

LEGISLATIVE BUDGET AND FINANCE COMMITTEE

A JOINT COMMITTEE OF THE PENNSYLVANIA GENERAL ASSEMBLY

A Study of the Statutory Cap on the Pennsylvania State Police Complement

March 2020



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REPORT SUMMARY



Why we did this study...

Our study was in response to Senate Resolution 105, which directed us to update previous work we conducted on the enlisted complement of the Pennsylvania State Police (PSP). The LBFC officers adopted the following objectives for our study:

- ❖ *To identify and document issues confronting the PSP since the LBFC's 2001 report.*
- ❖ *To determine if there is a need to increase the statutory cap on the PSP's enlisted complement, and to determine if there is a need for additional enlisted personnel not restricted by the statutory cap.*
- ❖ *To develop cost estimates that would be associated with either increasing the statutory cap on enlisted personnel, or increasing the number of enlisted personnel not restricted by the statutory cap.*

Report Overview

Almost every Pennsylvanian is familiar with the State Police, Pennsylvania's state-wide police force, which provides a multitude of law enforcement services to the public.¹ The PSP is arguably one of the most critical agencies of the commonwealth, and its workforce of state troopers are a significant facet in ensuring public safety and crime investigation. A unique aspect of the PSP—and one which many Pennsylvanians may not know—is that state law limits or “caps” the number of troopers that may serve in the Department. This statutory cap has changed over time, but has remained in place for more than a century.

Over the past two decades, the Legislative Budget and Finance Committee (LBFC), has conducted several reviews of the PSP. In 1996, we conducted our initial review of the PSP, which was the first-ever, external review of the PSP and its manpower needs. In 1998, we conducted a study in which we reviewed the PSP's information technology (IT) strategic plan and several planned investments to make troopers more efficient. In 2001, we conducted yet another study of the PSP, in which we updated our 1996 work, and we further reviewed the PSP's enlisted complement and manpower needs.² This last report led to an increase in the PSP's statutory cap, which is now set at 4,310 positions (not including positions excluded from the cap).

Senate Resolution (SR) 105 was adopted on June 24, 2019, and directed us to update our 2001 study on the PSP's enlisted complement (see Appendix A for a copy of the resolution). In response to SR 105, the LBFC Officers adopted the study objectives appearing in the left text box.

In conducting our work, we met with numerous headquarter and field commanders from the PSP, we reviewed the PSP Academy, and we obtained and reviewed numerous data points, including but not limited to, the following: population and incident growth, PSP specialized duties, PSP funding, cadet training capacity, and expected trooper retirements.

¹ Throughout this report we refer to the Pennsylvania State Police as the State Police, the PSP, or the Department.

² We have completed other studies of the PSP, including reviews of the adequacy of fees for the PSP's Instant Check System, a review of the liquor control enforcement function within the PSP, and a review of the PSP's costs to provide highway safety. These reports are available from our web site at <http://lbfc.legis.state.pa.us/>.

As listed below, our report is organized by the following sections:

Section I – Objectives, Scope, and Methodology

Section II – Background Information about the PSP

Section III – Contextual Issues Impacting the PSP Complement

Section IV – PSP Enlisted Complement Needs

Section V – Cost Considerations and Other Issues Related to the Statutory Cap on the PSP

Additionally, we have included various appendices that contain supplemental information about the PSP. As guided by our objectives, and as described further in the subsequent report sections, we found the following:

Agency Background

While many are aware of the PSP's law enforcement duties, few are familiar with the PSP's origins and how it came to be recognized as one of the premier law enforcement agencies in the United States. The Department was created in 1905 by the General Assembly and signed into law by Governor Pennypacker. The PSP's mission was initially focused on controlling labor unrest and mob violence, patrolling farm areas, protecting wildlife, and apprehending criminals. Reportedly, opposition to the creation of the PSP was strong because many feared it would become a continuation of the Coal and Iron Police, which were law enforcement officials with a dubious past history.

To ease these fears, the original complement was limited to 228 officers, who were assigned to four "Troops" located in Greensburg, Wilkes-Barre, Reading, and Punxsutawney. Thus, began the history of "capping" the PSP's complement through statutory control, a means which continues today.

In the intervening 115 years, the PSP has become a modern, premier law enforcement agency. Moreover, the law enforcement structure has evolved considerably. The PSP has a broad statutory mandate to "assist the Governor in the administration and enforcement of the laws of the Commonwealth, in such manner, at such times, and in such places, as the Governor may from time to time request."

The PSP has jurisdiction in all political subdivisions within the commonwealth and provides full-time or part-time police service to approximately 67 percent of the commonwealth's municipalities, 61 percent of the commonwealth's roadways, 82 percent of the commonwealth's total land area, and 26 percent of the commonwealth's total population.

The PSP have state-wide law enforcement authority. Like most law enforcement agencies, it follows a paramilitary structure based on rank.

The PSP is a paramilitary organization, which means that its organizational structure and training are similar to the military, but it is not associated with the armed forces. Rank is a significant aspect within the PSP's command structure. The PSP is headed by a State Police Commissioner, who holds the rank of colonel, and is appointed by the Governor. There are three deputy commissioners, who are also appointed by the Governor, and hold the rank of lieutenant colonel. Majors, captains, lieutenants, sergeants, and corporals, complete the supervisory ranks within the PSP; however, collectively these positions are all considered to be "troopers" or enlisted members of the PSP. A trooper is any individual in active status and who has graduated from the PSP Training Academy (Academy), the PSP's training school.

In keeping with the PSP's paramilitary structure, the PSP troopers are deployed state-wide on an area, troop, and station basis. There are four areas, 16 troops, and 88 stations. Additionally, troopers are located at Pennsylvania-based gaming facilities.

The PSP is responsible for enforcing all state laws. Furthermore, unlike municipal police forces, which are generally limited to their assigned municipal boundaries, the PSP's authority covers all municipal boundaries.³ As such, the PSP is the largest law enforcement agency in the commonwealth.

Contextual Issues Impacting the PSP's Complement

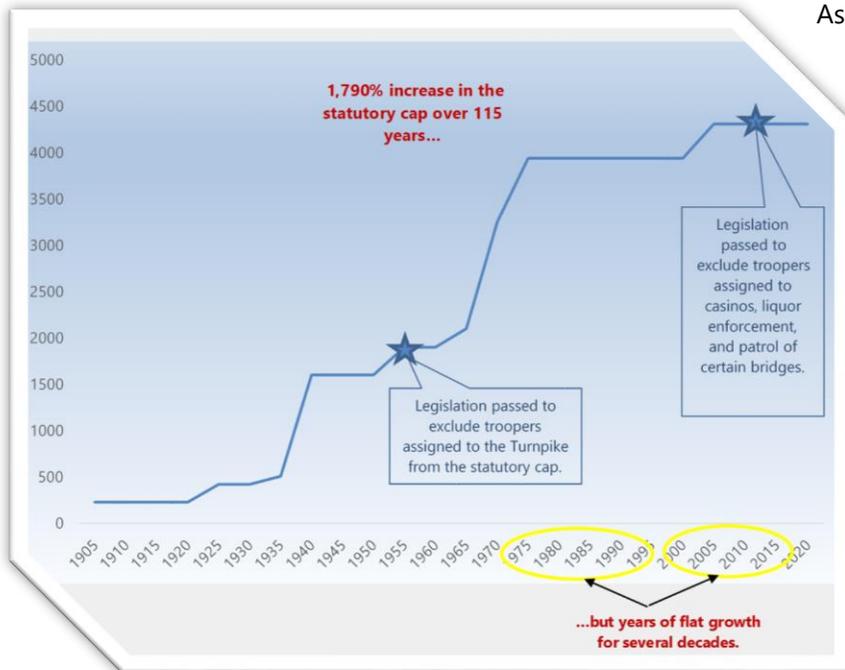
Following our 2001 report on the PSP's complement, the statutory "cap" (i.e., the maximum number of enlisted positions) was raised to 4,310 positions. In 2013, additional trooper positions were excluded from that cap, which had the effect of increasing the PSP's total complement. As a result, the PSP's total "authorized" complement stands at 4,719 positions as of December 31, 2019.

We reviewed the various statutes and legislative actions over the PSP's 115-year history. With respect to the cap, we found periods of time where the PSP had stagnant growth in its cap, despite becoming a much

³ Municipalities may also have regional police forces and/or jurisdictional agreements with neighboring municipalities.

more professional law enforcement agency with growing service demands. Population growth and changes in Pennsylvania’s demographics, coupled with a 38 percent increase in incidents since 2001 strain the PSP’s resources.

