

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES
APPROPRIATIONS COMMITTEE

MAIN CAPITOL
ROOM 140
HARRISBURG, PENNSYLVANIA

PUBLIC HEARING
PENNSYLVANIA STATE POLICE

TUESDAY, MARCH 6, 2012
9:30 A.M.

BEFORE:

HONORABLE WILLIAM F. ADOLPH, JR.,
Majority Chairman

- HONORABLE JOHN BEAR
- HONORABLE MARTIN CAUSER
- HONORABLE JIM CHRISTIANA
- HONORABLE GORDON DENLINGER
- HONORABLE BRIAN ELLIS
- HONORABLE MAUREE GINGRICH
- HONORABLE GLEN GRELL
- HONORABLE TOM KILLION
- HONORABLE DAVID MILLARD
- HONORABLE MARK MUSTIO
- HONORABLE BERNIE O'NEILL
- HONORABLE MICHAEL PEIFER
- HONORABLE SCOTT PERRY
- HONORABLE SCOTT PETRI
- HONORABLE TINA PICKETT
- HONORABLE JEFFREY PYLE
- HONORABLE MARIO M. SCAVELLO
- HONORABLE CURT SONNEY

BRENDA J. PARDUN, RPR
P. O. BOX 278
MAYTOWN, PA 17550
717-426-1596 PHONE/FAX

1 BEFORE: (cont'd)

2 HONORABLE JOSEPH MARKOSEK, Minority Chairman
HONORABLE MATT BRADFORD
3 HONORABLE MICHELLE BROWNLEE
HONORABLE H. SCOTT CONKLIN
4 HONORABLE PAUL COSTA
HONORABLE DEBERAH KULA
5 HONORABLE TIM MAHONEY
HONORABLE MICHAEL O'BRIEN
6 HONORABLE CHERELLE PARKER
HONORABLE JOHN SABATINA
7 HONORABLE STEVE SAMUELSON
HONORABLE MATTHEW SMITH
8 HONORABLE GREG VITALI
HONORABLE RONALD WATERS

9

10 ALSO PRESENT:

11 HONORABLE PAUL CLYMER
HONORABLE MARK GILLEN
12 HONORABLE SCOTT HUTCHINSON
HONORABLE RICK SACCONI
13 HONORABLE RICHARD STEVENSON
HONORABLE MIKE TOBASH
14 HONORABLE MIKE VEREB
HONORABLE VANESSA LOWERY BROWN
15 HONORABLE TOM CALTAGIRONE
HONORABLE DOM COSTA
16 HONORABLE PAMELA DELISSIO
HONORABLE BILL DEWEESE
17 HONORABLE DAN FRANKEL
HONORABLE BILL KORTZ
18 HONORABLE MARK LONGIETTE
HONORABLE HARRY READSHAW
19 HONORABLE CHRIS SAINATO

20

ED NOLAN, MAJORITY EXECUTIVE DIRECTOR
21 MIRIAM FOX, MINORITY EXECUTIVE DIRECTOR
DAN CLARK, COMMITTEE CHIEF COUNSEL
22 RAYKA PACANA, BUDGET ANALYST

23

BRENDA J. PARDUN, RPR
24 REPORTER - NOTARY PUBLIC

25

	INDEX	
	NAME	PAGE
1		
2		
3	OPENING REMARKS BY CHAIRMAN ADOLPH	4
4	INTRODUCTIONS	4
5	COLONEL FRANK NOONAN	7
6	COMMISSIONER PENNSYLVANIA STATE POLICE	
7	MAJOR GEORGE BIVENS	24
8	DEPUTY COMMISSIONER OF OPERATIONS PENNSYLVANIA STATE POLICE	
9	MAJOR SCOTT SNYDER	63
10	DEPUTY COMMISSIONER OF STAFF PENNSYLVANIA STATE POLICE	
11	MAJOR KENNETH HILL	78
12	DEPUTY COMMISSIONER OF ADMINISTRATION AND PROFESSIONAL RESPONSIBILITY	
13	PENNSYLVANIA STATE POLICE	
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 P R O C E E D I N G S

2 CHAIRMAN ADOLPH: Good morning,
3 everyone. I'd like to call to order the House
4 Appropriations Committee budget hearing on the
5 Pennsylvania State Police.

6 My name is Bill Adolph. I'm the
7 Republican chair of the Appropriations Committee.

8 I would ask all members and guests to
9 put their BlackBerries or iPhones or iPads,
10 whatever they may be carrying, on vibrate or silent
11 so the hearing will be very smooth.

12 We will go through our morning
13 introductions, and then we'll go to the colonel for
14 brief comments and introduce the gentlemen that's
15 at the table with him.

16 DR. NOLAN: Ed Nolan, executive
17 director, House Appropriations Committee.

18 MR. CLARK: Dan Clark, chief counsel,
19 Republican Appropriations Committee.

20 REP. SCAVELLO: Mario Scavello,
21 representative, 176th District, Monroe County.

22 REP. PETRI: Scott Petri, Bucks
23 County.

24 REP. PEIFER: Good morning. Mike
25 Peifer, Pike, Wayne, and Monroe Counties.

1 REP. CHRISTIANA: Jim Christiana,
2 Beaver County.

3 REP. PERRY: Scott Perry, northern York
4 and southern Cumberland Counties.

5 REP. KILLION: Tom Killion, Delaware
6 and Chester Counties.

7 REP. BEAR: John Bear, Lancaster
8 County.

9 REP. GRELL: Glen Grell, Cumberland
10 County.

11 REP. GINGRICH: Mauree Gingrich,
12 Lebanon County.

13 REP. PICKETT: Tina Pickett, Bradford,
14 Sullivan, and Susquehanna Counties.

15 REP. CAUSER: Marty Causer, McKean,
16 Potter, and Cameron Counties.

17 REP. DENLINGER: Good morning. Gordon
18 Denlinger, eastern Lancaster County.

19 REP. MARKOSEK: Hi. I'm state
20 Representative Joe Markosek. I'm the Democratic
21 chairman of the House Appropriations Committee. I
22 represent an area that includes parts of Allegheny
23 and Westmoreland County.

24 To my immediate right is Rayka Pacana,
25 who is our staff person.

1 And I'll let the chairman introduce
2 himself.

3 REP. CALTAGIRONE: Chairman Tom
4 Caltagirone, House Judiciary Committee.

5 REP. KULA: Good morning. Deberah
6 Kula, Fayette and Westmoreland Counties.

7 REP. PARKER: Cherelle Parker,
8 Philadelphia County.

9 REP. O'BRIEN: Good morning. Mike
10 O'Brien, Philadelphia County.

11 REP. BROWNLEE: Michelle Brownlee,
12 Philadelphia County.

13 REP. COSTA: Good morning, everybody,
14 and welcome. I'm Paul Costa. I'm from Allegheny
15 County.

16 REP. CONKLIN: I'm Scott Conklin, from
17 Centre County.

18 CHAIRMAN ADOLPH: Okay. Thank you.

19 I'd like to welcome Chairman
20 Caltagirone. I'd like to also acknowledge the
21 presence of Rep. Saccone, who has joined us, and
22 Rep. Bill Kortz.

23 REP. MARKOSEK: And, also, we have Rep.
24 Harry Readshaw, from Allegheny County, as well as
25 Rep. Mark Longietti, from Mercer County.

1 CHAIRMAN ADOLPH: Thank you.

2 Good morning, Colonel.

3 COLONEL NOONAN: Good morning.

4 CHAIRMAN ADOLPH: Nice to have you. If
5 you would have some brief opening comments and
6 introduce the gentlemen at the table.

7 COLONEL NOONAN: Well, I'd like to
8 thank you, all the members of the budget committee
9 here, for meeting with us and giving us your
10 thoughts and discussing these important topics with
11 us today.

12 With me are deputy commissioner of
13 staff, Scott Snyder; deputy commissioner of
14 operations, George Bivens; deputy commissioner of
15 administration and professional responsibility, Ken
16 Hill; and the director of the fiscal division,
17 Mr. Scott Frederick.

18 We, in the state police, are looking
19 forward to this discussion and I'd be happy to take
20 any questions from you today.

21 CHAIRMAN ADOLPH: Okay. Thank you,
22 Colonel.

23 The question that I'd like to start out
24 with is the elimination of the 1.5 million for the
25 DNA lab. And I had a meeting last week back home,

1 in Delaware County, with the district attorney, and
2 he was explaining to the Delaware County delegation
3 what he saw as the backlog for investigations and
4 criminal cases. He informed the delegation that
5 the backlog at times is up to six months. And I
6 told him I will go right to the top and find out
7 what's causing the backlog.

8 There have been numerous newspaper
9 articles on this. And we see where we're
10 eliminating 1.5 million on this line item.

11 Colonel, could you please explain why
12 the elimination of the 1.5 million, if there's
13 already a backlog that exists? Will this cause our
14 local municipalities to go elsewhere for their DNA
15 lab tests, et cetera, et cetera?

16 COLONEL NOONAN: Well, the elimination
17 of the 1.5 million, obviously, was because of
18 budgetary considerations when we were having our
19 meeting. But there's some facts that -- that we
20 can't avoid.

21 The building that we have for our DNA,
22 we just hired seven more examiners. It takes us
23 about a year to train an examiner to do
24 DNA testing. The building in which we're located,
25 we have now reached our maximum capacity for this

1 laboratory. We cannot put more people in there.

2 One of the reasons that we're having
3 such a backlog, which is actually, I believe,
4 longer than what you said, six months. It could be
5 almost up to a year, about nine to ten months. One
6 of the reasons is that, as the value of DNA
7 evidence has become more well known, we're seeing
8 an increase in submissions. The DNA equipment that
9 we have, we can't fit any more in the building. We
10 can't have any more examiners. So that there's --
11 it takes a long process. First, it has to go to
12 serology. The backlog in serology is seventy days.
13 The backlog -- then it goes to DNA, is about two
14 hundred twenty days. So that's two hundred ninety
15 days for the entire backlog.

16 Now, murders, rapes, things such as
17 that, we'll put to the top of the line. There
18 is -- the difficulty with taking this type of
19 testing to a local laboratory, if you have a
20 suspect, and you have a DNA sample, and you want
21 to try to match that up, you can do that. But if
22 you don't know who your suspect is and you want to
23 run it against the database, we are the ones that
24 have the largest database and have -- the one that
25 has access to the federal databases that are going

1 to help.

2 So, the \$1.5 million, you know, we can
3 always use that, but, what we really need, we're --
4 especially if new legislation is passed and we're
5 going to be getting more submissions, such as in
6 all offenders or familial DNA, we're going to have
7 to have a new building.

8 And what worries me is that, as these
9 back logs continue to increase, if they continue to
10 increase, that people will lose faith in the system
11 and we will lose submissions. But it's one of the
12 things that I'm very concerned about, is getting a
13 laboratory for the DNA people that will
14 accommodate, we would think, another ten to fifteen
15 examiners, which we would believe to take care of
16 our backlog. We have no place to put them now, so
17 even if we had the money for the examiners, we
18 could not hire them.

19 CHAIRMAN ADOLPH: Colonel, where is the
20 current lab located at?

21 COLONEL NOONAN: Greensburg.

22 CHAIRMAN ADOLPH: In Greensburg. Have
23 we always had just one lab?

24 COLONEL NOONAN: No. We had two
25 laboratories, and we consolidated that, basically,

1 to standardize, and the equipment's extremely
2 expensive, so that was the reason. That was about
3 a year -- two years ago. And since that time,
4 we've seen a tremendous increase in our
5 submissions.

6 The laboratory we have was -- is an
7 excellent laboratory, but it's just too crowded
8 now.

9 CHAIRMAN ADOLPH: Okay. Where would --
10 where would you recommend a new lab be located?

11 COLONEL NOONAN: Probably in the same
12 area, since most of our examiners are there. What
13 I'd like to see is a laboratory that would maybe
14 double the capacity that we have in Greensburg. We
15 have an excellent training program there, and the
16 people there -- they're working overtime. We've
17 approved all kinds of overtime for them.

