

Testimony of Troy Rice
President, Fayette County Constables' Association
House Judiciary Committee Hearing Regarding Constables
February 18, 2009

Good morning, Chairman Caltagirone and esteemed members of the House Judiciary Committee:

On behalf of the Fayette County Constables' Association, I offer you the following points for your consideration:

We submit that statewide standards of conduct should be in place with a corresponding disciplinary board akin to that in place for attorneys and the minor judiciary with similar enforcement authority.

An elected constable, similar to a Magisterial District Judge, should have a limited amount of time to pass the certification test and approved course of study. Currently, one who fails to meet these requirements can remain in office without performing the duties of the office. If the requirements are not met, the office should be vacated and then filled in accordance with the law.

A standardized or approved badge should be adopted for use throughout the state for the safety of the public and for admission into state and county prisons.

With respect to liability for errors and omissions a "good faith" standard should be imposed to provide immunity for constables. Barring malice, no liability should be imposed for

good faith acts. A standardized policy for insurance should be made available statewide to reduce rates and simplify coverage issues.

Fayette County spent a total of \$111,000.00 for constable services. This does not provide the kind of income to individual constables reportedly earning in excess of \$300,000.00 per year. That is certainly not the case in Fayette County.

Consideration should be given to access, however limited, to JNET to obtain address and warrant information on individuals which would likely result in more effective service, reduced costs and a higher success rate. JNET access could also improve safety of the officer who may be attempting to serve a traffic warrant on an individual wanted for a violent crime in another jurisdiction.

We stand ready to offer our service and input to the Committee at any time called upon as we realize the significance and importance of the task to which you are charged.

Thank you for this opportunity to speak to you on behalf of the Fayette County Constables' Association. I am available for questions at this time if there are any.