COMMONWEALTH OF PENNSYLVANIA HOUSE OF REPRESENTATIVES

HOUSE JUDICIARY COMMITTEE SENATE LAW AND JUSTICE COMMITTEE

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WEDNESDAY, MARCH 28, 2012 9:30 A.M.

JOINT PUBLIC HEARING ON PENNSYLVANIA STATE POLICE FORCE COMPLEMENT

BEFORE HOUSE MEMBERS:

HONORABLE RONALD MARSICO, MAJORITY CHAIRMAN

HONORABLE THOMAS CALTAGIRONE, MINORITY CHAIRMAN

HONORABLE TOM CREIGHTON

HONORABLE BRYAN CUTLER

HONORABLESHERYL DELOZIER

HONORABLE GLEN GRELL

HONORABLE MARK KELLER

HONORABLE TIMOTHY KRIEGER

HONORABLE DEBERAH KULA

HONORABLE BRANDON NEUMAN

HONORABLE BERNIE O'NEILL

HONORABLE JOHN SABITINA

HONORABLE RICK SACCONE

HONORABLE TODD STEPHENS

HONORABLE MARCY TOEPEL

HONORABLE TARAH TOOHIL

HONORABLE RONALD WATERS

BEFORE SENATE MEMBERS:

HONORABLE JOHN PIPPY, MAJORITY CHAIRMAN

HONORABLE JIM FERLO, MINORITY CHAIRMAN

HONORABLE LLOYD SMUCKER

HONORABLE EUGENE YAW

HONORABLE ED ERICKSON

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CHAIRMAN PIPPY: Good morning, ladies and gentlemen. We'll call to order the Joint Hearing of the Senate Law and J – Law and Justice Committee and the House Judiciary Committee. My name's John Pippy. I have the pleasure of being the Majority Chairman for the Senate Law and Justice Committee. It really is a pleasure to be back with my colleagues in the House and Chairman Marsico and Chairman Caltagirone. We, we'll be working this committee hearing together. The purpose of today's hearing is to listen to testimony from Commissioner Noonan, as well as the Pennsylvania State Troopers Association and Mr. – Dr. Wilson talking about our complement, the, the impact that the retirements have had over the last few years, and the lack of or, or limited number of cadet classes, and then the other issues that our, our distinguished members may be interested in. With that, I'd like to start by first asking from my right to the left if the Representatives and Senators can introduce themselves.

REPRESENTATIVE TOEPEL: Representative Marci Toepel for the 147th District in Montgomery County.

CHAIRMAN FERLO: Good morning, everybody, State Senator Jim Ferlo, 38th State Senatorial District, large part of the City of Pittsburgh and parts of Allegheny, Armstrong, and Westmoreland County. Good morning.

CHAIRMAN PIPPY: John Pippy, Allegheny and Washington County.

CHAIRMAN MARSICO: Ron Marsico, Dauphin County.

MR. KANE: I'm Mike Kane. I'm counsel to the House Judiciary Republicans.

CHAIRMAN CALTAGIRONE: Tom Caltagirone, Berks County.

MR. TYLER: David Tyler, Executive Director for Tom Caltagirone.

REPRESENTATIVE O'NEILL: Representative Bernie O'Neill, 29th District in Bucks County.

REPRESENTATIVE KELLER: Mark Keller, the 86th District, which is Perry and Franklin County.

REPRESENTATIVE TOOHIL: Representative Tarah Toohil, greater Hazelton area, Luzerne County.

REPRESENTATIVE KULA: Representative Deberah Kula, Fayette and Westmoreland Counties, 52nd District, served by Troop B Uniontown Barracks, proud to say so.

REPRESENTATIVE NEUMAN: Representative Brandon Neuman from the 48th District in Washington County, also served by the great Troop B.

REPRESENTATIVE CUTLER: Morning. Bryan Cutler, 100th District, Southern Lancaster County.

SENATOR SMUCKER: Lloyd Smucker, 13th District, Lancaster and York Counties. I'd like to thank Chairman Pippy. I'm not a member of the standing committee but interested in the topic today so I appreciate him allowing me to be a part of it, thank you.

SENATOR YAW: Gene Yaw, 23rd Senatorial District, which is Union, Lycoming, Sullivan, Bradford, and Susquehanna Counties.

SENATOR ERICKSON: Ed Erickson, 26th Senatorial District, Delaware and Chester Counties.

REPRESENTATIVE CREIGHTON: Tom Creighton, 37th District, northern Lancaster County.

REPRESENTATIVE SABATINA: Thank you. Representative John Sabatina, Philadelphia County.

CHAIRMAN PIPPY: Thank you, ladies and gentleman. I now turn it over to Chairman Marsico for his comments.

CHAIRMAN MARSICO: Well, thank you, Senator Pippy, Chairman Pippy. We're certainly pleased to have this hearing, joint hearing with the Senate Law and Justice Committee. As Chair, I certainly appreciate on behalf of the committee this opportunity to have this testimony and have this joint hearing. For this very important funding matter with the State Police, the complement and the closing of the barracks, potential closing of the barracks, I just have a statement I want to make here. Then we can go right along if I could.

We're all very fond of saying that the protection of the public is one of the most important functions of government, and I wholeheartedly agree with that principle. When our people are not safe, when lawbreakers operate with impunity, our citizens' ability to prosper and flourish is severely undermined. As we all know, Pennsylvania has a proud heritage of protecting its citizens, particularly in our vast rural areas, though the commitment and dedication of the men and women of the Pennsylvania State Police, and through the commitment, our history is filled with examples of selfless acts of troopers. They have put their lives at risk to protect and save others. Tragically, all too often a trooper has paid the ultimate price for that service. We are faced with difficult economic times. We all know that. The priorities need to be established about how to spend the limited taxpayer funds available. If protection of the public is to be among our highest priorities, however, we must ensure that the State Police has adequate resources to do that effectively. We cannot stretch their lines thin and put our citizens and our troopers at risk just to save a few dollars. The price we pay – we will pay for that mistake will far exceed any savings we might see on the state's balance sheet. Again, Mr. Chairman, thanks for the opportunity to make the statement and for this hearing.

CHAIRMAN PIPPY: Thank you, Chairman, and Chairman Caltagirone, do you have any comments?

CHAIRMAN CALTAGIRONE: No, I would just echo what Chairman Marsico had said, and I would hope that in these hard economic times that we'd be able to find the adequate funding because the troop level is getting just terribly low, and, and Troop L out of Reading is my troop, and they do a good job, but they're also being spread very thin. We were discussing this last night with the number of police departments in our communities, and it's happening all over the state. They're dissolving their local police departments only to expect the State Police to then provide the coverage. And those of you that, that have had this happen. It's happened in Berks, and I'm sure it's happened elsewhere across the State. It spreads them even thinner, so, you know, I'm here to hear what they have to say, and I'm willing to work with the rest of our Members in the House and Senate to address the issue. Thank you.

CHAIRMAN PIPPY: Thank you, Chairman. Chairman Ferlo.

CHAIRMAN FERLO: Yeah, very briefly. First of all, I want to apologize. I have a Finance Committee meeting in about a half an hour, so I apologize I'm going to leave. I think on behalf of all of our constituents we must say, obviously, each and every time we gather together a thank you to the men and women that make up the State Police organization top to bottom. So thank you very much. And I think we're also mindful of a lot of the sacrifices and the ultimate sacrifice that folks have paid even this past year, too. So our heart goes out to those family members. It comes down to money and what our priorities are. I am concerned, obviously, about the many small communities and even some larger communities that are not stepping up to the plate to provide revenue and, and by whatever means necessary to pay for adequate State Trooper presence and protection, concerned about demographic changes in Marcellus Shale counties and how resources have to be realigned. So I hope that some of those issues will be explored. I'm open – I'm, I'm a Democrat, so I believe we need to fund our priorities, even if it

means taking tough votes to, to provide the adequate revenues, so I just want to thank you very much for being here today. Thank you.

CHAIRMAN PIPPY: Thank you, Chairman Ferlo. A very brief statement on my part. As we look at what the core functions of government are, the safety of the citizens is, is I – is what I consider one our highest and most important functions at, at all levels, and if that means we have to look at shifting revenues, looking at different funding streams, then I think we should do that. We understand the challenges that you, Commissioner, and the men and women of our State Troopers are having, so take this hearing with the idea that we're, we're here to help you. We're from the government, and we're here to help you, but on that note I'd ask Commissioner Noonan to introduce his panel. We know most of – actually, we know everyone there, but if you could introduce the panel for the public and then please start the testimony.

COLONEL NOONAN: Sure. Good morning, Chairman Marsico, Chairman Pippy, and members of the House Judiciary and Senate Law and Justice Committees. I'm Colonel Frank Noonan, Commissioner of the Pennsylvania State Police. With me today are Deputy Commissioner of Operations George Bivens, Deputy Commissioner of Staff Scott Snyder, and Deputy Commissioner of Administration and Professional Responsibility Kenneth Hill. Now, I'm going to – I don't want to read my statement. You've all received a copy, but I would like to explain a couple of the pictures that we have over on this side of, of – this was – these are events that happened within one week about two weeks ago. The first there was a trooper. Trooper Kephart on the Turnpike receives this call of an accident. He responds to the accident. The individual has two large Rottweiler dogs, which, when Trooper Kephart approaches the, the car, the, the driver releases the dogs. The dogs attack the trooper, and then, the, the man grabs a metal flashlight and starts beating the trooper over the head. The trooper eventually killed him.

