

Comments to the  
Pennsylvania Senate Transportation Committee

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9:300 AM

Good morning. My name is Tom King, Chief of the State College Police Department and current President of the Pennsylvania Chiefs of Police Association. First, I would like to thank Senator Rafferty, Senator Vulakovich and the entire Senate Transportation Committee for the opportunity to offer testimony regarding use of radar by local law enforcement in Pennsylvania, an issue that is clearly of most importance and impact to traffic safety in Pennsylvania.

Today, I am not only speaking on behalf of the State College Police Department but the Pennsylvania Chiefs of Police Association, an organization of professional law enforcement leaders in Pennsylvania that has been in existence for 100 years. Our Association serves over 800 local Chiefs of Police and several hundred other professional police management leaders in Pennsylvania.

THE DIRE NEED

Despite the various reasons suggested about why municipalities and law enforcement agencies want access to radar for enforcement, it is not what we want but what we NEED to fulfill our mission and what our communities expect.

The need for radar is about saving lives and reducing injuries and property damage. The National Highway Traffic Safety Administration (NHTSA) produces crash data annually for all states. The most recent year published is 2012. There is much important data that I urge you to review; however, I will highlight 3 very important data points:

- PA had the 3<sup>rd</sup> highest number of speed-related fatalities (615), less than only Texas and California;
- Across the country, the state average of speed-related deaths in 2012 was 305 making Pennsylvania more than double the number of speed-related deaths again in 2012; and

- The clear majority (about two-thirds) of the 615 speed-related fatalities in PA in 2012 occurred on roadways primarily patrolled and enforced by local law enforcement.

### THE TOOL AVAILABLE

In Pennsylvania, local law enforcement is authorized to use inefficient speeding timing devices but not radar. The current authorized tools such as ENRADD and VSPEC are a very limiting speed timing device. Though they are accurate when used per the training specifications, they are limited for the numerous reasons including:

- Limited locations these devices can be used because of terrain and other hindrances;
- Time consuming to set up;
- Require at least a 2nd officer for VSPEC;
- More dangerous for police officers when setting up to use the devices; and
- Because of the time and staffing involved, severely limits each officer's ability to conduct speed checks.

### THE TOOL NEEDED

Radar is the most effective and most used speed enforcement tool in the country. It has been successfully used by the Pennsylvania State Police for many, many decades. Also, it is THE speed detection and enforcement tool used by EVERY other law enforcement agency in the country. Forty-nine of 50 states permit ALL law enforcement (both local, county, and state) to use radar. ONLY Pennsylvania prohibits local law enforcement from using radar. Such prohibition is a disservice and contrary to the government's role of doing what we can to protect our residents. It is sad in so many ways that each year Pennsylvania has more than double the average number of speed-related crashes.

Would it not be wonderful if radar could be made available to all certified and trained police officers and as a result we could SIGNIFICANTLY reduce the number of speed-related crashes in Pennsylvania?

## THE LOCAL, WELL-TRAINED OFFICER

To enforce the traffic and criminal law in Pennsylvania, every police officer, whether full or part-time is required to be certified by the Municipal Police Officer Education and Training Commission (MPOETC). This training is currently 23 weeks long and requires each officer each officer to pass various tests including a final examination to be certified. In addition, every local police officer, whether full or part-time is required to complete annual in-service training on topics determined by MPOETC. Currently this consists of four (4) various training topics each year.

The point I want to highlight is that compared to 4 decades ago, the local law enforcement officer in Pennsylvania is very well trained initially and gets ongoing training annually throughout his/her career. No disrespect to Mayberry but we are not a bunch of “Barney Fife”s” out there. In many cases, our local law enforcement is better trained than many other states across the country. Why are Pennsylvania municipalities and local law enforcement officers not trusted to conduct themselves in a professional manner? We need to same tool and would like to be trusted by our legislators just as the local police departments are in the rest of the country.

## CURRENT TOOLS

Given the high level of initial and ongoing training local police officers receive, they are authorized and trusted to use many tools and perform many critical functions in keeping with their duties. In each case, the tools we provide to our police officers are issued to protect and serve our communities and the officers. Some of the tools and actions police officers are permitted to use and take include the following:

- Carrying firearms including handguns, shotguns, rifles, etc. and making decisions when it is and is not appropriate to use deadly force;
- Carrying other weapons such as but not limited to the Taser, Baton or Asp, Pepper Spray;
- Trained as First Responders for medical treatment including administering oxygen, control bleeding, conduct CPR, and even trained in and carry Automatic Defibrillators (AED’s) where police officers respond to cardiac arrests and where needed shock a person’s heart back into rhythm; and
- Most recently because of the heroin epidemic, there is legislation introduced for police officers to carry Narcan so police officers can administer a drug to reverse the effects of heroin for a person who has overdosed.

## THE ILLUSIVE TOOL

Local municipalities and law enforcement agencies in Pennsylvania have been trying for decades to obtain radar to conduct speed enforcement. Almost 50 years ago when local radar legislation was first proposed, law enforcement training was not required and less of a priority. Back in that era of policing, there may have been reason for concerns about this traffic safety device being used inappropriately by some police agencies. We are in much different and better era today. Local police officers are much more professional, better trained, more accountable, more transparent and many other positive differences.

## CONCLUSION

Time is of the essence to pass legislation authorizing radar for local law enforcement in Pennsylvania. We cannot continue to have persons killed on our roadways in Pennsylvania in speed-related crashes at a rate double the nation's state average. Countless studies have shown that one effective strategy to address and a public health or safety threat, is consistent enforcement of existing laws. In Pennsylvania, we have good speed-related laws but inconsistent and inadequate enforcement in the clear majority of the Commonwealth that is served by local law enforcement.

If for no other reason, radar for local police in Pennsylvania is essential based on the data each year from the National Highway Traffic Safety Administration (NHTSA) that shows we are killing more than 600 persons each year in speed-related crashes, the majority occurring on local roadways primarily enforced by local police officers. It would be a great service to the Commonwealth's residents and visitors if the Senate Transportation Committee voted the radar legislation out of committee that leads to the General Assembly making radar for local police officers the law of the Commonwealth. If that is accomplished, I am confident Pennsylvania will begin to have fewer speed-related crashes and not hold the dubious and deadly distinction of being the 3<sup>rd</sup> highest speed-related deaths behind very populous states of Texas and California.

I urge you to support Senate Bill 1340 that would provide the most effective traffic safety and speed detection device to all certified police officers in Pennsylvania, RADAR.

I would like to thank the Senator Rafferty for scheduling this hearing and thank the entire Senate Transportation Committee for the opportunity to share the Pennsylvania Chiefs of Police Association's professional opinion on radar for local law enforcement in Pennsylvania. I would be glad to answer any questions.