the fact that you say that it needs to be studied and  
2 looked at that we should consider that. And again I want  
3 to thank you and give my regards to the commissioner.

4 MR. NESTEL: Yes, sir.

5 CHAIRMAN CLARK: Representative Caltagirone.

6 REPRESENTATIVE CALTAGIRONE: Thank you.

7 Commissioner Nestel, when you said 7,000, you're speaking  
8 of active duty police officers in Philadelphia; correct?

9 MR. NESTEL: That is correct, sworn  
10 personnel.

11 REPRESENTATIVE CALTAGIRONE: We were just  
12 talking, counsel and I, about Fairmount Park guards.

13 MR. NESTEL: Fairmount Park was brought into  
14 the Philadelphia Police Department several years ago. But  
15 that would not include SEPTA police officers, housing  
16 authority, Philadelphia Housing Authority, it would not  
17 include University of Pennsylvania officers, Temple  
18 University officers or the security officers at any of the  
19 other universities.

20 REPRESENTATIVE CALTAGIRONE: You don't have  
21 any idea how many photos with the others that you just  
22 mentioned?

23 MR. NESTEL: I believe SEPTA and the housing  
24 police each have in excess of 300 people, between three  
25 and four hundred people. So we're talking right there six

1 to eight hundred people. The universities, I'm not sure  
2 about the size of their forces. University of  
3 Pennsylvania I do believe and Temple are probably both in  
4 the area of a hundred.

5 REPRESENTATIVE CALTAGIRONE: Thank you.

6 CHAIRMAN CLARK: Deputy Commissioner, you  
7 indicated that you might be able to stop or control the  
8 sale of look-alike police uniforms or just exactly what do  
9 you have in mind?

10 MR. NESTEL: What I had in mind is study the  
11 feasibility of it. I do not have the answer to that.

12 CHAIRMAN CLARK: Do you know if you can buy  
13 those?

14 MR. NESTEL: Yes. One of the things that  
15 concerns me is you can get a catalog, in fact at least one  
16 gets mailed to me every month, where you can buy lights,  
17 you can even buy the racks for the top of the vehicles.  
18 You can buy stick-ons to make a vehicle look like a police  
19 car.

20 So I think there are a lot -- it's a lot more  
21 than just an identification card that relates to this  
22 issue. And it's something that it is a very serious  
23 problem, but I do believe that it needs more study to find  
24 out how to best attack this problem.

25 CHAIRMAN CLARK: Thank you very much. Any

1 additional questions? Representative Hennessey.

2 REPRESENTATIVE HENNESSEY: Thank you, Mr.  
3 Chairman. Deputy Commissioner Nestel, what procedures are  
4 in place in the Philadelphia Police Department in terms of  
5 dealing with someone -- some officer presenting a card,  
6 not his own, checking somebody else in court, stamping  
7 somebody else's time card? Is that a factor? If somebody  
8 were to simply hand another officer their card to check me  
9 into courtroom C if they really need me, what does the  
10 department deal with --

11 MR. NESTEL: There are several ways that we  
12 approach that. One is that we also -- we have what we  
13 call our court attendance unit, and there is someone there  
14 watching the individuals who are checking things in and  
15 out. We also in many of the courtrooms have a liaison  
16 officer in that courtroom. After the officer checks in  
17 and out of court, the officer must report to the liaison  
18 person in that courtroom.

19 If there is a courtroom that we do not have a  
20 liaison person, then they have to report to the district  
21 attorney -- assistant district attorney when they arrive  
22 in the courtroom. So that if you clocked me in, when you  
23 got up to the courtroom you would have to present yourself  
24 as me and be prepared to discuss that case to the  
25 assistant district attorney or to the liaison officer.

1                   REPRESENTATIVE HENNESSEY: I'm assuming that's  
2 not much of a problem in the department. But if it were  
3 to happen, what are the sanctions to the police officer  
4 who does that?

5                   MR. NESTEL: Well, it would depend on what the  
6 individual would be charged with. But there I could think  
7 of several charges that would go with that, and I  
8 personally would be very happy to fire the individual.