As was the case in 2001, and more so today, the PSP is increasingly being asked to provide either full-time or part-time law enforcement coverage to municipalities. Municipalities continue to shift between the type of law enforcement coverage used (e.g., local provided, shared, regional), but generally speaking, the PSP is providing full-time police coverage to 65 more municipalities than it did in 2001.⁴



As a result of more coverage area, incidents are also increasing for the PSP. Although criminality (i.e., the severity of crimes) is down, the PSP continue to have more calls for service. The PSP changed incident reporting systems since our 2001 report, but we found there has been an approximate 38 percent increase in total incidents since 2001.

Mandated activities, which are often assigned to the Department without an increase in complement or funding, is another contextual issue impacting the Department. We found that since 2002, there have been 55 additional mandated activities assigned to the agency, which strains the Department’s resources, ultimately having a negative effect on patrol, because that is where all positions must eventually be back-filled.

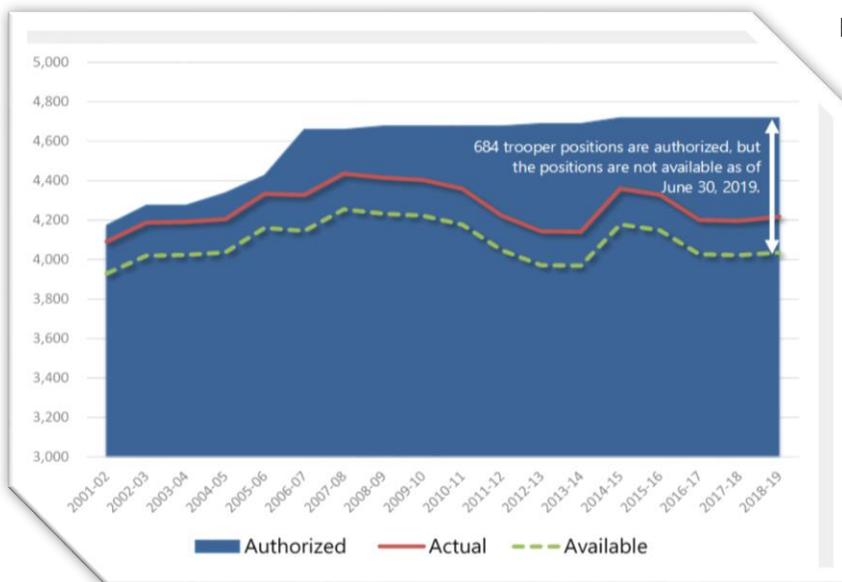
Finally, we also reviewed budgetary influences on the PSP since our 2001 report. We found that the PSP’s total program funding has increased by 144 percent since 2001. As has been the case for decades, the PSP are funded primarily from the Motor License Fund (MLF) and the state’s General Fund. In recent years, funding from the MLF has increased faster than that of the General Fund. However, recent legislation has changed this balance. Funding from the MLF to the PSP is incrementally decreasing by four percent annually (through FY 2027-28). After FY 2027-28, PSP funding from the MLF will be capped at \$500 million. As discussed in the final section, this contextual issue will impact the PSP going forward.

⁴ Other than the state taxes that all Pennsylvanians pay, residents in these municipalities do not pay additional taxes or fees for this coverage.

State Police Complement Needs

Law enforcement staffing is unlike other manpower assessments, in part because public safety cannot be easily quantified or measured. Further, with respect to the PSP, additional complexity is derived from the statutory cap on enlisted personnel, as well as the “exclusions” from the cap for certain specialized responsibilities. As a result, when evaluating the PSP’s complement, or manpower needs, the analysis can be very confusing, and often lacks the precision that might be expected if the PSP operated like a manufacturing unit.

Most important to understanding the PSP’s manpower needs is the distinction between authorized, actual, and available positions. Authorized positions are how many troopers the PSP are permitted to have, or that can be funded at any given time. Authorized positions include “capped” (i.e., subject to the statutory limit on enlisted positions) positions and those positions excluded from the cap. As of December 31, 2019, that number stands at 4,719 positions.



Because not all positions are filled, it is necessary to evaluate the PSP’s actual and available complement. Actual positions are essentially filled positions or positions for which a trooper is trained and “on the books.” But, not all troopers are *available* for duty because they may be injured or may be deployed on military duty. These positions remain on the PSP’s roster, yet from an operational standpoint, the position is vacant. This ratio is often referred to as the PSP’s effective vacancy rate, because it includes actual vacancies and those unavailable for duty. Unfortunately, the PSP has had three consecutive years of

very high vacancy rates, which has caused the Department to shoulder increasing workloads with fewer available troopers.

Another critical influence to the PSP’s manpower assessment is how the PSP deploys its enlisted personnel. In this respect, the PSP uses complicated methodologies known as the State Trooper Allocation Formula (STAF) and the Criminal Investigation Unit Staffing Formula (CISF). These two formulas work in tandem and serve as a quantifiable basis for deploying both patrol troopers and criminal investigators, which are the main duties of the Department. We reviewed these methodologies and

found them to be reasonable and appropriate practices for allocating enlisted personnel, which was also confirmed by the Commission on Accreditation for Law Enforcement Agencies (CALEA).



A key component of STAF is the ratio of obligated/unobligated time. These are law enforcement terms and may seem confusing to most readers. Obligated time is essentially reactive police work—this includes responding to incidents, training, court time, etc. Unobligated time is the time that a trooper has remaining after obligated time is calculated. Increased unobligated time leads to proactive patrol time, which leads to better response times and more preemptive policing. The

PSP strives to balance obligated/unobligated time at 50 percent, respectively. Currently, Department-wide, obligated times are at the designated goal. The PSP reached this goal through: strategic investments in technology, the addition of troopers in 2001, additional troopers with gaming expansion in 2007, as well as the hiring of hundreds of civilian police communication officers. These measures had the net effect of moving troopers back to patrol.

Reducing obligated time is a commendable outcome for the PSP, but that condition is unsustainable in the near future. Simply put, the PSP faces a situation in the next five years whereby more troopers will be retiring than new replacement cadets/troopers can be channeled through training requirements at the PSP Academy. We found as many as 411 cadets/troopers will be needed to maintain today's complement levels. Without new troopers to replace retiring troopers, obligated rates will undoubtedly increase. In turn, response times and officer safety are negatively impacted.

We also looked at complement levels that are excluded from the statutory cap, which includes patrol on the Pennsylvania Turnpike (Troop T), troopers assigned to Pennsylvania-based casinos, and liquor control enforcement.⁵ Here too, it is important to note that with the exception of Troop T, these are specialized positions, meaning their ranks are primarily filled from the patrol function. Based on conversations with commanders in these areas, an additional 116 troopers are needed to aid these mandated responsibilities. However, because all trooper positions,

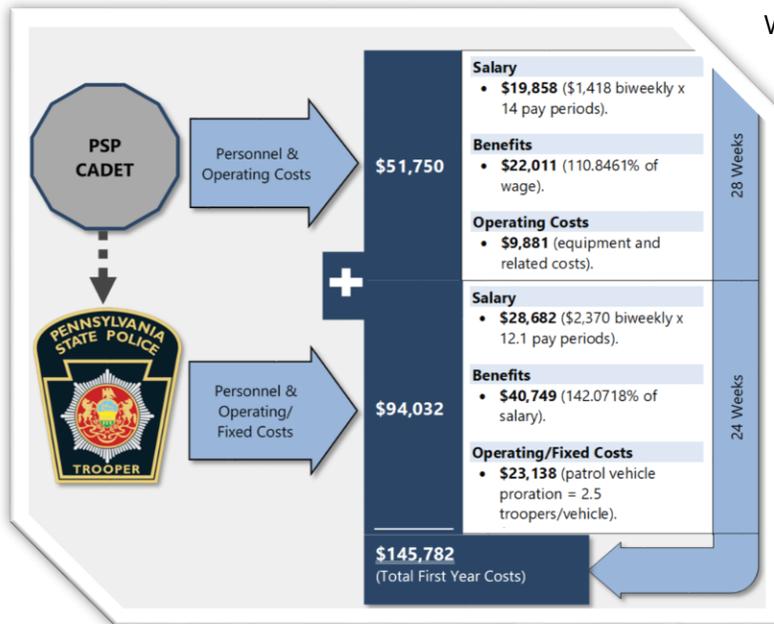
⁵ Shared patrol of six bridges within the authority of Delaware River Joint Toll Bridge Commission are excluded from the statutory cap on enlisted personnel.

whether “capped” or “uncapped,” begin as cadets, ensuring an adequate supply of recruits through the PSP Academy will be of primary importance to meeting this need.

Cost Considerations and Other Issues Related to the Statutory Cap on the PSP

Troopers are highly trained law enforcement officers, who all begin as cadets at the PSP Academy in Hershey, Pennsylvania. As might be expected of a highly trained and professional workforce, personnel and operating costs for cadets/troopers are an expensive concern for the commonwealth.

Our final objective sought to develop cost estimates for hiring additional troopers. Unlike other state agencies that may fill vacancies as necessary (subject to budget considerations), the PSP hires only cadets, who after successfully completing training are then promoted to troopers to fill patrol positions. Accordingly, to answer this objective, we calculated the first year costs to train a PSP cadet, and then add that cadet to the ranks as a trooper for the remainder of the year.