18 The problem is -- and we've even looked
19 at shift work, but you can't do that because the
20 equipment runs twenty-four/seven, so when you start
21 the testing process, the equipment can't -- you
22 can't have another examiner run another test
23 because the equipment has to process it for a
24 certain amount of time.

25 CHAIRMAN ADOLPH: Okay. I always say,

1 you know, to the testifiers, this is your
2 opportunity to ask the legislature if -- if you
3 have sufficient funding. Okay. And I'm going to
4 ask you straightforward, at this 1.5 million, would
5 you like to see that put back into the budget?

6 COLONEL NOONAN: Yes, I would like to
7 see that put back into the budget. But more than
8 that, I would like to see plans made for a new
9 laboratory, because the 1.5 million would not cover
10 anything such as that.

11 CHAIRMAN ADOLPH: No. That's over and
12 above the 1.5 million. You're looking for an
13 expansion of either a larger facility or another
14 facility.

15 COLONEL NOONAN: Or another facility.

16 CHAIRMAN ADOLPH: Or another facility.

17 COLONEL NOONAN: Correct.

18 CHAIRMAN ADOLPH: Okay. Yeah. No.

19 Now, do you own the current building or
20 do you lease it?

21 COLONEL NOONAN: It's owned.

22 CHAIRMAN ADOLPH: It's owned.

23 COLONEL NOONAN: Right.

24 CHAIRMAN ADOLPH: Okay. How long have
25 you been there?

1 COLONEL NOONAN: About two years? '98
2 we owned the building. It became full time, what,
3 about two years ago as a DNA -- it was a regular
4 forensic laboratory at one time, and then it
5 gradually expanded into DNA.

6 CHAIRMAN ADOLPH: All right. I would
7 like to get all the information regarding this lab
8 to the committee.

9 COLONEL NOONAN: Absolutely.

10 CHAIRMAN ADOLPH: To Chairman
11 Markosek's office or my office, as we work through
12 this budget.

13 COLONEL NOONAN: You bet.

14 CHAIRMAN ADOLPH: Thank you.

15 Chairman Markosek.

16 REP. MARKOSEK: Thank you, Chairman.

17 For the information of the members,
18 Rep. Ron Waters, a member of our committee, has
19 arrived, from Philadelphia and Delaware County, as
20 well as Rep. Vanessa Brown, is a guest of the
21 committee, and she is here also.

22 Colonel, welcome. Thank you.

23 Welcome, gentlemen.

24 I know we all worry, in this day and
25 age, about cyber security, whether it's identity

1 theft from our home computers or whether or not our
2 governmental agencies have secure systems that have
3 a lot of our information.

4 Recently, for instance, thirty-six
5 state attorney generals, including our own,
6 Attorney General Linda Kelly, wrote a letter to
7 Google, that expressed strong concerns, quote,
8 unquote, strong concerns about the invasion of
9 privacy as a result of Google's information sharing
10 policies.

11 So it begs the question, what are our
12 law enforcement, homeland security agencies doing
13 to protect, first of all, our own agencies from
14 security breaches, and, secondly, the citizenry
15 from the same?

16 COLONEL NOONAN: Well, this is a --
17 certainly a growing problem, and one that I never
18 anticipated when I became a law enforcement
19 officer, I have to say. Director Mueller, of the
20 FBI, was testifying recently and was asked if cyber
21 terrorism was the biggest problem in terrorism.
22 He said probably not today, but in the near future
23 it will be.

24 We are working closely with the federal
25 authorities, because this is a much bigger problem

1 than from Pennsylvania, in ways to protect, first,
2 our state equipment, the equipment we use with the
3 federal authorities to do our terrorism
4 investigations, but also for industry and to come
5 up with ideas.

6 George White, who is the head of IT for
7 office of administration, and us and the FBI, we're
8 all looking at these problems. It's a serious
9 problem, and it would take a very long time to
10 discuss it and someone probably smarter than me. I
11 have people on my staff.

12 But it is a serious problem and one
13 we're looking forward to in the future, especially
14 countries, that wish -- that steal our intellectual
15 properties, our business secrets, and things like
16 that. And they do that from halfway around the
17 world. And protecting that is going to be a very
18 important aspect of homeland security in the
19 future.

20 REP. MARKOSEK: Is there anything that
21 you think that you need from us, as a legislature,
22 at this point in time, in terms of legislation,
23 those kinds of things that would strengthen, you
24 know, your abilities to do this kind of work?

25 COLONEL NOONAN: Not at this time. But

1 we are working with the federal authorities to come
2 up -- and that's -- it's basically the technology
3 changes so quickly, as in many other areas, that
4 we're always playing catch-up. But that's what
5 we're trying to do right now, but there is no
6 specific legislation that I'm looking for right
7 now, although, if Google does not comply --
8 I understand there's some negotiations going on --
9 there may be in the future.

10 REP. MARKOSEK: Okay.

11 Thank you, Mr. Chairman.

12 CHAIRMAN ADOLPH: Colonel, are these
13 your charts that are --

14 COLONEL NOONAN: Yes, they are.

15 CHAIRMAN ADOLPH: Is there a purpose
16 for those charts?

17 COLONEL NOONAN: I hope so.

18 CHAIRMAN ADOLPH: Do you want to
19 explain to the committee what these charts are.

20 COLONEL NOONAN: Yes, they are.

21 CHAIRMAN ADOLPH: Okay. Thank you.

22 COLONEL NOONAN: Basically, the chart
23 to my right is the -- shows our complement and the
24 actual troopers that we have, the enlisted
25 personnel over the last ten years. And you'll see

1 that, basically, at the end of 2013, the budget
2 year June 2013, we will be four hundred sixty-five
3 troopers under complement. And that's what that
4 chart represents.

5 And if you'll see, that's about the
6 same level we were at as far as complement as ten
7 years ago. So the thought occurred to me, well,
8 then, why can't you do things the way you did them
9 ten years ago? It's because the other chart
10 represents some of the increased responsibilities
11 we have over the last ten years. So that you'll
12 see that the red line represents our actual
13 complement, and the blue line represents what our
14 complement is designated to be and the shortfall
15 that we will have.

16 And this is going to -- the reason we
17 brought the charts and the reason I would like to
18 mention that is because, as our complement goes
19 down and we've achieve -- we've taken on these new
20 responsibilities, we are not going to be able to do
21 our business in the same way we have done it over
22 the last ten years with less troopers. And that's
23 the point the charts are trying to make.

24 CHAIRMAN ADOLPH: Thank you.

25 Rep. Gordon Denlinger.

1 REPRESENTATIVE DENLINGER: Thank you,
2 Mr. Chairman.

3 Good morning.

4 COLONEL NOONAN: Morning.

5 REP. DENLINGER: I have some questions
6 about complement, but I want to refer quickly to
7 some of the chairman's opening questions on DNA
8 sampling, if I could.

9 Colonel, I was reviewing some of the
10 back and forth between yourself and the Senate
11 Appropriations Committee of last budget cycle. And
12 I believe, at that point, there was a Senate bill
13 under consideration expanding us from DNA
14 collection of convicted persons to arrested
15 persons. And I believe it was an arrest and a
16 person with eight misdemeanors, also. I believe I
17 have that accurate.

18 Obviously, what we're talking about
19 here is a major expansion in the collection of
20 DNA. I believe you characterize it as a 400
21 percent increase in caseload. We have the budget
22 reduction that the chairman has talked about. I
23 guess my question would be this, are we crossing
24 over into a line that's somewhat troublesome in the
25 government-reach sense? Obviously, we operate

1 under the presumption of innocent until proven
2 guilty, and I'm wondering if we get into this area
3 of collecting DNA for people who are arrested, not
4 convicted, will this result in significant lawsuits
5 against PSP to try to protect that civil liberty,
6 if you will? Could you share with us your thoughts
7 on that?

8 COLONEL NOONAN: Yes. I -- there's two
9 parts to that. As far as civil liberties, I don't
10 view it as an issue there, because it's just like
11 fingerprints. When you're arrested, your
12 fingerprints are also submitted because you were
13 arrested. And those have been maintained for --
14 and there's over a hundred million fingerprint
15 records that we have. So I really don't see too
16 much difference between that and DNA.

17 My problem and the area that I'm
18 concerned about is that that's such a big increase
19 to our workload, and we already have such a big
20 delay in some of this. And there's two different
21 things. The submissions of the -- of the
22 convictions right now, convicted felons, we take
23 their DNA. Our backlog on that is under thirty
24 days, closer to fifteen days. So that's not too
25 bad. And that's how we have this big database that

1 we can check it against.

2 But if we get a 400 percent increase in
3 submissions into this area, we're not equipped at
4 this present time to deal with that without having
5 additional, maybe dramatic, delays. And that was,
6 unfortunately, the case a year or so ago, when
7 there was a homicide in Philadelphia, where women
8 were strangled. And it took such a long time to
9 process that the subject wasn't caught in the
10 quickest manner that we would have hoped for
11 because it took so long to process. I would not
12 want to see us in that situation again, where we're
13 maybe six months to a year behind in this type of
14 work, because you just never know what's going to
15 happen.

16 So that is my major concern is that I
17 don't know that we can deal with the increased
18 workload unless we have a new building and more
19 examiners.

20 REPRESENTATIVE DENLINGER: I appreciate
21 that, and that would be a position you would take
22 that I would expect.

23 Obviously, I think, there is a broader
24 concern for the general assembly and the
25 administration to deal with on how much cataloging

1 and listing of people within government computers
2 do we want to do to, potentially innocent parties,
3 and retaining that data on into the future. So
4 it's a concern.

5 I'd like to shift over to the status of
6 barracks within the system. I have the pleasure of
7 having the Ephrata barracks in my home area, and so
8 it falls to me to raise this issue.

9 Clearly, we recognize the challenges
10 that you have from a complement standpoint and
11 budgetarily. The other side of that, for those in
12 some of our areas -- and I've read down the list of
13 barracks that may be on the bubble, shall we say,
14 response times out in the communities is the other
15 side of that equation.

16 I'm wondering, could you share with me
17 what criteria you will be using to evaluate the
18 barracks for closure, potentially?

19 COLONEL NOONAN: Certainly.

20 We have not reached -- I have not
21 reached any decisions yet towards any particular
22 stations. However, I would -- there's some other
23 things that we're doing to see if we can reduce
24 administrative-type responsibilities so we can have
25 more troopers on the road, which is our number one

1 responsibility. But we look at incidents, that is
2 the main -- and response time and how close
3 would -- the station would be to where it would be
4 relocated, which would generally be the troop, the
5 headquarters, how far distance.

6 If -- if we're relocating a station,
7 you know, sixty miles, that's one thing; if it's
8 fifteen miles, that's another. We take all of
9 those things into consideration, and it's something
10 we are going to give a great deal of study to. But
11 I would anticipate that if -- as we reached the
12 levels that I -- for -- by June of 2013 and our
13 complement goes down, that we will be looking at
14 some sort of station consolidation or station
15 closings.

16 REP. DENLINGER: How much does -- and I
17 realize, you know, incidents would be part of that,
18 and then, we talk about the blue line, you know,
19 just the presence of the police within a
20 community.

21 Is that another part that you work into
22 this? How often are people seeing the trooper car
23 go by their business or their home?

24 COLONEL NOONAN: One thing that I have
25 found is that -- is that people really like having

1 that station in their locality. I mean, it's an
2 important piece of the identity of the community.
3 I understand that. That presence there is
4 something they expect. And it's not something that
5 I do lightly.

6 However, I've got to do something. And
7 this might be a process -- I mean, we haven't
8 closed a station in over ten years, and, you know,
9 that's where looking down the line.

