

Testimony provided by:

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Respectfully submitted to:

**Pennsylvania State Senate
Law and Justice Committee
Hon. John C. Rafferty, Jr., Chairman
Hon. Sean F. Logan, Democratic Chairman**

October 17, 2005

Good morning. First, let me thank you Chairman Rafferty and Chairman Logan, as well as all members of this committee for your leadership in helping to make Pennsylvania a safer place for our families. Let me also thank you for your support of the law enforcement community, specifically the Pennsylvania State Troopers Association. We appreciate the opportunity to work together with you on issues that are important to the safety and security of 12 million Pennsylvanians.

My name is Bruce A. Edwards, and I am proud to serve as president of the Pennsylvania State Troopers Association. Joining me today is our legal counsel, Gary M. Lightman and several retired members of the Pennsylvania State Police who have a combined 120 years of service. They are: Raymond Albert, Joseph Bonenberger, Leon Krebs, and Dennis Loose. We will all be happy to answer questions at the conclusion of our testimony.

The PSTA represents 4,200 active men and women who have dedicated their lives to proudly serving their neighbors, relatives and communities as Pennsylvania State Troopers. We are here today because the PSTA is committed to enhancing the ability and resources of the Pennsylvania State Police to handle the ever-increasing duties placed on our department.

In a moment, I will discuss civilianization in much greater detail, but first let me clarify our state police complement. It seems every year numbers are thrown out there that inaccurately portray the number of Troopers available to patrol our communities. When the PSTA advocates for hiring more Troopers, we want those Troopers to be added to our complement, which handles traditional patrol duties.

In the administration's most recent budget proposal, Pennsylvania was listed as having an authorized budget complement of 4,338 Troopers. But it's important to understand that not all of those Troopers count toward our complement. In fact, some – such as those dedicated toward gaming enforcement – aren't even hired yet.

Those Troopers that do not count toward our complement include:

- 235 Troopers are used exclusively for the Pennsylvania Turnpike;
- 13 Troopers patrol the Delaware River Joint Toll bridges; and
- 50 Troopers that will eventually be devoted solely toward gaming enforcement -- only 14 of these positions have been filled.

These positions do not count toward our complement because our department does not have the luxury of using these Troopers to help with traditional patrol duties. They are restricted solely to the turnpike, toll bridge or gaming and cannot be used elsewhere. So when you do the math, Pennsylvania's Trooper complement really stands at 4,040 of which just 3,950 are currently filled.

This provides an important segue into our discussion of using civilians in the department. The intent is to maximize the time our well-trained Troopers can devote to law enforcement.

Let the record be clear: The PSTA strongly supports this concept. Our members signed on to this job because they wanted to fight crime. With that belief in mind, the PSTA has a strong record of working with past administrations on civilianizing positions.

Since 1996, hundreds of duties have been transferred to other departments or civilians with the cooperation of the PSTA, freeing up Troopers to do patrol, criminal and other police-related duties, as noted in the 2001 report by the state Legislative Budget and Finance Committee. In doing so, 163 Troopers have now returned to full-time law enforcement activities.

We are proud of our record and willingness to work together, but the reason we are before you today is simple: The current administration's plans for civilianization would do nothing to alleviate our department's manpower shortage. In the process, it would increase costs for state taxpayers, and perhaps even more importantly, jeopardize the high quality of law enforcement that Pennsylvanians have come to expect from our department.

When the Governor speaks of civilianization, he talks about removing Troopers from duties similar to receptionists and front desk greeters. We couldn't agree more. Yet, many of the positions identified by this administration are highly technical in nature, such as ballistics examiners, latent print examiners and document experts. Removing Troopers from these positions and replacing them with newly-trained civilians would eliminate a combined 199 years of experience.

Not only would our department's ability to do effective criminal work suffer, but district attorneys, who rely on the expert testimony and reputation of a sworn Trooper, would be forced to deal with lesser experienced civilians.

While all of you already know this, it is also important to note that Troopers typically stay in their jobs for two decades or longer. In many cases, Troopers bypass promotions to remain in jobs that are critical to law enforcement and judicial proceedings because they are dedicated to their job. That enables the Pennsylvania State Police to provide the level of service each of you, and all Pennsylvanians, expect and deserve.

The department claims that many of the Troopers that would be replaced under the administration's plan average only 5.2 years in their specialty. However, further study of the dates that these Troopers began working in the crime labs found several errors in the department's figures. In fact, the combined tenure of these Troopers averages 7.4 years.

Such a level of service and dedication cannot and would not be duplicated by civilians. Other experts will testify more to this issue, but civilians will be more willing targets of head hunters who can provide higher salaried positions in the private sector. As a result, the Commonwealth of Pennsylvania will be forced to raise salaries of civilians to compete, costing valuable taxpayer dollars. In the end, the more likely result is our department will become a training ground for the private sector because we simply won't be able to compete with private sector salaries, and the quality of work performed will not be up to our current standards.