That's the shirt that the trooper was wearing. It's covered in blood, and the reason I'm – we bringing this – I want to bring this to your attention is because it illustrates how important it is that the troopers on the road have backup. We had somebody there within five minutes. In many of our areas, it would be a much longer time for someone to get there to help. And that's what we're actually discussing today is we'll cover the area, but how long is our people going to have to wait for help?

And the other incident occurred the same week in Lebanon where a man with apparently some mental health issues had barricaded himself in his house. Our SERT [sheriff's emergency response team] Team was called, and during the nightlong operation, our troopers entered. Our SERT Team entered the building. They weren't sure if the man was dead or alive. They hadn't had any contact with him in, in many hours, but he was alive, and from a hidden room he started firing at our officers and hit one of our troopers from the SERT Team right in the forehead in his helmet. Now, his life was saved because those helmets can stop any handgun. You'll see, and this is in the same operation. That's our BearCat, which is an armored personnel vehicle, and you'll see the windshield. Those are 308 rounds that this individual was firing.

Now, they did not hurt any of our officers because they had the proper equipment, and the reason I'm bringing this to your attention is our SERT Team is, which basically is a SWAT [special weapons and tactics] Team, has been – is called out 160 times during the past year. Fifty percent of those, of those call outs are for municipal police departments that need assistance or Federal authorities that needs assistance. If this particular operation had been conducted by our normal troopers or a municipal police department, they don't have the equipment. They would not have had this helmet, and we would – might be talking about a very unfortunate incident today.

And, and the reason I mention this is because one thing affects another. As our numbers go down and the – as our numbers go down, we have to make decisions. Our num – our first decision will be to put troopers on the road. We have to do that. That's our number one responsibility, but when we do that, we take troopers from other responsibilities. Our BCI [Bureau of Criminal Investigation] unit, which is our long-term criminal investigations, they're down 25 percent right now. They could probably go down farther. We have units such as computer forensics or polygraph, our vice units. Those are where the troopers are going to come from. And we still have our police responsibility besides our patrol responsibility.

So this is why I'm concerned, and if you look on the charts to the right, you'll notice the one closest to the rear of the room has, has a column there. We have 465, we anticipate right now with – will be below complement by the end of 2013, about June 2013, but we also have 182 people that are normally unavailable, and that's because of military leave, or they've been hurt. So that, that puts a strain on us, and the first chart closest to you is projections of retirements. We only budget for 150 retirements a year. We've already had about 185 retirements in the State Police this fiscal year. As you go out, because of our hiring practices in the past, we have what's known bubble classes, classes where we hired a lot of people. Those are all coming up in the future. And it makes it difficult as – it makes difficult decisions for me and my staff of what we're going to – because we lose our most experienced ma – people. I've had four majors put in their papers this year, this month. So these are, these are issues that we're facing, and I really can't tell you how much I and the Pennsylvania State Police appreciate you taking the time out of your busy schedules to listen to our concerns. Thank you.

CHAIRMAN PIPPY: Thank you, Colonel. Do we have questions from the mem – committee members? Representative.

REPRESENTATIVE SACCONE: Thank you, and I appreciate you coming here. I'm 100 percent behind the State Police, and I'm a former federal law enforcement officer. But I'm, I'm looking at this page that says "additional responsibilities," and I see a lot of these responsibilities, and when, when you're in a tight budget, you have to ask yourself, "Could we do these differently? Can we relieve some of these responsibilities? Could they be given somewhere else? Could programs – are they all running as effectively as they possibly can? Can we reduce them? Can they be eliminated? Can they be transferred? Can they be in one way or another look to those responsibilities to relieve some of the tension?" I'm not saying it's going to solve the problem. It relieves some of the tension that's put on the funding for the State Police.

COLONEL NOONAN: Well, in many regards, we – there're legal responsibilities that we have. There's laws passed, and they, they give us that responsibility, so we have to – which have to accept. And as you look around state government, who's going to pick up any slack? I mean, that's the biggest problem we have in the State Police is that we're sort of the, the last defense. We're the last defense for the municipal police departments or even major police departments, such as Megan's Law just came – is a, is a new issue that we're dealing with now that we're, that we're – we have to put some more people on. We do all the laboratories. If some of the issues where we get direct funding, they have no effect on us, but most of those are not, and there're things that we have picked up. Terrorism is – in the last ten years has been a big concern of ours, and we have built that up. We couldn't get rid of that. So I'd, I'd be willing to look at other things, but right now, I don't know who would take them, and I'm not sure that that's feasible in this economic climate to, to give it to somebody else. But I'm, I'm looking at that, and we're actually doing that in some ways because we're reducing the amount of people

we're putting in many of those positions because, as I said, our number one priority is the troopers on the road.

REPRESENTATIVE SACCONE: Thank you.

CHAIRMAN FERLO: I hate to ask the obvious question, but the Governor proposed a very specific budget with an amount of revenue and an amount that suggested a certain complement, so I have to be honest and very frank and blunt and say, "What is the Corbett Administration's response to what is an obvious concern about the lack of a full complement and/ or other issues that we, we could discuss in the budget hearings so far?" And certainly are being brought here today. I, I appreciate your, your seriousness about the problem, but the campaign's over. It's time to govern, and we need the Governor's commitment and a partnership with him on, on how we address this complement and the revenue, and some of the changes – and I'm not sure clearly what, what the footprint here is. What's the blueprint that you're suggesting before we resolve the June 30th budget?

COLONEL NOONAN: Well, first of all, I have spoken personally with the Governor about our complement issues, and, and if it was not for him, we would not be having any classes this year, I can, I can tell you that. One of the things that I'm hopeful for is that the – because of the increased retirements, and we received about another four million dollars from a benefits recalculation that there is within the budget if the money is waived forward that we could have another class without really increasing our budget at all. So this is, this is what I'm hopeful for, what I'm afraid of, and which, which – I know the Governor is very concerned about also is as we go forward that we reach a point where we say, "Oh, my God, the State Police is down one thousand troopers. What are we going to do?" Because we do not have the capability to train all these troopers at once. I mean, we, we know what the retirement situation is. That one chart

over there that's closest to you, most troopers retire twenty – in the twenty-fifth or twenty-sixth year of, of their service. So we can predict, and the numbers – project the numbers going way up as we get down toward 2015, 2016. If we wait till then to keep our numbers up, we will, we will be in a difficult situation.

CHAIRMAN FERLO: This is explicitly what I'm asking. In other words, what is the plan? What is the commitment? You know, I've been through this in the past with the City of Pittsburgh's police force, which reached a certain age and complement that, and also collective bargaining agreement, that pretty much facilitated folks leaving the workforce for a lot of other reasons I won't get into in terms of potential health care coverage and pension benefits. And I, I see the same situation now at the state level where you're going to have a peak of a lot of officers, and this is their choice, and God bless them for, for being able to, to retire. But I'm worried about that spike. A lot of – a larger percentage of folks leaving the force, and then, as you say, we have an inadequate number that have either been recruited or at the cadet stage, so it almost seems like we're dredging water here to some extent. So what is it that we can do to resolve how we get a fuller complement or a second class or a third class of – in, in the cadet program?

COLONEL NOONAN: Well, what I'm, what I'm hoping for....

CHAIRMAN FERLO: We could be ahead of the game because we're going to have a crisis pretty soon.

COLONEL NOONAN: Right, well, right, you know, sometimes you're on the track, and the train's coming. Doesn't mean you can get off the track. That's – I want us to get off this track. I – you can see the problem coming. I'm hopeful. I, I know I'm going to be talking to the Governor when he comes back.

CHAIRMAN FERLO: I'll just close. We need to know explicitly. I can only speak for some of our colleagues in the Senate. I'm sure the House likewise has concern. What is it financially that is required of us to reprioritize, whether we raise revenues or fees or whatever creativity we have locally or statewide in the budget? You know, we need some clear direction on what is the plan, what is the planned cost, and how do we confront the difficult issues of coming up with that revenue? Whether it's being reprioritizing our expenditures or what have you, I'm not sure we, we're getting that yet, either from the Corbett Administration or yourself, and that's at least, at least the input that I need to be an effective advocate.

COLONEL NOONAN: Well, Senator, I – we do have those numbers, and I will be happy to get them to you. I don't have them right here today, but I, I do have those numbers about what it costs for a class and, and how we might be able to do it, and I will get them to you.

CHAIRMAN FERLO: I appreciate that very much, thank you.

CHAIRMAN PIPPY: Thank you, Chairman. Chairman Marsico.

CHAIRMAN MARSICO: Thank you, Mr. Chairman. Welcome, and thanks for being here, Commissioner. I want to address the, the possible closing of barracks. I know that Senator Smucker probably has some questions with regard to his area, and I think it's Troop J. We were informed yesterday that Troop J, which headquarters in Lancaster, there's a possibility that that could be downsized or split, and so I'll leave that to Senator Smucker to ask that question and maybe get some details on that, but as far as other barracks in the Commonwealth, are, are there plans to consolidate or, or split or do anything with those barracks?

COLONEL NOONAN: What there is – there's no plans but there – we are studying that, and quite obviously, if I have – if I'm two hundred under complement, I can do certain things. If I'm five hundred under complement, I can't do all those things. And one of the things we're

going to look at is, is consolidating stations, and the reasoning is it saves us administrative costs.

