

Senate Transportation Committee Hearing on PSP funding – 2/16/16

Mr. Chairman, I made an effort to appear today to offer some opinions and insights through these remarks for this Senate Committee to reflect upon which hopefully will be useful as you deliberate on appropriate funding sources for the Pennsylvania State Police (PSP).

I am here as a citizen, a taxpaying citizen, not representing any organization or industry. Likewise, I am not a lobbyist for any group. You may know or recognize me as a statewide advocate for bicycling in this Commonwealth, but I can assure you that there is no conflict of interest here with any relationship to PSP in my work as an advocate.

That said, I do have some unique knowledge of the PSP that supports the opinions expressed today. So, let me disclose that now.

In December 2015, I completed the PSP Citizens' Academy, an informal 20 hour session offered by Troop H held in York County. The purpose was to inform citizens regarding the functions and operations of PSP and in turn get feedback from citizens within the areas served. I was selected as class spokesman and attached to this testimony are my class commencement remarks summarizing what we learned for your edification. In 2009 I attended a similar citizens' academy offered by my local municipal police department covering many of the same topics. Submitted with my testimony today is a York Daily Record letter-to-the-editor printed on January 31, 2016. It too will support my opinions here today.

From those two documents, you will know that I hold PSP in the highest regard. It is not my intention today to diminish the importance and integrity of PSP as one of the largest and most respected law enforcement agencies in the country.

Regarding PennDOT, I make no claims to be an expert on all issues of the Department of Transportation; however, I do have a twenty-year comprehensive knowledge of PennDOT operations and functions having taken the time to work with the Department on many occasions directly and through various MPOs (Metropolitan Planning Organizations), such as DVRPC, SPC and my local MPO. And for a few days left in this month, I am a governor appointed member of the Pedalcycle (bicycle) and Pedestrian Advisory Committee with nearly twenty years involvement with that committee.

Which brings us to the topic of today—How to fund the PSP that now relies on most of its One Billion Dollar annual budget currently funded through the Motor License Fund (MLF). I say mostly because it's either sixty-seven percent as it stands now or seventy-five percent as anticipated.

I have read the testimony submitted by Transportation Secretary Leslie Richards and others as they addressed the Senate and House Transportation Committees recently in regard to the funding arrangement for the PSP through the MLF and I find it shocking. How did this ever happen?

The public will soon become aware that funding PSP through the MLF has drastically reduced the project delivery of so much construction on roads and bridges throughout this Commonwealth. That was made clear by Secretary Richards. And now, by highlighting the disproportionate use of MLF for the PSP instead of highway projects, the public will also come to understand how this will frustrate the purpose and intent of Act 89 of 2013— former Transportation Secretary Barry Schoch also testified to verify this impact recently. This is nothing less than a broken promise to fix roads and bridges that the public was willing to pay for with increased fees and taxes. This needs to be corrected immediately.

So, keeping this in perspective for the purpose of this Hearing, a One-Billion Dollar budget for PSP is actually three-percent of the total Commonwealth budget that is still in debate today. By comparison, Education funding is at \$6.3 Billion—roughly twenty percent with rounding error.

The premise that needs to be questioned directly is how the term “Safety” is used to justify the MLF use for PSP at the current level. PennDOT’s mission is to move people and goods over a network of highways, waterways, railroads and aviation. Safety for PennDOT is achieved by good engineering design and standards. The mission of Safety as used by PSP is strictly enforcement of the Vehicle Code on highways. As important as the PSP Patrol function is and best known, it is just one of so many other functions of the PSP. Shouldn’t the funding of PSP find the right balance to that?

So, to fulfill the purpose today, Here are just three suggestions the General Assembly should consider as sources of PSP funding besides the MLF.

1) Create the means to reimburse PSP for coverage of cities and municipalities that have dropped local police departments, but expect coverage. This is a trend least understood by the public that adversely affects community policing.

1) An immediate fuel tax specifically to fund the PSP. Fuel prices at the pump are at its lowest and the public could easily afford a bump. At least ten cents per gallon on gasoline and diesel, or whatever the “number-crunchers” can come up with. An indirect benefit is a constructive way to actually conserve use—a concept long forgotten. With gas so cheap, no one has an incentive to drive less or seek alternative transportation modes.

2) PSP should conduct a comprehensive review of all its functions and shift some of those functions to civilian providers, or at least to non-uniformed troopers. In other words, find the “mission creep” that has caused the PSP budget to increase to its current level.

Mr. Chairman, that concludes my testimony today.

Respectfully,

Joe Stafford  
Dallastown (York County)

Pennsylvania State Police  
Citizens' Academy  
December 7, 2015  
Delta, PA

Class Commencement Remarks

It's an honor and a privilege as the spokesman to represent this Pennsylvania State Police (PSP) Citizens' Academy class in York County.