We found that first year costs in training a cadet/trooper are \$145,782. This figure includes all wage/salary, benefit, and equipment costs for training a cadet over 28 weeks at the PSP Academy, and then deploying him/her as a patrol trooper for 24 weeks. This figure is a conservative estimate as it does not include administrative costs in processing cadet applications, testing, as well as field trainer costs. Although comparisons to our 2001 report and the projected trooper costs may not be precise, today's estimate is an approximate 108 percent increase from our FY 2001-02 estimate.

This increase was driven by large increases in salaries/wages and benefits.

While these costs are significant, they are offset by retiring troopers. For example, we found that the average total compensation per year for all PSP troopers (salary/benefits/overtime) is \$185,187. Consequently, the

extent to which new troopers are added to the ranks at a lower cost (i.e., \$145,782) ends up being a net savings to the Department.

While we found there is a need for additional troopers, especially to meet the expected retirements and the increasing additional mandates assigned to the PSP, we identified three areas which also require attention.

Recommendations

I. Expand Academy Capacity

Our first recommendation is to increase the capacity of the PSP Academy. The current capacity of the PSP Academy is outdated and undersized for the PSP's needs. Our calculations found that the PSP could have a net loss of as many as 411 troopers in the next five years. Stated differently, the PSP cannot train cadets as fast as it may lose them to retirements within the next five years. Moreover, the current PSP Academy lacks sufficient and adequate housing for cadets. Working with the Department of General Services, the PSP has an Academy expansion plan in development, and if the new Academy is constructed, it will expand capacity to 240 cadets—more than double the existing capacity. The PSP's renovation/construction plan must remain a high priority concern for the future strength of the Department.

II. Address Funding Issues

Second, the ongoing funding of the PSP needs to be addressed. Recent mandated cutbacks—at a rate of four percent per year—in Motor License Fund (MLF) revenue will create a need for a new PSP funding source. Further, because PSP costs have historically increased at a rate that is faster than the Consumer Price Index, in addition to the loss of MLF funding, additional revenue will also be needed to meet the PSP's total program funding needs. The PSP has at least one new funding source through a five-year pilot project that monitors traffic speeds in certain dedicated work zones. The PSP will receive a portion of any fine revenue, and a further portion of that revenue is dedicated specifically for cadet training. However, for PSP funding purposes, this program is only for three years, and based on fiscal estimates we obtained, will generate a total of approximately \$15.1 million over three years. As such, this funding will only provide funding for approximately 104 cadets/troopers, under our assumptions.



III.
Remove the
“cap”

Finally, we recommend removing the statutory cap on trooper positions. Although we believe there is a need to increase the statutory cap on enlisted members from its current 4,310 positions, it is difficult to calculate what that exact number should be. This condition was present in our original 1996 complement study, the 2001 follow-up study, and again in this report. As a result, historically, the cap has become a “best guess” based on operational demands existing at the time of the cap’s adjustment. But, at no time in recent history was the PSP actually at its statutory cap; however, that condition could be the case in the near future, as the PSP’s workload continues to increase. In a brief survey we coordinated through the PSP, we found that most state police agencies rely on the budget process to control complement, rather than a statutory cap. As a result, we believe there is no need for the statutory cap, particularly because a more effective means of control is through the annual budget process. Nevertheless, we do see value in periodic reviews of the PSP’s complement, especially in evaluating its obligated/unobligated ratios. Along these lines, we believe periodic complement reviews on a three-year or five-year basis would be beneficial in monitoring the growth of the PSP.

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SECTION I

OBJECTIVES, SCOPE, AND METHODOLOGY



Why we conducted this study...

- ❖ *Over the past 25 years, the LBFC has conducted several studies of the PSP. In 1996 and 2001, the LBFC issued reports which studied the existing statutory cap on enlisted (trooper) personnel.*
- ❖ *Senate Resolution 105 directs the Legislative Budget & Finance Committee to conduct a follow-up study of the statutory cap on the PSP complement.*
- ❖ *On July 30, 2019, the LBFC's Officers adopted this resolution and the stated objectives.*

Objectives

Our objectives for this study were derived from Senate Resolution (SR) 105, which was adopted by the Pennsylvania Senate on June 24, 2019. SR105 directed us to do a follow-up study of the work we conducted in 1996 and 2001 on the Pennsylvania State Police's (PSP) complement. In furtherance of SR105, on July 30, 2019, the Officers of the Legislative Budget and Finance Committee (LBFC) adopted the following objectives:

1. To identify and document issues confronting the PSP since the LBFC's 2001 report, including but not limited to: changes in Pennsylvania's population and demographics, the number of incidents handled on an annual basis, budgetary influences, additional mandated activities, and PSP coverage for municipalities that lack a municipal police force.
2. To determine if there is a need to increase the statutory cap on the PSP's enlisted complement, and to determine if there is a need for additional enlisted personnel not restricted by the statutory cap.
3. To develop estimates that would be associated with either increasing the statutory cap on enlisted personnel, or increasing the number of enlisted personnel not restricted by the statutory cap.

Scope

Our audit primarily covered the period July 1, 2016, through December 31, 2019. However, because SR105 asked us to update relevant portions of our 2001 report, in some areas our scope preceded 2001.

Methodology

With respect to the PSP's complement and to effectively follow-up on our 2001 report, we conducted extensive reviews of the PSP's statutory history and origins of the statutory cap. We reviewed relevant statutes and legislative actions regarding PSP's enlisted personnel since the 2001 report.

To understand the PSP's organization and workforce, we obtained data from the Bureau of Research and Development, including: PSP enlisted complement by rank, breakout of major civilian job positions and staffing levels, and PSP headquarters staffing. Additionally, to calculate vacancy rates or the number of troopers available for duty, we reviewed the PSP's authorized, actual, and available complement rate from 2001 through June 30, 2019. We also reviewed the cadet graduating class sizes since 2001.

To develop an understanding of PSP's methodology for allocating enlisted personnel, we held meetings with the Bureau of Research and Development to discuss how the State Trooper Allocation Formula (STAF) is computed and measured. We compared the PSP's 2001 obligated time percentages to the current (2019) obligated percentages by PSP station.

To determine trends in Pennsylvania's population, data obtained from the United States Census Bureau's 2000 and 2010 census, along with population estimates for non-census years were utilized to identify population trends at the county level and within PSP Troops A - R.

To measure demand for PSP services and overall workload of the Department since our 2001 report, we reviewed incident data. Additionally, we analyzed incident data on a troop level basis. We did not audit the incident data; however, some of this data is reported to the federal government and, as such we believe the data is reliable to be used as a basis for our findings. To further comprehend PSP's workload, we reviewed newly implemented and mandated activities from 2002-2019. However, because specific staffing level information is considered to be sensitive, we were unable to identify the number of positions that are assigned to these specific additional mandates.

In order to distinguish between those municipalities that use PSP services, either full-time or part-time, we obtained and reviewed data on the 2,560 municipalities from the Pennsylvania Department of Community and Economic Development, Center for Local Government Services. We compared this data to our 2001 report to illustrate trends of municipalities relying solely on PSP services. For purposes of this analysis, we captured data as of December 2019. We did not independently audit the reliability and validity of the data we obtained; however, we believe the

data is from a best-known source and is sufficiently reliable to be used in this report.

To identify and document issues confronting the PSP at the station level, we administered a survey to PSP station commanders (Troops A – T) via SurveyMonkey® regarding the adequacy of PSP staffing. Additionally, we conducted field visits of Troops F, G, H, J, B, and T, Bureau of Criminal Investigation, Bureau of Liquor Control Enforcement, Bureau of Gaming Enforcement, Bureau of Forensics Services and Bureau of Patrol to gather additional insight about enlisted staffing numbers.

We met with command staff at the PSP’s Academy and discussed training capacities. We also toured the facility, including dormitories, bathrooms, mess hall, parade grounds, shooting range, and horse stables. We obtained planned cost estimates for renovating the Academy. We attended graduation ceremonies for the 157th class of cadets from the PSP Academy. We also met with representatives from the Pennsylvania State Troopers’ Association, the labor organization representing enlisted personnel.

To develop the costs associated with increasing the statutory cap on enlisted personnel, we reviewed the *Governor’s Executive Budgets* from fiscal year (FY) 2000-01 through FY 2019-20. The funds reviewed included: General Fund, Motor License Fund, State Stores Fund, State Gaming Fund, and DNA Fund. Additionally, to provide cost estimates for training and equipping a new PSP trooper, we obtained data from the PSP’s Bureau of Research and Development and the Office of Administration regarding personnel and operating costs incurred by a cadet during training. We also factored in costs after graduation. For comparative purposes, we obtained the Consumer Price Index (CPI) over the same time period. We also relied upon data contained within *the Governor’s Annual Workforce Report* for years 2011-2020.