And, I mean, it's not something I particularly want to do, but I believe it's going to be – it might

well be necessary depending on what happens. Now, one of the things that we did first is we

closed the consolidated dispatch centers. It's a program that's been going on for ten years. It

was sort of stalled. It's very labor intensive, so we're – I want to see how that's going to work

first, and I, I haven't gotten the exact results yet ---. We have 300,000 hours spent by troopers

dispatching. Not on the road but dispatching because we don't have enough dispatchers. By

closing the CDC's, we'll have a lot more dispatchers, and we're hopeful to see how that goes,

but it depends on where our complement level goes about whether – how many stations would be

closed, how many things would be consolidated, troop headquarters. I mean, at certain levels,

we'd be closing stations all over the state. I mean, and that's, that's just the reality, and we have

to plan for that.

CHAIRMAN MARSICO: Okay, I understand that, but wouldn't closing barracks

increase response time as troopers have to go from – for – cover larger areas throughout their,

their particular region or territory?

COLONEL NOONAN: In some areas, and that's one of the things we consider is the

amount of incidents and also the amount of time it takes get to an incident from the station, but in

order to get troopers on the road, we, we would have to reduce our administrative manpower

needs, and the one way to do that is to close stations, so we will put more troopers on the road by

doing that. It's not an ideal situation. It's, it's something I'm looking at, though, and I have to

prepare for as, as we go forward.

CHAIRMAN MARSICO: Okay, thank you, Mr. Chairman.

CHAIRMAN PIPPY: Representative, Representative.

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REPRESENTATIVE KELLER: Thank you. Kind of along the same lines, you know, in this current fiscal year we actually provided funding for 237 cadets, okay? How many did we really put through?

COLONEL NOONAN: We graduate – I'm sorry – we graduated 177 in this fiscal year, and we had 3 classes cancelled.

REPRESENTATIVE KELLER: All right, now, all right, where is the extra money at?

COLONEL NOONAN: That was put into budgetary reserve.

RERPESENTATIVE KELLER: Okay, all right, next quick question. We've talked about closings, and that concerns me. I have, I have two barracks, one in Newport and one in Chambersburg, and I understand Chambersburg has the most personnel of any in the state. Is that correct?

COLONEL NOONAN: No, it's, it's a large station, but it's not the largest.

REPRESENTATIVE KELLER: Okay.

COLONEL NOONAN: Uniontown, actually.

RERPESENTATIVE KELLER: Are, are they on the cutting block or not?

COLONEL NOONAN: There's no one we have put on the cutting block. We're not looking at any of those particular stations right now. We're looking at every station right now, as I believe unless there's....

DEPUTY COMMISSIONER BIVENS: I, I can tell you that we have done studies of a number of locations, and Chambersburg and Carlisle were two of the stations that we studied for possible consolidation. Once we took a look at that study, it didn't make sense to do it, and so I don't anticipate that that would be one of the ones, certainly not up front, that if we had to make any cuts, I don't expect that those would be included.

REPRESENTATIVE KELLER: Well, it does — being a Legislator from rural communities, that is a major, major concern. You know, in rural communities, the, you know, barracks are very, very important, and if you're considering consolidating them, you talk about response time. I don't think they'd ever get there, you know. So I would hope that would be considered very, very diligently in anything on that and, and you would notify us here in the Legislature if any, any questions or, or concerns and issues of that were to arrive.

COLONEL NOONAN: It, it is my policy that, that I will be – as we, as we try to come to these decisions, we'll be working with the Legislature, with the PSTA [Pennsylvania State Troopers Association], with the, the troopers involved, so that everybody has input, but it may not be there. I, I would doubt that it would be, but there may be some somewhere. I just – you know, we – it just depends on what our manpower levels come to.

REPRESENTATIVE KELLER: One last question if I may, sir. If we were to get those budgetary reserves released, could we have more cadets out there?

COLONEL NOONAN: Yes.

REPRESENTATIVE KELLER: Very good, thank you.

CHAIRMAN PIPPY: Senator Smucker.

SENATOR SMUCKER: Thank you, Mr. Chairman, and thank Chairman Marsico for raising the issue regarding the Troop J Headquarters in, in Lancaster. And I'd like to clarify to begin exactly where we are on that. It wasn't clear from your answer exactly where we are. I've been told by employees of – well, first of all, the Captain hasn't been replaced there, which is not a good sign. And secondly, I've been told by employees of the troop that, that the plans are to eliminate the station, so could you just let us know exactly where we stand at that moment?

COLONEL NOONAN: Yes, certainly. That is one area – that is probably the first area that I'm looking at right now. Like I said, I want to see what happens with the CDC closing and see how that's going to affect our manpower needs and, and then, and then see if we're looking at other classes or not, but that is one of the areas that I am looking at, but I have not decided that yet. And – but what – it's one of the interesting things about trying – being open and being transparent. I'm letting them know I'm looking at it. Well, that generates quite a bit of concern, and as I – we are trying to reach out to the Legislature, too, to let them know that we are looking at it, so that we can get input before we make any – I make any final decisions.

SENATOR SMUCKER: So has there been communication with employees at Troop J about the closing, possible closing?

COLONEL NOONAN: Well, with my senior staff, yes, we have told them that we are considering it, and, and that we are getting information for them, yes.

DEPUTY COMMISSIONER BIVENS: Just to clarify something, sir. What we're looking at is not to close Lancaster. It would simply be to take one of our smallest troops in the state and divide it, and essentially, those same personnel would be reporting to a different chain of command. So, for example, Lancaster County would come under the Reading Troop, and Chester County would come under the Philadelphia Troop. The study – preliminarily, the numbers that we've come up with would save us about thirty positions by doing that. It still keeps the same or greater number of troopers on the road, but what it allows us to do is take – get rid of the, the upper chain of command. It allows us to eliminate some of the specialized functions that are done out of that troop and have those taken over by the other troops that are adjacent to them. It still provides the same level of service. The same patrol troopers are coming

out of that station, so the citizens really wouldn't notice much of a difference, but, but again, it saves us twenty-four enlisted and six civilian positions by doing that.

SENTAOR SMUCKER: The Troop J, and I don't know how it compares to other – let me just back up a little. I can completely understand the need to look at ways of, of doing things more efficiently. Obviously, we're very concerned. I think the public will be very concerned when they hear about this in Lancaster. Troop J does service, and this was already mentioned, but services a large rural area. Many townships in that area rely on the State Police, and I know that's a discussion that we could have. But the fact of the matter is the residents there rely on the State Police for protection, and Troop J already is fairly – you know, is at some distance from some of these municipalities. You've made the case very much. The backup's important. The accessibility's important. I think you couldn't have said it better. You're telling me that you think the same number of officers would remain at the Lancaster Headquarters?

DEPUTY COMMISSIONER BIVENS: Yes, the same number of patrol officers and criminal investigators. Again, some of the specialty functions may change. For example, vice unit consolidation might occur, a number of other specialties that each troop has for itself. Mechanics, for example, that work on the, on the cars in the garage. We may not have mechanics at that troop headquarters any longer. But there would be a number of positions like that that we would, we would take a look at, make sure that we did not affect service to the citizens in any way, but simply try to remove some of the overhead. And so much like Chester County, the stations over there, Avondale and Emeryville, are satellites of Lancaster Headquarters right now. They would simply become satellites of Philadelphia Headquarters. And Lancaster would go from being a troop headquarters to a satellite of Reading Headquarters, so, you know, again, it doesn't change the service. All of the, the citizens out in each of those

counties now that, that were – live in an area that's serviced by a satellite station, they receive the same services that you get whether you have a troop headquarters there or not.

SENATOR SMUCKER: The other services other than the officers, aren't they critical as well? If there's a, you know, specific incident where additional support is needed, wouldn't that have an impact on...?

DEPUTY COMMISSIONER BIVENS: They are critical, and, and – but they would be – they would still be supplied, so for example, if you're at one of the stations that I mentioned in Chester County, the resource comes to you from Lancaster Headquarters. Now, it would come to you from Philadelphia Headquarters, or if you're in Lancaster County, it would come to you from Reading. It could come down from Berks County, but the same services – and those aren't quite so time sensitive of services. For example, crime scene processing, whether there's an extra fifteen minutes involved really is not critical. They're not securing the scene. They're not, you know, doing anything that's in the way of life safety.

SENATOR SMUCKER: Thank you for your responses to the questions. I continue, continue to have concern and hope that we have an ongoing dialogue and you keep us informed as we move along in that decision making process.

COLONEL NOONAN: Absolutely.

SENATOR SMUCKER: Thank you, Mr. Chairman.

CHAIRMAN PIPPY: Thank you, Senator. Representative Kula.

REPRESENTATIVE KULA: Thank you. Good to see all of you again. It still is depressing, as it was in Appropriation Hearings, to hear all of this again, but I – your PCO's [police communication operators] – now, are, are – is there a full complement of the PCO's, I mean, to kind of relieve the troopers from dispatching and things such as that?

COLONEL NOONAN: No. In fact, that's why we closed and consolidated dispatch centers because there is a critical need. As I said, 300,000 hours in 2010 were troopers dispatching, not being on the road, not doing what they're trained to do, but dispatching because we didn't have enough dispatchers, so we're....

REPRESENTATIVE KULA: It's something they really don't like.

