

HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA

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House Bill 2563

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House Judiciary Committee

Main Capitol Building
Minority Caucus Room
Harrisburg, Pennsylvania

Thursday, September 4, 2008 - 10:00 a.m.

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BEFORE:

Honorable Thomas Caltagirone, Majority Chairman
Honorable Harold James
Honorable Deberah Kula
Honorable John Pallone
Honorable Joseph Petrarca
Honorable Sean Ramaley
Honorable Don Walko
Honorable Jewell Williams
Honorable Ron Marsico, Minority Chairman
Honorable Tom Creighton
Honorable Will Gabig
Honorable Glen Grell
Honorable Carl Mantz

IN ATTENDANCE:

Honorable Joseph Brennan
Honorable Dante Santoni

KEY REPORTERS
keyreporters@comcast.net

1300 Garrison Drive, York, PA 17404
(717) 764-7801 Fax (717) 764-6367

1 ALSO PRESENT:

2

 David McGlaughlin
3 Majority Senior Research Analyst

4

 Kurt Bellman
5 Majority Analyst

6

 Jetta Hartman
7 Majority Committee Sec./Leg. Asst.

8

 Karen Coates
9 Minority Executive Director & Counsel for
 Committee

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11 Michelle Moore
 Minority Admin. Asst./Committee Sec.

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13 Linda Householder
 Minority Committee Secretary

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(Written testimony submitted by:

Brian K. Jensen, Ph.D., Senior Vice President
Pennsylvania Economy League of Southwestern PA)

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(None)

1 CHAIRMAN CALTAGIRONE: I would like
2 to get started in the public hearing on House
3 Bill 2563. I am Tom Caltagirone, the Chairman
4 of the Judiciary Committee, the 127th
5 Legislative District, Berks County. And my
6 co-chair here, if he would introduce himself,
7 and then the rest of the members.

8 REPRESENTATIVE MARSICO: Thank you,
9 Mr. Chairman. Representative Marsico, 105th
10 District in Dauphin County.

11 REPRESENTATIVE CREIGHTON:
12 Representative Tom Creighton from Lancaster
13 County.

14 REPRESENTATIVE MANTZ: Representative
15 Carl Mantz, 187th, straddling Berks and Lehigh
16 counties.

17 MR. BELLMAN: Kurt Bellman, the
18 Judiciary Committee staff.

19 MR. McGLAUGHLIN: Good morning, David
20 McGlaughlin, the Judiciary Committee staff.

21 REPRESENTATIVE SANTONI: I am Dante
22 Santoni. I am from Berks County, the 126th
23 Legislative District.

24 REPRESENTATIVE WALKO: Don Walko,
25 Allegheny County.

1 REPRESENTATIVE WILLIAMS: Jewell
2 Williams, Philadelphia County.

3 CHAIRMAN CALTAGIRONE: And the star
4 of our show and good friend.

5 REPRESENTATIVE PALLONE: John
6 Pallone, 54th Legislative District, southern
7 Armstrong and northern Westmoreland counties.

8 CHAIRMAN CALTAGIRONE: It's yours,
9 John.

10 REPRESENTATIVE PALLONE: Thank you,
11 Mr. Chairman. Good morning, Chairman
12 Caltagirone and Chairman Marsico, gentlemen of
13 the Judiciary Committee.

14 If it pleases the committee this
15 morning, I am here to discuss House Bill 2563
16 that generally provides an opportunity for the
17 people of Pennsylvania to receive expanded law
18 enforcement services by encouraging larger
19 communities throughout our state to create their
20 own police department or pursue a regional
21 approach to police services.

22 I also want to note as well, while we
23 are here this morning, the companion legislation
24 of House Bill 2683 that would also provide yet
25 another opportunity for the people of

1 Pennsylvania to receive even more law
2 enforcement services by enabling the
3 commonwealth to keep one hundred percent of the
4 fines that are derived from citations that are
5 issued by the Pennsylvania State Police.

6 But that bill is for another day and
7 we will discuss it at another time.

8 Believe it or not, communities
9 throughout Pennsylvania that do not have police
10 departments are able to keep fifty percent of
11 the fines generated in those communities by the
12 State Police.

13 Currently throughout Pennsylvania, we
14 probably have the highest trained, probably the
15 best qualified and the best equipped law
16 enforcement personnel anywhere in the United
17 States. Our local police departments and our
18 Pennsylvania State Police are probably the
19 highest respected law enforcement agencies
20 throughout the country. These men and women put
21 their lives on the line each and every day to
22 ensure our safety.

23 But like all good things, great law
24 enforcement comes at a price and that price in
25 Pennsylvania is approximately one hundred

1 thousand dollars per law enforcement officer in
2 each and every community whether it be State
3 Police or local police departments.

4 It would actually include their
5 wages, their benefits, the equipment, the
6 insurance, the vehicles and any other expenses
7 relating to supporting the law enforcement
8 agency in any community or at the commonwealth
9 level. And, as we all know, currently the
10 resources in law enforcement, both local police
11 and State Police, are stretched to the limit in
12 Pennsylvania.

13 There are a number of pieces of
14 legislation currently on the table that have
15 been introduced throughout the House and the
16 Senate that address increased or expanded law
17 enforcement services in Pennsylvania. None of
18 them, let me tell you today, are bad ideas.
19 They are all good ideas. More law enforcement
20 is always a good idea.

21 But, in my opinion, I think House
22 Bill 2563 is one of the better pieces of
23 legislation that would provide for equity and
24 fairness to all residents and taxpayers in the
25 commonwealth and would most certainly result in

1 increased and more law enforcement services and
2 more troops on the ground in Pennsylvania.

3 Public safety is a paramount
4 consideration for all of us, and we need to
5 ensure that public safety is the number one
6 issue on the tip of all of our tongues.

7 Generally speaking, House Bill 2563
8 provides that any community in Pennsylvania that
9 has a resident population in excess of ten
10 thousand people, who reside in that particular
11 community, based on the last federal decennial
12 census, would be assessed one hundred dollars
13 per resident in that community per year.
14 It's an annual assessment.

15 If that assessment, it would generate
16 in excess of thirty-one million dollars in
17 Pennsylvania. Local police, so long as they do
18 not have local police services in that
19 particular community, they will be assessed that
20 particular assessment. If, however, they do
21 have local police services, they will not be
22 responsible to pay the assessment.

23 It's a simple formula. It's a
24 simple, straightforward approach. Local police
25 services in each of these communities, by this

1 legislation, is defined as providing sixty hours
2 of police services in any given week for
3 fifty-two weeks a year, which you do the math
4 and it works out to be thirty-one hundred and
5 twenty hours per year. Simple arithmetic,
6 simple services, a simple way to ensure that you
7 have the maximum protection for law enforcement
8 throughout the community.

9 Ironically, right now, based on the
10 last decennial census, there are only twenty-one
11 communities in Pennsylvania that have certified
12 populations in excess of ten thousand people.

13 Ironically, there are two of those
14 communities that have more than twenty thousand
15 people, and there is at least one community that
16 has an excess of forty thousand people. Imagine
17 a community that has forty thousand people and
18 does not have a local police department and
19 relies singularly on the Pennsylvania State
20 Police for their protection.

21 There are more than nine hundred and
22 seventy local police departments throughout
23 Pennsylvania and the residents and the taxpayers
24 in each of those communities that host those
25 nine hundred and seventy police departments are

1 paying local tax dollars using local grant
2 dollars, using local fines and other forms of
3 revenue to support those local police
4 departments.

5 At the same time, all of the local
6 fees that are generated and the state taxes that
7 are generated are also being used to offset the
8 costs of the Pennsylvania State Police that
9 provide exclusively the service in these larger
10 communities.

11 Now, understand, that the
12 Pennsylvania State Police, in its originating,
13 enabling documentation was most certainly to
14 provide statewide coverage and statewide law
15 enforcement, particularly in the more rural
16 communities that weren't able to provide local
17 law enforcement for themselves.

18 But it has become a point now and
19 point of contention to what is the Pennsylvania
20 State Police services have been stretched to the
21 maximum limit and they are unable to continue to
22 provide the highest level of service possible
23 while they are being forced to dedicate
24 resources to these larger communities, and we
25 are talking about large communities in excess of

1 ten thousand people. That's a large town.

2 We have many of the nine hundred and
3 seventy police departments that are in
4 communities that have far less than ten thousand
5 people, but they are still supporting the local
6 police department.

7 Each of these communities then in
8 excess of ten thousand people most certainly
9 have the resources and the ability to be able to
10 support a local police department, the capacity
11 is there. It's not a question of capacity; it's
12 a question of wherewithal.

13 The numbers are staggering. It's
14 unbelievable what we are talking about. We are
15 talking about thirty-one million dollars at a
16 minimum and it could be more as the new
17 decennial census comes out in, what is it, three
18 years now.

19 We are going to see that those
20 numbers could be even higher, as much as forty
21 or forty-five million dollars. At a hundred
22 thousand dollars per law enforcement officer, we
23 can put almost three thousand to four thousand
24 additional police officers on the ground,
25 protecting communities in Pennsylvania.

1 It's absolutely an alternative that
2 we have to look at it.

3 These larger communities have the
4 ability to be able to do it. In the end of the
5 day, we look at a win-win situation, no matter
6 what happens. If we generate the additional
7 revenue, we put more state troopers on the
8 ground, we have more law enforcement in
9 Pennsylvania.

10 If any community opts out and decides
11 that they do not want to provide the additional
12 one hundred dollar revenue generation for the
13 use of the State Police in these larger
14 communities and they decide to create their own
15 local police department, again it's a win-win
16 situation for us. We will end up with
17 additional police officers, in each and every
18 one of these local communities, which will
19 provide additional law enforcement services to
20 Pennsylvanians and people will be safer and more
21 secure.

22 Mr. Chairman, again, I want to thank
23 you again for providing me the opportunity to
24 present and discuss House Bill 2563. Law
25 enforcement and public safety are certainly the

1 issues that ring the bell for communities
2 throughout Pennsylvania, and I believe that
3 House Bill 2563 answers the call and provides
4 additional law enforcement service and more
5 public safety for all of the residents of
6 Pennsylvania.