9                   REPRESENTATIVE HENNESSEY: Thank you.  
10 Hopefully you won't be called upon to do that.

11                   CHAIRMAN CLARK: Representative James.

12                   REPRESENTATIVE JAMES: Just a side comment.  
13 In fact I was charged in the police department for  
14 falsifying a police document and the range goes from five  
15 days to dismissal but depending on what you do. I just  
16 happened to write something down on a log and it was an  
17 inappropriate time so that's what happened to me. It can  
18 be a wide range.

19                   CHAIRMAN CLARK: Thank you and we appreciate  
20 your insight and your testimony.

21                   The next individual to testify before the  
22 committee is Christopher J. Moonis. He is the Director  
23 for Legislative Affairs for the Pennsylvania League of  
24 Cities and Municipalities. Good morning.

25                   MR. MOONIS: Good morning. Thank you for the

1 opportunity to testify today on House Bill 1154. My name  
2 is Christopher Moonis, Director of Legislative Affairs for  
3 the Pennsylvania League of Cities and Municipalities. It  
4 is a pleasure to be here today.

5           There is no question the crime of posing as a  
6 law enforcement officer is a serious threat to public  
7 safety. Moreover, this particular type of crime breaches  
8 one of the more fundamental rights of our citizens, public  
9 trust. People are typically at their most vulnerable  
10 state when approached by a law enforcement officer and  
11 they're usually very willing to cooperate. Therein lies  
12 the problem.

13           As I developed this testimony a fellow  
14 co-worker handed me a news article from the Associated  
15 Press, July 28th, 1997, that outlined three recent reports  
16 of men posing as police officers on Montgomery County  
17 highways. This time the article describes exactly what  
18 House Bill 1154 is trying to negate.

19           However, the Pennsylvania League of Cities and  
20 Municipalities representing the urban centers in this  
21 Commonwealth have some concern whether House Bill 1154  
22 will be part of the cost-effective solution to eradicate  
23 this crime. The league has not yet undertaken the process  
24 of developing a position on this particular piece of  
25 legislation. However, the league did take the opportunity



1 to speak with some of our local government public  
2 officials about the bill. In addition we had the  
3 opportunity to speak with several law enforcement  
4 personnel and a representative of a local Fraternal Order  
5 of Police president.

6           Clearly all local government officials and law  
7 enforcement personnel think the problem does exist, and  
8 most of them also agree that we should try to find a  
9 solution to the problem. However, many are concerned that  
10 this system may become cumbersome for the officer in a  
11 difficult situation, that the system is too regulated in  
12 this legislation and there is not uniformity across all  
13 law enforcement personnel who have the ability to stop a  
14 motor vehicle.

15           Below is a brief synopsis of some of the  
16 questions that have been raised in the review of House  
17 Bill 1154.

18           Financial commitment addressed in this bill is  
19 a general fund appropriation which may be removed in the  
20 future leaving potential for another unfunded mandate on  
21 local government.

22           The ultimate control of the card is given to  
23 the commission which has broad discretion in authorizing  
24 the local government law enforcement officer to possess a  
25 card. Page 11, lines 18 through 22, "The commission shall

1 be responsible for the development of rules and  
2 regulations governing the temporary surrender of a photo  
3 identification card by a municipal police officer charged  
4 with a criminal offense or in any case which the  
5 commission may deem appropriate."

6           As currently drafted it appears that local  
7 government law enforcement officers are the only officers  
8 required to carry an ID card. If state government is  
9 attempting to create uniformity, then include all law  
10 enforcement personnel who have the ability to stop a motor  
11 vehicle. For example, the Pennsylvania State Police, and  
12 the county sheriff's departments.

13           Although there is no direct cost initially in  
14 obtaining ID cards for a sworn officer, there is  
15 definitely an indirect cost in maintaining an ID system to  
16 the local government. Administrative costs alone would be  
17 staggering for the cities of Philadelphia, Pittsburgh and  
18 Erie, among others. For the system to work, there needs  
19 to be a secure funding mechanism dedicated to the  
20 program.

21           Finally, the penalties prescribed in this  
22 legislation on local government are too extreme. Page 15,  
23 lines 5 through 13, and lines 17 through 22. Charging a  
24 municipality who may not meet the time deadline for all  
25 costs associated with the system is self-defeating.