In the previous nine class meetings, we have gained a lot of knowledge and been given a lot of insight about the PSP.

Within my own core values, I believe knowledge of the law makes us better citizens. Likewise, we also become better citizens from an understanding of those who are sworn to protect, defend and enforce the laws of this commonwealth. This Citizens' Academy provided the necessary empathy that enables us to support the PSP efforts as they carry out their noble duties as a Call of Honor.

We began this program learning about the history of PSP that began 110 years ago—May 2, 1905 to be precise. The department became the first uniformed police organization of its kind in the US and a model for other state police forces.

Initially, there were 228 men, four Troops — A, B, C and D — to cover 45,000 square miles. Today there are sixteen Troops and nearly 4,700 Troopers plus 1,600 civilian support staff. The organization chart now looks like that of a fortune 500 company.

York Barracks Commander Lt Nicole Palmer presented the PSP history and underscored the intense and professional paramilitary style training as part of the Academy program for recruits. Also covered was the Call of Honor — the creed by which all Troopers commit to as they become "Soldiers of the Law. "

That creed, says in part, "...and if need be, lay down my life as others have done before me, rather than swerve from the path of duty." In the 110 years since created, 96 troopers have fallen in the line of duty.

There were many milestones achieved throughout the long history of PSP. Just to recount a few within my lifetime:

- 1963—married men were allowed to apply
- 1965—Troops were re-organized by letters across the state (dropping districts and squadrons).
- 1972—the first female Academy Troopers graduated
- 1974—the Department adopts Affirmative Action policies regarding hiring and promotions.
- 1987—the first African-American is appointed as PSP Commissioner--Colonel Ronald Sharp.
- 2015—all Troopers will begin to sweat under the new leadership of Colonel Tyree Blocker upon his upcoming confirmation appointment as Commissioner. Col Blocker is committed to physical conditioning for all those under his command.

By my count, within the class time available, we covered about one-third of all the listed functions performed by the PSP. Each session was thoroughly covered and everyone was given the opportunity to ask any questions. In fact, that was our first "assignment"—bring on the tough questions each week to test the presenters.

We covered the most obvious duty associated with PSP—patrol duty—enforcing the vehicle code on highways and how they go about that in marked and unmarked cruisers, as well as motorcycles. And, of course, the use of radar for speed enforcement.

It was noteworthy to learn that no fines from traffic citations go directly to PSP. There's no monetary incentive, no monthly quotas, for traffic stops. Only public safety and Vehicle Code compliance warrants a stop.

However, the PSP is responsible for much more than that. The short list would include: criminal and arson investigation, K-9 units for drugs and explosives, crash investigation, and a highly trained Special Emergency Response Team.

PSP utilizes many special units to carry out its duties, such as, forensics, polygraph examiners, vehicle fraud units—all listed on the PSP website.

From my point of view, here's just one take-away:

Every presenter had a consistent professional approach when representing the duties and functions within the PSP. The tone and demeanor of each Trooper demonstrated a real dedication to the Department. The Academy and the continuous training sets the 'gold standard' for law enforcement officers.

And, here's what a few other attendees have to say:

"I hope the Troopers get something out of the program too, and get a sense of their value, meeting people who are interested in what they do." Also, "...we needed more time... You could tell that several speakers had more they could have shared..." She added, "...glad they chose Delta..."

"Taught me a lot about what is involved in the daily patrol. ... And gaining evidence for legal prosecution to put criminals away. And the process they go through to get their promotions."

One class member recalls the recommended strategy for the mass shooting and hostage situation —"run, hide, fight"—the new reality of today.

"The [State] Police vehicle and motorcycle were especially interesting. It's amazing how much equipment is packed into them and how it all works."

"...A profound respect for Pennsylvania State Police: the institution, operations and mostly the personnel."

And one last personal take-away and commentary. One of the most serious topics covered was the use of force—highly scrutinized today by the public and the media. I'd like to paraphrase the comments made by one of the Troopers following his presentation that described the evolving legal and historical training law enforcement officers must apply when considering the appropriate use of force—first, the public and media don't always know the facts and circumstances considered to justify the use of force. I won't belabor the point, but too often, a law enforcement officer is pre-judged out of ignorance and immaturity. Lastly, law enforcement officers have so many positive interactions with the public daily—it's only the highly publicized incidents that create the cloud of suspicion over the entire population of state and municipal law enforcement departments.

So in summary, we want to thank PSP and especially Troopers Garcia and Asbury, and their back-up, Trooper Rob Hicks for this learning experience. Not only was it educational—it was fun! I hope PSP will recognize Troopers Garcia, Asbury and Hicks for a job well done.