10 I do consider and I do intend to work
11 with the representatives from -- and the senators
12 -- from the areas in which stations are being
13 considered closed, so that we can -- everybody will
14 be part of that discussion. But I don't want to --
15 I don't want to be insincere that I think that that
16 might happen down the road. Because it just seems,
17 we have to do something; that's one of the things I
18 think we can do.

19 REP. DENLINGER: I appreciate the
20 challenge that you have.

21 One last quick question, if I may.
22 There was a staffing experiment attempted at the
23 Skippack barracks down in Montgomery County some
24 years ago, and I'm wondering if you can share with
25 us how that worked out. And if you want to

1 elaborate for the benefit of all here, that'd be
2 appreciated.

3 COLONEL NOONAN: All right. Colonel
4 Bivens.

5 MAJOR BIVENS: There have been efforts
6 over the past number of years to look at either
7 station consolidation or going dark, and that's --
8 going dark was what was attempted at the Skippack
9 station several years back. There was a lot of
10 resistance and opposition to that, and, ultimately,
11 the decision was reversed and the station is now
12 open twenty-four hours a day.

13 But those decisions are what kind of
14 led to some of the other decisions that we've had
15 to make, for example, the closing of the central
16 dispatch centers that we have. Where we find
17 ourselves is that our staffing levels are down.
18 You know, we're projecting at least four sixty-
19 five, and, candidly, we'll probably go lower than
20 that, just based on the retirements that we're
21 seeing right now.

22 So with the CDCs, the premise behind
23 the CDCs was we would save people by doing central
24 dispatching and then either -- well, both,
25 consolidating stations down from eighty-one down to

1 fifty-five, and, also, with going dark at some of
2 those remaining fifty-five station so we would save
3 people and have more troopers out on the road.

4 We were not able to accomplish either
5 of those because of the resistance that we
6 experienced. Therefore, we were staffing not only
7 those stations twenty-four hours a day, but also
8 the central dispatch centers as well. So that's
9 why we arrived at that decision.

10 Now, what we're faced with is, you
11 know, we're pushing these people out, back out to
12 the field, so that we can free up troopers and get
13 them off of desk duties, put them back out doing
14 the law enforcement function that they're trained
15 to do.

16 But to Colonel's point about looking at
17 the consolidations, we have got to do something.
18 There are -- every station has an administrative
19 overhead that we have to maintain. And by
20 consolidating, we can save a number of positions.
21 We save the station commander, property room
22 people, staff functions, dispatchers. So there are
23 a lot of things that go into it, and we would be
24 looking at consolidating stations that are in close
25 proximity to others.

1 So kind of a long-winded response, but
2 those are some of the things that we've looked at,
3 based on the Skippack experience and some of the
4 mistakes that were made and some the resistance
5 that was encountered there.

6 REP. DENLINGER: I appreciate the
7 challenge of the public reaction to that.

8 Colonel, thank you, and all, for the
9 responses. And thank you especially for the open-
10 door offer to work with those of us who are elected
11 on these issues.

12 Thank you, Mr. Chairman.

13 CHAIRMAN ADOLPH: Thank you,
14 Representative.

15 Rep. Scott Conklin.

16 REP. CONKLIN: I want to thank you,
17 Mr. Chairman.

18 I want to thank the colonel. And,
19 Colonel, I want to tell you, I want to thank your
20 staff. Major Martin, who made a phone call to me
21 was the -- was very impressive. As he may have
22 told you, I way given some unfortunate
23 misunderstanding of information that he called up
24 and quickly rectified. And that means a lot to
25 me.

1 And also I want to say, my questioning
2 has to do with, as I'm going down, my concern is
3 strictly the safety of the public and the safety of
4 your brothers and sisters that serve. As I was
5 telling Major Martin, many of my family members and
6 friends wear your uniform and they do it with
7 pride, but they do have a lot of concern.

8 And one of the concerns that I have is
9 that we're putting budgets over people right now.
10 We're more concerned about what it costs us than
11 protecting folks. And an easy scenario I tell
12 anybody is that, watch taillights. If you want to
13 know where your troopers are sitting, watch the
14 taillights ahead of you, because even if they're
15 not speeding, the first actions is, they hit their
16 brakes. So prevention and just being visible is a
17 deterrent in itself.

18 And I want to go over some figures for
19 you. And just tell me if any of these are
20 incorrect.

21 Your complement is still forty-four
22 hundred. Is that correct? Or your maximum, what
23 you would like to be at, let's get that -- make
24 sure I say that correctly.

25 COLONEL NOONAN: It's forty-six.

1 REP. CONKLIN: Forty-six.

2 COLONEL NOONAN: Yeah. Forty-six
3 eighty-eight.

4 REP. CONKLIN: And how many of those
5 are assigned troopers on twenty-four hours? Is it
6 still about eleven hundred of those who are
7 assigned on the highway?

8 COLONEL NOONAN: That'd be ballpark,
9 yeah.

10 REP. CONKLIN: And then those who can
11 back them up are your troopers, your vice, and your
12 specialists that, if they get busy, that those
13 folks can go out and back them up.

14 COLONEL NOONAN: True. And then we
15 have other specialty people that count, too, if we
16 need to.

17 REP. CONKLIN: Am I still correct in
18 presuming that those folks, the specialists are
19 still only available Monday through Friday,
20 basically 8:00 to 4:00 shift, those folks who
21 specialize --

22 COLONEL NOONAN: No. They work -- they
23 work various shifts, many of those people, and we
24 can change that. We can change their shifts at any
25 time we need to.

1 REP. CONKLIN: On -- on a given day on
2 a twenty-four-hour shift -- the last figures I had
3 were a few years ago. On any given day, because
4 you run a twenty-four-hour operation, you have
5 approximately four hundred troopers on the road in
6 the state of PA.

7 COLONEL NOONAN: That could be true,
8 and I'd have to check, but that sounds about right.

9 REP. CONKLIN: Which breaks down, if my
10 math's still correct, it's breaking down to
11 approximately five to six in a county, more in some
12 counties, less in other counties.

13 COLONEL NOONAN: Right. Depending on
14 the -- if it spread evenly across, which it
15 probably is not.

16 REP. CONKLIN: Which -- yeah, it's a
17 problem with, you know, I'm not going to do the
18 Mark Twain in the statistics, but just in general,
19 a smaller county might only have two, a larger
20 county may have twenty-two.

21 COLONEL NOONAN: Correct.

22 REP. CONKLIN: One of the -- the
23 reasons I'm going down all these numbers, and the
24 reason I said previously, is that my feeling is
25 decisions are being made over budget and not over

1 protection right now. And that's concerning to
2 me. It's a trend that I'm willing to beat up on
3 former governors as well for this. But it seems
4 like it's -- for whether it's retirement that are
5 coming up -- and I've heard talk that you may be,
6 if we don't do something by the end of next year,
7 we could be a thousand troopers below complement,
8 if you took the worst-case scenario.

9 COLONEL NOONAN: If there was a worst-
10 case scenario, yes.

11 REP. CONKLIN: Now we are going from
12 that forty-six hundred to thirty-six hundred.
13 We're going from those troopers to even less. And
14 what I'm trying to get with this is, is that one of
15 those precincts, as you know, is Philipsburg, which
16 is in my district. Another one is DuBois, which is
17 just outside of my district. These four rural PA
18 precincts.

19 And contrary to what folks want to
20 believe, the Philipsburg precinct actually has a
21 greater population being served today than it did
22 years ago. The population has increased in that
23 area. But at the same time, because of budget
24 rather than protection, small municipalities have
25 had to eliminate their police force, which puts a

1 greater load on the state police.

2 One of things I'm asking, as we go
3 through this, is that, to me -- and I'll be, which
4 you well know, I'm not going to take the closing of
5 these barracks laying down. I will be vocal. I
6 will be outspoken. And I'm going to be that
7 because it's not only putting people's lives in
8 danger, but it's putting your brothers' and
9 sisters' lives at danger, the travel time.

10 I'm well familiar with the Interstate
11 80 scenario, where when that was closed, we were
12 told that we are still going to have those
13 troopers, we'll still be out there. But, today,
14 because of budget constraints, those folks aren't
15 as active as they once were.

16 So as we're going through this, I'm
17 asking you to please keep those numbers coming to
18 us. Let us know the reality of our budget cuts.
19 Let us know every day how we can put people's lives
20 in danger, how we can put the troopers' lives in
21 danger through this.

22 But I just want to thank you for being
23 there. I want to make sure the figures I had were
24 correct, that we don't have that much coverage
25 today, when you think about the population of PA

1 has increased. It hasn't decreased. That many of
2 these rural areas, some have decreased, but others
3 have increased. That it will not be an acceptable
4 situation for many of us to be faced with the
5 budget and not protection.

6 But I want to thank you, again.

7 COLONEL NOONAN: You bet.

8 One of the opportunities that I hope to
9 have today and that I'm taking, I don't want
10 anything to come as a surprise. That's why we
11 brought the charts, to show why some of the
12 decisions that I might be making in the future I'd
13 be making. But I want to make them in cooperation
14 with everyone. I don't want any surprises to come
15 in a district. I want to be up front and talking
16 to people about what we're going to be doing, what
17 we're anticipating.

18 Now, if I have more troopers, I don't
19 have to make some of these decisions, but if I
20 don't have these troopers, then I have to do
21 something differently.

22 Understand that our number one priority
23 is the troopers on the road. I can't -- and we
24 have to -- and just not have one trooper in a car
25 driving at night. We have to have backup for those

1 troopers. We have to be able to meet the needs of
2 the people, and we will. But it's going to take
3 everyone, and that's what I want to involve,
4 everyone in these decisions. And it's my decision
5 when it comes down to it, but I want everyone to be
6 involved and aware of what we're doing and why
7 we're doing it.

8 I mean, I have no particular desire to
9 close any stations. I would much prefer to see our
10 complement going up, but that's not the realities
11 of today. So we have to do something, and that is
12 what I'm looking. But I can guarantee you that we
13 will be working with you.

14 REP. CONKLIN: Thank you. And I'm glad
15 you brought that up, because what I'm trying to get
16 to is our cutting to the bone has consequences.
17 We've gone beyond the meat. We are now slicing
18 into the -- into the pins that keep these
19 operations going. And that's the reason I'm glad
20 you're here. And that was what I was trying to
21 say.

22 You know, it's great to be fiscally
23 responsible, but we're becoming irresponsible
24 fiscally now.

25 Thank you.

1 CHAIRMAN ADOLPH: Thank you,
2 Representative.

3 I'd like to acknowledge Rep. Mustio,
4 Gillen, O'Neill, and Millard have joined us.
5 Chairman.

6 REP. MARKOSEK: Thank you.

7 Rep. Matt Smith, from Allegheny county,
8 a member of the committee, is here, as well as Rep.
9 Pam DeLissio, from Philadelphia, and Rep. Chris
10 Sainato, chairman of our Emergency Management
11 Committee, from Lawrence County, are also here.

12 Thank you.

13 CHAIRMAN ADOLPH: Our next question
14 will be from Rep. Mario Scavello.

15 REP. SCAVELLO: Thank you,
16 Mr. Chairman.

17 And good morning, Commissioner.

18 First, I have to -- I don't know how
19 everybody else feels in this room. It's got to be
20 the safest place in the capitol building.

21 Today is the first day of the texting
22 ban, and it's a shame that we have to put that law
23 in because I think it's common sense. I think it's
24 hard to walk and text. And I don't even do that.
25 And yet, you know, they're out there doing it, and

1 drivers have no idea -- not only their lives but
2 the lives of the motoring public.

3 Are you going to put an effort -- I
4 hate to bring that up with the conflict -- the
5 problem that you have here -- to try to get people
6 to realize that you're going to get stopped, you're
7 going to get fined.

