



**Testimony of Edward F. McCann
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Before the House Judiciary Committee

Regarding Senate Bills 333 and 334

March 21, 2013

Good Morning, Chairmen Marsico and Caltigirone and other members of the House Judiciary Committee. My name is Ed McCann and I am the First Assistant District Attorney in the Philadelphia District Attorney's Office. I appreciate the opportunity to speak to you about Senate Bills 333 and 334.

Before I begin my testimony, I first want to thank the Committee for all of its tremendous work on behalf of law enforcement and victims. We sincerely appreciate all your efforts and the work you do with us to craft important pieces of legislation that make Pennsylvania safer.

With regard to the issue of Traffic Court, at the outset we appreciate the intent behind this legislation. The recent criminal indictments of nine judges sitting in Philadelphia's Traffic Court was shocking and disheartening. This was a court designed to serve the people of Philadelphia; instead, the shocking conduct displayed by these judges undermined the credibility of the justice system as a whole and was an embarrassment to the city.

For years, it appears that these judges operated outside of the law. In fact, this behavior was so pervasive and widespread that one can safely say it was systemic. There is no way to restore a sense of fairness and decorum to the current system and that is precisely why this legislation is so vitally important. In addition, the taint of this Traffic Court scandal may unfortunately affect public perception of the entire court system. I applaud the Senate and this Committee for acting swiftly to fix this problem.

This legislation will help to ensure that we are never again faced with this appalling situation. It will require Philadelphia's Municipal Court to absorb the duties and responsibilities of Traffic Court. This will increase the expertise and qualifications of the judiciary handling these cases, and will also increase the amount of oversight and supervision of the operations.

However, it is no secret that Philadelphia's judicial system is already operating beyond its capacity. The District Attorney's Office is continually working with the First Judicial District in an attempt to ease this already overburdened system. We have incorporated several alternative programs and treatment courts to dispose of less serious cases in a fair and efficient manner. Initiatives have been in place to get cases to trial more quickly, to the benefit of both victims and defendants.

So in order for this current system to absorb the significant caseload of Traffic Court, additional resources will be necessary. This cannot be an unfunded mandate. The Municipal Court will require additional judges to hear these cases. Otherwise we will be reallocating our scarce criminal justice dollars and there will likely be a trickle-down effect that will slow the pace by which other cases are heard in Municipal Court.

Finally, the Municipal Court also needs the appropriate authority to properly administer and oversee Traffic Court, including the ability to make personnel, management, and expenditure decisions.

Thank you for your time today, and I am happy to answer any questions you may have.