Maybe Captain Kosheba can take that as a collective hint.

Thank you.

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**Diversity is irrelevant to good policing**

JOE STAFFORD GUEST WRITER In its editorial of Jan. 10, "York County police should reflect the community," the editors naively bought into a "problem" that shifted the focus, and ultimately a solution, to a community issue. There's a lot of that going around these days in the political arena, but journalism on this topic has turned into propaganda instead of helping readers understand the issue. Maybe even doing more harm. Parsing through the editorial will point out the fallacies embedded there.

It begins with, "Police chiefs in York County acknowledge that the lack of minority representation in their departments is a problem." Really? That seems like more of a statistic. And, if it truly is a problem, then whose burden is it to solve? It may be a "consideration" by law enforcement departments, but not a problem. Like most propaganda, the term "problem" is repeated throughout the editorial. Just pointing that out to debunk the premise.

Saying all police departments need more minorities means what? Are we to guess or assume a given race? Also, not once was gender raised. After listing two finite numbers of minority officers to make its point (six out of 100 in York City and one out of 30 in Springettsbury Township), the editors don't go on to say what finite numbers would appease them and supposedly the community.

I attended a community forum several months ago at the Crispus Attucks Center that brought in most of the police chiefs from around York County to discuss law enforcement policies and tactics out of concern in the aftermath of the Ferguson, Mo. protests. My concern, at that time, was that the local police chiefs would pander to the public antipolice sentiments that swept the country out of ignorant and misplaced outrage — mostly generated by biased reporting of the Ferguson incident. The York police chiefs did not pander or waver in their statements about how they interact with the public to perform their duties. They each gave a professional and deliberate response to the questions raised by those in attendance. It was reassuring to me to hear them address the issues, especially about recruiting.

The editorial then goes on to say, "As a matter of principle, police departments should reflect the community they serve." Really? In what way? Education level? Income level? How about physical conditioning level? These are gut level questions for the community, not the police departments.

The editorial also seems to find fault with the Metropolitan York Police Testing Consortium instead of heralding it as a resource. It says, "But despite efforts by members of the consortium to recruit minority candidates, it hasn't." Really? It's a testing group — it can only rate those who take the test. And, by the way, there's more to testing than high scoring on a multiple-guess exam. There are psychological tests, drug tests, criminal background checks, lie detector tests and minimum physical endurance requirements that fall under the testing process. Even with the current reduced number of all applicants that the editors correctly pointed out, the final number that make it all the way through to be considered for hiring is very small. Quite simply put, there are a lot of white guys that don't make it either.

I also bristled at the editors' subtle dig at faulting veteran preference that may, well, favor veterans. I'll leave this to the sociologists, but last I looked, the armed services are more integrated now than ever to reflect the diversity claimed to be lacking in

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finding recruits. Why not favor veterans? The editors should be asking why there are so few minority veterans in York. Lacking a national draft through Selective Service is another area for the sociologists to examine.

So, where do my opinions come from? Am I just arbitrarily siding with municipal and state police departments to bash the York community? Hardly.

In 2009, I participated in the York Area Regional Police Department's first Citizen Police Academy course. The purpose of the course was to introduce residents to the basics of police department operations. YARP is an accredited department, which means it has achieved the highest standards for training and compliance as recognized by a statewide commission. Not only did the 30-some class members learn about all the functions and requirements necessary to operate a department, we all gained a great respect for the dedication each officer portrayed while presenting each topic. The course content covered patrol, arrests, use of force, forensics, criminal investigations, and everyone had an opportunity with a firearms simulator — a video confrontation with a potentially armed criminal. Yup, we all to make that call to shoot or not. You'll never view a news report of a shooting incident without recalling the reaction factors involved once you've experienced it. Other municipal police departments have offered similar opportunities. It's a real opportunity for lessons learned and balancing opinions.

Likewise, I just completed the Pennsylvania State Police Citizen's Academy conducted by Troop H — an equally impressive display of courage, dedication, professionalism and sacrifice that these "soldiers of the law" are called upon to exhibit and measure up to daily. Making it through the State Police Academy is tougher still after all the screening and testing of applicants.

In both courses, with slight differences in jurisdictions and functional authority, the ability to become a law enforcement officer proves to be very challenging. The skills, knowledge and temperament required and maintained to deal with the public demand high standards. The function of police work is to enforce the law and protect the public. Tell me how a police dispatcher is supposed to assign a call to an officer by race or gender.

The York community, not the police departments, would be better served to look within to ask if it has the kind of citizens it wants as law enforcement officers. And the editors should do the same. So, tell me again, what's the problem?

*Joe Stafford lives in York Township.*