Frequently Used Abbreviations and Definitions

Throughout this report, we use a number of abbreviations for government-related agencies, terms, and functions. Relevant abbreviations are defined as follows:

Abbreviation	Name	Definition
AFIS	Automated Fingerprint Identification System	Digital imaging technology used to obtain, store, and analyze fingerprint data.
AIMS	Automated Incident Management System	Previous PSP management system to collect incident data.

BESO	Bureau of Emergency and Special Operations	Consolidated the functions of the Aviation Division, the Special Services Division, the Special Emergency Response Team, and the Canine Unit.
CALEA	Commission on Accreditation for Law Enforcement Agencies	Created in 1979 as a credentialing authority through the joint efforts of law enforcement's major executive associations.
CIs	Criminal Investigators	Specialized PSP position that generally investigates criminal incidents.
CLGS	Center for Local Government Services	Maintains municipal level data, including law enforcement coverage, on each of Pennsylvania's 2,560 municipalities.
CPI	Consumer Price Index	A means of adjusting dollar value and widely used to measure inflation.
Enlisted Member	Trooper	A sworn law enforcement officer, who has graduated from the Pennsylvania State Police Academy and is a member of the PSP.
DRJTBC	Delaware River Joint Toll Bridge Commission	Quasi-public service-oriented agency charged with providing safe and efficient travel of motorists between New Jersey and Pennsylvania.
IACP	International Association of Chiefs of Police	Non-profit organization and professional association for police leaders.
MLF	Motor License Fund	Revenues collected primarily from taxes on liquid fuels. The PSP receives a portion of these funds for highway patrol.
PCO	Police Communication Operators	Responsible for taking assistance calls and dispatching troopers.
PEP	The Census Bureau's Population Estimates Program	Produces estimates of the population of the United States on non-census years.
PSP	Pennsylvania State Police	Pennsylvania's statewide law enforcement authority. Within this report, the term "Department" or "State Police" may also be used to refer to the entire agency.
PSTA	Pennsylvania State Troopers Association	The labor union which represents enlisted personnel.
RMS	Record Management System	System used to collect incident data. This system captures a multitude of data for a variety of response types.
SERT	Special Emergency Response Teams	Provides the Department and other state, local, and federal law enforcement agencies with a tool for handling high-risk incidents.
STAF	State Trooper Allocation Formula	Workload measure used to quantify staffing levels and distribute its available personnel resources.

Acknowledgements

We acknowledge and appreciate the assistance of Colonel Robert Evanchick, State Police Commissioner. We also thank Major Patrick Brinkley and his staff within the Bureau of Research and Development for

aiding and coordinating our data collection efforts. Additionally, we thank the numerous other PSP command staff who met with us and assisted our efforts.

Important Note

This report was developed by LBFC staff, including Stephen G. Fickes, Project Manager, and Amy Hockenberry and Joseph Asare, Analysts. The release of this report should not be construed as an indication that the LBFC as a whole, or its individual members, necessarily concur with the report's findings, conclusions or recommendations.

Any questions or comments regarding the contents of this report should be directed to the following:

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SECTION II BACKGROUND INFORMATION ABOUT THE PSP



Fast Facts...

- ❖ *The Pennsylvania State Police (PSP) was formed more than a century ago and was one of the first law enforcement agencies of its type.*
- ❖ *The PSP is the largest accredited state-based police force in the United States.*
- ❖ *The PSP follows a para-military structure with its members having line (rank) authority. The agency also employs approximately 1,800 civilians.*

Almost every Pennsylvanian is familiar with the State Police, the Commonwealth's state-wide police force, which provides a multitude of law enforcement services to the public.⁶ In fact, for those who travel major highways in the state, the sight of a state trooper in a grey marked vehicle, instinctively leads to a respectful easing of the accelerator or tap of the brakes. While many are aware of the PSP's law enforcement duties, few are familiar with the PSP's origins and how it came to be recognized as one of the premier law enforcement agencies in the United States.

Although perhaps not a particularly remarkable beginning, the PSP's origins can be traced to the Coal and Iron Police, which were state-authorized law enforcement officers. While intended to protect all private landowners, the Coal and Iron Police more often than not served the interests of coal and steel barons, who needed assistance in settling labor unrest.⁷

The PSP has come a long way from these beginnings. Today, the PSP is the largest state-based police force accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA).⁸ Within this section we provide background information about the PSP, including its origins and organizational structure.

Pennsylvania State Police History⁹

Following a coal strike in 1902, there was increased awareness that peace and order should be maintained by regularly appointed and responsible officers employed by the public, not industry barons. To achieve that goal, in 1905, Governor Samuel Pennypacker signed legislation that created the Pennsylvania State Police as an executive department of the state.

⁶ Throughout this report we refer to the Pennsylvania State Police as the State Police, the PSP, or the Department.

⁷ PSP, History of the Pennsylvania State Police, November 6, 2019. See also www.patrooper.com.

⁸ The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA®), was created in 1979 as a credentialing authority through the joint efforts of law enforcement's major executive associations, including the International Association of Chiefs of Police (IACP); National Organization of Black Law Enforcement Executives (NOBLE); National Sheriffs' Association (NSA); and the Police Executive Research Forum (PERF).

⁹ Information for this section was adopted from the "History of the PSP" located at www.patrooper.com, accessed November 7, 2019.

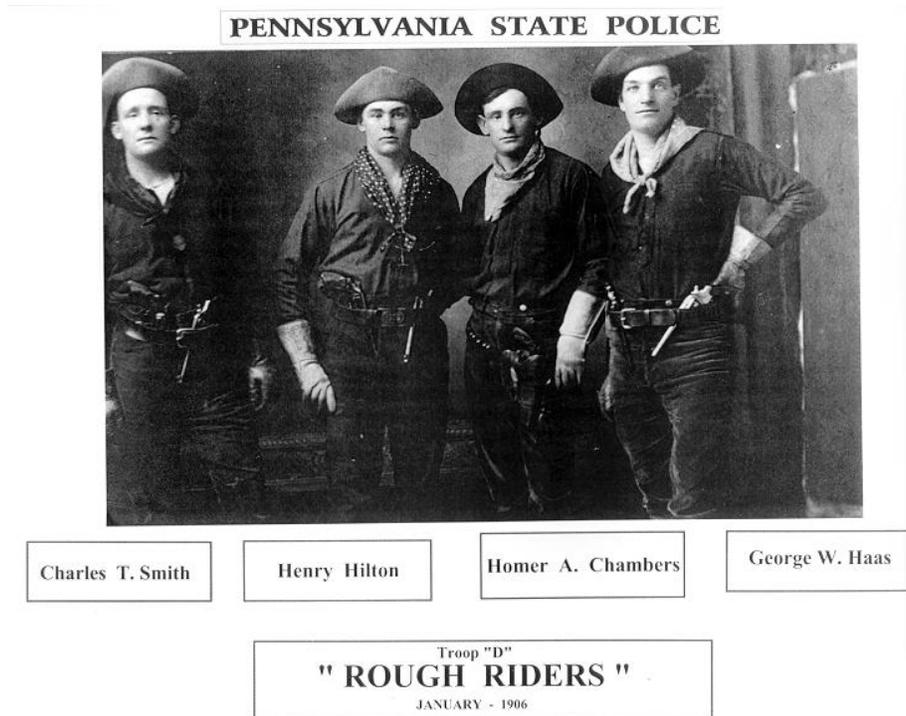
Early Years

As created by Governor Pennypacker and the General Assembly, the PSP's mission was initially focused on controlling labor unrest and mob violence, patrolling farm areas, protecting wildlife, and apprehending criminals. Reportedly, opposition to the creation of the PSP was strong because many feared it would be a continuation of the Coal and Iron Police.

To ease these fears, the original complement was limited to 228 officers, all of whom were assigned to four "Troops" located in Greensburg, Wilkes-Barre, Reading, and Punxsutawney. Thus, began the history of "capping" the PSP's complement through statutory control.

Exhibit 1

Early Days of the PSP – 1906



Source: Pennsylvania State Police.

By 1919, the demand for additional State Police services resulted in the first increase to the Department's complement, raising it from 228 officers to an authorized maximum of 415 officers. In that same year, the State Police established a fifth troop and assumed fire marshal duties.

It should be noted that at this time, only single men could enlist and were required to serve two-year enlistment periods. As a result, the PSP took on a para-military organizational structure, which was reinforced in 1922 when the then Superintendent issued a special order bestowing upon the Deputy Superintendent the rank of major. This was the initial use of rank in the Department's history, and is still in use today.

It is also interesting to note that during the 1920s and the PSP's first expansion, it also professionalized many of its training procedures. In 1924, after the opening and closing of several training camps and schools, the Pennsylvania State Police Training School was established in Hershey, Pennsylvania. Although that facility is no longer in existence, the PSP still operates its primary training facility in Hershey.