8 COLONEL NOONAN: Yes. We have two
9 prongs to our approach. One is the enforcement,
10 which we are going to be stopping people and
11 hopefully getting the word out that way, but also
12 education. I mean, I think, at least from what
13 we're seeing, and we don't have firm statistics on
14 this because we're just starting with the texting
15 law, but it seems to be, the younger you are, the
16 more likely you are to text. And so you'll get
17 young drivers, sixteen to eighteen, nineteen years
18 old -- I don't understand it. I don't do it. But
19 they're doing it. And it's extremely dangerous.
20 It's distracted driving.

21 And as much as anything, what I was --
22 the reason I supported this particular law and got
23 -- feel so strongly about it is, where you see the
24 accidents -- I mean, any accident's tragedy,
25 especially where there's deaths, but where you see

1 young people dying, wow, what a shame. And so
2 that's where we're going to be putting our effort.

3 REP. SCAVELLO: Thank you.

4 We talked about the complement, that
5 everybody's bringing up some issues, that there is
6 a complement problem, but there is a -- there was a
7 proposal out there to generate 8 million from
8 vehicle fines to the municipalities that don't have
9 police, instead of giving them the fines, hire more
10 police. And I know we talked about it last year.

11 How are such fine revenues currently
12 distributed? They get 50 percent, am I correct?

13 COLONEL NOONAN: Yes, the
14 municipalities do. Yes.

15 REP. SCAVELLO: And if we do receive
16 these additional funds, if this -- and I --
17 hopefully it's something that we do look at -- what
18 would you -- how would the moneys be spent?

19 COLONEL NOONAN: Well, the money, from
20 what I understand in talking to the -- looking at
21 the governor's budget, will be directed toward our
22 radio system and safety equipment for the PA State
23 Police. And it is an urgent issue with the state
24 police. Our backup radios, the VHF that we've had
25 for twenty years, the frequencies are being taken

1 away by the FCC. Now this has been a ten-year
2 process, but at the end of this year, unless
3 there's a waiver granted, those radios will go
4 away.

5 We, in the state police, have to have a
6 backup radio system. When we come into crises,
7 like we did with the flooding recently, the
8 800-megahertz system didn't perform in the northern
9 tier. That's where we have our biggest problems
10 with radios. If we had not had a backup radio
11 system, we -- would have been a disaster.

12 We -- we have to have some type of
13 radio communication a hundred percent of the time.
14 What we're looking at is a narrow-banded VHF.
15 We're doing tests on the radio now, but there's no
16 money in the budget for the radios. So I'm hopeful
17 that this legislation will provide that, but if it
18 doesn't, we still need the radios.

19 REP. SCAVELLO: And that will be a one
20 time, but in future years, you could use that
21 money, probably, to hire more police; correct?

22 COLONEL NOONAN: We could use that for
23 a number of things.

24 Also our 800-megahertz radio system
25 is -- the radios are pretty much done now. I think

1 they're going to stop supporting, so we have to buy
2 new radios for that. We don't have that money in
3 the budget. And, once again, communication's
4 critical to our mission.

5 REP. SCAVELLO: Agreed. Agreed.

6 In the governor's proposal, there's a
7 new cadet class. How many troopers do you
8 anticipate putting into the class?

9 COLONEL NOONAN: Well, we're going to
10 start with a hundred fifteen. We, generally, would
11 anticipate ninety to ninety-five graduating.

12 REP. SCAVELLO: One last question.
13 This probably is going to have to be researched and
14 hopefully someone can get back to me. I asked this
15 question to the secretary of Health the other day.

16 Our guys in Monroe, the Swiftwater
17 barracks does great job with the DUI stops. The
18 problem is, when they go to the hospital, the
19 hospital's claiming that we owe them about a half a
20 million dollars because of the drawing of the
21 blood. They've done such a fabulous job.

22 Who's going to reimburse the hospital?
23 And I have -- you know, to this point, I haven't
24 received an answer.

25 COLONEL NOONAN: I'll have to get you

1 an answer on that. We'll take a look at that. We
2 will get back to you.

3 REP. SCAVELLO: I appreciate that.
4 Thank you very much.

5 CHAIRMAN ADOLPH: Rep. Deb Kula.

6 REP. KULA: Thank you, Mr. Chairman.

7 Good morning, Colonel and everyone.

8 And I want to thank all of you. I, in
9 my former profession, I worked very closely with
10 the state police, and I know the job you do. I
11 know the tough job you have. And I appreciate all
12 you do for this Commonwealth.

13 I've been asked by a colleague in
14 another area of the state, from my area, to
15 question about the closing of the aviation unit at
16 the Williamsport Regional Airport. And, Colonel,
17 you testified a while ago as far as closings, that
18 you wanted to be open, you wanted to be up front,
19 you wanted people to know.

20 And I was sent many of the editorials
21 that were in the newspapers around that area. And
22 from what I'm reading from those articles -- and
23 this is just what I'm reading -- that there didn't
24 seem to be that openness in this instance. And
25 there seemed to be a lot of questions asked to the

1 governor's office as well as to the state police as
2 to why this was occurring. What was the reason for
3 moving the unit from Williamsport to State College
4 and Hazleton, rather than, maybe, moving personnel
5 to that Williamsport area?

6 I mean Williamsport, Montoursville is a
7 very rural area. And I do have some ties to the
8 area, with a son that's a deputy sheriff in
9 Lycoming County, a daughter and children and -- I
10 mean, grandchildren, that live in the Muncy area.
11 So I know the rural area. I know the amount of
12 Marcellus Shale that's going on in that area, that
13 seems to be a need for more, maybe, state police
14 protection, whether it's with aviation or on the
15 ground.

16 But I just, if you could answer. It
17 seems to me that they are not getting answers as to
18 why this occurred, was it a budgetary reason, is
19 there more of a cost savings by moving this
20 facility rather than moving a complement to kind of
21 man the plane and the helicopter. Could you just
22 enlighten everyone in that area, all of us here
23 today, as to why that occurred?

24 COLONEL NOONAN: Yes. I understand
25 there will be budgetary savings, and this is

1 actually the first of a plan that we have for our
2 air fleet. And we will be consolidating other
3 stations. We will eventually go down to five
4 stations, I believe, five hangars.

5 REP. KULA: So how many do you have
6 now?

7 COLONEL NOONAN: Seven -- six now. We
8 did have seven.

9 And the reason for this is -- but it's
10 not solely budgetary. We have -- we have airplanes
11 throughout the state, but we don't have enough
12 pilots to go twenty-four/seven. In fact, we were
13 only managing these stations from 8:00 to 4:00. So
14 if you needed some -- a pilot, as we did, we had an
15 Amber alert and we were trying to call out a
16 helicopter, but the -- we had to call four
17 stations, because to fly a helicopter at night, by
18 our rules, you have to have two pilots. In order
19 to find two pilots, get them down there, it took
20 quite a bit of time. So what we're trying to do is
21 get this so that the -- we have staffing throughout
22 the day by pilots. I don't have enough pilots to
23 staff all of the stations twenty-four/seven. I'm
24 hoping to get it to a point where I can at least
25 have, you know, sixteen-, eighteen-hour staffing

1 and twenty-four/seven staffing at some stations and
2 that was the primary reason.

3 Another reason is that eventually I
4 believe that, you know, as I look forward, many of
5 our helicopters are approaching twenty-five years
6 of age. And they -- they -- we keep repairing
7 them. They're expensive to repair, but,
8 eventually, as with anything, they wear out. And
9 so, what I'll be looking to do is perhaps trying to
10 leverage the reduction in some of those helicopters
11 so we can buy new helicopters and new airplanes.
12 It is not -- it is not the -- you know, I would
13 prefer just to be able to buy them, but there will
14 not be the money.

15 As the way it unfolded, it was
16 certainly a lesson for me as to how to do this.
17 And one of the reasons why I want to be open, I
18 found out that if you say it to one person what
19 you're going to do, the message gets way ahead of
20 you. And so you don't have an opportunity to go
21 and contact people because they already know about
22 it. So what we're trying to do now, as we go
23 forward, is to tell everybody when we've decided to
24 do something at the same time so that everybody
25 knows.

1 We have met with a number of
2 authorities up there and explained our reasons for
3 what we're doing. They don't agree with them. I
4 can understand that. But we have -- and with the
5 governor's office, and responded on many occasions
6 to why we are doing this. It's not just a
7 budgetary consideration, it's also an
8 availability. We need to be able to have our
9 aircraft in the air quicker and to respond quicker
10 to emergency situations, and that's the reason for
11 why we're doing it.

12 And we will try, in the future, as we
13 are continuing to consolidate some of these
14 hangars, meet with the legislators prior to meeting
15 with anyone else, so that they understand what's
16 going on first. But we've, since that time, tried
17 to explain it as best we can.

18 REP. KULA: And I would ask, from your
19 statements here today, if those responses could be
20 forwarded to this committee so that we can share
21 those with the representatives from that area, as
22 to the actual cost savings as well as the reason
23 behind what you have decided here.

24 It's my understanding this has already
25 happened?

1 COLONEL NOONAN: Yes.

2 REP. KULA: This is done, over with.
3 But I don't know, and I know you indicated that
4 there was a closing of a barracks, that you changed
5 your mind and put it back.

6 COLONEL NOONAN: No. No. It went
7 dark. We didn't man it during an eight-hour
8 period. Yes.

9 REP. KULA: From what I'm hearing, the
10 representatives in that area are not done kind of
11 talking with you and kind of reinforcing their
12 opinion that this was a vital component of their
13 area and we wish to keep it there, but I think any
14 information that you can provide them to as to how
15 this decision was reached, the money savings that
16 are involved in this, and that there was no other
17 recourse but to do what you did. And I think they
18 are deserving of those answers.

19 COLONEL NOONAN: Certainly. And we
20 have provided those in the past, and I would be
21 happy to provide it in the future. It is not
22 just -- it's not just the cost benefit, it's also
23 the benefit in staffing, and that is probably the
24 primary thing that we were looking, but I'd be
25 happy to do that.

1 REP. KULA: Thank you very much,
2 Colonel.

3 Thank you, Mr. Chairman.

4 CHAIRMAN ADOLPH: Thank you.
5 Rep. Pyle.

6 REP. PYLE: Thank you, Chairman.
7 Thank you, Colonel, for being here
8 today.

9 Much appreciated -- before we start, I
10 have to do the obligatory shout-out to the guys in
11 the Kittanning and the Indiana barracks who are
12 here.

13 COLONEL NOONAN: I know they're
14 watching. And they'll appreciate it.

15 REP. PYLE: They're great guys, all of
16 them.

17 On that line, I have a question,
18 Colonel. I appreciate the gentleman from Monroe's
19 interest in my fine-sharing bill, but there's a
20 slight difference in what you're projecting as
21 opposed to what was originally proposed. I don't
22 remember the part about buying equipment and stuff,
23 and what I am concerned about is that if we do
24 enable legislation for vehicle fine sharing in the
25 townships, where it will apply mostly, how much of

1 that money that we're actually going after in fine
2 sharing is going to be used to train the new cadet
3 classes? That was the focus, you know, and is my
4 focus.

5 COLONEL NOONAN: That was -- it's my
6 understanding, and of course I don't propose
7 legislation, but it was my understanding that, in
8 the governor's budget, that money was to go to
9 radios this year. Last year, I believe the
10 proposal was that it was going to go to cadet
11 classes, but that was not -- that didn't --

12 REP. PYLE: It didn't get off the
13 ground.

14 COLONEL NOONAN: It didn't get off the
15 ground.

16 This year -- when I talked to the
17 governor and the budget office and explained the
18 problem of the radio system, I believe that they --
19 that that's what brought this. It is for safety
20 equipment and for radio equipment. If we don't get
21 legislation or a funding stream for it, somehow or
22 another we have to have this radio system taken
23 care of. And that's -- if I don't get one message
24 clearly stated today, that's what we -- there is no
25 alternative to us not dealing with this radio

1 issue. And it's coming up at the end of this
2 year.