7 Thank you, gentlemen and ladies. If
8 there are any questions, I certainly will
9 engage.

10 CHAIRMAN CALTAGIRONE: Thank you,
11 Representative. The other representatives that
12 have come in, since we started, if you would
13 introduce yourself for the record.

14 REPRESENTATIVE RAMALEY: Sean
15 Ramaley, Beaver and Allegheny counties, 16th
16 District.

17 REPRESENTATIVE GRELL: Mr. Chairman.
18 Glenn Grell, 87th District, Cumberland County.
19 Thank you.

20 REPRESENTATIVE KULA: Good morning.
21 Deberah Kula, Fayette and Westmoreland counties.

22 CHAIRMAN CALTAGIRONE: Thank you.
23 Chairman Marsico. I think he has some
24 questions.

25 REPRESENTATIVE MARSICO: Thank you,

1 Mr. Chairman. And thanks, John, for bringing
2 this legislation to our attention. This
3 certainly is worthy of discussion and further
4 testimony and hearings, and I am glad that you
5 have taken the leadership to bring this to our
6 attention.

7 The municipality that has over forty
8 thousand residents, do you know how many State
9 Police troopers are assigned to that
10 municipality, by chance?

11 REPRESENTATIVE PALLONE: Well, in
12 discussion with the representatives from the
13 State Police, they have a tendency to want to
14 keep their patrols and duty assignments
15 relatively confidential so that there isn't
16 a --

17 REPRESENTATIVE MARSICO: Right.

18 REPRESENTATIVE PALLONE: -- common
19 knowledge as to who is patrolling where and
20 when.

21 But it's my understanding that on any
22 given shift that at least one vehicle and/or two
23 state troopers are at least assigned or
24 dedicated to that community and there are times
25 when it could be more.

1 The second piece of that puzzle that
2 comes into play is not necessarily individual
3 dedication of resources to a particular
4 community, especially in an extremely large
5 community like Hempfield Township in
6 Westmoreland, a large community like Hempfield
7 Township which certainly has the capacity to be
8 able to support a local police department.

9 But it's an issue if there is an
10 accident on a highway, if there is a fire call,
11 if there is some other situation that may not be
12 general law enforcement because of the crime,
13 oftentimes, the state trooper will be tied up at
14 an accident scene or something to that effect
15 that then takes another trooper off the road
16 that isn't available to respond to maybe some
17 other emergency that may be occurring.

18 So it's just a matter of taking the
19 limited resources that are available and then
20 stretching them thinner and thinner and thinner.

21 And, as you know, the Pennsylvania
22 State Police have begun to expand their services
23 they provide and they are not only doing what we
24 would view as traditional law enforcement
25 services like patrolling the roads and the

1 highways and providing safety and preventing
2 crime, but they have also instituted programs
3 like the Internet perpetrators that are looking
4 for juveniles and things to that effect.

5 So we found that law enforcement has
6 gone beyond the traditional robbers and
7 speeders. It now is Internet perpetrators, it's
8 white collar crime, it's other issues that are
9 out there and the State Police are aggressively
10 involved in that as well and their limited
11 resources are continually being demanded upon
12 and this situation would help alleviate that.

13 REPRESENTATIVE MARSICO: Yeah. And
14 there is no question that the State Police are
15 stretched to the limit and have limited
16 resources in terms of manpower across the
17 commonwealth and especially in our rural
18 districts.

19 REPRESENTATIVE PALLONE: Right.

20 REPRESENTATIVE MARSICO: You
21 mentioned the regional approach. I have been an
22 advocate of the regional approach as well, but
23 how would your legislation -- how would that
24 develop into -- how would that help the regional
25 municipalities, if they want to?

1 REPRESENTATIVE PALLONE: And again, a
2 local community that is in need of developing
3 its own police department, in order to refrain
4 from participating in the annual assessment
5 program, they would be able to either create
6 their own local police department.

7 And again, the decision was not taken
8 lightly. The population of ten thousand would
9 generate about a million dollars. When you get
10 to the million dollar threshold, a local
11 government starts to pay attention when you look
12 at that kind of a number. So a million dollars
13 could generate and create a local police
14 department.

15 In the alternative, resources could
16 be dedicated to either doing some kind of a
17 regional police department where a local
18 community would contract or create a consortium
19 of communities; or in the alternative contract
20 with a local community to, in fact, provide
21 police service in that town, and we have seen
22 that throughout Pennsylvania.

23 I know in my own area, while it's not
24 in my legislative district, we have a small
25 community that hosts a mall and they ended up

1 contracting with a neighboring community to
2 provide police services because it was more than
3 they could handle on their own.

4 They are now visiting the idea of
5 either creating a three- or four-community
6 regional police department or in the alternative
7 actually implementing their own police
8 department.

9 But for the last several years, they
10 have had a contract with the neighboring
11 community to come in and provide police services
12 in their town, primarily because of the mall
13 which required a larger demand on traffic
14 control, crime, and things to that effect.

15 REPRESENTATIVE MARSICO: So a
16 municipality that does not have a police
17 department that has ten thousand or more
18 residents, under your legislation would be
19 assessed a hundred? Each resident would, each
20 resident?

21 REPRESENTATIVE PALLONE: Each
22 resident, based on the --

23 REPRESENTATIVE MARSICO: Each
24 resident.

25 REPRESENTATIVE PALLONE: -- based on

1 the most recent decennial.

2 REPRESENTATIVE MARSICO: Right. But
3 define resident, by the way.

4 REPRESENTATIVE PALLONE: Anybody who
5 is in their population center as --

6 REPRESENTATIVE MARSICO: Does that
7 mean like if there are five residents in a
8 family, they --

9 REPRESENTATIVE PALLONE: In my
10 household, me and my wife and my stepson would
11 be three. And in my mother's household, when I
12 was growing up, there would have been seven
13 because there were five children in our home.

14 REPRESENTATIVE MARSICO: Okay.

15 REPRESENTATIVE PALLONE: But, you
16 know, every household would be different.

17 But it's based on the number of
18 residents, and it's community based so the local
19 community or the local township, borough, city,
20 whatever the case may be, would be able to
21 determine how that revenue is generated. But it
22 would be based on the certified population in
23 that community based on the most recent
24 decennial census data.

25 REPRESENTATIVE MARSICO: Okay. Thank

1 you. Thank you, Mr. Chairman.

2 REPRESENTATIVE PALLONE: Thank you.

3 CHAIRMAN CALTAGIRONE: I have a few
4 questions, but I didn't know if any of the other
5 members wanted to probe.

6 I was curious, John. You have done
7 some good research in this area, I know you
8 have. Do you have an idea, a ballpark, how many
9 communities throughout the commonwealth that do
10 not have any police departments, roughly, if you
11 know?

12 REPRESENTATIVE PALLONE: Yeah. There
13 are almost seventeen hundred communities in
14 Pennsylvania that do not have their own local
15 police department.

16 As you know, you know, Pennsylvania
17 has I think it's over two thousand either
18 incorporated or unincorporated townships,
19 boroughs and cities and villages and things to
20 that effect, but there is also almost seventeen
21 hundred that do not have a local police
22 department. There are only twenty-one, however,
23 that have populations in excess of ten thousand
24 based on the 2000 census data now.

25 Coming into the 2010 census data, the

1 expectation is that those numbers would
2 increase. There are a number of communities
3 that were in the mid-to-late nine thousand
4 population ranges that are probably in excess of
5 ten thousand by now. So that number would
6 probably expand. And again, the benefit of that
7 would be, is more communities, more law
8 enforcement, more public safety.

9 CHAIRMAN CALTAGIRONE: John, you know
10 as well as I do, we have an aging community in
11 the commonwealth, second only from the State of
12 Florida. Are there or would there be
13 possibilities that in some of these smaller
14 communities that they have such heavy
15 concentrations of retirees, seniors and others,
16 or because of the economic conditions within
17 that community, that this could potentially
18 create a burden on them? I mean, to force them
19 to do one or the other.

20 I know what you are saying. A
21 hundred dollars does not seem like a lot of
22 money, but to some of the seniors that we know
23 that are on very limited incomes.

24 REPRESENTATIVE PALLONE: Well, it's
25 already a burden on the law enforcement services

1 that are available. And what we are finding is,
2 you know, what price do you put on public
3 safety? Whether it be local fire and local
4 ambulance or local police coverage, the price of
5 protection of public safety I think is paramount
6 and that's the number one issue.

7 And again, most of these communities
8 that have an excess of ten thousand population
9 generally have a large commercial and/or
10 industrial base that would be able to offset
11 some of the expenses incurred in this kind of a
12 situation.

13 It's not necessarily a hundred dollar
14 cost to the person; it's a global cost to the
15 community. So a population of ten thousand
16 people or ten thousand and one would be, you
17 know, a million and one hundred dollars to that
18 community and that community would have to
19 figure out how they are going to generate that
20 revenue.

21 In many of these instances, the
22 revenues already exist. It's a community can
23 support law enforcement, but in the alternative,
24 they are taking advantage, if you will, of the
25 Pennsylvania State Police service, which is

1 exemplary.

2 And it is not the amount or the type
3 of service that we are getting. It's the fact
4 that, you know, we are trying to put, you know,
5 ten pounds of garbage in a five pound bag and we
6 just need more people to do that. We need a
7 bigger bag and the bigger bag would be more law
8 enforcement, more troopers, more local police
9 officers on the ground, and that's what the
10 result would be. It's not necessarily the cost
11 factor to focus on; it's the public safety
12 issue.

13 CHAIRMAN CALTAGIRONE: Well, you
14 know, there is one other thing that I have to
15 probe, because our dear friend Jim Hazen is here
16 from the Sheriff's Association. And Jimmy and I
17 go way, way back, when he was doing the
18 legislative liaison for the state, Pennsylvania
19 State Police. So we all know Jim.