Repeatedly, you have heard Gov. Ed Rendell and members of this administration say they want to get Troopers out from behind desks and onto patrol. We could not agree more, but there is a better way to do it – hire more front desk and administrative assistants.

Right now, there are 15 troop stations across the state, which do not have an office assistant on staff. Most other stations have only one. Could you imagine any business with 40 to 60 employees with only one, or worse, no office assistants? As a result, highly-trained Troopers are being wasted on greeting visitors, answering phones and doing filing work.

For example, when I worked at the PSP Hamburg station, we didn't have an administrative assistant. That meant that a corporal would be forced to spend 2-3 hours doing clerical work instead of supervising Troopers on duty. And this is happening all across the state.

Making matters worse, another problem has developed with the start up of the consolidated dispatch centers, or CDCs. Now that civilian employees are being moved from stations to the CDCs, we have even fewer civilians available to free up Troopers to do law enforcement work.

This all begs the question why the administration would target highly-specialized and important positions for civilianization when Troopers are seeing more and more of their shifts go toward desk duties. If they hire sufficient front desk and administrative support, we believe our department would regain the man-hour equivalent of about 206 Troopers

each week. I think we can all agree that a Trooper's time should not be spent behind a desk answering phones. If the administration truly agrees with us on this, then they should provide our Troopers with the office support they need.

I would also briefly like to address our attempts to work on a civilianization plan with the administration through collective bargaining. The administration has balked at this, despite fully acknowledging that this issue is a mandatory subject of collective bargaining, and as a bargaining unit, we must work through that process. It is also important to note that since it is a matter of collective bargaining, the PSTA could wait until our current contract expires in three years before negotiating on this issue. Despite this, we came to the table. For the PSTA, the safety and welfare of Pennsylvania's citizens comes first.

I also need to call your attention to the continuing delay in fully implementing the Incident Information Management System, known as IIMS, and frequently cited by this administration as an example of how new technology will return the equivalent of 170 troopers to patrol duty. The project is significantly behind schedule and to date has only been partially implemented. Currently there are strong indications that the administration and the contractor implementing this vital program are at an impasse over a second renegotiation of the contract, seriously jeopardizing the investment the state has already made in this new technology and further delaying any actual benefit of increased productivity by troopers on patrol duty.

There are additional issues and concerns which we believe deserve this committee's attention as well, but time does not permit to get fully into them at this time. Issues pertaining to the new patrol responsibilities the state police will be assuming shortly for the interstate highways in Philadelphia: how will those positions be staffed, where will the additional troopers come from, and how might it impact other areas of the state. We are also alarmed that the Governor struck out the stations closing restrictions the legislature included in this year's budget. We believe any move to close any station needs to be carefully studied, evaluated, and done with the input of all affected parties, especially the appropriate legislative committees.

All of these issues have combined to make the morale among rank-and-file Troopers as low as I and many others have seen it in my two decades in the State Police. In the last few years, more members have filed lawsuits against our own department than anyone can remember.

Before taking questions, I would also like to quickly address the recent lawsuit filed by the PSTA in state Supreme Court against the Pennsylvania Gaming Control Board.

The suit was filed to prevent the hiring of private companies to conduct background checks for employees who will work in the state's new gaming industry. When Pennsylvania's gaming law was passed more than a year ago, over \$7 million was set aside for use in ramping up security and law enforcement needs. An additional \$8

million was provided for in the 2004-05 state budget to hire 90 new state troopers. To date, little of the funding has been spent and none of the 90 troopers have been hired. On August 4, the Gaming Control Board sought approval for emergency procurement of investigatory services to outside vendors, rather than use the Pennsylvania State Police.

The gaming board and administration indicate our department doesn't have the resources to handle such background checks, but we believe this is an emergency created solely through their inability to act. Had the funding provided for gaming security and new troopers been used, the state would be prepared to handle these duties. You can't cut corners with something this serious. We need to fight organized crime aggressively.

This failure to act does not justify handing over millions of tax dollars to outside companies to conduct background checks, effectively outsourcing some of the most important facets of law enforcement. Leaving background checks to outside vendors simply creates another layer of bureaucracy, which can create weaknesses in the system, not to mention waste tax dollars. The State Police are the primary law enforcement agency in Pennsylvania. This duty should clearly be the department's responsibility.

Nothing should take a back seat to law enforcement. The gaming board and administration must show Pennsylvania is serious about preventing organized crime from infiltrating our gaming industry. Make no mistake, criminals will try everything they can to do just that. Outsourcing background checks will do nothing but weaken the oversight of an industry that has traditionally attracted organized crime and rampant corruption. Organized crime could potentially cost taxpayers significant property tax relief from gaming revenues. That would be the biggest crime of all.

With that, let me thank you again for your leadership and the opportunity to testify before you today. Following the other panelists brief comments we will be happy to answer your questions.

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