3 So -- but that was my understanding,
4 that this money was supposed to go to the radio
5 system.

6 REP. PYLE: That's -- stuff changes,
7 you know. It happens.

8 My question then, back to the shortage
9 on cadet troopers, it's widely spoken about within
10 the legislature that within the next five years
11 we're going to have a tremendous turnover on
12 troopers within the complement. I'm looking how
13 many cadet classes should we prepare to have to do,
14 because right now we're at that point, but if we
15 wait much longer, it's going to become obligatory
16 and, you know something that just kind of gets
17 forced on us.

18 How many retirements, as a percentage,
19 would you project going on over the next five
20 years?

21 COLONEL NOONAN: Well, we have -- we're
22 allowed to project a hundred fifty. We have a
23 thousand troopers right now that are eligible to
24 retire. So I would expect all thousand of them to
25 retire at some time within the next -- not all of

1 them, but most of them will retire in the next five
2 years.

3 REP. PYLE: Well, typically, how many
4 cadets will you train at one time, per se, in one
5 class?

6 COLONEL NOONAN: In one class, we
7 will -- we could go up to a hundred fifty in one
8 class.

9 REP. PYLE: So we could be six or seven
10 classes here, just to get you back up to your
11 allowed complement?

12 COLONEL NOONAN: Right. And what
13 scares me is that we have would have a massive
14 retirement. This is a contract year for the
15 Pennsylvania State Police. Now -- and that's where
16 you hear that, well, there could be a thousand
17 retirements because -- I mean, it could be. We
18 don't -- I don't anticipate that. I don't know.
19 It's an individual decision. So we don't know how
20 many we're going to have, but that's what we're
21 looking at.

22 And just also, along your point, it's
23 not that -- it's not like a civilian employee,
24 where I can just go out and hire somebody. It's a
25 six-month process in the academy, and then

1 afterwards, it takes quite -- another six months
2 before they're really ready to operate on their
3 own. And the background investigation, it's a very
4 lengthy process. It's something that we want to
5 try to get ahead of, if we possibly could.

6 REP. PYLE: It sounds like something we
7 ought to get hopping on very quickly, if we're six
8 or seven cadet classes down.

9 I want to shift gears, just for a
10 second, and change focus. Let's talk about PICS,
11 PA Instant Check System. This past weekend it went
12 down. I had numerous people at gun shows, trying
13 to buy rifles in legally licensed firearms shops.
14 Could you please tell me, what redundant system do
15 we have in place if PICS fails?

16 COLONEL NOONAN: Redundant?

17 REP. PYLE: Yes. If somebody goes up
18 to legally purchase a firearm in a store and PICS
19 is down, what can that person do to legally
20 purchase the firearm?

21 COLONEL NOONAN: You can't -- I don't
22 believe you can purchase a firearm --

23 REP. PYLE: So you have to wait till
24 PICS is back and operational?

25 COLONEL NOONAN: Right. Just to point

1 out, the PIC system wasn't down this weekend. It
2 was the JNET that was down. We checked with JNET.
3 And since that system was down, we had to do hand
4 searches. But it wasn't the PIC system, which is
5 currently being -- we're upgrading our computers.
6 I believe we're starting this week for that.

7 REP. PYLE: Not to be critical,
8 Colonel, but I'm one of those people who got caught
9 up in that PICS mess. Okay? Ordered a rifle, paid
10 cash for it before Thanksgiving, came in right
11 before Christmas. Went -- the store called me to
12 come pick it up. I went in there, all the
13 appropriate I.D., laid it on the counter, PICS was
14 down.

15 Now this was a couple days before
16 Christmas. I really wanted to have my hands on
17 this rifle. Okay? It's Christmas.

18 Thank you, Rep. Costa.

19 But, owing to the holiday, that gun
20 store then proceeded to give its employees time off
21 over the season, and this rifle that I had paid for
22 before Thanksgiving now pushed back past January.

23 When we came back into session early in
24 January, it added more weeks. And because PICS was
25 down, I had to wait another month to pick up

1 something that was legally mine.

2 So my question is, when PICS goes down,
3 how do you address people legally, lawfully buying
4 firearms? This has happened a number of times,
5 Colonel. Any time there's a big gun show or a
6 collectors' thing anywhere in the state, the whole
7 system crashes. It's happened too many times.

8 COLONEL NOONAN: We're trying to
9 upgrade our system, but the other systems that we
10 check on, I mean, I don't have control over, like
11 JNET or something like that. We are working hard.

12 We did a survey with gun dealers and --
13 because we were trying to increase and improve our
14 customer service to the gun shows and the gun
15 dealers. And I was happy -- actually, we had a 96
16 percent positive response from the gun dealers in
17 that survey.

18 We're working on it. We're trying to
19 get this done. It is a law in the state of PA that
20 we have to do these checks. You -- if the PIC
21 system does not -- is not in operation for whatever
22 reason or whatever the substance, you can't legally
23 buy a firearm in the state of PA. We have to do
24 the check.

25 REP. PYLE: I normally find myself in

1 cahoots with PSP a hundred percent of the time, but
2 I'm going to nibble into that a little bit.

3 There's currently legislation pending
4 in the PA House that says if PICS is inoperable, we
5 automatically revert back to the federal National
6 Instant Check System, NICS. PICS, NICS. If PICS
7 goes down, we go to NICS. Just letting you know,
8 if you --

9 COLONEL NOONAN: Sure.

10 REP. PYLE: -- can't get PICS fixed and
11 it's -- boy, that's a mouthful, PICS, NICS, fix --
12 but, if you can't get that fixed, I can see that
13 legislation having a little bit of traction.

14 And what is your take on that?

15 COLONEL NOONAN: Here's the -- after
16 three days, if PICS were to be down for three days,
17 which I don't think it has been, you know, but if
18 it ever is down for more than three days, then we
19 do revert -- you can just do the NICS check now.

20 The only concern I have -- and
21 understand, there's a law. We're the ones charged
22 with doing this with the PIC system, and we try to
23 do it the best we can. There are a number of
24 checks that PICS does that NICS does not do. And
25 what we're always -- I know, what the worry always

1 is that someone will slip through, not like
2 yourself, that should have gotten a gun, but
3 somebody that would not normally be entitled to it
4 will get it, and that is our question.

5 But I would be happy to work with
6 anyone to make the PIC system better. That's what
7 I want to do.

8 REP. PYLE: Rep. Costa might disagree
9 with you on that one about me being able to go into
10 the NICS system. But anyway, on that matter, I see
11 Rep. Christiana's not here. I know he has a couple
12 questions he wants to ask, so I'll sit down.

13 Thank you, Mr. Chairman.

14 CHAIRMAN ADOLPH: Thank you,
15 Representative.

16 I'd like that acknowledge the presence
17 of Rep. John Bear, of Lancaster County.

18 And chairman.

19 REP. MARKOSEK: Also Rep. John
20 Sabatina, a member of the committee, as well as
21 Rep. Tim Mahoney, who is also a member of the
22 committee, are both here.

23 Thank you.

24 CHAIRMAN ADOLPH: Thank you.

25 The next question will be offered by

1 Rep. Paul Costa.

2 REP. COSTA: Thank you, Mr. Chairman.

3 Colonel, thank you for being here.

4 Just know that my ire is not directed
5 at you or your troopers. I think you all do a
6 fantastic job, and I want to thank you for the
7 service that you do for our state.

8 But my issue is with the system. And
9 we've talked about this before, about areas that
10 you have to patrol because they do not and how much
11 that costs.

12 Now -- excuse me -- I represent fifteen
13 municipalities, two of them actually pay other
14 municipalities to be their police force. Again,
15 and we talked about them throwing up their hands
16 and saying, I'm done.

17 In these times where it's getting
18 tougher and tougher and the state is giving less
19 and less money to these municipalities -- I spoke
20 to the mayor of Braddock this morning. There's
21 \$500,000 that they pay for their police
22 department. That's 25 percent of their budget. I
23 -- prior to being here, I was a commissioner at
24 Wilkins Township, and the last budget I did, in
25 1999, over \$1 million of our budget went to the

1 police department. That was one-third. So we're
2 looking at anywhere from 20 to 35 percent of these
3 local municipalities' budgets are directed towards
4 police.

5 How do we stop them from throwing their
6 hands up and asking you to patrol them when, you
7 know, it's getting harder and harder for them to
8 hold their line on taxes?

9 COLONEL NOONAN: That's a very
10 difficult decision and one that keeps me up at
11 night.

12 The -- the smaller communities that
13 throw up their hands and we have to take over,
14 understand that we have no choice. If a
15 municipality disbands their police department, we
16 are obligated to patrol that area.

17 What scares me is larger communities.
18 As you know, many -- many of the larger areas in PA
19 are in distressed status. What worries me, if one
20 of these larger towns throws up their hands and
21 gets rid of their police department, because we
22 would be obligated to take that over. And I don't
23 know -- there's only so far you can stretch a
24 rubber band. I don't know what we do in that
25 regard. But it's something we're watching.

1 As you probably know, we are the
2 primary police department for 70 percent of the
3 municipalities in PA. So that is a big
4 responsibility for us, and how we address it is
5 beyond my pay grade. But it is a problem that I'm
6 certainly aware of.

7 REP. COSTA: And there are large
8 municipalities in Westmoreland County that, as you
9 know, you have to patrol. But what if someone like
10 Pittsburgh, like you said, Philadelphia, you
11 couldn't do it. That's why I've always supported
12 that I thought that these municipalities should pay
13 some kind of fee, and it should go to your budget,
14 which would, hopefully, relieve some of the \$500
15 million that you're getting from the motor license
16 fund, that we can put that actually into roads and
17 bridges.

18 But do you have an idea how much you
19 spend on those -- now, granted, I know there's
20 small municipalities, you know, rural areas where
21 they really don't even need a police department. I
22 can understand that. But when you have
23 municipalities that have over 4 to 5,000 and above
24 that are using your services, do you have an idea
25 what that costs to the taxpayers?

1 COLONEL NOONAN: I will have to get
2 that to you, Representative. I don't know that off
3 the top of my head. We don't keep figures. We'd
4 have to have somebody look into that.

5 REP. COSTA: Thank you very much.

6 And, again, thank you for your service.

7 COLONEL NOONAN: Thank you.

8 REP. COSTA: Thank you, Mr. Chairman.

9 CHAIRMAN ADOLPH: Thank you,
10 Representative.

11 I'd like to acknowledge Rep. Mike
12 Vereb, who has arrived.

13 And the next question will be offered
14 by Rep. Mauree Gingrich.

15 REP. GINGRICH: Thank you,
16 Mr. Chairman.

17 Welcome, Colonel, staff.

18 As you know, I come from a long line of
19 state police family members, with more to come, we
20 hope, although I'm a little nervous now here,
21 talking about the cadet classes, having several
22 generations in my family, and now two nephews are
23 actually testing, recent graduates. So we're
24 hoping that we're able to fill this complement,
25 both for your sake and for our public safety.

1 Of course, my colleague, Rep. Costa,
2 opened the discussion about municipal police
3 departments or lack thereof, which lead me to ask
4 the question regarding one of your very important
5 responsibilities, and that's municipal police
6 training. To me, that's incredibly important.
7 Having been a bureau counsel member and president
8 with oversight for a municipal -- fairly large
9 municipal police force, I realize the value in
10 that.

11 Now, this budget proposal shows some
12 changes there. And there was a decrease in the
13 amount of money going into that, I think it was
14 3.5 percent. So, you know, it's a bit of a number
15 to deal with.

16 But am I correct in understanding that,
17 as a result of Act 50 from 2009, it is now the
18 responsibility of the municipality to pay for that
19 training? Am I correct that that's how that's
20 working?

