

**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA STATE POLICE  
CIVILIANIZATION PLAN AGREEMENT**

First, I would like to thank you for being allowed to address the Senate Law and Justice Committee regarding the merits of replacing established sworn officers with civilian personnel in certain scientific and skilled job positions.

I am currently an examiner of questioned documents and photographs in private practice. I was a Special Agent for the FBI for twenty-three years and in the Laboratories Document Section for most of twenty years. I retired as Chief of the Special Photographic Unit (SPU) which for many years was a Unit within the Document Section. At the time of my retirement the SPU was composed of five Special Agent Examiners and approximately sixty civilian personnel. During my time in the Laboratory I had the opportunity to be on two panels that studied the transition of the FBI Laboratory Examiners from Special Agents to civilian personnel. Also, after retirement I was under contract to assist in the transition from sworn personnel to civilians by training newly hired civilian personnel.

In order to be perfectly clear as to my position, I am not speaking for the FBI or any other organization, but as an individual who has closely studied and observed the type of transition proposed by the Civilianization Plan Agreement (CPA).

To begin with I think it is important to define the job positions we are discussing. Based on the Civilianization Plan Agreement there are six categories of jobs which comprise sixty-nine positions now held by State Troopers. The CPA demands that at least sixty of these positions be converted to civilians "As soon as feasible, but in no event later than June 30, 2006...", approximately eight and one half months from now. The positions noted are as follows:

**GENERAL POSITIONS:**

|  |           |
|--|-----------|
| Liquor Control Enforcement District Office Commander | 9         |
| Troop Communications Specialist                      | 16        |
| Procurement and Supply Officer                       | <u>13</u> |
| <b>TOTAL</b>   | <b>38</b> |

**SCIENTIFIC AND TECHNICAL POSITIONS:**

|                       |           |
|-----------------------|-----------|
| Document Examiner     | 7         |
| Ballistics Examiner   | 14        |
| Latent Print Examiner | <u>10</u> |
| <b>TOTAL</b>          | <b>31</b> |

**GRAND TOTAL    69**

All of these positions have been characterized as "... performing administrative tasks..." and "...that the highly trained, professional men and woman of the State Police should be fighting crime and serving our citizens on the street rather than being stuck behind a desk ordering office

supplies and uniforms,”. Although I can not address the General Positions, this characterization of the thirty-one Scientific and Technical positions is completely unjustified and shows a complete lack of understanding and knowledge on the part of the authors. I am here today to address only the thirty-one Scientific and Technical positions that have been identified by the CPA.

#### Basic Reasoning For Transition:

The two primary reasons stated for the transition from enlisted positions to civilian positions are one, placing sworn officers on the street, and two, saving money.

In this matter the first reason is in fact moot. Whether thirty-one civilians are hired to replace the thirty-one sworn personnel we are discussing, or whether thirty-one new Troopers are hired to be put on the street, it still requires the hiring of thirty-one new personnel. This, of course, will address the public safety concerns since one way or another thirty-one Troopers will be on the street. So, the second reason appears to be the crux of the matter, “the Commonwealth will save money”. As I understand it, according to the CPA plan within the next eight months thirty-one qualified forensic scientists will be hired at a salary and benefit package less than that of a State trooper, and in order to save money will not be able to attain or exceed the State Troopers level. On the face it sounds like a good idea, but as a matter of fact it will be considerably more expensive and provide a less rounded and qualified individual in the Laboratory.

#### State Troopers:

The thirty-one State Troopers in the scientific and technical positions are first State Troopers and second forensic scientists, with the Document and Ballistics Examiners being required to have at least a college degree . The Trooper has had, at a minimum, his basic law enforcement training and at least one year experience in the field. He is then trained for six months to two years in a highly specialized field of forensic science. This provides that Trooper the ability to effectively and efficiently communicate and interact with fellow officers in the field, other law enforcement agencies and the various court systems in which they are required to provide expert testimony. Providing that testimony with the qualifications of State Trooper and forensic scientist carries considerable weight with the court and jurors.

#### Civilian Scientists:

It is true that qualified civilian scientists can be hired for the positions of Questioned Document Examiner, Ballistics Examiner and Latent Print Examiner. However, this may prove to be a bit more difficult than eluded to in the CPA, and may not provide the same quality of personnel that is currently embodied by the Pennsylvania State Trooper. As an example, there is estimated to be approximately three hundred qualified Questioned Document Examiners in the entire world. A qualified examiner means having at least a bachelors degree and two years training in a recognized laboratory. Most of the qualified civilian examiners in the Washington/Baltimore/Harrisburg area work in federal or other state laboratories, and are only going to be wooed away by more money or better benefits.

