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TESTIMONY SUBMITTED BY
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AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA
TO
HOUSE JUDICIARY COMMITTEE
FEBRUARY 21, 2008
STATE CAPITOL, HARRISBURG

Chairman Caltagirone, Chairman Marsico, and members of the committee, thank you for the opportunity to submit testimony regarding the expansion of police powers to county sheriffs' departments, as articulated in House Bill 466. The American Civil Liberties Union of Pennsylvania opposes the legislation. We have significant concerns about this expansion of power, and I will articulate those concerns here.

All Pennsylvanians owe a debt of gratitude to those in law enforcement, including officers and civilians in our county sheriffs' departments. They take on a difficult job that presents daily challenges, and we are grateful to those officers who carry out their duties with great care for all residents of their communities and with respect for the rule of law.

Unfortunately, history is filled with examples of some members of law enforcement disrespecting the boundaries of the rule of law and violating the civil rights of ordinary Americans. Famous examples include attacks on African-American protesters in the 1950s and 1960s. Closer to home, the ACLU of Pennsylvania represented many individuals in Philadelphia and Pittsburgh in the 1990s after their rights had been violated through police misconduct. These cases led to reforms in the police departments of both cities.

The Inquirer series also emphasized the effectiveness of community policing. This form of law enforcement allows officers to become an integral part of the fabric of the community. Rather than patrolling from a vehicle, officers walk the streets of a neighborhood and build relationships with residents and community leaders. All stakeholders become familiar with each other and respectfully recognize the roles played by each. The ACLU has long advocated for the increased use of community policing in Pennsylvania. Based on academic theory and real-life examples like High Point, North Carolina, and San Diego, we believe that the end result of this form of law enforcement is less community tension and a decrease in accusations of civil rights violations.

Law enforcement officers play an important role in Pennsylvania's cities, boroughs, and townships. Their power is most effective when it is respected and limited in scope with proper checks on how it is being used. The ACLU of Pennsylvania believes that House Bill 466 is an unnecessary expansion of police powers to the Commonwealth's county sheriffs.

If you have further questions, you are welcome to contact me.