20 And I have to put this on the table
21 to see how you respond to this because--he's
22 nodding back there, he knows where I am going
23 with this one--we have legislation and we did
24 have a hearing on it. It was House Bill 466
25 dealing with allowing deputy sheriffs throughout

1 the commonwealth, if they were to comply with
2 the standards for regular police departments, as
3 to whether or not that would help to fill the
4 void, and/or--if you really want to get, you
5 know, dreaming in the dream of dreams that we do
6 around here sometimes--forming county-wide
7 police departments and/or in combination with
8 the use of deputy sheriffs.

9 I just want to lay that on the table
10 for your thoughts.

11 REPRESENTATIVE PALLONE: That's
12 certainly an option.

13 But, as you know, having certainly
14 more tenure in the legislature than I do, that
15 with your years of service, you know that
16 changing the way we conduct business on a
17 statewide basis is oftentimes more difficult
18 than looking at a way to fund a particular
19 program.

20 Currently, deputy sheriffs are not
21 enabled by any kind of legislation to be a local
22 police department, so we would have to look at
23 enabling legislation to do that and that may
24 take longer than allowing for the ability to be
25 able to do a fee or a revenue generation option.

1 In the event that that would occur,
2 that certainly would be an option to some of
3 these local communities, to be able to contract
4 with, or whatever, either a county-wide police
5 department or a county-wide sheriff's
6 department, if that were to occur.

7 But, currently, that is not an
8 option. There is no enabling legislation that
9 empowers a local sheriff's department or a
10 county police department, with the exception: I
11 believe of first and second class counties, I
12 think they do have county-wide police
13 departments. And that certainly would be able
14 to occur in either Philadelphia or Allegheny
15 County, but the other sixty, what, sixty-five
16 counties throughout the state, that's not even
17 an option right now.

18 The options are the State Police or
19 local police department. And based on the
20 current status, this legislation addresses
21 what's currently in law: State Police or local
22 police department. We don't have to change any
23 law, we don't have to get MOPEC (phonetic)
24 approval, we don't have to go through all of the
25 machinations to make that occur or happen.

1 The two law enforcement agencies are
2 already in place, whether it be a local police
3 department or the State Police. All this does
4 is create a revenue source, a new found revenue
5 source, that will enable expanded police
6 services under the current situation.

7 If in the event that other policing
8 options ever become available, those certainly
9 could be used to implement the same kind of a
10 service, whether it be the sixty hours or
11 whatever the case may be.

12 CHAIRMAN CALTAGIRONE: Okay. I just
13 wanted to get that on the record, John.
14 Representative Gabig and then Creighton.

15 REPRESENTATIVE GABIG: Go ahead.

16 REPRESENTATIVE CREIGHTON: Thank you,
17 John. This is definitely a situation that is
18 not fair and I think our duty is to try to level
19 the playing field. But I would like to look at
20 the extremes, which is Hempfield, which is forty
21 thousand people would generate four million
22 dollars, and that could be used at a hundred
23 thousand dollars per personnel, forty personnel.
24 So Hempfield would be, very much have that
25 incentive to put it, incorporate their own

1 police.

2 And so, I guess my question is, have
3 you looked at incident-based compensation where
4 you would have so many incidents -- an incident
5 would get maybe three hundred dollars per
6 incident, depending on the classification of
7 that incident?

8 REPRESENTATIVE PALLONE: It is
9 certainly an option. But, as you know,
10 particularly at the local level, certain revenue
11 expectations are certainly more important than
12 what would be the unknown.

13 If you base the funding on incident
14 response, the type of incident, and graduating
15 them one through ten and one hundred to a
16 thousand dollars, whatever the case may be, in a
17 particular community if there are no incidents
18 and we have already expanded the forces to put,
19 you know, another thousand or two thousand or
20 however many law enforcement officers on the
21 ground, the funding may or may not be there.

22 One other thing is certainty of
23 funding. By using something, a very simple
24 arithmetic formula of one hundred dollars per
25 person in the community, we know that those

1 dollars would be certain, we know what the
2 amount is, we can base a budget on that. On
3 that additional revenue, we can exist on the
4 known number; it's not an unknown number any
5 more.

6 If you base it on incidents only,
7 that would be unknown, you would never know what
8 next year's budget would be. Now, you would
9 hope that, I guess the theory would be, you
10 would hope that there is no incidents.

11 And on the alternative, you know,
12 it's not unlike, you know, families who have
13 their own alarm system in their home. You know,
14 after the first three false alarms, you start
15 paying for the fourth. You know, how do you
16 decide if it was a false alarm or not and should
17 it be paid for or shouldn't it be paid for. You
18 start getting into too much subjective criteria.
19 Where this is very plain, simple and absolutely
20 objective that if you have ten people, you pay
21 for ten people; if you have a thousand people,
22 you pay for a thousand people.

23 But the issue is, if you have ten
24 thousand or more, it's a fixed rate, you know
25 what it is, there is no unknown factor here,

1 there is no weighing of the options should we
2 call the police or shouldn't we because we might
3 have to pay for it. Things to that effect.
4 You take all of that subjective decision-making
5 out of the formula and it is purely plain and
6 simple whether they respond to one call or a
7 thousand calls, it's the same amount.

8 And that's the way it is in these
9 communities that host a local police department.
10 Understand that these nine hundred and seventy
11 municipalities and these nine hundred and
12 seventy police departments that whether they
13 respond to one call or no calls, those
14 communities have to support those local police
15 departments regardless of the number of calls or
16 the type of calls.

17 Whether it's a domestic call, if it's
18 a bank robbery, if it's a shooting, whatever the
19 issue may be, they still have to be ready and
20 available, and I think we compromise law
21 enforcement and public safety by making an
22 assessment based on the type of response that
23 the law enforcement will be used.

24 But it is certainly an option. If a
25 majority of the House and Senate determine that

1 that's the funding mechanism that we use, I
2 certainly wouldn't not support passage of that.
3 But I think that the very objective per person,
4 per capita kind of an assessment is more fair
5 and more equitable.

6 REPRESENTATIVE CREIGHTON: Well, the
7 bottom line is, then, that the twenty-one
8 communities are going to have a strong incentive
9 to switch to the local police, would you concur
10 with that?

11 REPRESENTATIVE PALLONE: I think the
12 largest of the twenty-one communities would
13 probably be, in terms of economics, probably
14 encouraged to have their own local police
15 department.

16 The smaller of the communities, it
17 becomes almost a coin toss for them as to
18 whether or not it's more feasible or economical
19 to implement their own program. It's up to
20 them.

21 But I have communities in my own
22 legislative district that have, you know, less
23 than two thousand people, residents, that have
24 three or four part-time police officers, so they
25 are able to do it with full-time equivalents and

1 still cover the hours and still -- You know,
2 they are already putting a local police
3 department in place.

4 And as these communities begin to
5 evolve and they go from a very rural, maybe a
6 farming center to a more residential, retail,
7 commercial type community--and we are seeing
8 that all over Pennsylvania now--there comes a
9 point where you say, hey, we need local
10 enforcement and we need that.

11 In fact, I am surprised in some of
12 these larger communities that the taxpayers and
13 the residents of those communities aren't even
14 demanding a local police department rather than
15 relying on what is otherwise catch-as-catch-can
16 informal support.

17 REPRESENTATIVE CREIGHTON: Thank you.

18 REPRESENTATIVE PALLONE: Thank you.

19 REPRESENTATIVE GABIG: Thank you, Mr.
20 Chairman. Will Gabig from Cumberland County.

21 And this issue has been around since
22 Representative Pallone and I came into office in
23 2001, under the previous administration, and
24 this is another iteration of this effort.

25 I have raised concerns that I have

1 had about this particular approach every time
2 that it's come up and I still have those
3 concerns today.

4 This approach looks to me like a
5 state mandate and it looks like an unfunded
6 mandate. And it looks like these townships, ten
7 thousand and one, will have a million dollar tax
8 increase and they will necessarily get no
9 additional services for that, there is nothing
10 in here that says they are going to get
11 additional police officers in any of these
12 townships that have this million dollar or four
13 million dollar tax increase. So these are
14 concerns that I have.

15 And I see how there is a specific
16 definition in this piece of legislation that
17 defines local police services. It's in your
18 Section 1, subsection (b), the definition. It
19 means local police coverage for at least sixty
20 hours per week for fifty-two weeks per year or
21 three thousand two hundred and ten hours per
22 year.

23 REPRESENTATIVE PALLONE: Which is
24 actually -- Well, I stand corrected. That's an
25 arithmetic error. We will have to amend that

1 number. It should be three thousand one hundred
2 and twenty. The numbers have been reversed.

3 REPRESENTATIVE GABIG: All right.
4 Representative Pallone, could you repeat that,
5 please?

6 REPRESENTATIVE PALLONE: Yeah. The
7 issue of the number, if you do the math, sixty
8 hours times fifty-two weeks works out to be, I
9 think it's three thousand one hundred and twenty
10 hours, not three thousand two hundred and ten.
11 That's an arithmetic error in the legislation
12 and I will be introducing my own amendment to
13 correct that number. I think obviously the
14 numbers were reversed when it was typed.

15 REPRESENTATIVE GABIG: It's a
16 clerical typo, it looks like.

17 REPRESENTATIVE PALLONE: Right.

18 REPRESENTATIVE GABIG: It should be
19 three thousand one hundred and twenty.

20 REPRESENTATIVE PALLONE: Right.

21 REPRESENTATIVE GABIG: And so, if I
22 understand that, you can have one police officer
23 or one and a half police officers and meet that
24 criteria; is that correct?

25 REPRESENTATIVE PALLONE: That would

1 appear so, yes.

2 REPRESENTATIVE GABIG: And the ten
3 thousand figure, well, what's the magic of ten
4 thousand? Well, why is somebody that has ten
5 thousand not going to get this extra tax burden
6 but somebody that has ten thousand and one be
7 mandated to either get a local police force or
8 pay these higher state taxes?