COLONEL NOONAN: I wouldn't like it, either. I mean, they're not trained for that. That's not why you joined the State Police.

REPRESENTATIVE KULA: And that's exactly right.

COLONEL NOONAN: You know, and we have – and also, our PCO's are trained and have, have specific capabilities. They do an excellent job, and, and that's what I'm trying to do. And that's my first step is to try to get as many PCO's back out to the field, and we will be doing that shortly and see if I can get that number down.

REPRESENTATIVE KULA: And, and my big concern with the dispatch centers, coming from Fayette County, which is a very rural county, and I can tell you there are roads and little areas that unless you live and work in that area and you're trying to dispatch a new trooper that is not from that area, it could become very difficult if you're not familiar with it. So that's why I, I was not a real supporter of moving the dispatch out of the actual areas that are being affected by that, but the – will it save money by bringing in more PCO's so that you can free up the troopers to do what they were trained to do to be out on the road on patrol?

COLONEL NOONAN: Yes. By far and, and yes, it saves us quite a bit of money. It was a good – you know, there was some merit to the CDC's when we originally – when they were originally planned, but none of the savings were going to be realized. We would have to hire another 505 civilian employees to bring this through at the state, which, which is almost

impossible for us. So obviously, I've made you happy because I am closing those CDC's, and I have heard your same comments from my troopers that are out in the rural areas, too, that they have, they have expressed to me the same concerns, so that's – those were the factors that led me to, to do away with that. And I hope – we, we expect a six- to nine-month process before we can see the effects of getting these new dispatchers out.

REPRESENTATIVE KULA: Well, that's good to hear, and I appreciate that. Thank you, Commissioner. Thank you.

CHAIRMAN PIPPY: Thank you, Representative. Senator Yaw.

SENATOR YAW: Thank you, Mr. Chairman. I – first of all, I'd just like to say I have the utmost confidence and appreciation for what the troopers and the people in the field do. Unfortunately, I'm not – I will be very blunt about this. I'm not sure I have the same level of confidence in the people sitting right here. And I'll tell you why, because my experience has not been good. And we'll go back – Representative Keller triggered this with his comment about taking care of the rural areas, and I have one of the most rural areas of the State, the second largest Senatorial District in the state, and, of course, you know what I'm talking about is the closing of the helicopter, the APU [auxiliary power unit] Unit in my district. That was probably - and I almost get the feeling that the reason you're here today is that some things that you may have learned from that episode because that was the most uninformative event that I've had as a Legislator. Trying to get information from you people, it just – it did not work well. And that happened about six months ago, and Representative Everett and myself have asked two questions throughout this whole process, and that is how much savings were involved in closing this unit and doing this reorganization that you were going to do? And then the next one was why was the facility at Williamsport, which had been there for forty years, closed? That's six months ago,

and we still don't have an answer to those two simple questions. And Colonel Bivens had talked at length at, at a meeting that we had with our local law enforcement people, which that was like pulling teeth to get you to – your people to meet with the local law enforcement people. Which I don't understand why you're not willing to cooperate and talk to them, so in any event, I get the same feeling in listening to this here is that we're, we're Legislators, and we need something. What are you asking for? I don't know. What I've heard here is the same thing that it relates back to my aviation unit. It's like, "Well, this – and if this happens, then this happens, then that" – I don't know. We, we don't have a crystal ball. I, I don't know what you're, you're – what are you asking for?

COLONEL NOONAN: Well, Senator, neither do I, and what I'm trying to explain to people is that if our complement goes down, what the effects will be. Now, if I knew for sure what the instances were going to be, what's going to happen in the future, or, or what our complement for sure was going to be, how many retirements we're going to have, then I could give you a more definitive answers. I have not decided about closing any stations yet, but I'm looking at it, and I'm trying to get this out as, as quickly as I can, and I wish to work with people. Now, if, if – these are going to be very difficult decisions, and I doubt that I'm going to make everybody happy with this. In fact, I might become very unpopular in certain areas of the state, but I have a responsibility to meet the needs of those troopers on, on the ground and the people in the state to provide them with the best and the most people I can with what resources I'm given. That's what I have to do. If we had an, if we had an economic situation where we were expanding, where I was having more troopers, I'm sure I would be a very popular fellow at every hearing, but that's not the case.

SENATOR YAW: I think that you need to tell us – you need to say, "Here's what we need." And then, then we have something to work with. Right now, I get the feeling we're, like, dealing with, I don't know, an amoeba. It changes shape every time we look at it. And now, we don't have a crystal ball, you know. You know, if this is what you want, then say so.

COLONEL NOONAN: I want, I want more cadets. That's what I'm hoping for. I need more cadets as our numbers go down. If the numbers go down, we're going to have to make significant changes in the way we do business. That, that's what I'm saying. Now, it's not for me to say whether the money's there or not because, you know, I, I come from my perspective, but what the State Police says – so I can tell you what the effects will be as our complement goes down but whether, you know, there's a lot of other competing entities looking for money from the Legislature. I understand that these are tough economic times, so I'm not so egotistical to say, "Well, the State Police has to be funded. You know, we need, we need all these things." I understand that. But if we're not, we're not going to be able to do everything that we've done in the past. That's what I'm, that's what I'm trying to get across today.

SENATOR YAW: I, I also get the feeling – I'm not sure that there's a plan, and I, I go back to what – you know, my helicopter issue again. And that was one of the conversations that Colonel Bivens had. We were talking about that. "Well, okay, we're going to consolidate these, these aviation units, and I understand that, and then, and then, some information we were given. I'm not sure about the accuracy of it, but in any event, you know, it, it was, like, we came down to – "Well, we need to change the equipment," and actually, this consolidation could end up costing more money. Well, and then I'm not sure what, what – I'm not sure what the plan is.

DEPUTY COMMISSIONER BIVENS: Senator, first of all, I respectfully disagree with your characterization about the lack of information sharing. I personally met with you and have shared extensively our plan for aviation.

SENATOR YAW: You met with me, and you talked to me for a long time, and what you – one of the things that you said is the reason the aviation unit in Williamsport was being closed was because the lease ran out on January 31st.

DEPUTY COMMISSIONER BIVENS: No, sir, that is not what I said.

SENATOR YAW: That's what your public relations people put out, and that's what was published.

CHAIRMAN PIPPY: Gentlemen, and I appreciate how important this issue is, Senator. I apologize. I've already had this part of the hearing go over fifteen minutes. What we will be doing — I'll announce it now rather than later is I know the House committee already has a subcommittee on this. In the Senate we don't traditionally use subcommittees, but we will put together a task force of Senators who are interested in this issue, and we'll get a little deeper, and I'll have some questions later. So if the Senator will allow us to follow up with this later on, that would be very helpful.

SENATOR YAW: I have no problems with doing that, thank you.

CHAIRMAN PIPPY: And that is why he is my favorite Senator from Williamsport.

COLONEL NOONAN: Mine, too.

CHAIRMAN PIPPY: Representative Saccone.

REPRESENTATIVE SACCONE: Thank you, Mr. Chairman. I apologize. I'll be brief. I'll just go through this quickly. Going back through additional responsibilities, I see thirty-two additional responsibilities on this chart. By the way, I don't see PIC's on here, which is – many

of us believe is a redundant and unnecessary system. It would really be helpful to know how many officers these thirty-two additional responsibilities consume to be manned, and I'm looking at things like the Weapons of Mass Destruction Response Team. I mean, I – don't get me wrong. I was on the counter terrorist team for the [19]84 and [19]88 Olympics. I have, I have ultimate respect for these things, but you have to look at the threat, and how many, how many do you really need to address a problem that might or might not ever exist here? Look at – just go down that list. Tell us how many officers those consume. Get back to us with that and, and how we might even reduce or eliminate some of those additional responsibilities. Thank you.

COLONEL NOONAN: I'd be happy to. One thing I'd like to mention about that, though, is that many of those responsibilities that we are now taking up used to be done by Federal authorities, such as clean up for methamphetamine, in many instances, which the Federal, Federal government no longer does, and we've had to pick up. So it seems to be it's an ever expanding universe for us, and there is, there is no one we can pass the buck to. But I will be happy to get you those numbers, and many of – some of those positions are part-time positions, just like I believe the Weapons of Mass Destructions – we have people that are trained to come off the road, then, to do these things.

REPRESENTATIVE SACCONE: Thank you.

CHAIRMAN PIPPY: A couple of quick questions, and I don't expect a full answer now. We can regularly see the chart that shows your complement and now availability, which I think is very helpful because it truly reflects the number of troopers we have and at any given period. I think what will be helpful for the Members and dovetails with what you've been saying, Colonel, is if we could start seeing these breakdowns by barracks, by region, so we – it is my

understanding if you – that we've had significant shifts of troopers to the northern tier to deal with some issues associated with Marcellus Shale. To Philadelphia, I would argue we probably have too many there, but that's a whole other discussion. But I would like to see these charts start showing the actual impact by barracks because as you see, most of the talking points and focus for the individual Legislators are, are based on how does this reduction affect their local complement? Is that something that's readily available, or...?

COLONEL NOONAN: Yes, Senator.

CHAIRMAN PIPPY: The second question or concern I have is where is your reserve traditionally at – if you release a certain amount of money, how many, how many troopers or cadet classes can we get running now?