#### Money:

I have been advised that currently the first year State Trooper will make approximately \$49,800

per year, with the average Corporal making approximately \$65,000 per year. At the peak of a Troopers career he/she could make as much as \$76,000 per year. The average journeymen Corporal Forensic Scientist in the Laboratory therefore will make approximately \$65,000.

Recent inquiries at Federal Laboratories in this area, and experience in hiring personnel in my unit, indicate that the starting salary for a scientist trainee having a bachelors degree and some work experience, but no forensic training, can be GS-12, Step one, or \$63,184 per year. If they are already qualified they may very well start at GS-13, Step 1, or \$75,136 per year. Also, in a number of the Federal Laboratories the qualified examiners, depending on their education and experience, have the potential of attaining a GS-14, Step 10, \$115, 426.

Although it may be possible to hire one or two qualified examiners who have retired from other agencies, or just wish to move to Pennsylvania, it will be impossible to find enough qualified examiners for a direct replacement. In all probability the civilian scientists will need to be hired at the same or a higher cost than the current sworn personal. It must be remembered that you can not take newly graduated chemists, for instance, and place them in these positions. If it is necessary to train the civilians from scratch, then the process will be at least two and one half years to three years with both the current sworn personnel and the newly hired civilians simultaneously in the Laboratory. The cost of this process alone will be reflected for decades.

#### FBI Unit:

The FBI Laboratory Unit in which I was Chief had myself and four other qualified Special Agent Examiners. The original edict was that the majority of the Special Agent Examiners were to be rotated to the field and replaced by civilian scientists within one year. Needless to say, it didn't happen. After over a year of searching the four Special Agent positions were replaced by eight civilian scientist with academic credentials equivalent to the Special Agents . Then all eight civilians were trained for the next two years in their specific area of expertise. This, of course, required the Special Agents to remain onboard till the completion of the training. That training was completed approximately ten years ago. Since that time four of the civilians have moved on to other positions and four more civilians have completed training within the last few weeks.

It is my personal opinion anyone looking objectively at the sworn to non-sworn personnel transition in the FBI Laboratory would find that the transition costs far exceeded the original estimates, and that upon completion the Laboratory was in no better position monetarily or had it improved the quality of it's examiners.

#### Transition:

In order to maintain the quality and quantity of services provided by the Pennsylvania State Police Laboratory the sworn to non-sworn transition will take two to five years. During that period the public safety issue noted in the CPA will not be addressed by the current Laboratory State Troopers and in fact the cost will most likely be more than double when everything is taken into consideration. Upon completion of the transition Pennsylvania will have civilian forensic scientists that in all probability have no better academic qualifications than the sworn personnel, but lack the law enforcement training and experience. In addition, the cost in salaries and benefits for the civilian personnel will in the long run equal or possibly exceed the Troopers pay scale. Contrary to the CPA's implications, Pennsylvania will not be hiring administrative file

clerks to replace the highly qualified State Trooper forensic scientists, it will need to find highly trained and skilled personnel of the same caliber who are willing to move to Harrisburg and work for considerably less money than they could make in other laboratories throughout the area.

There are a number of intangibles that also must be considered. One of the things that has been noted in most laboratories that have gone from sworn to civilian forensic scientists is the turn over rate is much higher for the civilians. It is not often that a State Trooper forensic scientist will give up his badge and position to take the same type of job in another forensic laboratory for a few thousand dollars more. In addition, the Pennsylvania Forensic Laboratories current reputation in the law enforcement and legal communities is one of the highest in the nation. It is also accredited by the American Society of Crime Laboratory Directors-Laboratory Accreditation Board (ASCLD-LAB) which in all probability will be lost until some future time.

Summary:

The bottom line is that the CPA was poorly thought out with little to no concept of who and what qualities are necessary to maintain a highly respected effective and efficient forensic laboratory. They have equated the thirty-one forensic science positions to clerical personnel or technicians conducting routine functions. Nothing could be farther from the truth. In addition, the proposition that this transition will be cost effective and save the State money in salaries and benefits is not true on its face, and when considering all of the other costs involved, it is likely that it will have a significant drain of tax payer money for many years to come.

If the transition will not save money, improve the Laboratory personnel or increase productivity and efficiency then it has no practical value and should not be implemented.

Thank you for your attention:

Gerald B. Richards (FBI Retired)  
15307 Alan Drive  
Laurel, Maryland 20707