1           These are a few examples of the questions and  
2 concerns raised on a cursory review of the legislation.  
3 We need additional time to review the legislation. This  
4 is an admirable attempt to address the issue. However,  
5 absent clear policy direction from our board of directors,  
6 we're requesting that more time and attention be given to  
7 the concept and request the committee consider conducting  
8 hearings across the state with local government officials  
9 on this issue.

10           This legislation may well be a partial  
11 solution to the problem. Let us all find out by talking  
12 to our local leaders and our law enforcement personnel.

13           Again, allow me to reiterate that conceptually  
14 we may very well support the ID system, the league and our  
15 members, however, we need to formally review the concept  
16 and report back to you. In the meantime we have requested  
17 information from the National League of Cities as well as  
18 other state municipal leagues to garner comparative  
19 knowledge on how other states and cities address this  
20 issue nationwide.

21           Thank you for your time and attention. I  
22 would happy to answer your questions.

23           CHAIRMAN CLARK: Thank you. Do you have  
24 any -- Representative Wright.

25           REPRESENTATIVE WRIGHT: My intent is not to

1 rush it through. It's been out there a number of years  
2 and I do recognize the logistical problems. It seems  
3 everybody agrees with the concept. We need to put  
4 together various groups that are involved here and try to  
5 find out if there is a reasonable way to accomplish -- if  
6 this is really the final answer to the identification  
7 issue. And then put of proof -- come up with a way of  
8 actually doing it with reasonable cost basis, one, and not  
9 a huge amount of workload.

10               So we are not going to rush this through. I'm  
11 not on the Judiciary Committee, but I've not asked that or  
12 requested them to run it right on through. And I fully  
13 believe that we need to have everyone sit down and make  
14 suggestions. So the bill as you see it now will not be  
15 the bill. Try to have discussions and come up with  
16 another possible direction may go and take it from there.

17               MR. MOONIS: If I may, Representative, as we  
18 take a closer look at 1154 and have our officials, our  
19 board of directors and our policy development process take  
20 a look at it, as well as input we have from the National  
21 League of Cities and our other state leagues, we'll be  
22 happy to share that with the committee and you in  
23 developing legislation that will address the problems as  
24 best we know it today.

25               REPRESENTATIVE WRIGHT: We appreciate if you

1 would come back with possibilities and other directors.

2 MR. MOONIS: I'd be happy to do that.

3 CHAIRMAN CLARK: Representative Schuler.

4 REPRESENTATIVE SCHULER: Thank you. You  
5 represent the League of Cities and Municipalities;  
6 correct?

7 MR. MOONIS: Correct.

8 REPRESENTATIVE SCHULER: Does your  
9 organization have any information regarding incidents of  
10 impersonation going on?

11 MR. MOONIS: We don't specifically track -- we  
12 have a file that we create on incidents of this type, but  
13 we don't track it on an ongoing basis. I'm  
14 hoping -- we've made contact with the National League of  
15 Cities on Friday, and I'm hoping that they have either  
16 done a study on it or do have an active working file  
17 on -- specifically on this issue. They are renowned for  
18 their careful consideration of issues like this. In fact  
19 I'd go out on a limb to say they've probably done some  
20 investigative reporting and research on the topic itself  
21 so I will.

22 REPRESENTATIVE SCHULER: But you have  
23 no -- it's never been brought to your attention that this  
24 is an ongoing problem throughout the Commonwealth?

25 MR. MOONIS: Other than what I hear and read

1 in the news and in talking with other colleagues. I mean  
2 I am aware of the situation, but we don't -- you know,  
3 it's not part of our general policy statement and we're  
4 not actively pursuing that. However, I will bring it up  
5 before our public safety committee when we meet next in  
6 October.

7                   REPRESENTATIVE SCHULER: Thank you, Mr.  
8 Chairman.

9                   CHAIRMAN CLARK: Thank you. I don't believe  
10 that there are any additional questions. And we thank you  
11 for your testimony this morning.

12                   And this will conclude the hearing of the  
13 Judiciary Committee on House Bill 1154. I thank everyone  
14 for attending and providing their insight into the bill.  
15 Thank you very much.

16                   (Whereupon, the hearing was concluded at 11:15  
17 a.m.)

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I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the within proceedings, and that this copy is a correct transcript of the same.

*Pamela L. Packer*

Pamela L. Packer  
Court Reporter-Notary Public