COLONEL NOONAN: Well, if that budgetary reserve, I believe, is about – between six and seven million dollars, but there's also – there was also a budgetary adjustment due to – of benefits. There, there was another four or five million dollars available, too, so with that we could put several classes, and I, I would be happy to provide you with how many classes we could put in. But understand, these were affected by the – such as the radio issue. If the – if we don't have funding for radios, which there is some proposed legislation, then we'll have to dip into money that would go – maybe could go towards cadets, but we – there is a possibility of doing all these things, and I would be happy to get that to you.

CHAIRMAN PIPPY: I think we're at the point now where we've heard, through Appropriations and through our own hearings, that you're having issues. That's challenging. You're doing the best you can with what you have, but I think what we need to do is put together our working groups, and we need to go to the Governor. I've supported him. I will continue to support him. Our job as committee Chairmen, as members of certain committees, is to advocate,

oversee, make sure that when tho – these issues are starting to come ahead, to the front that the Governor and the Executive Branch and those decision makers know the whole picture. I don't expect them to be experts on everything. Our job is to try help you do yours, so we will, we will be working a little more closely with you to look at, one, what that impact would be at the local troop level, and, two, we have to, we have to put a game plan together. As one of my colleagues said, "Where can we go?" Because I, I truly see if nothing changes, we will be in that scenario where we're going to be down eight hundred, nine hundred men and women and not too far away. And it takes a year, I believe, roughly, a year, so it's not as if we can hire people off the street once we hit that critical stage, and for those of my colleagues who represent the rural areas, I mean, that's a huge issue, very, very large. I wish they paid a little for that trooper service, but that's a whole other hearing. On that note, do we have any final comments or questions from the committee members? Senator – Chairman Marsico.

CHAIRMAN MARSICO: Just one final question. With regard to Federal funding, you get – the State Police get Federal funding, I think, with Homeland Security and some other programs. What's the trend, or...?

COLONEL NOONAN: We get Federal grants. Yes, we do.

CHAIRMAN MARSICO: What's the trend of – is that…?

COLONEL NOONAN: Oh, well, as Homeland Security advisor, I can tell you that the funding for Pennsylvania was cut from thirteen million to seven million this, this upcoming year. So once again, these are – all the Federal funds in every year are shrinking.

CHAIRMAN MARSICO: Okay, thank you.

COLONEL NOONAN: I'd just like to say how much I appreciate, and the men and women in the Pennsylvania appreciate you taking this time to talk about the – our concerns. It, it

means a lot to them, and no matter what happens, knowing that the – we have the support of everyone in the Legislature as well as the Governor's Office means an awful lot to me and to them. Thank you very much.

CHAIRMAN PIPPY: Thank you, Commissioner. Gentlemen, we will now call up our next group of testifiers on the schedule. It, it shows Dr. Wilson, then Mr. Kovel, the President of the State Troopers. What I'd ask is if both could come up at the same time. I think many of their comments will work within the same scope.

CHAIRMAN MARSICO: All right. Okay, the good Senator has asked me to chair this part of the hearing. Before I do that, I want to recognize Representative Grell, Representative Delozier, and Representative Krieger. Is that – did anyone else come in? Okay, gentlemen, go ahead and proceed.

DR. WILSON: Chairman, committee members, I appreciate the opportunity to come share my work with you. I also apologize that my voice has been a little taxed these last couple days. This is actually a significant improvement, so I'm, I'm glad I can at least communicate. For a number of years, I've conducted a fairly large and broad body of work that I think can help provide some context for the discussion that we're having today. And so – well, why don't I just jump right in? I know time is of the essence here.

First of all, for many years, I've conducted a number of studies in partnership with local communities around the country and also led several national studies for the U.S. Department of Justice that focused on many issues, including community policing and problem solving and gun violence reduction interventions where we conducted various types of field interventions around the country. I've also worked on projects regarding Homeland Security and assessing terrorism risk and looking at the internal security development in Asian Building Operations, and then also

I've looked at various types of emerging crimes such as human trafficking and product counterfeiting, and what this work has showed me, as we've talked about today, is that the law enforcement role is expanding significantly over time. I've found that it's very helpful to consider the staffing situation when thinking about the expanding role of law enforcement and also in partnership with communities around the country and through various national studies, I've developed a body of work on workforce planning issues for law enforcement. I've studied recruitment retention, police cohorts, and even regionalization consolidation and shared services.

So I've had the opportunity to look at this from a number of different areas, and the one lesson that comes from this is that the ability to strategically plan for personnel issues is quite a challenge because the nature of the police environment is considerably dynamic. To help illustrate the dynamic nature of this, I find it's helpful to think of staffing in terms of a bucket. I know it's a fairly simple metaphor, but I find that it's also very powerful for bringing together all the, the complex issues. We can think of police staffing as the size of a bucket, and so the size represents the demand or the need that we have for law enforcement in a community, state, or some other jurisdiction. The water in a bucket would represent the current level of officers that a department currently has. Now, we also often talk about an allocated level or a complement and that an agency is understaffed to the extent to which the current level's under the allocated level, but what's really most important is the unmet demand. And that's the difference between the number of officers that's actually needed to complete the work and the performance objectives relative to the number of officers that are actually on the force and able to work, and so the only time where the allocated level actually – or the complemented level actually meets the, the demand level is when there's, you know, a regular and comprehensive work load analysis to illustrate the type of work that's actually being done. And so the true – or the allocation level

could actually be lower than the unmet demand, or actually the unmet demand could be lower than the allocated level, as well, just depending on what the workload is.

There's three forces that I see coming together that creates a, a staffing challenge. First of all, we're seeing a widening hole in the bucket in terms of the water coming out. Others changing generational preferences in terms of those entering the labor force are now thinking that, you know, they'll have multiple careers to their lifetime instead of working for a single organization, and there's other factors, obviously budget crisis, individual policies and practices within departments, military call ups, and the big one that we had talked about a lot are the baby boom generation retirements. It's a large cohort of officers working their way through the system that are all on the, on the cusp of retirement.

At the same time, the faucet of the supply is tightening. Again, changing generational preferences, less interest in regimented lifestyles of law enforcement that diminish the interest in law enforcement as a career. Some would argue uncompetitive benefits relative to the private sector, increased competition from the private sector. Decrease in the qualified applicant pool is a big one because what we're seeing is those entering the labor force now tend to be not as healthy as those in the past. There was increasingly people who are obese, who have a financial indebtedness, experimentation with drugs, criminal histories, etc., so there's a shrinking there. And also, we're asking more from the officers. We're asking them to think critically, communicate to diverse audiences, and have, you know, technological skills. These are all things that shrink the, the applicant pool. So at the same time that the hole is getting bigger and the faucet's getting tighter, the demand or the bucket is getting bigger.

Now, I share with you some of the work that I've done in looking at community policing, Homeland Security, and emerging crimes, but there's a number of other areas, too, that we've talked about like identity theft and cyber crime and other issues where we see the demand is getting bigger and bigger. The economy hasn't made the situation easier, and for some of these things, it might have mitigated them somewhat. For example, attrition, it might have staved off that for some time. But the, the trends I mentioned are systemic, and they're – they've happened over a long period of time, and they're con – they're going to continue to influence the ability to staff police departments.

But as you all know, the largest part of any police budget is personnel, so any time there's a significant budget cut, almost by its nature is going to have to cut into personnel. But what we've seen across the nation is that the standard responses haven't been enough, and when we cut, we're cutting more than 5 to 10 percent and so by, by its nature is cutting into personnel. And so the traditional reluctance to cut public safety has given way, and we're now seeing dramatic and unprecedented staffing decisions like hiring freezes, layoffs, furloughs, and even what some have called organizational death, where we actually disband law enforcement organizations and obviously cuts in service and training, as well. And we're also seeing considerable and experimentation, complete reengineering of the ways that we deliver public safety. All around the country, we're seeing consolidation, mergers, shared services, and, and regionalization being talked about much more now than we have in the past.

There's a number of studies that talk about the effects of these cuts, although they're often very general. There hasn't been a lot of empirical work lately that can talk about these cuts yet. A recent survey by the Police Executive Research Forum surveyed its members and found on average they cut about 3 percent of their staff between 2009 and [20]10. There's been studies of cities and counties looking at their staff, and large proportions of them is cut – they've made cuts to their staffs, but these averages mask substantial variations in individual communities. In

Flint, for example, they've laid off two-thirds of their force. Pontiac completely disbanded. We've seen a lot of cuts in New Jersey, and the Michigan State Police have cut their force to 1960's levels and, in fact, have reduced posts by 53 percent throughout the state.

The work that I've done highlights three important steps for maintaining effective workforces, and obviously, there are more, but I can speak directly about three of them and that includes determining the proper level of, of staff to meet the demand and performance objectives; determine the staffing structure that most cost effectively meets those – that meets the demand; and then reusing recruiting and retention tools to strategically meet those goals in a way that accounts for practical considerations. And I'll talk briefly about what these, what these mean.

First of all, departments typically use one of four methods to determine the number of staff needed. There's a per capita approach where they would determine the number of officers needed for per thousand residents. There's a minimum staffing approach where they'll identify the number of minimum, minimum officers that should be on duty at any one time, an authorized-level approach where they figure out how many officers they can afford given budget allocations, and then finally, a workload-based approach where they'll analyze the, the demand data. Now, time limits from going into the strengths and weaknesses of each of these, but the basic lesson is that the workload-based approach tends to be the most cost – comprehensive and offers the greatest efficiency. And what – in this approach, indicators are used to assess demand like calls for service, and the amount of time it takes to get there, and the amount of time to complete the call and finish the paperwork. And these methodologies – the datas are systematically analyzed, and they can account for service style performance objectives like how

much time do we want officers spending on discretionary activities and then also other agency characteristics.