21 COLONEL NOONAN: You are absolutely
22 correct.

23 REPRESENTATIVE GINGRICH: Okay. So now
24 we're looking at the municipalities' additional
25 expense on the heels of what Rep. Costa just was

1 addressing and potentially more reason for them to
2 move away from the municipal responsibility. But
3 when my state police commissioner says he's scared
4 that makes me scared, by the way, when you use that
5 term of how is this going to evolve.

6 I guess what I want to ask you, since
7 you obviously can't change any of that directly, do
8 you anticipate any impact on the quality of
9 training? This is so key to those of us who have
10 worked with municipal police forces as well.

11 Any of these changes, do you
12 anticipate -- oop, threw my pen away -- double-fold
13 problems as a result of that change?

14 COLONEL NOONAN: Well, as the strain on
15 municipalities, and having forty years of
16 experience in law enforcement, one of the first
17 items anybody ever cuts is training, so I stand
18 that in those local departments, that training
19 becomes a big issue as far as any of them goes.

20 Now, what we're doing as far as MPOETC
21 goes, which is the entity that we are members of
22 and run, we're going to the -- we're trying to move
23 towards more online training, so that would not be
24 quite as expensive. Where the cost comes in to the
25 departments is that they have to cover their

1 municipalities, have to have officers there, and
2 then send them to this training. So what we're
3 trying to do is put courses online so that maybe
4 they wouldn't take so long, that could just hook up
5 to a computer, and that's one of the things that
6 we're doing.

7 But I have had -- I have numerous
8 friends in mind that are chiefs of police, and many
9 of them complain about the fact that they now have
10 to pay for this training. It's a requirement,
11 though. There are twelve hours that every
12 municipal police officer in PA have to take. They
13 have to attend in order to continue their
14 certification.

15 So that is a problem for them, but, you
16 know, it's one we're trying to alleviate as much as
17 we can.

18 REPRESENTATIVE GINGRICH: Public safety
19 now being taught on cyber school environment.

20 COLONEL NOONAN: It's the wave of the
21 future.

22 REP. GINGRICH: And not so much the
23 future; it's right now.

24 Let me just swing back quickly to the
25 lab support, which seems to be a hot topic here

1 we're all concerned about, and relating that to our
2 local municipalities and their own police forces.

3 How do you feel about or is there a
4 problem with or is there even a lot of evidence
5 that some of the smaller municipalities are using
6 private lab services? And how does that factor in
7 for you?

8 I mean, with the time delay and the
9 backlog, I think that's a legitimate question.

10 COLONEL NOONAN: Well, yes. Smaller
11 departments, probably not because they can't afford
12 private laboratories, but some of the larger -- if
13 you have a suspect, and you want to go to a private
14 laboratory, things like that, then you might get a
15 much quicker turnaround. It's expensive; ours is
16 free. You know, it does cost money.

17 I don't see that as being a big trend,
18 but that may -- that is something that's happening
19 but most municipalities still use the state police
20 laboratories. And that is --

21 REP. GINGRICH: I'm --

22 COLONEL NOONAN: -- by far, the bulk of
23 evidence goes to them.

24 REP. GINGRICH: Yeah. And the reason
25 I ask that is, too, with the proposed legislation,

1 should it move forward with expanding DNA testing,
2 then we really have a critical challenge.

3 COLONEL NOONAN: Correct.

4 REPRESENTATIVE GINGRICH: Thank you
5 very much for being here. And thank you for all.
6 You do keep us safe. And stay safe yourself.

7 CHAIRMAN ADOLPH: Thank you,
8 Representative.

9 Next question will be by Rep. Cherelle
10 Parker.

11 REP. PARKER: Thank you, Mr. Chair.

12 And welcome, Colonel, and to members of
13 your team.

14 I, too, need to just start by giving
15 you a huge thank you for your efforts in
16 Philadelphia. When I first arrived here in '05 and
17 '06, the state police in southeastern PA were under
18 a huge amount of pressure. All of the daily papers
19 were writing about the lack of diversity within the
20 department. After several, you know, budget
21 hearings and communicating with the department, you
22 all -- I don't know how you've managed to maintain
23 your efforts in recruiting, but you actually serve
24 as a model for the rest of the Commonwealth. And
25 if there was any training and, hopefully, you

1 wouldn't make other departments pay for it, but you
2 should teach them how to do what you do, from John
3 Jay and others. So thank you.

4 The Philadelphia barracks, Trooper Dana
5 Austin (phonetic) -- just have to say it for the
6 record, I know I mentioned it earlier, but I had to
7 call and get the name because I forget it --
8 they're extremely active in helping to improve
9 community relations between the state police along
10 with the community. You know, we see our local
11 officers quite often. They get to learn the names
12 and the faces, but they are also in our community,
13 so we appreciate that.

14 I want to start with the Belmont Avenue
15 barracks. Rep. Vanessa Lowery Brown is here. And
16 the barracks are actually in her legislative
17 district. And she wanted to know if there were any
18 future plans and/or the status of any capital
19 improvements or any adjustments that were -- are
20 being planned for the Belmont barracks.

21 MAJOR SNYDER: Actually, the plans for
22 construction of the new Belmont barracks have been
23 finalized. And there's some negotiations between
24 the city and the Department of General Services
25 that are continuing in an effort to get that

1 project moving forward.

2 REP. PARKER: Okay. We thank you for
3 that.

4 And if I could just ask that since Rep.
5 Brown represents that area, anything that you all
6 could do to reach out to her to ensure that those
7 who directly represent that area have some
8 knowledge and maybe they could be of assistance in
9 helping the project move along, please try your
10 best to keep her informed, if you will.

11 My final question is: In regards to
12 the School District of Philadelphia, along with
13 center city and what you do along 76. Let me ask
14 you, have you seen or have you had any interaction
15 on any of our major highways in Philadelphia with
16 the School District of Philadelphia's police
17 department in any actual pursuits? So does our
18 school police, have they ever had to call on the PA
19 State Police for assistance? And I ask you because
20 I wanted -- I need the information for something
21 else that we're working on. It came up in a
22 meeting one day, and I said, That doesn't sound too
23 correct.

24 MAJOR BIVENS: I'm not aware of any
25 instances of that, but we can certainly look into

1 that and confirm and get back to you.

2 REP. PARKER: Okay. And that concludes
3 the questioning, but thanks so much for your work,
4 and keep the recruitment and retention efforts up.
5 We want the PSP to look like PA, more women, much
6 more diversity, and anything that we can do in the
7 Philadelphia delegation to assist you, know that we
8 are here.

9 COLONEL NOONAN: Thank you very much.

10 CHAIRMAN ADOLPH: Thank you,
11 Representative.

12 Rep. Scott Petri.

13 REP. PETRI: Thank you, Mr. Chairman.
14 And thank you, gentlemen, for being here.

15 I wanted to ask you some questions.
16 What is the current complement and what is the
17 composition between the various functions? Maybe
18 you can help identify that.

19 COLONEL NOONAN: It's -- our current
20 complement is 4282 right now. And I don't know --
21 how many troopers do we have on the road? There's
22 so many different jobs that we have in the state
23 police, it would be difficult for me -- the
24 majority of them are troopers on the road. That's
25 the majority of what we do. And that is our number

1 one priority. But we have -- as we have -- we have
2 an awful lot of different jobs. We have people
3 doing all different kinds of things.

4 REP. PETRI: Okay. Now, how many of
5 those officers are LCE officers?

6 MAJOR BIVENS: There are about a
7 hundred forty LCE officers and another thirty,
8 thirty-five that are supervisors.

9 REP. PETRI: Of those -- of the work
10 that's done by the LCE -- and you may or may not be
11 able to identify it today -- but can you tell us
12 the types of cases that the LC officers are
13 investigating? You know, are they a division
14 between illegal minors, serving of illegal minors,
15 how many cases were investigated with regard to
16 illegal drug activity at nuisance bars, and then
17 how many are, what I would consider, more moderate
18 issues, such as complaints by neighbors, sound from
19 amplification and the like? Do you have those
20 kinds of figures?

21 MAJOR BIVENS: We can certainly get
22 those figures for you as far as percent breakdown,
23 but I can tell you that they are involved in a wide
24 range of investigations, everything from nuisance
25 bars, underage drinking complaints, you know, on up

1 through gambling investigations and anything in
2 between.

3 REP. PETRI: Have the state police
4 considered whether it would be appropriate, in
5 order to maximize their manpower, that they require
6 the municipalities to enforce things like what are
7 typical neighbor disputes, such as noise from
8 operations, licensed activities, and remove itself
9 from the responsibility of dealing with those
10 issues? And how would you feel about that?

11 MAJOR BIVENS: There are actually some
12 concerns with that. First of all, most of the
13 violations are administrative violations that the
14 municipal police are not trained for, so it would
15 require significant amount of additional training
16 of those agencies. Secondly, because some of those
17 violations lead us to look further and to take
18 other enforcement action, unless the municipal
19 departments were prepared to take on the whole
20 range of liquor enforcement, it's problematic to
21 just kind of nibble off at the edges, if you will,
22 and take pieces of it away.

23 But even to have that function
24 transferred over to the municipalities is a
25 concern, in that many of the investigations involve

1 undercover operations. Very difficult for many of
2 the municipalities that have small departments of
3 just a few people to conduct those kinds of
4 investigations within their respective
5 municipalities.

6 REP. PETRI: Okay. I would ask that if
7 you can give to the chairman something,
8 particularly on the LCE operations, because, again,
9 my concern is that we're putting our emphasis in
10 the right spots or what I believe to be the right
11 spots, and that is, illegal activities under the
12 crimes code, as opposed to something that I believe
13 a particular municipality should enforce, and that
14 would be noise ordinances and the like.

15 Is the state police, does the state
16 police have a position -- currently it's my
17 understanding under law, neither the state police
18 nor any municipality is allowed to cover -- recover
19 for transportation costs when -- when law
20 enforcement transports defendants from one location
21 to another, such as the court appearance. It's my
22 understanding we cannot recover that cost through
23 the clerk of courts, and that, therefore, the
24 taxpayers are paying for that.

25 Was the state police aware of that?

1 And do you have a position as to whether that
2 should be immediately changed? Because I can see
3 how much we're all struggling to pay costs.

4 COLONEL NOONAN: I'm not aware of
5 exactly -- I know we don't recover the costs. I
6 don't know that we've tried to recover the costs or
7 that we could. But I'd have to look into that and
8 get back to you.

9 REP. PETRI: Yeah, if you would. It's
10 my understanding that there's a court case that
11 says, because the language didn't include certain
12 items of recovery, that we're not allowed to
13 recover. And I think it may even include, unless
14 we fixed that at one point in time, DNA evidence,
15 but I know the transportation costs are not
16 recoverable. And that just seems improper to me,
17 that if, in fact, you're convicted and that's a
18 cost of prosecution, that that should be cleared
19 up.

20 With respect to the lab issue, has the
21 state police contacted any county labs or those
22 counties that do have labs that can perform DNA, to
23 find out whether they could help you with some of
24 the backlog?

25 COLONEL NOONAN: Well, see, here's the

1 issue with that. The -- we do the testing for the
2 DNA. If we sent it somewhere else, we'd have to
3 test it, send it to them, they test it, then when
4 it comes back, we have to retest it, so it doesn't
5 really aid us. Plus we are the -- we have, by far,
6 the biggest database, so sending to it a county
7 doesn't really help us because we're still going to
8 have run that test against our database. So we
9 have not looked into that, although some of the --
10 once again, as with the county laboratories, if you
11 have a suspect that you want to check it against,
12 you might get a much quicker response, then, going
13 to a county lab, where you can say, Check it
14 against John Doe, than sending it to ours and say,
15 We don't know who it is. Check it against
16 everybody. Because we have everybody.