9 REPRESENTATIVE PALLONE: Well, let me
10 respond by saying, first of all, any time we
11 want to find fault with a piece of legislation,
12 some of the things we do are utilize scare
13 tactics and one of them is to throw the bomb on
14 a mandate out there and the second bomb a tax
15 increase.

16 And notwithstanding those two bombs,
17 if we are trying to use the fear factor in
18 obstructing advancement of good legislation, the
19 second piece of that is, is the magic numbering.

20 And in my testimony in discussions
21 prior to your arrival, we did discuss that
22 briefly, that the number of ten thousand comes
23 up because it's approximately a million dollars.
24 In fact, it is a million dollars.

25 And when a local municipality looks

1 that it's spending one million dollars for
2 outside service, contracted services,
3 privatization, whatever you want to call it,
4 when you look at a million dollars, that usually
5 gets a municipality's attention. It's a lot of
6 money.

7 And when you look at that, you can
8 say that a community that provides sixty hours
9 of services either with their own local police
10 department or contracted services with a
11 neighboring community police department and/or
12 creating a regional police department, they
13 probably could meet the criteria of sixty hours
14 at a far more reasonable expense than a million
15 dollars and then that becomes the local
16 management authority.

17 The whole idea here is to empower the
18 community, to let the community make the
19 decision as to what they want to do. And I
20 think one of the things that we strive to do at
21 the state level is, let each of the local
22 communities, you know, have their solidarity, if
23 you were, to make their own decisions as to
24 what's most important for them.

25 And that's what we do here. In this

1 particular piece of legislation, it let's the
2 local community, the local managing authorities
3 decide whether or not they want to implement
4 their own police department, contract for
5 services with another police department, engage
6 a regional police department or continue to
7 enjoy the benefit of the Pennsylvania State
8 Police and contribute for the exemplary services
9 that they are being provided.

10 It's nothing more than what nine
11 hundred and seventy communities are already
12 doing. They already pay for a local police
13 department in nine hundred and seventy
14 communities right now, many of them with far
15 less population than ten thousand people.

16 REPRESENTATIVE GABIG: That's a good
17 point, and you have made that point before.

18 REPRESENTATIVE PALLONE: Yes.

19 REPRESENTATIVE GABIG: So you didn't
20 answer my question. I hate -- I don't want to
21 say John because we are good friends.

22 REPRESENTATIVE PALLONE: That's my
23 name.

24 REPRESENTATIVE GABIG: It's sort of
25 informal here. Why ten thousand?

1 I have some that have two thousand,
2 and they have a concentrated area. It's a
3 borough, Newville, in my district. They have a
4 police force. Mount Holly, right outside of my
5 district, has a -- It's a concentrated borough.
6 And then I have others that are larger. And how
7 are they making a local decision?

8 But I -- You know. So I just, I
9 don't know where the ten thousand came from.
10 Why isn't it two thousand? Because clearly,
11 some with two thousand have it.

12 And I am still not sure if I
13 understand after your -- I have one other
14 question, though. It seems like we are saying
15 these municipalities are getting a free ride
16 somehow, but I have never understood that
17 argument either.

18 If you have a township, for example,
19 a second class township that has five thousand
20 people, on average they are paying a certain
21 amount of taxes to the state. If you have
22 somebody that has ten thousand, on average they
23 are paying twice as much state taxes so they
24 should have twice as much of the service from
25 the state. So it's just an arithmetical

1 calculation where the bigger the area is, the
2 more state taxes they are paying. And if they
3 decide they don't want to have a local police
4 force, that should be up to them.

5 But if we decide as a state that we
6 want everybody to have a local police force and
7 not a county police force or go to the full
8 State Police force, why don't we mandate that?
9 Why don't we just tell them, every municipality
10 has to have a local police force?

11 But anyway, I certainly appreciate
12 these issues. These have been my concerns over
13 time, including with the Ridge Administration,
14 and now under these proposals, and I appreciate
15 the work you are doing on it, Representative
16 Pallone. Thank you, Representative.

17 ARBITRATOR DARBY: Representative
18 Mantz.

19 REPRESENTATIVE MANTZ: Yes. John,
20 are you aware of a standard practical formula
21 that exists to determine the number or amount of
22 State Police officers or coverage based on the
23 population per square mile? Is there --

24 REPRESENTATIVE PALLONE: Again, I
25 believe our reserve, any assignment of

1 Pennsylvania State Police personnel and/or
2 resources to the Pennsylvania State Police, I
3 believe they do have their own internal controls
4 and mechanisms where they decide how many
5 patrols, how often they patrol. And whether
6 it's in night shift and day shift. You know,
7 they run three shifts a day. Depending on what
8 shift they are on, what round it is, and whether
9 there is one guy, two guys in the car, those
10 kinds of decisions, I believe -- in fact, I am
11 certain that the Pennsylvania State Police have
12 their own internal policies in place.

13 And again, out of respect for their
14 providing services throughout a community, I am
15 not going to sit and discuss when we think
16 policemen are on the road and not on the road.
17 But we can go that way, if you want to.

18 REPRESENTATIVE MANTZ: Perhaps I can
19 wait and address that to another testifier.

20 REPRESENTATIVE PALLONE: Yeah. But I
21 believe there is a standardized internal policy
22 that says the number of miles, the number of
23 people. Generally, this is how we assign
24 resources.

25 But then again, there is always a

1 nuance to that, that if a certain region has a
2 more densely populated area or a higher
3 concentration of retail or commercial
4 establishments, they make an adjustment for
5 that. There are always exceptions to what would
6 be generally the rule.

7 But you are most certainly correct,
8 that there is a internal policy that says for
9 this many people, for this many square miles, we
10 do this.

11 And that may or may not be a good
12 idea. I am not here to criticize that or to
13 support that. I am here to tell you that this
14 is just an opportunity to provide funding for
15 additional law enforcement, whether it be
16 Pennsylvania State Police and/or local police
17 coverage.

18 REPRESENTATIVE MANTZ: Thank you.

19 REPRESENTATIVE PALLONE: Thank you.

20 REPRESENTATIVE MARSICO: Any other
21 questions from the committee members?

22 Representative Kula.

23 REPRESENTATIVE KULA: Yes. Have you
24 done any statistics or anything as far as the
25 amount of fines and costs that are forwarded

1 from counties to the state because of the State
2 Police coverage?

3 It's my understanding that if it's a
4 State Police arrest, traffic stop, whatever it
5 may be, that the fines and costs then are sent
6 to the state.

7 REPRESENTATIVE PALLONE: Yes,
8 representative. In fact, I have House Bill 2683
9 that--I hope that another day we can discuss--
10 addresses that issue specifically in terms of
11 revenue generation in terms of the citations.

12 Currently the practice is, if the
13 Pennsylvania State Police issue a citation in a
14 community that does not have a local police
15 department, they, in fact, enjoy the benefit of
16 one half of the fines generated from that
17 citation, without providing any service at all,
18 so it's an unfair, inequitable windfall.

19 In a community that does provide a
20 local law enforcement, naturally, if their local
21 police issue a citation, they get a hundred
22 percent of the fine generated at that point.

23 Those dollars and numbers most
24 certainly are available. I have them in my
25 office. I did not prepare those for today's

1 discussion because we are talking about House
2 Bill 2563, which is specifically the hundred
3 dollar per capita per annually for expanded law
4 enforcement services.

5 At some point, if I could get the
6 opportunity to address 2683, I will provide
7 those financial statistics as well, which will
8 absolutely address the amount of dollars
9 involved. And it's substantial, is all I can
10 tell you at this point.

11 REPRESENTATIVE KULA: I believe it
12 is. And then if you look at the other side of
13 the coin where most of the municipalities decide
14 that they wish to have their own police force
15 rather than paying the one hundred dollars, I
16 think it would be relevant in this instance as
17 to what loss the State of Pennsylvania, our
18 commonwealth, is going to have as far as the
19 revenues that are generated by the arrests and
20 traffic stops by the Pennsylvania State Police.

21 So I think the numbers would make a
22 difference in this particular legislation.

23 REPRESENTATIVE PALLONE: And by
24 enabling the local police, by instituting the
25 local police department, a local community would

1 also then get to keep a hundred percent instead
2 of fifty percent of those funds and those funds
3 can certainly be used to offset the costs of
4 implementing the local police department.

5 Right now, they are taking law
6 enforcement generated revenue and otherwise
7 infusing that into their local budget and using
8 it for general operating expenses or whatever,
9 whereas whether it be the commonwealth or other
10 communities of the nine hundred and seventy, the
11 host police departments are using those revenues
12 and infusing them into law enforcement services
13 so there would be an offset there, too.

14 So it isn't a dollar-for-dollar
15 increase because there is an offset with the
16 fines that would be generated by a local police
17 department, correct.

18 REPRESENTATIVE KULA: Well, I think a
19 lot of municipalities, though --

20 And I can tell you, in Fayette
21 County, in North Union Township which has a
22 fourteen thousand population, would be greatly
23 affected by a one hundred dollar per person,
24 which had --

25 And North Union Township has a -- not

1 a large tax base. I mean, most of that base is
2 from property taxes. There is not a lot of
3 industry in that area. A lot of area is covered
4 by nonprofit type organizations so the tax base
5 is not there and this would put a great burden
6 on the taxpayers of North Union Township in my
7 area.

8 But I think if we can look at the
9 numbers and maybe come up with some other
10 formula. I don't know that a hundred dollars
11 per person is really an equitable way of dealing
12 with this situation, but I thank you for
13 offering it.

14 REPRESENTATIVE PALLONE: Thank you.

15 REPRESENTATIVE MARSICO: Any other
16 questions?

17 (No response.)

18 REPRESENTATIVE MARSICO: Okay. Well,
19 thank you, Representative Pallone. You are
20 certainly welcome, as a committee member, to
21 come up here and join the committee. And we
22 certainly appreciate, again, you know, you
23 bringing this to our attention.