Now, there's no universally accepted method for conducting this kind of analysis, but it's generally agreed that this is the most comprehensive approach to take. In 2008, I conducted a national survey of large police organizations throughout the country to assess information regarding recruitment retention, staffing levels, and distributions, and other administrative issues, and from this, it highlighted a number of interesting lessons regarding cohorts within large police personnel systems. One of the analyses that I did was I broke down each work force into threeyear service cohorts, and this chart illustrates agencies that had the first decade year service cohorts larger than the average. And so basically what this means is every agency illustrated here shows what proportion have zero to ten years of service, what proportion has eleven to twenty, and then twenty-one or over, and what this illustrates is that there's some agencies that suffer from too many junior officers. So here was – we see agency 32 had about 70 percent of its entire workforce within that first decade year of service. Now, these organizations will struggle because they have a large number of, of junior officers with very few senior officers, so it's difficult to provide them the type of oversight and supervision they need. At the same time, some of these officers will eventually be promoted into leadership positions, perhaps unprepared, because they don't have the experience required, and when they're in those positions, they'll have long expected tenures, which means those not promoted will have a difficult time in their career progression. And they may be disenfranchised and choose to leave because they've got few promotion possibilities. At the same time, there's other organizations that suffer from too many, too few junior officers and too many senior officers, and this chart shows the agencies with the junior cohort smaller than the average, and so if you look here at agency 32, we see that about 60 percent of this workforce has – 60 percent of the officers in this workforce are in the senior cohort and about 5 percent in the junior cohort. Well, the lessons here is this agency would have a large number of senior officers, which is good because it can provide experience for the community, but it's also very costly. There's also going to be issues in that a lot of these officers are going to retire all near the same time, and that mass experience is going to leave the department, and the organization is going to flip. And that large profile is going to be replaced by a large junior profile, so the average age of the department will decrease.

Further lessons can be shown by breaking these out into smaller cohorts. This shows the average workforce by five years of service cohorts. Again, larger number of junior officers, smaller number of senior officers, and it also shows attrition by these cate – these year grades. And again, higher in the early parts as officers figure out their careers, lower as they lock in for retirement, and then higher as they get retirement eligible. With these averages, while they sho – they look very healthy, hide some very chaotic patterns that exist among agencies. This agency, for example, shows that its total workforce – there's about 50 percent of all the officers within the 11-15 year cohort, which means that about 11-15 years ago, they went on a major hiring boom, brought in a bunch of officers, and did less hiring before and after that. And now, this large cohort serves as a wave that's working through the organization over time, so you can imagine when you bring in these large cohorts, it creates issues because all of a sudden you've got to, you've got to train these officers. You've got to get them through field training. They're all going to come through promotion at the same time. You've got to provide them leadership, and then they're all going to be getting into the senior cohort at the same time, so then it's going to be more expensive, and then they're all going to retire at the same time, so these types of issues we can predict based on the types of hiring that we do, and I also want to point out that these issues are irrespective of the staffing level.

And so there's two things to be thinking about here. One is what's the proper staffing level we have or that we need, and then what should the distribution of those officers be? Two very important goals that must be considered in tandem, and this chart shows some healthy and unhealthy patterns. Again, the average happens to illustrate a healthy pattern where there's progressively smaller cohorts. A is a good example where it is a healthy pattern. B shows a very small senior cohort, so very little opportunity to provide supervision for the more junior officers. B is a similar cohort where the issues are actually expanded because of the significantly large junior cohort that's there. Cohort D shows a pattern where there's a large middle cohort. This suggests the problems that are going to come in the future years when there's going to be a substantially large senior cohort and a progressively smaller junior cohort, and then finally, E shows where there's a large senior cohort. Again, very expensive to, to operate this department. A lot of experience, but those officers are going to retire, and then the, the cohort is going to flip. And so the other issue here to think about is that there's going to be a large number of leadership opportunities that are going to come together, but there's a very small junior cohort, which means there's a small pool from which to recruit the most talented leaders of the department.

So why do these personnel patterns matter? Well, as I mentioned, the cohorts progress through the organization over time, and these unhealthy patterns can create a number of problems that detract from service delivery, personnel management, and efficiencies. I mentioned recruit training, promotion assessment, career progressions. So basically, issues that affect the individual careers and needs of the officers but also issues that affect the performance and efficiency and goals of the organization as a whole, and so these cohorts can start to oscillate

when they get out of proper distribution, and they can be difficult to manage once they get out of control with standard recruitment and retention strategies and also given other kind of practical considerations. So given the importance of the cohorts, it's important to consider these when thinking about major personnel decisions.

What we've seen around the country are a number of things such as hiring freezes and layoffs and buyouts and furloughs. These are all major decisions that significantly impact the cohorts of the organization, and so when we have the ability to do so, we need to take these into account when making these kinds of decisions. So, for example, an organization that would be fairly junior heavy, having a hiring freeze would be substantially better because it would reduce the junior cohort, whereas a buyout that's focused on the senior officers would be substantially worse. By contrast, if the organization was senior heavy, the opposite would be the fact. The hiring freeze would be substantially worse because it would reduce the junior cohort, and the, and the buyout would be substantially better because it would be targeted to more senior officers.

The fact of the matter is the state of the research in this area is in need of more empirical assessment. What we find is there's a very few empirical studies of these kind of personnel management issues. We find that often the management is based on tradition, history, anecdotes, and what we think will work as opposed to data, evidence, analysis, assessment, and what's been shown to work. But both research and practice together have demonstrated that police organizations operate in a dynamic environment. They're very complex, and that there are the systematic factors that affect the ability to staff organizations. At the same time, there are unique characteristics of communities and states that have affect them, as well.

And in general, police agencies have typically had limited analytical capacity to study these issues for themselves to develop evidence-based lessons. Managing police workforces is a

delicate process, and so my – what I would contend is that staffing levels should be based on workload and performance objectives and that the service delivery suffers when the levels fall below the allocations that are based on these specific dimensions. And it's also important to distinguish workforce structures or cohorts from staffing levels because both are critically important to managing departments and delivering quality service and goals for both of these should be set. And as I mentioned, the dynamic environment means that agencies have multidimensional factors that influence their abilities to manage and staff themselves. They're systematic, and there's local issues. And recruitment retention should be seen as tools for helping to bring cohorts into efficient distribution in addition to managing staff levels, not solely to manage staff levels, and then finally, given the problems that can occur when cohorts are unbalanced, it's important to maintain proper balances over time to avoid their oscillation and contribute to further, further problems. Thank you.

CHAIRMAN MARSICO: Okay, we're going to go ahead if you don't mind. If you have questions of the Professor first, and then, Joe, if you can just hold off a little bit.

MR. KOVEL: That's fine.

CHAIRMAN MARSICO: Your voice is much better than it was yesterday.

DR. WILSON: Thank you.

CHAIRMAN MARSICO: Question. You had mentioned the – in your testimony, Michigan State Police cut strength to 1960 levels? Pretty alarming. How, how has that affected the crime rate and public safety in the state?

DR. WILSON: Well, that's a good question. Unfortunately, I don't have specific data on that. I have started some new projects with the Michigan State Police where I hope to be

getting some of that information, but these consolidations have been fairly recent, and so I don't think we have the evidence that talks about what the effects of those have been.

CHAIRMAN MARSICO: You say "reduced posts." You mean they would be barracks? Is that what you mean there? By 53 percent.

DR. WILSON: Yes, I believe that would be the equivalent.

CHAIRMAN MARSICO: Okay, all right, Senator Pippy, Chairman Pippy has a question.

CHAIRMAN PIPPY: Thank you, thank you, Chairman. Look at the workload analysis. Do you have reports that you can present that look at some organizations that may be of similar size as the State Po – the Pennsylvania State Police? I don't know if that's available or not. One thing that did catch my eye is when you talked about the importance of a balanced workforce. In this case, you were talking about the age, so based on your testimony, it would be in our best interests rather than have a class of four hundred and then a class of one hundred. We should be trying to have a class of 250 every year for the next few years so we can have a balanced workforce, so we can have predictability. We can allow the men and women who are the troopers the opportunities to get the promotions and get the assignments, because if, if you have a very young force, it's cyclic. It will become a very old force, and we will hit those bubbles. And they will hire a very large young force, and then we will have a very old force. Do you have any thoughts or comments on that?

DR. WILSON: Yes, you're absolutely right. What you can do is take a census, or do an analysis to determine what the workforce distribution is now and plan the academy classes so that you meet both number that need to come in over time but then also within the right timing periods. In general, you know, having a single large cohort would be much more difficult to

manage over time than having smaller cohorts, but depending on the age distribution now, you might want to have, you know, some smaller ones and some bigger ones or, you know, a couple bigger ones. But that would depend on what the current distribution is now, but those are all things that can be analyzed, that can be predicted.

CHAIRMAN PIPPY: Thank you, Chairman.

CHAIRMAN MARSICO: Representative Waters, Philadelphia County has joined us. I just wanted to acknowledge your attendance. Representative Delozier.