Reorganization and Expansions

As the commonwealth's population continued to move forward from horses to automobiles, it became evident that additional patrol responsibilities were needed. To meet this need, in 1923, the State Highway Patrol was created to enforce vehicle laws on Pennsylvania's rapidly expanding highway system.

The PSP has gone through several evolutions of name and structure, but the agency has always been headed by a Commissioner.

The Highway Patrol was organizationally located in the Pennsylvania Department of Highways and separate from the PSP. In 1937, the State Police and the Highway Patrol merged into a new department called the Pennsylvania Motor Police. The head of this newly merged agency was titled "Commissioner," and the agency was structured into four districts and 11 troops, with a complement cap of 1,600.

In February 1938, the Commissioner ordered 267 passenger cars painted white with black hoods and "Pennsylvania Motor Police" lettering on the doors. These cars became known to the public as "ghost cars."

In June 1939, legislation passed that added the return of escaped convicts and parole violators to the responsibilities of the Pennsylvania Motor Police. Other laws added the responsibility of annual school bus inspections and inspection station supervisors. During that same year, 150 men underwent training at Fort Indiantown Gap Military Reservation because the Hershey Training School was inadequate for the number of recruits. As discussed later in Section V, this lack of training capacity for the State Police is an issue that still resonates today.

Through the intervening years, several internal reorganizations followed, and additional duties were gradually added to the Pennsylvania Motor Police. Interestingly, in 1943, the General Assembly changed the name of

the organization from the Pennsylvania Motor Police back to the Pennsylvania State Police and the PSP became responsible for enforcing the Uniform Firearms Act.

Perhaps most importantly, in 1946, the PSP established its first statewide radio telephone system, greatly increasing the ease of communications. Previously, troopers communicated using a series of “flag stops” along their patrol zones. Residents or businesses that had telephones along the patrol zone would display steel discs or flags to indicate that the trooper had a message from his troop. When the trooper came across the flag he would stop and then call for his orders (a less than secure way to communicate orders).

Additional specialized duties were also assigned to the State Police. For example, in 1947, new laws authorized the State Police to assist the Department of Revenue in collecting the State's cigarette tax and enforcing the Fuel Use Tax. The Department of Revenue provided the State Police with cruiser-type motor launches to patrol the Schuylkill and Delaware Rivers and Lake Erie. Four men were assigned to each detail enforcing the cigarette tax. A 1949 law also authorized the State Police to inspect dry cleaning and dyeing plants, an indication of the versatile nature of duties that were being assigned to the PSP.

Post World War II and Modern Era

Until 1972, only men were permitted to be troopers. The first female troopers graduated from the PSP Academy in 1972.

As the United States and Pennsylvania rebounded from World War II, the PSP continued to evolve. In 1953, the PSP dissolved the terms Private Second Class and Private First Class and just used Private, and by 1956, the term was replaced entirely with “trooper,” a term which is still used today. The 1950s also saw the PSP standardize its uniforms and insignias, with new lettering and badges.

The 1960s and 1970s saw significant changes to the PSP's organizational structure. In 1960, the PSP opened its Academy in Hershey. In 1961, the PSP began using new technology, radar, for speed checks. While only men could apply to be a cadet, this rule was expanded in 1963 to now include married men. In 1967, as a result of Act 140, the two-year enlistment period was discontinued, and a new 18-month probationary period was established for cadets and troopers.

In 1972, the first female troopers graduated from the PSP Academy. In 1974, a consent decree, in compliance with the Civil Rights Act of 1969, was agreed to by the PSP. This consent decree addressed hiring practices and promotional procedures for minority members. In that same year, the State Police Rodeo was discontinued. The rodeo had been a popular public relations program of the PSP since 1934. In December of 1974, a new statewide radio system was also formally dedicated.

By the end of the 1970s, the PSP expanded into aerial services. Two helicopters were acquired through the Federal Military Surplus Property System from the Pennsylvania National Guard and were put into service in March 1979. Based in Harrisburg and Latrobe, the helicopters were to be used for disaster rescues and emergency medical transportation.

While the 1980s saw the popularization of fictional police figures like Miami Vice, the PSP saw increased modernization in its operations. For example, in 1981 the first phase of Master Name Index of the criminal history files was completed. The PSP's laboratory division was expanded as forensic testing became more involved and new technologies were developed, making way for the opening of the first DNA lab in 1992 and a second DNA lab in 1998.

In 1987 the enforcement of Liquor Laws was transferred to the PSP. A Bureau of Liquor Control Enforcement was created, and 144 liquor control enforcement officers were transferred to the PSP, but were not part of the PSP's enlisted complement.

Through the 1990s and the 2000s the PSP expanded its technical capabilities. In 1990, manual searches were replaced with the Automated Fingerprint Identification System (AFIS), thus reducing searches from years to minutes.

The terrorist attacks on September 11, 2001, changed the landscape of many policing functions within the PSP. Most importantly, Act 100 of 2001 increased the PSP's complement by an additional 370 positions to a total of 4,310 positions. Following the "9/11" attacks the PSP took on additional temporary patrol duties of power stations and airports.

In 2003, the PSP and the New Jersey State Police signed an agreement with the Delaware River Joint Toll Bridge Commission (DRJTBC) to jointly patrol the bridges under the authority of the DRJTBC.¹⁰ Also of significance, in 2004, Pennsylvania legalized slot machine gaming and assigned the PSP with providing law enforcement at casinos. These troopers were exempted from the statutory cap.

Pennsylvania State Police Authority

The PSP has a broad statutory mandate to "assist the Governor in the administration and enforcement of the laws of the commonwealth, in such manner, at such times, and in such places, as the Governor may from

¹⁰ Act 43 of 2013 added PSP troopers assigned to liquor control enforcement and Delaware River Joint Toll Bridge Commission to the list of troopers not counted against the complement cap.

time to time request.” This broad mandate, as well as other law enforcement powers and duties, are established in the Administrative Code of 1929, 71 P.S. §§250-252. Exhibit 2 details these broad mandates.

Exhibit 2

PSP General Powers and Duties

- ❖ Assisting any administrative department, board, or commission of the state government, to enforce the laws applicable or appertaining to such departments, boards, or commissions.
- ❖ Cooperating with counties and municipalities in the detection of crime, the apprehension of criminals, and the preservation of law and order throughout the commonwealth.
- ❖ Aiding in the enforcement of all laws relating to game, fish, forests, and waters.
- ❖ Collecting, classifying, and keeping complete information useful for the detection of crime and the identification and apprehension of criminals.
- ❖ Enforcing the laws regulating the use of commonwealth highways.
- ❖ Assisting the Department of Transportation (PennDOT) and the Department of Revenue (Revenue) in the collection of motor license fees; fees for titling vehicles and tractors; operators’ license fees; the tax on cigarettes and liquid fuels; and the issuance of certificates of title and motor and operators’ licenses.
- ❖ Searching without warrant any boat, conveyance, vehicle or receptacle, or any place of business when there is good reason to believe that a law administered or enforced by Revenue has been violated.
- ❖ Collecting information relating to crimes and incidents related to the race, color, religion, or national origin of individuals or groups.

Source: Developed by LBFC staff from provisions of the Administrative Code.

The PSP has jurisdiction in all political subdivisions within the commonwealth and provides full-time or part-time police service to approximately 67 percent of the commonwealth’s municipalities, 61 percent of the commonwealth’s roadways, 82 percent of the commonwealth’s total land area, and 26 percent of the commonwealth’s total population.¹¹

The operating philosophy of the PSP is to provide all lawful services within the limitations of the Department’s capabilities to every citizen

¹¹ PSP Strategic Plan for 2019-2022.

and/or organization in the commonwealth. To operationalize its statutory mandates, the PSP have defined a vision statement and core values as shown below in Exhibit 3.

Exhibit 3

PSP Vision, Core Purpose, and Core Values

- Vision** We are dedicated to keeping our communities safe, inspiring public trust and confidence through effective 21st century policing strategies, which include recruiting, developing, training, and retaining a skilled workforce, reflective of the commonwealth's rich diversity, that leverages technological innovation and effective community partnerships.
- Core Purpose** To seek justice, preserve peace, and improve the quality of life for all.
- Core Values**
- ❖ **HONOR.** We are committed to upholding the Honor of the Force by providing honest and faithful police service to all who may be in danger or distress.
 - ❖ **SERVICE.** We recognize that customer service is our highest priority. We are committed to providing caring, competent, and professional police service.
 - ❖ **INTEGRITY.** We believe Integrity is character in action. We are morally and ethically aware, resolute, and above reproach at all times regardless of our duty status.
 - ❖ **RESPECT.** We must respect ourselves, our peers, those we serve, and the sanctity of the law and the institution that is the Pennsylvania State Police.
 - ❖ **TRUST.** We must solemnly value the trust that has been placed in us by those we are sworn to serve, and we are committed to holding ourselves to a higher standard of accountability to continually earn their respect each and every day.
 - ❖ **COURAGE.** We recognize that "courage is not the absence of fear, but the mastery of it." We stand firm in the face of danger, and will confront all threats to the safety and security of our communities with intelligence and vigor.
 - ❖ **DUTY.** We do not swerve from the path of our obligations, nor do we depart from standards of professional conduct. We obey the law and enforce it without any consideration of class, color, creed, or condition.