24 REPRESENTATIVE PALLONE: Thank you,
25 Mr. Chairman. Thank you, ladies and gentlemen.

1 REPRESENTATIVE MARSICO: Now for our
2 10:10 slot--and it's now 10:45, for those of you
3 who are looking at the time, though--that we
4 have with us the Pennsylvania Fraternal Order of
5 Police and Sean Welby, the attorney from
6 Lightman, Welby, Stoltenberg and Caputo.

7 Sean, welcome. And thanks for being
8 here. You may begin.

9 MR. WELBY: Thank you, Mr. Chairman.
10 It's nice to be before the committee again.

11 I am here today on behalf of the
12 Pennsylvania State Lodge of the Fraternal Order
13 of Police. And on behalf of our forty-one
14 thousand law enforcement officers, I thank you
15 for all of the support that you have given
16 professional law enforcement in the Commonwealth
17 of Pennsylvania over your career, and I thank
18 all of the members of the committee for your
19 continued support.

20 I have to echo Representative
21 Pallone's initial comments in this matter
22 because the citizens of this commonwealth enjoy
23 the finest police protection in the entire
24 nation. That is a fact.

25 They receive that police protection

1 from two sources. One is our municipal police
2 officers. Our municipal police officers are
3 held to the highest standards of deportment,
4 professionalism that exists within the country.
5 In addition, our taxpayers are served by the
6 Pennsylvania State Police. That is the
7 commonwealth's force in readiness over
8 forty-five hundred superbly educated and trained
9 professionals dedicated to providing each of us
10 with the best that law enforcement has to offer.

11 Yet, in these days of budget
12 restraint, everybody really, the men and women
13 of local law enforcement and state law
14 enforcement have been consistently asked to do
15 more with less. That, too, is a fact. Budgets
16 are stretched thin, and there is, in the absence
17 of what Representative Gabig would term a tax
18 increase, no alternative to addressing that
19 situation.

20 We are here today, though, not to
21 discuss a tax. We are here today to discuss a
22 user fee.

23 While every citizen of this
24 commonwealth enjoys equally the benefit of
25 professional law enforcement protection, it

1 cannot be said that they share in the burden of
2 providing that protection as well. The
3 inequality in the sharing of this burden is what
4 House Bill 2563 is all about.

5 To give you an example: in a
6 township like my own, here in Dauphin County,
7 Susquehanna Township, we have a police
8 department of thirty-six officers for a
9 population of twenty-two thousand individuals, a
10 highly trained, highly professional police
11 department, possibly one of the most
12 professional that I have ever had the good
13 fortune to come in contact with. In addition,
14 the headquarters of the State Police is located
15 in Susquehanna Township. We also are served by
16 Troop H, Harrisburg, which patrols the highways
17 and patrols the streets and neighborhoods in my
18 township, in addition to local police.

19 In contrast, I would take Unity
20 Township in Westmoreland County, with an
21 identical population, twenty-two thousand
22 individuals. Unity Township has elected not to
23 maintain a local police force but instead to
24 have the Pennsylvania State Police be its sole
25 provider of uniformed patrolled services.

1 The difference between us is not the
2 level of police protection that we receive. I
3 receive the same level of police protection from
4 my providers as a citizen in Unity Township
5 does, I pay a lot more for it.

6 The reason I pay a lot more for it is
7 because I am paying the same taxes to the
8 Commonwealth of Pennsylvania that a citizen in
9 Unity Township pays to support Pennsylvania
10 State Police protection. However, the
11 Pennsylvania State Police, simply because there
12 is a fine professional law enforcement
13 organization, municipally based in my town,
14 provides about five percent of the man hours of
15 service to citizens of Susquehanna Township in
16 comparison with Unity Township.

17 If we have a hundred troopers and we
18 take a look at these two municipalities,
19 ninety-five of those, their work hours, are
20 being spent in Unity Township; five percent,
21 five work hours are being spent in my township.

22 That's not a bad thing. They don't
23 have to spend that much time there because I am
24 paying for a local police department, but I am
25 paying the same tax identically to the

1 Commonwealth of Pennsylvania for the services of
2 the Pennsylvania State Police and I am utilizing
3 or I am using an awful lot less.

4 When we talk about principles of
5 uniformity and fairness, that, ladies and
6 gentlemen, is the epitome of getting as much as
7 you can and paying as little as you possibly can
8 for it.

9 The membership of the Pennsylvania
10 State Lodge of the Fraternal Order of Police
11 believes in, and we do support, the concept of
12 local decision-making when it comes to the issue
13 of police services. This is a choice that is a
14 fundamental right of our commonwealth system,
15 it's a choice that should never be dictated from
16 Harrisburg.

17 But at that same time, there is
18 nothing in principle or in practice that should
19 prevent our General Assembly from encouraging
20 the creation of local police departments, which
21 this legislation quite frankly is designed to
22 do. There is nothing prohibiting or interfering
23 with choice that says our General Assembly
24 cannot assess the users of a service the
25 appropriate proportion to the amount that they

1 use.

2 And Representative Pallone's bill,
3 with the lines that have been drawn, as he
4 explained why, does that. Is it perfect? No,
5 it's not. However, it is a step in the right
6 direction, a step that needs to be taken in this
7 case.

8 House Bill 2563 maintains the
9 integrity of local choice when it comes to the
10 issue. At the same time, it provides a
11 mechanism by which at least some of the unfair
12 burdens of the present system are going to be
13 more equally distributed.

14 When a taxpayer such as myself sits
15 here and looks at a hundred dollar fee in
16 comparison with the taxes that I pay to support
17 my municipal police department, I would say in a
18 heartbeat, please let me pay the hundred dollars
19 because I pay an awful lot more than that to
20 maintain local police protection.

21 And that is a fact and I am glad to
22 pay, but I am paying the same dollar value as a
23 person sitting in Unity Township to support the
24 Pennsylvania State Police and I am not getting
25 the benefit for it.

1 When the Pennsylvania State Police
2 do, in fact, come into the township and operate
3 within the township, I do receive that benefit
4 and it is excellent. But in response to one of
5 the questions raised by Mr. Creighton, should we
6 base this more on a -- if we are going to make
7 it a user fee, and that's really what we are
8 talking about here, a user fee, shouldn't it be
9 based more on incidents?

10 Well, looking at that, what that
11 concept overlooks is the most fundamental
12 precept of law enforcement. Any law enforcement
13 professional can tell you, without hesitation,
14 without doubt, that the best law enforcement is
15 proactive law enforcement. Proactive law
16 enforcement stops crimes before they happen.

17 And it is proactive law enforcement
18 that takes up ninety percent of our suburban
19 municipal police positions. In the City of
20 Philadelphia, the City of Harrisburg, the City
21 of Pittsburgh, officers are engaged in a
22 response-based system of policing.

23 We have, in the City of Harrisburg, a
24 hundred and sixty officers, who are, from the
25 time they start work until the time they get

1 off, eight hours, a little after, going from
2 call to call to call to call, simply because of
3 the type of crime that we are dealing with in a
4 major metropolitan area.

5 However, in our suburban departments,
6 they are geared toward proactive policing, which
7 means that there is a police officer driving
8 around every neighborhood and subdivision in
9 Lower Paxton Township, in Susquehanna Township,
10 in the communities of the West Shore today,
11 making sure that houses are not burglarized,
12 deterring crime, and providing also an incentive
13 for people not to violate the law.

14 So looking at it from a response
15 point of view would be, in addition to the
16 problems pointed out by Representative Pallone,
17 it would not recognize the true value of what
18 police services is. Police service, ideally, is
19 there to prevent the commission of crime and to
20 have no incidents and that would be the ultimate
21 success for any police department.

22 In this particular case as well, I
23 would have to finally respond to Chairman
24 Caltagirone's concern about utilizing the
25 services of deputy sheriffs. The Major is here,

1 and as a friend of mine, he knows my position on
2 this, but I will state to you quite simply: we
3 are here on a user fee today and we are talking
4 about user fee fairness based on proportionality
5 of services.

6 If we want to talk about a tax
7 increase, that's when we talk about expanding
8 the duties of deputy sheriffs and then placing
9 the burden for that on our county governments to
10 come up with a tax that has nothing to do with
11 proportionality, has nothing to do with the
12 amount of services utilized, but simply is
13 simply another unfunded mandate to the counties
14 for them to raise taxes on.

15 This isn't that. This, ladies and
16 gentlemen, is purely a user fee. And while
17 there are obviously lines to be drawn, those
18 lines are being drawn in the most reasonable
19 method possible in this case: just enough to
20 encourage those municipalities that don't have
21 full-time police services to possibly engage in
22 local police services, and just enough for those
23 who choose not to, as is their right, simply to
24 pay their fair share proportionately based upon
25 the amount of services that is utilized.

1 With that, I will end my testimony
2 and be happy to answer any questions that the
3 members of the committee may have.

4 REPRESENTATIVE MARSICO: Thank you,
5 Sean. Are there any questions by the members of
6 the committee?

7 (No response.)

8 MR. WELBY: Thank you.

9 REPRESENTATIVE MARSICO: You are off
10 the hook. Thank you very much.

11 The next to testify is Jack Hines,
12 Manager of West Bradford Township in Chester
13 County.

14 And is Larry Garner here? Manager.
15 Do you want to come up with -- We have you
16 scheduled to testify together, if that's okay.
17 Larry Garner, Manager of White Township in
18 Indiana County.

19 Jack, you may begin.

20 MR. HINES: Thank you. Chairman
21 Caltagirone and other honorable members of the
22 House Judiciary Committee, thank you for the
23 opportunity to speak to you today regarding
24 House Bill 2563. My name is Jack M. Hines, Jr.,
25 and I am manager of West Bradford Township in

1 Chester County.

2 West Bradford Township is a township
3 that would be affected by House Bill 2563 if it
4 is enacted by the commonwealth.

5 The bill, as you are aware, would
6 require payment of one hundred dollars per
7 resident in any municipality with a population
8 of over ten thousand that does not have its own
9 local police services. Local police services
10 are defined in the bill as providing a minimum
11 number of hours of service per week for a total
12 number of hours per year.