REPRESENTATIVE DELOZIER: Thank you, Mr. Chairman. I had two quick questions. In the ideas that we have the levels of troopers, and we have the most important part of them. And their job is on the road, and we talk about response time. We talk about a lot of other issues that we expect of these troopers. They have a very hard job and one that we should be supporting them with. Is there the capability – and when you were looking and studying other states, the capability of taking a look at are there jobs that troopers do or municipals do that possibly could be civilian jobs and made into allowing for those that don't have the excessive training that our troopers or our police officers have? That admin[istration] type jobs, training, providing training, overseeing certain admin[istrative] type of, of parts of their administration, which have to be done, but that certainly could be done with someone with a lot less training and have our troopers and our police officers on the road?

DR. WILSON: Yes, those type of studies can be done, and I've seen that – excuse me – that around the country there's been a number of studies issued. Police departments and communities have, have issued staffing and allocation studies and efficiency studies where they look at these issues. I've been part of teams that have looked at a number of, of agencies around the country where they've, they've done this. What we've – what we're seeing today is that

pretty much everything is on the table and things that we would never think about before we're starting to explore, and I've seen communities looking at every single aspect within the organization up and down to try and find ways to identify efficiencies, and civilianization is one of them.

REPRESENTATIVE DELOZIER: Okay, and one last question. We talked about, and you mentioned, backgrounds, and many families of police officers certainly may not think about it, but certainly their background checks of future police officers is a very, very important thing. Because more and more, they are finding more drug use, possibly, or exclusionary issues, whether it be a minor shoplifting or something very small, but it excludes them from being a police officer. And obviously, I say, rightly so, in the sense that those that do have family members that are police officers, those are the folks coming on that will back them up. We want honest – we want people that are willing to take on the honor of being and serving as our, our troopers do and, and as our police officers do, but what have you seen? Have they been relaxing, possibly, what they will accept? Have they been raising the threshold? How have you seen where municipalities and/or states who need more police officers and have less applying and possibly less credible individuals applying, are they reducing those standards and possibly putting those that are already in the job in danger?

DR. WILSON: Well, prior to – excuse me – prior to the recession, we saw a lot of changes like that because there were major recruitment issues going on around the country, and so we saw a relaxing of standards for drug use, age restrictions etc. But unfortunately, there haven't been empirical studies that show the impact of that. Now anecdotally through my work with practitioners, they tend to not appreciate relaxing those standards because it reduces the

quality of the workforce, but the empirical studies haven't been available to show what impact having those stan – altering those standards have had.

REPRESENTATIVE DELOZIER: Okay, thank you very much.

CHAIRMAN MARSICO: Yes, Representative Saccone, just to interrupt a second. We do have to get to Session. I want to give Mr. Kovel ample time.

REPRESENTATIVE SACCONE: I, I'll waive off, Mr. Chairman.

CHAIRMAN MARSICO: Representative Neuman. Thank you. Did you want to ask a question? Okay. Anyone else? Okay, thank you very much. Just – if you want to stay here, we, we welcome you to stay and ask you to stay. Joe, you're on.

MR. KOVEL: Thank you, sir. My name is Joe Kovel, and I have the honor and privilege of serving as the President of the Pennsylvania State Troopers Association, which is also known as the PSTA. I would like to thank the four Chairmen, Senator Pippy, Senator Ferlo, Representative Marsico, Representative Caltagirone, and the members of the House and Senate committees for giving us the opportunity to speak today and recognizing the importance of adequately staffing the Pennsylvania State Police. I know that you've been inundated with a lot of information, a lot of testimony today, so I'll try to keep things brief so that we can get to a question/answer period.

While we greatly appreciate the comments of the Governor and authorizing us a cadet class of 115, which starts actually in this fiscal year – next fiscal year, there is no money allocated for new troopers. The Senator had asked before, "What is it that we want?" Senator, I'll tell you. We need 350 troopers is what we need. Our, our academy can handle 350 troopers in, in a fiscal year, getting them through, and that's what we need. We need those troopers out on the road to provide the services to the citizens, and that's what we're asking for. You might

not have gotten a number before, but I'm telling you that's what we can handle in a year, and, and that's, that's what we want. Failure to address the deficiencies these troopers now places us in, in the jeopardy of falling so far behind with the pending retirements that we feel that it will be impossible to get the job done without seriously changing the definition of what the job is.

Colonel Noonan has provided testimony that we could be facing depletion of our ranks of up to one thousand troopers. If that's, if that's the number that we're looking at, obviously, I don't have to tell you that that would be catastrophic to public safety here in the Commonwealth. Our, our Members are right now at almost 400 below that level, below our, our funding level our allocated numbers, and we find that number to be unacceptable, and it's causing us problems in the field with getting that job done. And performing at the high level of efficiency that we have for the last 107 years, we feel that we provide the best service there is in the country. We stand second to no one as far as our organization goes, and we plan to continue that. But the fact of the matter is that whenever you continue to drop and you start looking at over a 25 percent reduction in, in our force, things are going to suffer, and people are going to suffer. Lives are in danger, and the crime rate increases, and that's what happens when you take troopers off the road.

Our troopers face tough decisions every day that sometimes run contrary to what our department regulations require them to do. Domestic violence incidents happen every single day across this – across the Commonwealth, and department regulations require that our members respond with two people to every domestic violence incident because they're highly volatile situations, and a lot of unexpected things can happen. But because response times are so, are so long in back up, our officers, our troopers are faced with a decision when they arrive there. Do they sit at the end of a driveway? Do they sit at the end of a street and wait for backup to arrive,

or do they go and try to handle that incident by themselves, possibly making the incident worse or putting themselves – their lives in danger?

Departmental regulations require that we also transport prisoners with two troopers, but because of depleted ranks, we're often faced with transporting one prisoner with just one trooper, and that puts the trooper at risk. And obviously, then, the community members at risk if an incident does happen and a subject is able to, obviously, get away from, from our members.

I'd like to briefly address, and I'll answer more questions dealing with, with barracks closures. Response times would only worsen when you close a facility and you take our troopers away from that area and you take us to a different area. It's going to take us longer to help people. That's just – the fact of the matter is simply that. It will take us longer to get there. It's going to take us longer to provide backup, and they, they might tell you that it's only fifteen miles. It's only ten minutes. Well, that doesn't seem that long unless you're the one that's being beaten. If you're the one that's suffering in those incidents and it's your life that's being threatened or being taken from you, it's a long time to wait for a trooper to get there just because it's only, it's only an extra fifteen miles away.

We find that to be unacceptable, and that's why we need these troopers so that we continue to provide this high level of service that we've done in the past. We ask that you – if we don't proactively address our depleted ranks right now, it's going to reach a point of financial impossibility, and just like the Senator had said, we ask, obviously, for this number that we're asking for now. But in the future you can see by these charts that the department has provided, those numbers are going to continue to change over the next couple of years. We're going to be facing a large number of retirements. Twenty years ago, the department hired a large number of people, and we worry now about lack of foresight, lack of planning, that we need to have a better

plan just like you had said. And we need to lay out what we're going to do over the next couple of years. Because this is just for this next fiscal year. The years to follow we need to have a better plan, and, ladies and gentlemen, I tell you that it's not that we might be. Pennsylvania is on the verge of a public safety crisis. And we worry about the citizens of Pennsylvania and the dangers that are facing them and the dangers that are facing our men and women out there doing their job every day. I'll gladly answer any questions that you have.

CHAIRMAN MARSICO: Questions? Representative Neuman.

RERPESENTATIVE NEUMAN: Thank you, Mr. Chairman. Thank you for your testimony today. My question really goes to, basically, a domino effect. Our District Attorney really relies on a lot of your investigators with a lot of serious cases. Have you, with the decrease in staffing and also the decrease of staffing in our District Attorney's office, have you seen a huge influx of cases that are causing a backlog in the courts? It's one thing to, to arrest somebody and get them off the streets, but it's another thing whenever I have criminals walking out in my county because they're getting Rule, Rule 600 because they're not coming in time. Are you seeing a huge issue with investigations and bringing cases to court because of lack of staffing?

MR. KOVEL: A lack of our staffing?

REPRESENTATIVE NEUMAN: No, a lack of – well, yes, a lack of your staffing and a lack of stress on your workload for your investigations.

MR. KOVEL: Our workload has definitely increased. I, I don't think that – I haven't heard any stories of horror that our investigators have dropped the ball and are missing a time limit to bring a case to prosecution. But I know that workloads have increased, and obviously, when workloads increase, what our investigators and what our troopers are forced to do is we

have to prioritize what investigations that we move forward on and which ones don't necessarily get the attention that, that they're due. And that's not fair to the citizens. I mean, what our job is is to protect them, investigate these crimes, and to, to solve those crimes, and to arrest people, and put them in that, into that process. We feel that we're suffering. We're, we're not getting the job done the way that we'd like, and that – I do hear that from the field that they feel, our troopers feel that we're not up to the standard of what we've always been, that our investigations are suffering.

REPRESENTATIVE NEUMAN: I wasn't implying that you guys dropped the ball. It's not your job to bring the case to court. It's the District Attorney's job, and it seems like they're overworked and understaffed, as well. And it's a domino effect to where our counties, our municipalities are cutting down on staff, and now they're reaching out to the State Police. And you're stretched too thin to really assist, and the District Attorney is stretched too thin, as well, so I was just seeing if your investigations into the local level have increased a lot, and you're not increasing in staffing.