17 REP. PETRI: And I agree, it would only
18 be a temporary solution, at best, and it's
19 certainly riddled with problems. And I share my
20 colleagues' concerns on this issue. It's probably
21 a, in my opinion, at this point, a core function
22 that's done by any investigatory body, and whatever
23 you need in that regard, we're probably just going
24 to have to do.

25 You mentioned earlier that there was a

1 cadet class that had been appropriated and then it
2 didn't come to be. What happens when a cadet class
3 doesn't come to fruition and it's part of the
4 budget line items? What happens to that money or
5 funding?

6 COLONEL NOONAN: That money was placed
7 into budgetary reserve. And so that was removed
8 from our budget. What's going to happen to that
9 has yet to be determined.

10 REP. PETRI: Okay. So, as I understand
11 it, it is in the reserve, but not yet reallocated
12 for that purpose.

13 COLONEL NOONAN: That's correct.

14 REP. PETRI: Okay. Well, it seems like
15 that would be appropriate, that if there's money in
16 reserve, that's the first place we ought to go to
17 pay for our cadet class.

18 Do you know how much is in reserve?

19 COLONEL NOONAN: Six to 7 million.

20 REP. PETRI: And where is that, where
21 would one find that reserve? Is it -- you know,
22 it's obviously not in this room, but where would
23 one find it?

24 COLONEL NOONAN: I don't have it. It's
25 in the budgetary -- wherever they keep the

1 government money, it's all stuff. I don't know.

2 REP. PETRI: Well, thank you for your
3 testimony.

4 CHAIRMAN ADOLPH: Thank you.

5 Rep. Ron Waters.

6 REP. WATERS: Thank you. Thank you,
7 Mr. Chair.

8 Thank you for all the state police
9 officers who are here and to you, Colonel.

10 I want to talk to you about the -- in
11 the past -- and I want to thank you for this --
12 some of your officers that come to visit me -- I am
13 also the chair of the PA legislative black caucus,
14 and they come to talk to me about how to do
15 outreach to make the state troopers more diverse.

16 And so we have some information, some
17 interaction with your officers, so we can then put
18 the information up on the websites, to help out
19 with your outreach efforts to try to get the
20 information out there in a timely way, so that the
21 people could be aware of employment opportunities.
22 So I want to, first, thank you for you that.

23 The other issue I want to talk to you
24 about is, because of the lack of diversity that
25 currently exists and historically has existed, how

1 effective can you be when it comes down to
2 enforcing nuisance establishments, like liquor --
3 places that sell liquor, when you want to send in
4 an undercover agent? And as you are full aware, it
5 helps to send someone in to be to part of the
6 crowd, so they can observe, but they also look like
7 the community that they're going into to
8 investigate. And so how has that been able to help
9 or not be helpful in terms of your investigations?

10 COLONEL NOONAN: That's extremely
11 important and in many ways, not just in working
12 undercover, but also approaching various
13 communities, that people are more comfortable
14 looking at somebody that looks like them and
15 talking to them. So that is one of the reasons why
16 we have emphasized our minority recruiting and our
17 female recruiting. And, hopefully, the numbers, I
18 believe, in this upcoming class, will reflect those
19 efforts. And that's what we have to do.

20 One of problems that we run into is
21 the -- there were several -- about a year and a
22 half, two years, where we didn't hire anybody,
23 right before I came -- became commissioner. And
24 then -- so we have spotty hiring. So we have
25 lists, and we our lists are always really good. I

1 mean, we have high -- we have -- I think the last
2 one I was looking at was about 20 percent
3 minorities that were eligible, but by the time we
4 get around to hiring, that particular number
5 dwindles rapidly.

6 So it's a challenge, but one we intend
7 to meet. We are putting an awful lot of efforts
8 into making sure that PA State Police reflects our
9 community.

10 REP. WATERS: That's good. And thank
11 you, again.

12 As I look at the chart that you have on
13 display over here with the red and the blue, and
14 the blue representing the complement that you wish
15 to have, and the red being the reality. It appears
16 that over, I guess, the last five or six years, the
17 blue far exceeds the red. And that pretty much
18 coincides with the same time that the gaming was --
19 came on line here in the state. And I know that
20 you have lost some police officers who now work in
21 the gaming institutions.

22 Do you believe that that has had any
23 effect, no matter how much, in terms of your less
24 complements of state police?

25 COLONEL NOONAN:

1 MAJOR BIVENS: It really does not
2 impact our complement. Those positions are over
3 and above our normal authorized complement, so if
4 the gaming function went away, those positions go
5 away as well.

6 It does present challenges when we're
7 not hiring to staff those positions, along with any
8 other positions. But it really doesn't benefit us
9 to lose that function.

10 By law, we're still required to enforce
11 any violations on the gaming floor, so even if
12 those positions go away, it just takes away, then,
13 from our presence in the counties, because then we
14 have to send a car from the county station and have
15 them perform that function as needed.

16 REP. WATERS: Earlier, I heard you also
17 speak about the training that is involved with --
18 when you hire a new officer, the background checks,
19 the training, the six months of training, the --
20 you really develop a very quality product at the
21 end. Excuse me for using the word "product", but
22 you really develop what I call a very outstanding
23 law enforcement officer.

24 And the -- but the work that goes into
25 that, when you have people who leave and go -- and

1 work in the casinos, they are now hiring somebody
2 who has been fully trained. They don't have to
3 train this person, for the most part, maybe just
4 for casino operations, but in terms of you bring --
5 you're already bringing in a well-prepared person
6 to your operation.

7 What -- do you get any reimbursement
8 from the casinos for that type of trained employee?

9 COLONEL NOONAN: No, we do not. We --
10 we get their salary and benefit packages paid for,
11 but we do not get any reimbursement for the
12 training that they've already received or that we
13 give them for -- to be on the gaming floor.

14 REP. WATERS: Okay. So I think that
15 that might be something that should be considered.
16 I don't know how much that might total in terms of
17 revenue, but I would guess it has, because the
18 casinos operate independently -- not independently
19 of the regulations, but they are -- they generate
20 their own revenue. It wouldn't be coming from
21 taxpayers. Right? Taxpayers are losing on one end
22 if -- when that investment went into preparing that
23 officer and now that officer and that experience is
24 now went to the casino operations.

25 The other point I wanted to talk about

1 is, very briefly, you mentioned the radios and
2 walkie talkies. And I know my colleague, Scott
3 Conklin had talked earlier about safety for the
4 officers. And as someone that used to work for the
5 enforcement department in the city of Philadelphia,
6 I know how important it was when I was in, maybe,
7 the Roxborough section, Manayunk areas, where I
8 lost radio communications, and I was working at
9 night many times. I was working for the parking
10 authority, I guess I ought to put that out there.

11 And you sometimes find yourself in a
12 confrontational situation when you're out there
13 writing parking tickets. And I know that I wanted
14 to be -- I wanted to be able to call backup or
15 police if I needed it or the officers that I
16 supervised needed it, too.

17 So when we talk about your -- the radio
18 frequency or just because the towers don't allow
19 transmissions to happen in certain parts of the
20 state, I believe it's going to be critical that we,
21 as legislators and members of the appropriations
22 committee, do everything we can to make that
23 problem go away as quickly as possible for your
24 benefit and for the -- and for the benefits of
25 citizens who depend on you to come to their

1 assistance.

2 COLONEL NOONAN: Thank you very much.
3 I would certainly appreciate and need your support
4 as well as everyone else in this very important
5 issue.

6 REP. WATERS: Okay. Thank you,
7 Mr. Chairman.

8 Thank you.

9 CHAIRMAN ADOLPH: Thank you,
10 Representative.

11 The next question will be by Rep. Tina
12 Pickett.

13 REP. PICKETT: Thank you,
14 Mr. Chairman.

15 Colonel, at first, a couple more
16 details on the complement of troopers. These may
17 have been mentioned today, but I just don't seem to
18 know those details. No budget restrictions, how
19 many cadet classes could you manage for a year?

20 COLONEL NOONAN: Well --

21 MAJOR HILL: Good morning. Four a
22 year. About three hundred fifty cadets graduating
23 to troopers is what we'd like to see on a regular
24 basis.

25 REP. PICKETT: Okay. And how much does

1 it cost to do one cadet class?

2 MAJOR HILL: About a hundred thousand
3 dollars per cadet for a year's worth of training
4 and salary.

5 REP. PICKETT: Okay. Thank you.

6 Another thing I'd like to talk about
7 for a minute is the commercial vehicle
8 inspections. I am, of course, in the north, where
9 we have the advantage of having a lot of Marcellus
10 Shale activity, but it's also the land of 80,000-
11 pound trucks and oversized loads.

12 I have had comments on both sides of
13 this. People concerned about, of course, road
14 safety and the number of trucks on the roads. Are
15 they safe? Am I okay out here driving with them?
16 To the complaint on the other side, from
17 overaggressive inspections and same truck being
18 stopped two or three times in a given day, making
19 it hard to complete their business day.

20 Could you comment a little bit on where
21 you are with all of that? And I notice that you
22 are level funded on that. Is that not too much,
23 not too little? Is it good in relationship to all
24 of the activity that we have throughout the state,
25 not just in my area, on large truck activity with

1 Marcellus Shale?

2 COLONEL NOONAN: Well, in particular,
3 we -- in the Marcellus Shale area, because of the
4 increase in population and incidents that have
5 resulted because of that, we've added about twenty-
6 five troopers to that area. Now, that did not come
7 because the incidents went down in other areas, it
8 came because there was such a big increase in
9 Marcellus Shale so we had to take places.

10 We have also put our heavy vehicle
11 enforcement, we've put more people up there.
12 There's more trucks. So -- and know that -- I hear
13 it -- I hear complaints all the time. We're doing
14 too much; we are not doing enough.

15 We're trying to enforce the laws up
16 there. It's -- it is a growing, changing situation
17 for all of us. And we're certainly looking for
18 feedback from both the industry and the people that
19 live in that area as to what we can better, but for
20 right now, it -- it certainly got our attention and
21 we are looking to deal with that issue and that
22 area in the way it deserves, because it's changing
23 and it probably will continue to change quite a
24 bit.

25 REP. PICKETT: Thank you. I do

1 appreciate the fact that when I have someone call
2 me on either side of that issue, that I'm able to
3 get responses from your department, so thank you.

4 COLONEL NOONAN: You're welcome.

5 CHAIRMAN ADOLPH: Chairman.

6 REP. MARKOSEK: Thank you, Chairman.

7 For the information of the members and
8 guests, we have with us today the former chief of
9 police of the city of Pittsburgh, now state
10 representative Dom Costa.

11 Welcome.

12 CHAIRMAN ADOLPH: Thank you.

13 And welcome.

14 Rep. Mike O'Brien, of Philadelphia.

15 REP. O'BRIEN: Thank you,

16 Mr. Chairman.

17 And good morning, Colonel. I'm over
18 here.

19 We have vetted out LCE pretty good here
20 this morning, so just a brief comment, if I may.
21 My district includes the old city of Philadelphia,
22 which is one of the highest concentrations of
23 liquor licenses in the nation. And I simply want
24 to say that considering the vast territory and the
25 vast number of licenses, that Sergeant LeTort

1 (phonetic), of your complement in the southeastern
2 area, has -- they do one heck of a job. They truly
3 do one heck of a job.

4 Very pleased to see that there's an
5 increase of 1.6 percent in the budget. Wish that
6 it were a heck of a lot more, certainly the need is
7 vast, but you guys do a good job with what they
8 have.

9 Thank you for your service.

10 COLONEL NOONAN: Thank you.

11 CHAIRMAN ADOLPH: Thank you.

12 Rep. Martin Causer.

13 REP. CAUSER: Thank you, Mr. Chairman.

14 Welcome, Colonel.

15 My question deals with your
16 communication system. And I know that you have
17 identified today that that's one of top issues,
18 along with your complement. And before coming to
19 the legislature, I was a municipal police officer,
20 so I know how important communication is. In the
21 rural area that I come from, McKean, Potter County,
22 very rural, and I know how important communications
23 is there.