13 In 1972, our municipality viewed what
14 was being accomplished by its own local police
15 services and determined that the need to provide
16 local police services for a very few actual
17 police incidents did not make fiscal sense.

18 From that time to the present, we
19 have not found that creating or providing local
20 police services would provide a safer
21 environment for our citizens. In fact, we
22 believe that due to the circumstances in our
23 community, it would not be prudent to foist upon
24 our citizens that we could provide professional,
25 well-equipped and experienced police officers on

1 our own.

2 We do believe that there are many
3 excellent local police departments and
4 professional police officers, but they typically
5 exist because of a community need, not by
6 proclamation. In our community, there would not
7 be sufficient numbers of incidents that would
8 allow a police officer to maintain proper skill
9 levels, nor could we provide logistical support
10 for a critical incident. Policing is a highly
11 technical, skillful discipline that must be
12 practiced by trained professionals. In
13 addition, there is not any statutory requirement
14 that a municipality provide their own police
15 services.

16 The concern regarding this bill is
17 not the fact of paying for police services, it
18 is in establishing a fair and equitable system.
19 Many communities with and without their own
20 police departments utilize the services of the
21 State Police.

22 We are near the City of Coatesville.
23 The city is a great place; however, due to
24 certain demographic and economic conditions,
25 there is a small element that brings disgrace to

1 the city and requires policing beyond the
2 capabilities of their own department.

3 The State Police and others in the
4 law enforcement community provide significant
5 resources to that city that has less population
6 than our community. Should there be a charge
7 for that service?

8 A friend of mine who managed a
9 supermarket in a nearby community with a, quote,
10 full-time, unquote, police force informed me
11 that the local police ticketed people who parked
12 in the handicapped parking stalls; however, when
13 he had retail theft in his store, he used the
14 State Police for those incidents.

15 Many similar stories could be found
16 across the commonwealth. This is not to say
17 that there should not be help from the State
18 Police but to illustrate that this is not a
19 simple matter and cannot be relegated to a
20 simple formula based on a certain number of
21 people living in a community.

22 Many local police departments provide
23 services that a community should not and does
24 not expect from the State Police. The State
25 Police do not enforce local ordinances; they

1 only enforce the laws of the commonwealth.

2 When a community determines that they
3 want additional service, they should and do pay
4 for that service. In our community, we employ
5 code officers that enforce local regulations.
6 Typically, the local regulations can be enforced
7 without the critical skills and extra training
8 that are necessary for professional police
9 officers.

10 The question comes as to the purpose
11 of this legislation. Is it to raise funding for
12 the budget of the State Police or is it to force
13 municipalities to provide some type of service
14 so that it would appear that they are not
15 dependent upon the State Police?

16 If the purpose is to provide funding
17 for the budget, it is a lack of foresight to
18 believe that municipalities will pay funds to
19 the commonwealth for the service that is
20 available to others without cost. There will
21 be, at best, insignificant funds provided to the
22 commonwealth. The State Police presence and
23 troop numbers will not be reduced or changed if
24 the municipalities now using the services that
25 the State Police provide service in a different

1 way to avoid the payment to the commonwealth.

2 If many of the communities that would
3 be affected by this legislation create some type
4 of police service, the unanticipated consequence
5 may be additional costs to the judicial and
6 penal system, as there should be increased
7 activity because of the additional police
8 presence.

9 The communities now covered by the
10 State Police do not receive foreign insurance
11 premium tax for uniformed officers. Each
12 municipality with uniformed officers receives a
13 share of that tax based on a formula that
14 provides pension costs and benefits based on a
15 two for one share. In other words, we receive
16 one share for each nonuniformed employee. If we
17 had uniformed employees, we would receive two
18 shares for each of them. Our residents have
19 been paying into that program for a number of
20 years, with most of the funding going to
21 municipalities with police departments.

22 House Bill 2563 requires that a
23 police department provide coverage when they
24 have three thousand two hundred and ten hours of
25 coverage per year. The act does not define what

1 coverage is. If our community hires three
2 part-time police officers and expects each to
3 work for twenty-one hours a week, the minimum
4 coverage would be attained. The question
5 becomes what type of service is being provided
6 and would the State Police still be relied upon
7 to provide principal police services.

8 House Bill 2563 sets a charge at one
9 hundred dollars per resident for each resident
10 of the township. What is the formula or theory
11 that sets that amount? West Bradford Township's
12 population includes commonwealth-supported
13 institutions, including a one hundred and
14 forty-five person treatment center for youth
15 with sexual problems. Would the charge include
16 those people?

17 That's a residential facility and
18 they are included in our census numbers.

19 I dare say that most communities
20 would do anything it can to have that removed
21 from the community. West Bradford is presently
22 working with the commonwealth to create a proper
23 facility for those folks in that treatment
24 center.

25 The need for and the provision of

1 police services is a complex issue and not to be
2 taken lightly. Each community in the
3 commonwealth is uniquely situated and must
4 determine what is appropriate and meaningful.
5 There cannot be, nor is there, an opportunity
6 for a broad-brush approach to this matter.

7 I have talked with other communities
8 that are similarly situated, in that they would
9 be required to pay the commonwealth under this
10 legislation. They have agreed that there is not
11 an objection to paying into the commonwealth for
12 police services; however, that payment must come
13 from all communities who do not have a full
14 service, full-time police department, and be
15 done in an equitable manner.

16 The size of our community does not
17 necessarily require our individual citizens to
18 avail themselves of more services than an
19 individual citizen in a smaller community.

20 Several years previous to this, a
21 similar discussion was held in the legislature
22 regarding police services. At that time, House
23 Resolution 167 established a task force to view
24 this matter. The report was completed around
25 the year 2000, which report included several

1 recommendations, and none of those
2 recommendations have been implemented.

3 Perhaps the finding of that task
4 force should be reviewed to determine whether
5 there is still relevancy.

6 The provision of police services
7 cannot be taken lightly and because of the
8 unique and different community settings across
9 the commonwealth cannot easily be placed into a
10 simple prescribed method of staffing or cost.

11 We urge you to not forward 2563
12 without consideration of what is really going to
13 be accomplished. Again, is it to require that
14 all municipalities provide direct police
15 services or to make each municipality pay
16 because other municipalities have incurred an
17 expense to provide what they deem necessary in
18 their community?

19 I leave you with this thought: it is
20 not the township of West Bradford that calls the
21 State Police when a police officer is needed, it
22 is a citizen of the Commonwealth of
23 Pennsylvania.

24 I would be glad to answer any
25 questions that you have, and I do thank you for

1 the opportunity to speak to you today on this
2 matter.

3 CHAIRMAN CALTAGIRONE: Thank you,
4 sir. Before we get into questions, could we
5 have the other testifier comment, make your
6 comments, and then we will open it up for
7 questions?

8 MR. GARNER: Thank you. Thank you,
9 Mr. Chairman, and good morning, and good morning
10 to the members of the committee. Thank you for
11 the opportunity to speak before you today. My
12 name is Larry Garner and I am the Township
13 Manager in White Township, a second class
14 township located in Indiana County.

15 Over the years, the White Township
16 Board of Supervisors had elected not to
17 establish a local municipal police department,
18 and we do depend upon the Pennsylvania State
19 Police for police protection. Because of this,
20 we are one of the twenty-one municipalities
21 across the commonwealth that would be subject to
22 the provisions of House Bill 2563.

23 Geographically, White Township is
24 approximately forty square miles in area, and we
25 surround the Borough of Indiana, which is the

1 County seat. Indiana University of Pennsylvania
2 is located in both Indiana Borough and White
3 Township and it's the largest employer in our
4 county, with sixteen hundred and fifteen
5 employees. IUP has over thirteen thousand
6 students on the main campus.

7 I have been the manager in White
8 Township for over twenty years. During that
9 time, the township has experienced slow and
10 steady growth, increasing from a population of
11 thirteen thousand seven hundred and eighty-eight
12 in the year 1990 to a current population
13 estimated to be fourteen thousand four hundred
14 and forty-six.

15 For the past twenty years and for
16 forty years before that, the White Township
17 Board of Supervisors has operated the township
18 in a fiscally responsible manner, providing
19 those governmental services that were needed and
20 demanded by our residents.

21 This year, revenues in our general
22 operating fund are anticipated to be three
23 million two hundred and ten thousand dollars,
24 with the primary revenue source as being the
25 earned income tax, the real estate transfer tax

1 and the local services tax. These taxes
2 together account for sixty-six percent of all of
3 our general fund receipts.

4 The financial impact of House Bill
5 2563 on White Township would be significant. At
6 our current estimated population, White
7 Township's assessment under House Bill 2563
8 would amount to one million four hundred
9 forty-four thousand six hundred dollars each
10 year, nearly one and a half million dollars, or
11 approximately a forty-five percent increase over
12 our current budget.

13 Obviously, the township would need to
14 consider our options, which likely would include
15 creating our own police department, pursuing a
16 regional service, or contracting for services.
17 The outcome of this process is unknown at the
18 present time, but it is unlikely that the
19 commonwealth would receive money from White
20 Township.

21 Over the years, the Board of
22 Supervisors have focused on trying to minimize
23 the cost of our local government operations in
24 order to provide our residents with needed
25 services at a reasonable price.

1 The board has scrutinized closely the
2 impact of existing services or any new services
3 to be implemented in the township. Any analysis
4 also takes into consideration the need or the
5 demand for the service. If services are not
6 felt to be needed or demanded by our residents,
7 then they will not be implemented.

8 A survey was conducted by our
9 township's Comprehensive Plan Steering Committee
10 in 2003. Eighty-eight hundred survey forms were
11 mailed to voters and twenty five hundred and
12 twenty-six responses were received, resulting in
13 a twenty-nine percent return rate. When asked
14 the question, what services or facilities would
15 you like to have added, improved or
16 expanded--and being provided with a list of
17 twelve possible answers which included public
18 safety as one of the answers--only twenty
19 percent of the respondents answered yes to
20 public safety, ranking at sixth on the list of
21 needed services in our township.