MR. KOVEL: I would say yes. I mean, our investigations definitely increased.

CHAIRMAN MARSICO: Representative Saccone.

REPRESENTATIVE SACCONE: Thank you, Mr. Chairman. I'd be interested to see, you know, how you feel about having a total force review. I mean, it looks like it's time to look at what we expect the State Police to do and, and how many people we need to do that. We've done this twice in the military in my lifetime after the Cold War and after 9/11 where we just say, "Look, we've, we've been doing things a certain way. We require things be done a certain way, but maybe it's time to look at exactly what it is, getting back to those additional responsibilities and so forth, that we, from a personnel management point of view, look at what

we, in the future, really need the State Police to do and how many people we need to do that."

Would your association be, you know, interested in that kind of thing? Would you be receptive

to something like that?

MR. KOVEL: Absolutely. I believe the last study that was done was back in 2001,

which then caused us to raise, have the complement level raised. I think if we do that again, the

scary part is they're going to say we need more troopers. With those thirty-two additional

responsibilities that we've, we've taken on, you're going to find that we need more troopers.

REPRESENTATIVE SACCONE: That's assuming you keep all those responsibilities.

MR. KOVEL: Yes.

REPRESENTATIVE SACCONE: If you do a total force review, that's the whole

purpose of it. You reorganize and say some of these things might not be necessary anymore.

Some of them could be done at a reduced level. Maybe you don't need more. Maybe you do,

but maybe you don't. That's what, that's what they've done in the military, and I'm just thinking

maybe that would be helpful in this case.

MR. KOVEL: I agree, and I understand that, but I also agree with the Colonel. I don't

know who would take those responsibilities. And I honestly believe we do it best. We do it

better than anyone else, but I mean, I'd welcome the review, but I don't know who you're going

to find that's going to be able to do the job that we do.

REPRESENTATIVE SACCONE: Thank you.

CHAIRMAN MARSICO: Senator Smucker.

SENATOR SMUCKER: Thank you. Good morning.

REPRESENTATIVE SACCONE: Good morning, sir.

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SENATOR SMUCKER: Curious what you know about the potential proposed closure for Troop J.

MR. KOVEL: Well, what I can tell you that I just learned about it two days ago, so I, I don't know a lot. I've heard that the possibilities are the closure of the Ephrata station in Northern Lancaster County, and just as the Colonel had said, then moving the Lancaster station under the auspices of the Troop L Reading Command, and Emeryville and Avondale in Chester County going to the Troop K Philadelphia Command. And I understand the removal of – or the elimination of some of administrative positions and things like that. Our concern is simply this. There are professional services that we offer out of troop headquarters. We do drug investigations. We do fire marshal investigations. We do crime scene processing. We do polygraph examinations. We have re-constructionists for accident and crime scene reconstructions. Those services, then, are not going to be offered at a Troop Headquarters in Lancaster. They're going to be offered out of Reading and out of Philadelphia. So the people of Chester County and Lancaster County don't have those services immediately available. Will they come? Yeah, they're going to get there, but it's going to be longer.

SENATOR SMUCKER: How important is that – you heard the testimony today. Obviously, the officers are really important, but the testimony today was it's not as critical that those services are available immediately. Tell me a little bit about your response to that.

MR. KOVEL: I disagree with that and that thought process. It's a degradation of services to the citizens of the Commonwealth. They expect us to be able to step up and do a top notch investigation right away. When you have those drug investigators in Philadelphia and you have them in Reading, people in Lancaster and Chester Counties are going to suffer.

SENATOR SMUCKER: Where do I – obviously, this is an issue beyond this hearing, but where, where do I go for information about the possible impact of what they're talking about?

MR. KOVEL: I'm not sure.

SENATOR SMUCKER: I mean, I don't know how it works, but....

MR. KOVEL: I can tell you what, you know, the, the thought of our – of what our people feel. You know, you close the Ephrata station. It's just like when you start station closures. It's like when they closed the interstate stations years ago. Yeah, there's a big influx of troopers at a station, and now if you go back to where all those troopers are, they're at the lowest levels they've ever been. And that's what going to happen. We feel – we worry that's what's going to happen in Lancaster. We hear rumors. There's talk of Shickshinny, DuBois, Corey, Phillipsburg stations, are all being talked about as possible stations of closure. And those people in all those areas, we worry about what's going to happen to, to the services that would be provided to them.

SENATOR SMUCKER: Again, raised the same question earlier of Troop J, I'm sure this is true in other areas, as well, but services many townships that may be as far as a half hour away from the station, forty-five minutes. They don't have their own force. How do you think what they're talking about here would impact service in those areas?

MR. KOVEL: I think the service is going to suffer. I mean, we're going to – the plan is that they're going to keep those Lancaster, Emeryville, and Avondale still open is my understanding. But it's going to – the people are going to suffer. You're not going to have those support services readily available, so you're going to, you're going to re-victimize the victims. They're going to sit, and they're going to wait longer for us to provide those services because,

because of budgetary concerns. At, at some point, I think that we have to start looking. As was mentioned here earlier, there is a cost to everything, but public safety is one of the core functions of government, and we feel adamantly that our citizens deserve better than these plans that are being outlined, and they deserve the protection they're used to.

SENATOR SMUCKER: Thank you. I, I certainly could have additional questions, but hope to continue this discussion going forward. I know we're in time constraints.

CHAIRMAN MARSICO: Thank you, thank you, Senator. Representative Keller for a short question.

REPRESENTATIVE KELLER: Yes, thank you. Thank you very much. I guess the question I'm asking you is what consequences does the State Police have if we as a Legislature do not proactively address the staffing issues?

MR. KOVEL: The consequences to the State Police, we'll continue to operate. It's – one of the consequences is public safety. It's, it's not always about the troopers. Now, we obviously feel there's a danger with officer safety because if you don't address these staffing levels, the – it takes us longer to arrive and back each other up and protect our brothers and sisters who are out there doing their job. But the citizens are the ones that are going to suffer. The people who live in this state, the people that voted and elect you and elected the Governor, they're the ones that, that are going to suffer because we're not going to be able to get there to help them. It's going to take us a long time to get there, and we worry about their lives being in danger.

CHAIRMAN MARSICO: Okay, anyone else? Very brief, before we do that, I want to recognize Representative Stevens who joined us. Go ahead, Representative Waters.

REPRESENTATIVE WATERS: Thank you, President Kovel. Thank you for giving us a number, about the 350, what you need to complement the state troopers. The – something came up in the Appropriations Committee hearings when state troopers came before us there, and they talked about the fact that some municipalities are beginning to let go, and I believe you might have talked on this. I heard earlier they might let go their own police department because, because of budgetary problems that they're having, too. Does that number 350 also reflect the fact that this could be a growing trend in municipalities?

MR. KOVEL: No, sir, we don't know what those numbers are. They change – they could change at any time as far as what municipalities we may take over. I mean, obviously, if that increases, we would need even more troopers, so that's just taking into account the numbers that we're looking at as far as retirement go. And that, that's not even going to cover everybody. That's not going to get us back up to our top level, but it's just going to get us to an acceptable level where we can provide that service. Those – the services that we're required to provide to municipalities who dissolve their police departments could continue to grow, and they have continued to grow over the year, over the years. And we step in and take on those municipalities without any additional manpower given to the stations out there.

REPRESENTATIVE WATERS: So the numbers could be even higher than 350.

MR. KOVEL: Absolutely.

REPRESENTATIVE WATERS: All right, thank you. Thank you, Mr. Chairman.

CHAIRMAN MARSICO: Before I turn it over to Senator, Chairman Pippy, I wanted to thank you for your testimony here today, and the House Judiciary Committee will join with the Senate subcommittee to further explore this issue. This issue, as we know, is not done, and there's lots to be, lots to be done in other future hearings and, and committee meetings, so if I

can just turn it over now to Senator Pippy, and thanks again for, for being here. Did you want to ?

CHAIRMAN PIPPY: Thank you Mr. Chairman. I'll be very brief. Senator Yaw, did you have a quick...? Okay, thank you. Just for the record, I don't think everyone's clear on this. We authorized 237 cadet, cadets for the class in this current fiscal budget. How many have actually graduated?

MR. KOVEL: Well, the, the number you were given earlier was 177, and that was the number that graduated. The last fiscal year we were authorized 237 trooper positions. Forty-five troopers actually went through the Academy from that authorized complement of two hundred and thirty-seven, so that, that number that was given earlier. I don't know if that explanation was quite clear, but out of the 237 that were authorized, 45 is what was paid for.

CHAIRMAN PIPPY: All right, we'll, we'll continue to work on that. Very briefly, the Law and Justice Committee will work with the House Judiciary Committee to look at some of the issues. I also have the pleasure of Chairing the Bicameral Legislative Budget Finance Committee. I think it may be appropriate to have our committee do a staffing study in dealing with some of the impacts as was recommended by Dr. Wilson, so we will work with you on help developing that. We will also work with the State Police senior leadership. Basically, we're here to try to help. I don't know if you have a plan section like we do in our division command, but I think it's necessary given the challenges we have. Thank you very much, Mr. Chairman. Any final comments? Hearing no comments, I want to thank all the members, both Senators and Representatives. This meeting's adjourned to call of the Chair.

Meeting is adjourned.

(Whereupon, the meeting adjourned at p.m.)

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