24 And maybe it's a little bit confusing
25 to your earlier questioning about how we go

1 forward. I know that you have the 800-megahertz
2 system. I know it's been problematic.

3 We've heard it here in the legislature
4 for a long time. And, you know, up in my area,
5 it's very spotty coverage. I also know that you
6 have the older VHF system. I heard you talk
7 earlier about needing to go to new radios.

8 Maybe you can explain further, you
9 know, how do we move forward? Do we try to improve
10 the 800-megahertz system? Do we continue to rely
11 on the VHF system? Do we go to a new VHF system?

12 I know that in my area, even the old
13 VHF system didn't always work that great.

14 So maybe you can give us a little more
15 information on how we move forward.

16 COLONEL NOONAN: Certainly. I'd be
17 very happy to.

18 The VHF system we have now, which is
19 our backup, called our Legacy system, that's been
20 in operation for almost twenty-five years, still
21 works but the FCC is pulling the frequencies. So
22 that goes away at the end of this year. And that's
23 our backup radio system. But in many of the rural
24 areas, that system outperforms the 800-megahertz,
25 just because 800-megahertz is line of sight, VHF

1 goes around.

2 What we're proposing and what we intend
3 to do is go to a narrow-banded VHF system, and --
4 that's important to get moving on because that's
5 our most immediate problem. The 800-megahertz
6 system, the radios that we have from Harris will
7 not be supported within the next year. In other
8 words, they're like a computer, just like your old
9 computer, sometimes, you know, Microsoft or Dell,
10 they don't cover it anymore. They have new ones.
11 Well, that's what's happening to us.

12 And so we'll be having to make a
13 decision. Now, OA is the organization that's in
14 charge of the radio system, I know they're studying
15 about the 800-megahertz system. It's a big
16 decision whether we continue with that, buy new
17 radios for the 800-megahertz system, or that we
18 move to another system. That's a decision that
19 they're -- I know that they're studying now.

20 But that's our second problem. Our
21 first problem is that backup radio. If we had not
22 had a backup radio in the northern tier during the
23 flooding, we would have had a real problem on our
24 hands. I mean, we had -- we were the first ones,
25 generally, responding to problems and getting

1 motorists off the highway. And where there are
2 problem areas, we have to be able to dispatch our
3 troop.

4 It's the life's blood of the PA State
5 Police is our communications. If we can't talk to
6 our trooper cars, especially out in areas like
7 where you come from, their -- their effectiveness
8 goes way down because they don't know where the
9 problems are.

10 So it is a big issue and one that we're
11 very concerned about.

12 REP. CAUSER: So you see the solution
13 as a new narrow-band VHF system in all your
14 vehicles, and using the 800-megahertz system as
15 more of a backup for data, is that --

16 COLONEL NOONAN: No. I would not say
17 that the 800-megahertz would be the backup. The
18 narrow-banded VHF would be still the backup,
19 although there are some areas where the
20 800-megahertz system does not perform because of
21 geography, we would probably use the narrow-band
22 VHF radios for our primary, but that's a very good
23 possibility.

24 As you know, the 800-megahertz system
25 is a system that provides our data. One of the

1 nice things about data transmission, so if you do
2 hit a dead spot where you can't transmit, the data
3 stays there until you hit a repeater that it does
4 work, so the data is then transmitted. You know,
5 so there's some delay, but it's voice communication
6 that is our primary concern, so that we can get the
7 word out. And if somebody needs our assistance,
8 that we can know about it immediately.

9 REP. CAUSER: I guess my question was,
10 you know, making sure we have dependable
11 communication. So that the primary method is a new
12 VHF system, and we'll still have the 800-megahertz
13 system, I guess, for now, but with the priority
14 being having a dependable system.

15 What do you estimate the cost being to
16 be able to put these -- this new VHF narrow band
17 system in place?

18 COLONEL NOONAN: Well, it's about \$20
19 million if we purchase. If we lease, it's about \$6
20 million dollars a year. So that's the cost.

21 REP. CAUSER: Okay. Thank you,
22 Colonel.

23 Thank you, Mr. Chairman.

24 COLONEL NOONAN: Thank you,
25 Representative.

1 You learn something new every day. I
2 never knew Rep. Causer was a former municipal
3 police officer. So, interesting.

4 Rep. Matt Smith.

5 REP. SMITH: Thank you, Mr. Chairman.

6 And thank you, Colonel.

7 And thank you all for all that you do
8 for our Commonwealth every day. It's much
9 appreciated.

10 Just had a quick question. It was
11 discussed earlier that the texting ban will take
12 effect on Thursday, and I know, Colonel, you were
13 instrumental and at the forefront of supporting
14 that ban. And I do think it's a huge step forward,
15 but I also think we need to do even more and go for
16 the full ban on hand-held cell phone use while
17 driving as well. And I know that is part of an
18 earlier version of a Senate bill that was removed
19 at some point.

20 Can you offer your thoughts on going
21 that extra distance in banning hand-held cell phone
22 use in addition to banning texting while driving?

23 COLONEL NOONAN: Well, this is
24 something that I do want to study. One of the
25 other things that I'm curious about, too, is,

1 because we banned texting, but we did not ban
2 surfing the web. You know, I mean, it's -- or
3 sending e-mails, which seems to me to be sort of
4 the same thing.

5 So those are all areas. I want to see
6 how this law works out, what kind of effect we
7 have. I'm especially hopeful that -- that we'll be
8 able to teach the youth it's against the law and to
9 prevent it. To me, a great example was, I'm old
10 enough that there used to be not any seat belts,
11 and I didn't wear seat belts when they started
12 out. But my kids were going to school, and every
13 day they would come home, Daddy, you're not wearing
14 your seat belt. That's what I'm hoping for, that
15 we can teach people these things. And then take a
16 look at that, about the ban on cell phone use.

17 I want to see exactly how much
18 difference this texting law makes, whether we have
19 the impact that I hope we do.

20 REP. SMITH: Is that something that you
21 discussed with your counterparts in other states
22 that have enacted either a texting band and/or a
23 hand-held cell phone ban or a combination of both,
24 that it does change, like you mentioned, the seat
25 belt, and sort of the cultural change, if you will,

1 for lack of a better way to say it? That once this
2 is in effect and people know it's part of their
3 day-to-day activity in terms of what not to do,
4 that you could be cited for it by law enforcement,
5 that it will change behavior in and of itself and
6 not necessarily require -- it -- obviously
7 enforcement's required, but it will result in that
8 cultural change that you discussed.

9 COLONEL NOONAN: Yes. That's what we
10 see across, and I do have conversations with other
11 state entities that are involved in this, and
12 that's what -- that's what we see. And we've seen
13 that with the seat belt, that has progressively
14 gone up, the use of seat belts, just about every
15 year.

16 REP. SMITH: Okay. Thank you, Colonel.
17 Thank you, Mr. Chairman.

18 CHAIRMAN ADOLPH: Thank you,
19 representative.

20 As is the custom with these budget
21 hearings, we always invite the chairmen of the
22 corresponding House committee. And with us today
23 is the Democratic chair of House Judiciary, Rep.
24 Caltagirone.

25 Welcome.

1 REP. CALTAGIRONE: Thank you,
2 Mr. Chairman.

3 Colonel, officers, I'm concerned about
4 the Belmont barracks, Troop K, Philadelphia. On
5 numerous occasions, I've visited that facility with
6 the committee, and I usually stop by to see some of
7 my friends at work out of that facility. And this
8 has been going on over the last couple
9 administrations.

10 I must say, in all honesty, for the
11 record, that it's probably one of the worst
12 facilities I've ever visited. And I'll be very
13 blunt about it. I mean, Troop L in Reading,
14 Governor Thornburgh, that was remodeled. That goes
15 back a number of years. But when we go down there
16 in the summertime in ungodly heat, air conditioning
17 not working. The dead of winter, some of the
18 coldest days, heat system not working.

19 And then, to add insult to injury, raw
20 sewage coming out of some of the pipes that over
21 two hundred, I think, officers, men and women, that
22 have to work out of that facility.

23 I'm not specifically blaming you, but
24 I think that pressure has to be applied to DGS, and
25 I know that they bought -- they purchased the

1 land -- Ronnie was with me -- on the side from the
2 Philadelphia water authority. So they're set to
3 go.

4 However, this has been dragging on for
5 the last three or four years, and I know the money
6 had been set aside to build a new barracks there.
7 And, you know, it just befuddles me that, why in
8 God's name, is it taking so ungodly long?

9 Now, I understand there's a zoning
10 problem. You know, in talking with some of the
11 people from Philadelphia, they were saying, look,
12 we need to get this worked out. We need to get
13 that building up and running and tear the old one
14 down.

15 So if you'd like to comment on that.
16 Because every time I go down to Philadelphia, I try
17 to make it a point to visit some of my friends at
18 that barracks, and I'm just appalled that we would
19 allow working conditions -- nowhere else in the
20 state would we allow something like that. I mean,
21 if you could imagine something in the capitol
22 working like that? I don't think they'd -- it
23 would take too long before changes were made.

24 COLONEL NOONAN: Well, I certainly
25 agree with you and am very hopeful that that will

1 be moving forward.

2 Now, with your experience, which I know
3 is extensive, and all the knowledge that you have
4 about state government, I'm a basic novice. I've
5 only been in this job for a year, but it is amazing
6 to me how long things take to get done. I don't
7 know why. I know we're ready to move any time.

8 I hope that we can work with this,
9 whatever the problems are, that we can overcome
10 them quickly, because it is a desperate need for
11 our people there. I know that -- and you know, I'm
12 grateful that we have these projects approved. We
13 hope they can move along as quickly as possible.
14 And I'll do anything I can to speed it up.

15 REP. CALTAGIRONE: Well, you know as
16 well as I do that the money's been set aside for
17 that project.

18 COLONEL NOONAN: I do.

19 REP. CALTAGIRONE: It's sitting there,
20 and I don't know what it's going to take, if it's
21 the entire delegation from Philadelphia, this
22 committee, my committee to put the pressure on DGS
23 to get off the dime and get that facility built.
24 Because it's absolutely necessary.

25 I mean, if anybody's ever toured it --

1 and I know I've drug the members down there to that
2 facility, they can attest to what I'm saying.

3 So I don't blame you. Don't
4 misunderstand me. I know it's going to be
5 something that your people will need, but we've got
6 to get, hopefully, through the governor's office
7 and general services' secretary some movement on
8 that.

9 Thank you, Mr. Chairman.

10 CHAIRMAN ADOLPH: Thank you. And thank
11 you for bringing that issue to light.

12 Colonel, I want to thank you and your
13 staff for joining us today and for your testimony.

14 We will take a look at what you
15 addressed here today, and we'll try to work with
16 you and try to work with the state troopers.
17 Public safety is a top priority of the
18 legislature. And I want to thank you and your
19 troopers through the Commonwealth for the service
20 to this state.

21 So thank you very much.

22 COLONEL NOONAN: Thank you for this
23 opportunity to talk to you. Appreciate it.

24 CHAIRMAN ADOLPH: Thank you.

25 The next hearing will be in five

1 minutes, it's PEMA, 11:15.

2 Thank you.

3 (Whereupon, the hearing concluded at
4 11:10 a.m.)

5

6

* * * * *

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER'S CERTIFICATE

I HEREBY CERTIFY that I was present upon the hearing of the above-entitled matter and there reported stenographically the proceedings had and the testimony produced; and I further certify that the foregoing is a true and correct transcript of my said stenographic notes.

BRENDA J. PARDUN, RPR
Court Reporter
Notary Public