Source: Pennsylvania State Police Strategic Plan 2019 - 2022.

PSP Workforce Classifications

There are two classifications of employees within the PSP, enlisted and civilian. The enlisted complement consists of troopers, all of whom are sworn law enforcement officers (and have graduated from the PSP Academy), while the civilian complement consists of civil and non-civil service positions.

Enlisted Complement

As shown in Exhibit 4, the PSP has one colonel, three lieutenant colonels, 16 majors, 35 captains, 111 lieutenants, 229 sergeants, 808 corporals, and 3,239 troopers (as of October 9, 2019). These positions vary in number throughout the year as promotions and retirements occur.

Exhibit 4

Pennsylvania State Police Enlisted Complement, by Rank

(As of October 9, 2019)

Rank	Number of Positions*
Colonel	1
Lieutenant Colonel	3
Major	16
Captain	35
Lieutenant	111
Sergeant	229
Corporal	808
Trooper	<u>3,239</u>
Total	4,442

Note: */ Includes all enlisted positions, including those not subject to the statutory cap. Refer to Appendix D for additional demographic information.

Source: Developed by LBFC staff from information obtained from the PSP.

The eligibility requirements and overall selection process for the above ranks (and cadets) are briefly described as follows:

Cadet. The entry level position for the PSP is the cadet. In order to be selected as a cadet, an applicant must be 20 years of age (21 to be selected), a United States citizen, have a high school diploma or GED plus an Associate's Degree, or 60 credit hours from an accredited institution of higher education (note: credit hours may be waived for certain military members or other law enforcement experience). Applicants are required to take a written exam, of which a selected number will proceed to the oral exam. Applicants who successfully complete a physical fitness test, a drug screen test, a polygraph exam, a physical exam, and a background investigation will be appointed to a cadet class. Upon appointment the applicant must possess a valid driver's license from any state, however, they must be a resident of Pennsylvania and possess a valid Pennsylvania driver's license at the time of graduation.

Trooper. Upon successful completion of the Academy, cadets are promoted to trooper and assigned to a field location. During their one-year probationary period, troopers perform routine patrol duties. Upon successful completion of the probationary period, and three years of service, troopers may bid on specialized field positions which include but are not limited to: Criminal Investigator, Polygraph Units, DUI Patrols, Forensic Services Units, Special Emergency Response Teams (SERT), and Computer Crimes. They may also bid on staff functions in Department Headquarters. Troopers with 12 years of service receive a longevity promotion to Trooper First Class and have a silver bar insignia added to their uniforms. Troopers with 22 years of service are eligible for Master Trooper status.



Corporal. Once troopers have four years of service they are eligible to participate in the promotion exam process for Corporal. Upon successful completion of the exam, troopers are placed, in rank order, on an eligibility list and promotions are offered as troop vacancies occur. Corporals usually serve as first line supervisors whose job duties include Patrol, Criminal Investigation, or Staff Services Unit Supervisor within a troop or station. They may also serve as vice members or instructors or perform basic office staff functions in PSP Headquarters.



Sergeant. Corporals may participate in the exam process for Sergeant but may not be promoted until they have served as a Corporal for two years, with promotions offered as troop vacancies occur. Sergeants usually serve in a supervisory capacity and are usually designated as Unit Supervisors within a troop or station in the Patrol, Criminal Investigation, or Staff Services Units; as Station Commanders; or as Section Supervisors within a bureau in PSP Headquarters.



Lieutenant. Sergeants may participate in the process for Lieutenant but may not be promoted until they have served as a Sergeant for two years. Lieutenants serve in a command capacity and are usually designated as Section Commander within a troop in the Patrol, Criminal Investigation, or Staff Services Section; as Station Commanders of larger stations; or as Section Supervisors or Commanders within a bureau in PSP Headquarters.



Captain. Lieutenants may participate in the process for Captain and are placed in merit order on the promotion eligibility list. The Commissioner has the authority to promote any eligible Lieutenant to the rank of Captain. Captains, who serve at the discretion of the Commissioner, function as Troop Commanders and are responsible

for the operational and administrative functions of the troop headquarters and the stations assigned to their troops. Captains may also serve as Division Directors within PSP Headquarters.



Major. The promotion process for the rank of Major occurs in a similar fashion as the promotion to Captain. Majors serve as Area Commanders and are responsible for the operational functions of the troops they command. There are four Area Commands within the commonwealth. Majors also serve as bureau directors within PSP Headquarters and are responsible for the administration of program areas which fall under their bureaus. Majors also serve at the discretion of the Commissioner.



Lieutenant Colonel. The Governor appoints three members to serve as Deputy Commissioners, who have the rank of Lieutenant Colonel and do not have to be enlisted members. These officers are responsible for the areas of Administration and Professional Responsibility, Operations, and Staff. Lieutenant Colonels assist the Commissioner with the administration of the Department and assume command in the Commissioner's absence. Deputy Commissioners also assist the Commissioner in the development of policies and procedures.



Colonel. The Governor appoints the Commissioner of the State Police, with the approval of the Senate. The Commissioner does not need to be a PSP enlisted member, but if so, the Commissioner then holds the rank of Colonel. The Commissioner reports directly to the Governor as a member of the cabinet.

Civilian Complement

While much of this report's focus is on enlisted personnel, as of October 2019, it is important to note that the PSP also had 1,828 filled civilian positions. These positions are in the PSP's headquarters and in field locations. PSP civilian positions may be either civil or non-civil service, some of which may be covered by collective bargaining agreements.

Civilian positions are grouped by major job categories. For instance, under the category of "clerical," the following positions are included: Clerk Typist, Clerk, Clerical Supervisor, and Clerk Stenographer. A key distinction of civilian employees employed within the PSP is that they may only supervise other civilian employees. A civilian employee never has supervisory authority over any enlisted member.

A breakout of the PSP's filled civilian positions is shown in Exhibit 5:

Exhibit 5

Breakout of Major Civilian Job Positions and Staffing Levels

(As of October 9, 2019)

Position Grouping	Number of Positions
Communications Staff	512
Clerical Staff	335
Forensics, Lab, and Fingerprint Staff	187
Liquor Enforcement Officers	160
Legal Staff	135
Information Technology (IT) Staff	117
Administrative Support Staff	77
Facilities Maintenance and Custodial Staff	50
Transportation and Carrier Staff	49
Personnel Staff	42
Analysts	35
Automotive Staff	32
Warehouse and Procurement Staff	9
Training Staff	8
Food Service Staff	7
Fiscal Staff	7
Medical Staff	3
Other*	63
Total	1,828

Note: *Includes certain civilian director positions, management technicians, specialized skill positions, and others. Refer to Appendix D for additional demographic information.

Source: Developed by LBFC staff from information obtained from the PSP.

As shown in Exhibit 5, the largest category of civilian employees is for communications staff. The vast majority of these positions (486) are Police Communication Operators (PCO) who have responsibilities taking calls for PSP service and dispatching troopers to various incidents.

With respect to PCOs, around the time of our 2001 report, the PSP was pursuing a "consolidated dispatch" model which would have placed all PSP dispatch responsibilities into six communications centers. For operational reasons, the PSP moved away from consolidated dispatch, and with the exception of Troop H, PCOs continue to operate from individual stations. There has been a 47 percent increase in the number of these positions since our 2001 report, helping to move more troopers back to patrol responsibilities.