22 Regarding the need to create a local
23 police department, a second question asked, are
24 the following listed items a problem in White
25 Township, with a list of seventeen possible

1 answers to include lack of township police
2 department being one of the possible answers.
3 Again, twenty percent of the respondents
4 indicated that the lack of a local police
5 department was considered a problem.

6 Based upon this survey, there appears
7 to be very little interest on the part of our
8 residents for the creation of a local police
9 department. The residents indicate that they
10 are very satisfied with the professional police
11 service provided through the State Police.
12 While they do not enforce any of our local laws
13 or ordinances, they respond promptly and
14 professionally to the criminal and traffic
15 matters in the township.

16 One of the unique considerations in
17 our community is the impact that IUP has on the
18 township's need for police services. Indiana
19 Borough, which we surround, employs a twenty-two
20 man police department, and their population is
21 approximately fourteen thousand people, similar
22 to the township's. Of the more than thirteen
23 thousand students attending IUP's main campus,
24 only thirty-six hundred of them live on campus,
25 with most of the others residing in apartments

1 in either Indiana Borough or White Township.

2 It is felt that approximately forty
3 percent of the police incidents occurring in the
4 borough have an IUP connection. If this is
5 true, then it could be concluded that the impact
6 of IUP, a state-owned and operated facility, is
7 significantly responsible for any need to have a
8 local police department in the township.

9 How much of the State Police workload
10 in White Township is related to IUP? If it is
11 as significant as forty percent, then it could
12 be argued that the commonwealth should be
13 responsible to pay for that problem.

14 I am aware that some persons think
15 that municipalities with more than a ten
16 thousand population are somehow double-dipping
17 by our failure to create a local police
18 department, that we are free-loading from the
19 State Police because we do not have our own
20 department. I view it differently.

21 The residents of White Township pay
22 their share of state taxes and they go to
23 support the State Police services and they are
24 entitled to receive their share of services.
25 The creation of a police department for second

1 class townships is optional as set forth in
2 Article XIX of the Second Class Township Code.

3 Some municipalities have analyzed
4 their situation and elected to create a local
5 police department. Hopefully that police
6 department was created because the local
7 government felt that they needed more and better
8 police service than the Pennsylvania State
9 Police could provide.

10 We have not created a local police
11 department because we feel that the State Police
12 are adequately providing basic police services
13 in our municipality, and the need to create a
14 local department has not been established.

15 House Bill 2563 is directed only at
16 municipalities with greater than ten thousand
17 population, as if these municipalities are
18 creating a greater burden upon the State Police
19 than a community with, let's say, nine thousand
20 or five thousand.

21 It seems that all communities without
22 their own local police services are burdening
23 the State Police to some degree, and perhaps all
24 municipalities without a local police department
25 should be compensating the commonwealth for that

1 service rather than targeting only those
2 municipalities that have a certain arbitrary
3 population size.

4 As a final point, I would ask the
5 committee to consider past efforts to address
6 this matter. In 1999, the Pennsylvania General
7 Assembly Local Government Commission, under the
8 Chairmanship of Senator Robert Robbins, issued
9 the Report of the House Resolution 167 Task
10 Force: Recommendations on Improving Local
11 Policing. As noted on page one of the report,
12 quote, The impetus behind HR 167 was Governor
13 Ridge's suggestion, in his proposed budget for
14 the fiscal year '97-'98, that those
15 municipalities with populations over nine
16 thousand that did not have a police department
17 or do not contract for police services pay for
18 Pennsylvania State Police services they receive.
19 An identical suggestion was included in the
20 Governor's fiscal year '96-'97 budget proposal.
21 In neither case did the General Assembly concur
22 with the Governor's request, unquote.

23 Following two years of study, the
24 report was issued listing eight recommendations.
25 This report was prepared with the input of many

1 organizations and agencies who, at the time,
2 seemed to be in conceptual agreement with the
3 study conclusions.

4 Unfortunately, I am not aware that
5 many of the recommendations, if any at all, were
6 enacted upon. In your deliberations on House
7 Bill 2563, a review of these recommendations may
8 be an appropriate starting point rather than
9 spending additional time and money on reinventing
10 the wheel.

11 In closing, when considering the need
12 to establish local police services, the White
13 Township Board of Supervisors is not trying to
14 get a free-ride or double-dipping the system but
15 are simply trying to be responsible elected
16 officials by ensuring that our township
17 residents receive an appropriate and proper
18 level of police service as determined by need
19 and cost.

20 This is the same approach they would
21 follow in considering any other service to be
22 provided, regardless of whether it is police
23 service, road repairs, snow plowing, recreation
24 facilities or sanitary sewerage treatment.

25 Thank you for the opportunity to

1 share these thoughts with the committee, and I
2 will be happy to answer any questions.

3 CHAIRMAN CALTAGIRONE: Thank you,
4 sir.

5 REPRESENTATIVE PALLONE: Tom.

6 CHAIRMAN CALTAGIRONE: Questions.
7 Representative Pallone.

8 REPRESENTATIVE PALLONE: Thank you.
9 Thank you, Mr. Chairman. I just have a couple
10 of questions for Mr. Hines, because I was not
11 clear from your testimony.

12 In 1972 or prior to 1972, did your
13 township have a police department?

14 MR. HINES: It did.

15 REPRESENTATIVE PALLONE: Do you know
16 how many officers you had, full-time equivalent?

17 MR. HINES: If I may, it was kind of
18 a Mayberry type arrangement. They had a police
19 chief and a deputy. The police chief was
20 convicted of a crime and became a real citizen
21 of the commonwealth in one of the state prison
22 systems. They then hired another person who was
23 supposed to do a study of the necessary police
24 issues, and he hired six or seven part-time
25 officers, and when they disbanded that there was

1 a full-time police chief and six or seven
2 part-time officers.

3 REPRESENTATIVE PALLONE: Did you
4 abolish it in 1972?

5 MR. HINES: That's correct.

6 REPRESENTATIVE PALLONE: Do you know
7 if the year you abolished the police department,
8 was there a tax decrease that year in your
9 township?

10 MR. HINES: I do not know that.

11 But I don't believe there was.
12 Because, at that time, they switched from
13 utilizing the property tax to utilizing an
14 earned income tax. And that was prior to the
15 school district also having an earned income
16 tax, which in effect provided a one-percent tax
17 to the township. And I think that occurred for
18 one or two years before the school district then
19 enacted it and took their half-percent share.

20 REPRESENTATIVE PALLONE: So if I am
21 clear in what you are saying, you reduced
22 services but did not reduce taxes that year?

23 MR. HINES: I guess my statement is
24 that I am not sure if there was a reduction in
25 taxes, whether they did away with the property

1 tax, substituted it with the earned income tax.
2 But the earned income tax was a one-percent tax
3 at that point. So I don't recall, I was not --
4 I did not work for the community at that time, I
5 don't know that their actual budget numbers were
6 different between one year to the next, going
7 from the property tax to the earned income tax.

8 REPRESENTATIVE PALLONE: And which is
9 maybe not even related to this issue, but. So
10 you are suggesting that your township has no
11 property tax at all?

12 MR. HINES: That's correct, we do
13 not.

14 REPRESENTATIVE PALLONE: Wow, that's
15 interesting. All right. Thank you. Those are
16 the only good questions I have.

17 CHAIRMAN CALTAGIRONE: Any other
18 questions? If not, gentlemen, thank you. I
19 appreciate your testimony.

20 MR. GARNER: Thank you.

21 CHAIRMAN CALTAGIRONE: We will next
22 hear from the Pennsylvania State Association of
23 Township Supervisors, Lester Houck, Supervisor,
24 Salisbury Township, Lancaster County, and Elam
25 Herr, the Assistant Executive Director.

1 MR. ADAMS: Actually, Cory Adams on
2 behalf of Elam Herr. As you can see, I am not
3 Elam.

4 CHAIRMAN CALTAGIRONE: You are
5 filling in for him?

6 MR. ADAMS: Yes. Thank you.

7 CHAIRMAN CALTAGIRONE: Be my guest,
8 gentlemen.

9 MR. HOUCK: Good morning, Chairman
10 Caltagirone and Chairman Marsico and other
11 members of the House Judiciary Committee. Good
12 morning, and my name is Les Houck. I am Second
13 Vice President of the Pennsylvania State
14 Association of Township Supervisors, also a
15 supervisor in Salisbury Township, Lancaster
16 County, ten thousand and twelve people,
17 basically an agricultural community, eighty-five
18 percent is agricultural, which is, ninety-five
19 percent of the farmers are the Amish community.

20 Thank you for this opportunity to
21 appear before you today in behalf of
22 Pennsylvania's fourteen hundred and fifty-five
23 townships.

24 The townships comprise ninety-five
25 percent of the commonwealth's land area and over

1 more than five point one million Pennsylvanians,
2 nearly forty-two percent of all state residents.
3 These townships are very diverse, ranging from
4 rural, agricultural communities with fewer than
5 two hundred residents to more urban, populated
6 communities with populations approaching seventy
7 thousand.

8 House Bill 2563 would require every
9 municipality with a population of ten thousand
10 or more to pay the commonwealth an annual fee of
11 one hundred dollars per resident if it relies on
12 the Pennsylvania State Police as the primary
13 provider for law enforcement services. This
14 legislation is the latest in a number of similar
15 bills that have been introduced intermittently
16 since the Ridge Administration.

17 Proponents of the bill claim that the
18 affected twenty-one municipalities and their
19 three hundred and eleven thousand residents are
20 getting a free ride. They claim it's unfair for
21 municipalities that have their own police
22 departments to be forced to pay for State Police
23 coverage in communities that can conceivably pay
24 for their own local police.

25 It must be noted, however, that the

1 residents of these twenty-one municipalities
2 already pay the same state taxes to fund the
3 State Police as all other Pennsylvania
4 residents. House Bill 2563 would authorize the
5 state to tax the residents of these communities
6 twice for the same State Police services.