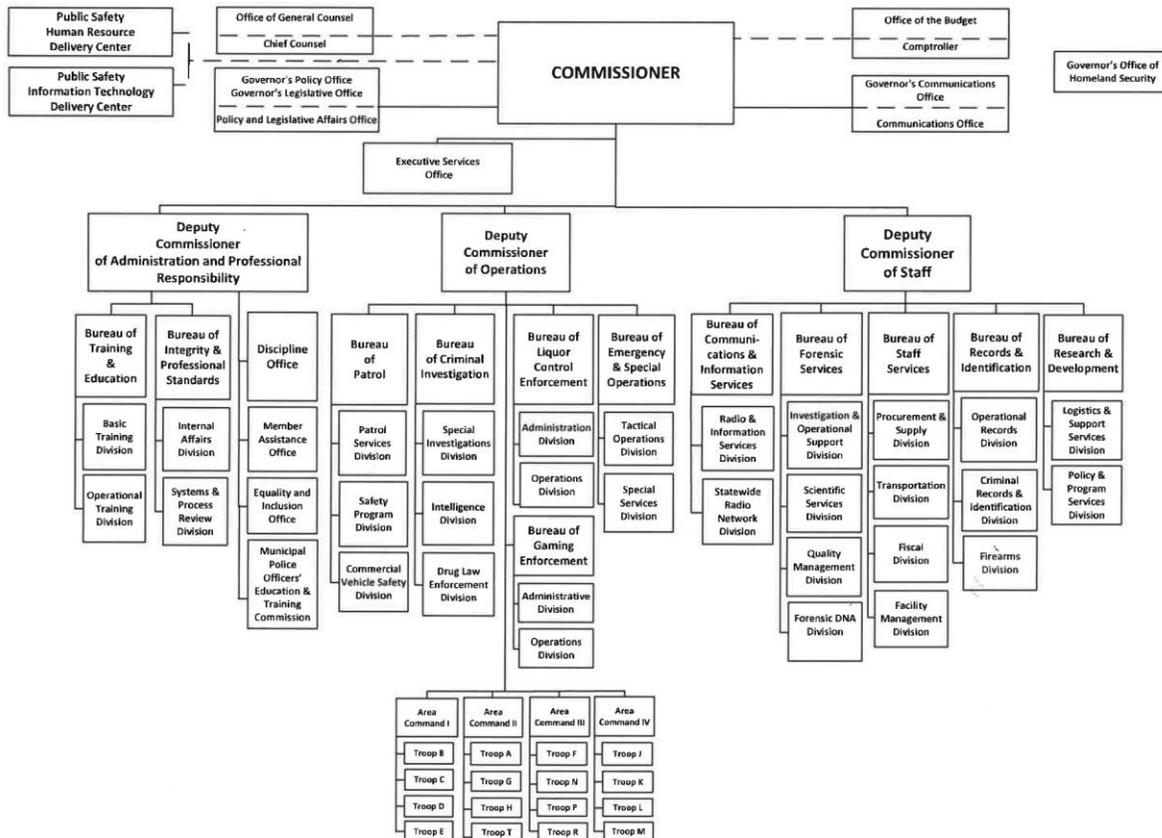
PSP Organizational Structure

Although staffed on a paramilitary command structure, the PSP's organizational structure is common to most state agencies, which follows the depute/bureau/division/section model. The one difference to this structure is the PSP's field structure, which is based on area/troop/station geographic boundaries.

As shown in Exhibit 6, the PSP's current organizational chart is headed by the commissioner, who, as previously discussed, reports directly to the Governor. Three deputy commissioners, one each for Administration and Professional Responsibility, Operations, and Staff, report to the commissioner. Each deputy commissioner has several bureaus falling under their respective command. The largest command within the PSP is Operations, which consists of both Headquarter-based specialty bureaus and field operations.

Exhibit 6

Pennsylvania State Police Organization Chart



Source: Pennsylvania State Police and OR-17-011, approved December 19, 2017.

Departmental Headquarters

Staffing within Department headquarters is predominantly civilian personnel; however, 741 enlisted members are assigned mostly command (management) responsibilities within various bureaus. Exhibit 7 further depicts this staffing relationship.

Exhibit 7

PSP Headquarters Staffing (As of December 31, 2019)

Area	Troopers	Civilian	Total
Commissioner's Office	1	2	3
Executive Services Office	23	1	24
Legislative Affairs Office	4	-	4
Mun. Police Off. Education and Training Com.	3	15	18
Office of Chief Counsel	-	27	27
Office of Homeland Security	-	7	7
Public Information Office / Press Office	<u>1</u>	<u>3</u>	<u>4</u>
Commissioner's Office Subtotal	32	55	87
Deputy Commissioner of Admin. and Prof. Resp.	1	2	3
Bureau of Integrity and Professional Standards	43	2	45
Bureau of Training and Education	61	36	97
Department Discipline Office	3	1	4
Equality and Inclusion Office	20	2	22
Members Assistance Office	<u>7</u>	<u>1</u>	<u>8</u>
Deputy Commissioner of Administration Subtotal	135	44	179
Deputy Commissioner of Operations	1	2	3
Bureau of Criminal Investigation	227	65	292
Bureau of Emergency and Special Operations	85	6	91
Bureau of Gaming Enforcement	137	4	141
Bureau of Liquor Control Enforcement	16	202	218
Bureau of Patrol	<u>12</u>	<u>20</u>	<u>32</u>
Deputy Commissioner of Operations Subtotal	478	299	777
Deputy Commissioner of Staff	1	2	3
Bureau of Research and Development	16	11	27
Bureau of Records and Identification	14	238	252
Bureau of Forensic Services	37	182	219
Bureau of Staff Services	-	67	67
Bureau of Communications and Information Svcs.	<u>28</u>	<u>46</u>	<u>74</u>
Deputy Commissioner of Staff Subtotal	96	546	642
Headquarters Total	741	944	1,685

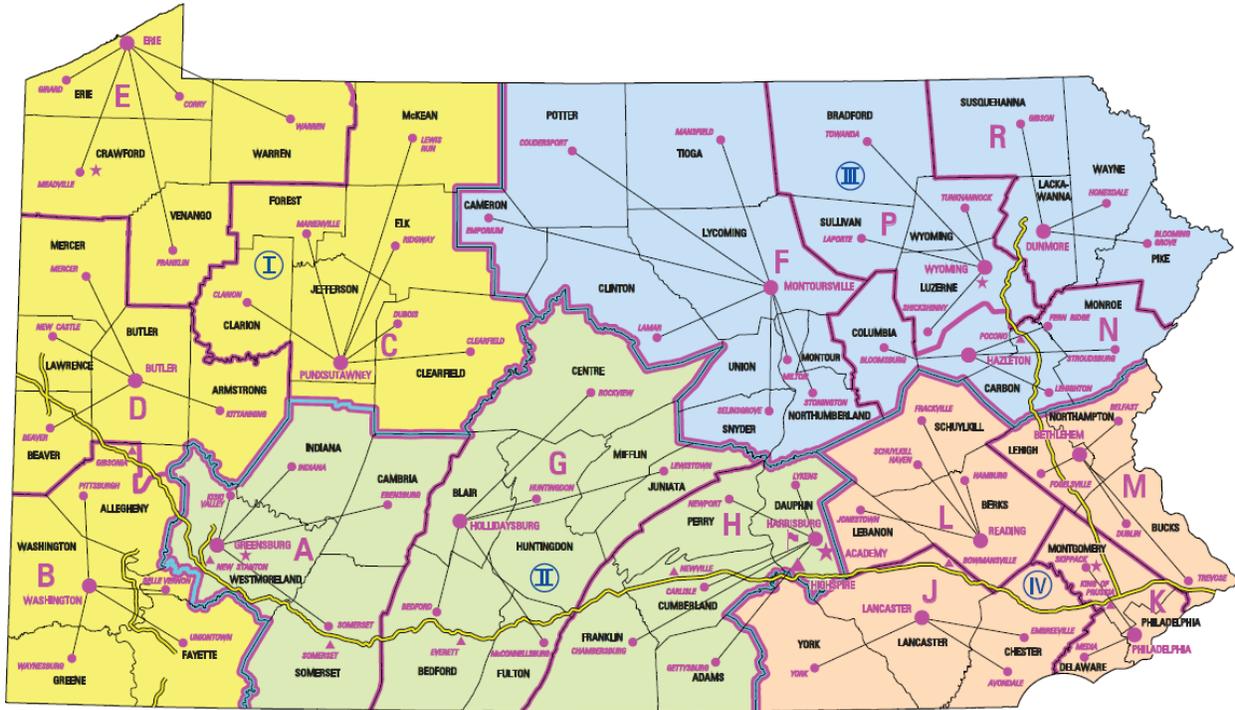
Source: Developed by LBFC staff from information obtained from the PSP.

Field Structure

The PSP's field structure includes four area commands, 16 troops and multiple stations as illustrated in Exhibit 8.

Exhibit 8

State Police Locations Areas, Troops, Stations



Source: Pennsylvania State Police.

Area Commands. Each area command is headed by a major who serves as the area commander. While they function as part of field operations, area commanders are a direct extension of the commissioner's staff. Under some circumstances, area commanders assume an operational role, although their primary mission is one of liaison between field operations and Department headquarters. The efforts of the area commanders are directed toward ensuring that all operations are performed in accordance with Department policy and directives, evaluating the effectiveness of such policy and directives in achieving Department objectives, and recommending changes as necessary.

Troops. As shown in Exhibit 9, there are 16 separate troops, four per area command.¹² A troop is an organizational segment of an area, geographically comprised of stations, which is supervised by a troop commander, accountable for the performance of subordinates, to whom commensurate authority is delegated for performing specific functions in a specific geographic area.

Troop commanders hold the rank of captain and exercise line authority over all personnel and functions within their troops, in accordance with Department policies and directives. Among other specific duties, the troop commander is responsible for planning, directing, controlling, and coordinating all troop operations.