7 The provisions of the bill would
8 compel these twenty-one communities to either
9 provide for local police coverage or pay the per
10 capita annual fee. Why would any municipality
11 or its residents pay an additional one to four
12 million annually in taxes for State Police
13 coverage without receiving any additional
14 benefits? We expect that these communities will
15 instead choose to provide local police services
16 so that the residents are receiving a benefit
17 for their additional tax monies.

18 While the State Police are the
19 primary responders in many communities, they do
20 not enforce local ordinances. This means that
21 the State Police do not enforce the local
22 parking restrictions, animal control complaints,
23 or other minor incidents that normally fall
24 under the purview of local police departments.

25 While the State Police provide

1 first-rate police protection, there are many
2 services that they do not provide. Some have
3 claimed that this bill would generate anywhere
4 from twenty-five to thirty million a year for
5 the commonwealth. It has also been stated,
6 despite no guarantees in the legislation, that
7 this revenue would be used to hire additional
8 troopers. There does not appear to be a trooper
9 shortage in Pennsylvania, let alone the evidence
10 that twenty-one affected communities are a drain
11 on the ability of the State Police to patrol the
12 rest of the state.

13 We contend that if there is a
14 shortage, then it is due to a misallocation of
15 current State Police manpower to other areas of
16 the state for inappropriate purposes. For
17 instance, why has the Governor sent sixty state
18 troopers to Philadelphia?

19 Now, that number is the number that
20 has been thrown around in a meeting earlier this
21 week with the State Troopers Association, they
22 said that the Philadelphia barracks was
23 increased from thirty-three to ninety-six. Last
24 year, in a meeting about this time, the trooper
25 said there was a hundred and fifty sent to

1 Philadelphia. They also said there is eighty
2 sent on the weekend, and football weekend to
3 State College, also the story of the entire
4 graduating graduating-cadets from Hershey going
5 there. So there is a lot of stories, so I would
6 have to ask you to investigate that to see what
7 the exact number is.

8 But anyway, they are drawn from
9 across the commonwealth to Philadelphia to
10 supplement its seventy-eight hundred city
11 officers. Why not allow the community that
12 already has their own local departments to use
13 them and assign the State Police to the patrol
14 areas that actually need police protection?

15 We do ask, where is this funding
16 going to go? Will it be earmarked for a special
17 account to provide services to these communities
18 or just allocated to the state's general fund?

19 Again, we believe these communities
20 would choose to provide police service rather
21 than to pay additional tax. If this occurs,
22 there would be no or very little additional
23 funds for the commonwealth. However, we do want
24 to point out that the commonwealth will see an
25 increase in pension reimbursement costs for the

1 local police that would be hired to patrol these
2 communities.

3 While there have been anecdotal
4 accounts of long response times for State Police
5 troopers in rural areas of the state, we feel
6 that such claims are generally exaggerated and
7 are largely unsubstantiated and generally very
8 offensive to the work of all the State Police
9 personnel. For instance, in our community, once
10 the call came in for the Bard Amish school
11 shooting in 2006, there were eight officers at
12 the scene within eleven minutes.

13 The State Police spend a significant
14 amount of time and effort to patrol our state
15 highway system and incur certain costs
16 regardless of whether or not the municipality
17 provides police services. Only the State Police
18 can patrol the interstates, not the
19 municipalities.

20 According to the 1998 and '99 State
21 Police figures provided to the House Resolution
22 167 Task Force, municipalities with a high
23 concentration of busy interstates or
24 interchanges cost the State Police a sizable
25 amount of money, regardless of whether or not

1 the municipality provides police service.

2 In fact, the State Police cited the
3 reason why several municipalities that provide
4 local police protection had a significant number
5 of incidents and higher cost rates, was due in
6 large part to the interstate highways passing
7 through these municipalities.

8 For example, in 1998 and '99, the
9 State Police report spending five hundred and
10 thirty-five thousand four hundred and thirty-two
11 dollars in Upper Merion Township, Montgomery
12 County, which has a large township police
13 department but also hosts several major
14 interchanges and interstates, including the
15 Pennsylvania Turnpike and Interstate 76. That
16 same year, the State Police spent seven hundred
17 and seven thousand six hundred and twenty-eight
18 dollars in Bedford Township, Bedford County,
19 which does not provide the police protection but
20 is host to the Pennsylvania Turnpike and
21 Interstate 70 interchange.

22 House Bill 2563 does not address the
23 fact that the State Police also provide services
24 to those communities that already have local
25 police departments. Troopers regularly respond

1 to assist local officers or are the secondary
2 responders at various incidents.

3 In addition, the State Police provide
4 specialty services, such as lab analysis and the
5 state fire marshal, to all municipalities. The
6 difference is that the communities providing
7 local police protection are paying for the
8 broader police coverages. For communities
9 without their own police services, the State
10 Police are the only responders; despite this,
11 the communities are satisfied with the level of
12 service they receive.

13 We must ask, what is the problem we
14 are trying to solve with this legislation? Do
15 the State Police need additional funding? Does
16 the commonwealth need additional funding? If
17 so, will this legislation actually solve these
18 problems?

19 Instead of punishing communities that
20 do not provide for police services, the
21 commonwealth should partner with communities to
22 reach solutions.

23 The association supports legislation
24 that would create additional funding for those
25 municipalities that provide police services.

1 We support the majority of the
2 recommendations that the House Resolution 167
3 task force made in 1999 when it looked at this
4 issue, such as: allowing municipalities with
5 police departments to retain all fine monies
6 collected, which in 1998 and '99 totaled
7 twenty-one million; creating a Municipal Police
8 Fund funded by surcharges on misdemeanors of the
9 third degree, and above, that would be used to
10 provide grants for municipalities that are
11 considering providing police services; and
12 authorizing municipalities to levy a special
13 dedicated tax for funding police services not to
14 exceed ten mills. PSATS also supports the
15 establishment of a low-interest revolving loan
16 program for police equipment and facilities
17 similar to the program available to volunteer
18 fire companies.

19 In closing, the twenty-one
20 communities affected by House Bill 2563 have
21 already deliberated over the prospects of
22 forming their own police departments. For
23 various reasons, they have all determined that
24 it is in the best interests of their residents
25 and community at large to rely on the State

1 Police for primary coverage.

2 We believe that this decision needs
3 to remain with the local communities and should
4 not be forced by the state. If these
5 communities are forced to pay the additional tax
6 to the commonwealth or to provide police
7 services, these affected townships would have to
8 increase property taxes considerably.

9 Upon further inspection, this
10 legislation does not seem to be about fairness
11 but rather about punishing larger municipalities
12 for relying on the State Police for law
13 enforcement services. And if this legislation
14 becomes law, what size communities will be next?

15 Cory Adams, our legislative analyst,
16 as myself, will entertain your questions.

17 Elam Herr ended up with an emergency
18 gall bladder surgery this week so he's on the
19 side lines and we will try and fill in for him.

20 Thank you very much. We appreciate
21 it.

22 CHAIRMAN CALTAGIRONE: Let Elam know
23 that we wish him God's speed in his recovery.

24 MR. ADAMS: He's pulling it off
25 (phonetic).

1 CHAIRMAN CALTAGIRONE: Okay.

2 MR. ADAMS: Patty is ready to ship
3 him out already, so he will be back next week.

4 CHAIRMAN CALTAGIRONE: Very good. Do
5 you have any comments that you want to make on
6 this? Or just question --

7 MR. ADAMS: No, I don't. I was just
8 here to help with some routine questions.

9 CHAIRMAN CALTAGIRONE: All right. We
10 do have additional testimony that we are going
11 to receive from the Pennsylvania League of
12 Cities, for the record, and also testimony from
13 Brian K. Jensen, Ph.D., that we would like to
14 also submit for the record.

15 And with that, questions, John?

16 REPRESENTATIVE PALLONE: Tom.

17 CHAIRMAN CALTAGIRONE: Sure.

18 REPRESENTATIVE CREIGHTON: Hi, Les.
19 It's good to have you here.

20 MR. HOUCK: Thank you.

21 REPRESENTATIVE CREIGHTON: I have a
22 couple of municipalities that would like to --
23 sort of they are on that fence between
24 regionalization. And this is sort of off the
25 subject a little bit, but could you give us any

1 recommendations of how we could guide or provide
2 incentive, maybe through this bill, to provide
3 that incentive for different municipalities to
4 come together and form a regional system?

5 MR. HOUCK: Regionalization is, I
6 think, is a great way to go, if they are
7 considering a police force.

8 I think there is already a lot of --
9 I mean, communities who have done this have
10 gained a tremendous amount of help from the
11 state on sending personnel. I think DCED and so
12 forth sent personnel out to help them with this
13 and go through the whole process. It's a
14 long -- It's like a year process to go through
15 this.

16 The grant monies that would be
17 available, we had mentioned this in our
18 testimony, about if there is some way that more
19 dollars would be earmarked to encourage this.
20 That would be a great help.

21 I mean, you are very aware, all of
22 you are very aware, the same as we are, as with
23 local elected officials, money is just, when you
24 get down to the issue, where is it going to come
25 from next.

1 REPRESENTATIVE CREIGHTON: Thank you.

2 CHAIRMAN CALTAGIRONE: Any other
3 questions?

4 (No response.)

5 CHAIRMAN CALTAGIRONE: Thank you,
6 gentlemen. We appreciate it.

7 MR. HOUCK: Thank you very much.

8 CHAIRMAN CALTAGIRONE: And we will
9 adjourn the hearing. Thank you all.

10 (At or about 11:35 a.m., the hearing
11 was adjourned.)

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C E R T I F I C A T E

I, Roxy C. Cressler, Reporter, Notary Public, duly commissioned and qualified in and for the County of York, Commonwealth of Pennsylvania, hereby certify that the foregoing is a true and accurate transcript of my stenotype notes taken by me and subsequently reduced to computer printout under my supervision, and that this copy is a correct record of the same.

This certification does not apply to any reproduction of the same by any means unless under my direct control and/or supervision.

Dated this 24th day of September, 2008.

Roxy C. Cressler - Reporter
Notary Public

My commission
expires 5/9/09