Within Troops A – R, each troop is further divided into three sections: patrol, criminal investigation, and staff services. Each of these sections is headed by a lieutenant. Additionally, Troops A – R have a number of specialized positions such as vice, narcotics, polygraph operators, fire marshall, etc. These positions also have commensurate supervisory span of control. The exact number of supervisory personnel (e.g., lieutenants, sergeants, corporals) depends on the Department’s supervisory span-of-control guidelines.¹³

Exhibit 9

Troop Designations and Locations

Troop	Headquarters	Troop	Headquarters
A	Greensburg	J	Lancaster
B	Washington	K	Philadelphia
C	Punxsutawney	L	Reading
D	Butler	M	Bethlehem
E	Erie	N	Hazleton
F	Montoursville	P	Wyoming
G	Hollidaysburg	R	Dunmore
H	Harrisburg	T*	Highspire

Note: */Enlisted personnel assigned to Troop T are not subject to the statutory cap.

Source: Developed by LBFC staff from information obtained from the PSP.

¹² Troop T falls within Area Command II.

¹³ The PSP’s Supervisory Span of Control is outlined in AR 1-10, revised May 30, 2018. Under this regulation, specific supervisory positions are allocated for enlisted positions (Troops A – R) based on the duties and the number of enlisted personnel assigned. This regulation also outlines supervisory span of control for civilian positions, which generally are set at a ratio of one supervisor for every five civilian positions.

In addition to providing the patrol and criminal investigation functions of a station, the troop headquarters is assigned clerical support staff and other personnel. The headquarters support staff includes, for example, troop communications specialists, procurement and supply specialists, and grounds, buildings, and vehicle maintenance personnel. Most of these functions are performed by civilians; however, troopers may also perform some of the duties where necessary.

Stations. From a field operations perspective, the PSP operates out of 88 organizational segments, known as stations.¹⁴ Each station is commanded by a station commander. For Troops A – T, either a lieutenant or a sergeant serves as a station commander, the deciding factor being the number of positions assigned to the station.¹⁵ Similar to a troop commander, a station commander is accountable for the performance of subordinates, to whom commensurate authority is delegated to perform specific functions in the station’s specific geographic area. Station commanders report to the troop commander at the respective troop headquarters.

Stations are structured like troop headquarters minus a complete staff services complement. The basic police service provided by a station is the patrol function. However, besides providing traffic enforcement and accident prevention on highways, patrol troopers are dispatched to respond to almost all incidents, including initial criminal investigations brought to the attention of the station’s communications desk. Depending on the nature and severity of the incident, subsequent and follow-up investigations may be assigned to other personnel, such as criminal investigators. Major crimes are often investigated by special teams from troop headquarters.

¹⁴ In keeping with the PSP’s paramilitary structure, stations were formerly known as “barracks.” This number includes stations on the Pennsylvania Turnpike.

¹⁵ Under the PSP’s supervisory span of control regulation, a station with 48 or more positions is assigned a lieutenant as a station commander. Stations with 43 or fewer positions are assigned a sergeant as station commander, and those stations between 44 and 47 positions the station commander’s rank is determined by the Deputy Commissioner of Operations. Troop T does not have criminal investigators; therefore, staffing levels are slightly different from Troops A-R.

SECTION III CONTEXTUAL ISSUES IMPACTING THE PSP'S COMPLEMENT



Fast Facts...

- ❖ *Although the PSP's enlisted complement is "capped" at 4,310 positions, certain exceptions for specific law enforcement services provided by the PSP allow it to exceed the cap.*
- ❖ *The cap was last adjusted in 2013 when it excluded officers assigned to casinos, liquor control enforcement, Troop T, and the Delaware River Joint Toll Bridge Commission. The PSP's authorized complement is currently 4,719 positions.*
- ❖ *Trends in population growth, incidents, and PSP-provided law enforcement coverage to municipalities make the complement issue more complex. Budgetary constraints on the PSP will be a significant factor in the coming years, because the PSP will receive less funding from the state's Motor License Fund.*

Overview

The Pennsylvania State Police (PSP) is responsible for enforcing all state laws. Furthermore, unlike municipal police forces, which are generally limited to their assigned municipal boundaries, the PSP's authority covers all municipal boundaries.¹⁶ As such, the PSP is the largest law enforcement agency in the commonwealth.

Following our 2001 report on the PSP's complement, the statutory "cap" (i.e., the maximum number of enlisted positions) was raised to 4,310 positions. In 2013, additional trooper positions were excluded from that cap, which had the effect of increasing the PSP's total complement. As a result, the PSP's total authorized complement stands at 4,719 positions as of December 31, 2019.

Within this section of the report, we discuss the contextual issues impacting the PSP's complement. Specifically, we reviewed the various statutes and legislative actions over the PSP's 115-year history. With respect to the cap, we found periods of time where the PSP had stagnant growth in its cap, despite becoming a much more comprehensive law enforcement agency with growing service demands.

We also looked at population trends, specifically county population trends, and trends within certain troop boundaries. We found areas where there has been a double-digit growth in some troop boundaries, but other troop boundaries have witnessed declining population. These changes impact the need for and deployment of troopers.

The PSP currently provides varying law enforcement coverage for 67 percent of all municipalities. This coverage is essentially provided free-of-charge to the municipality, which is a significant factor for many municipalities that have disbanded police forces.¹⁷ This issue was a concern in our 2001 report, and it continues to be the case today. Municipalities continue to shift between the type of law enforcement coverage used (e.g., local provided, shared, regional), but generally speaking, the PSP is providing full-time police coverage to 65 more municipalities than it did in 2001.

¹⁶ Municipalities may also have regional police forces and/or jurisdictional agreements with neighboring municipalities.

¹⁷ Other than state taxes that all citizens pay, municipalities do not pay for PSP-provided law enforcement services.

As a result of more coverage area, incidents are also increasing for the PSP. Although criminality (i.e., the severity of crimes) is down, the PSP continues to have more calls for service. The PSP changed incident reporting systems since our 2001 report, but we found there has been an approximate 38 percent increase in total incidents since 2001.

Mandated activities, which are often assigned to the Department without an increase in complement or funding, is another contextual issue impacting the Department. We found that since 2002, there have been 55 additional mandated activities assigned to the agency, which strains the Department's resources, ultimately having a negative effect on patrol.

Finally, and perhaps most importantly, we reviewed the budgetary influences on the PSP since our 2001 report. We found that the PSP's total program funding has increased by 144 percent since 2001. In FY 2018-19, funding to the PSP was approximately \$1.3 billion. As has been the case for decades, the PSP is funded primarily from the Motor License Fund (MLF) and the state's General Fund. In recent years, funding from the MLF has increased faster than that of the General Fund. However, recent legislation has changed this balance. Funding from the MLF to the PSP is incrementally decreasing by four percent annually (through FY 2027-28). After FY 2027-28, PSP funding from the MLF will be capped at \$500 million.

Issue Areas

A. Pennsylvania Statutes and the PSP Complement Cap

As discussed in the Background Section, since the initial formation of the PSP in 1905, the General Assembly has placed statutory "caps" on the number of enlisted members. Although it is difficult to pinpoint the exact reason why these caps exist, historical records seem to indicate that the General Assembly was concerned about the PSP becoming too large and powerful.¹⁸

There have been significant changes in policing since the formation of the PSP. Most importantly, today, the peacekeeping roles of sheriffs and constables have been replaced by municipal police officers, who are trained under Pennsylvania's Act 120 municipal police training requirements. Despite these significant shifts in Pennsylvania's law enforcement structure, the PSP's enlisted complement continues to be limited by a

¹⁸ PA State Police, History of the PA State Police, see www.psp.pa.gov, accessed December 4, 2019.

statutory cap (i.e., by law the maximum number of troopers that the Department may have in its ranks).

We conducted extensive reviews of the PSP's statutory history and the origins of the statutory cap. It should be noted, however, that while there is a cap on the PSP enlisted personnel, this cap really only applies to Troops A-R. As discussed further below, there are enlisted member exclusions, which allow the PSP to have an authorized enlisted complement above the statutorily-imposed cap. These exclusions oftentimes muddle the PSP's complement analysis because it appears that the PSP has more troopers than authorized by statute.

Statutory Cap Chronology

Act 100 of 2001 was the last numerical increase to the PSP's cap. The Act set the cap at 4,310 troopers, but certain exclusions are allowed.

Most recently, as a result of Act 100 of 2001, the statutory cap was raised to 4,310 members, which is where it remains today. As mentioned above, there are certain permitted exclusions. For example, troopers assigned to patrol the Pennsylvania Turnpike (known as Troop T) are not included in the cap, nor are enlisted personnel assigned to Pennsylvania-based gaming facilities. Furthermore, the commissioner, the three deputy commissioners, and cadets enrolled at the PSP Academy, are not counted against the cap.¹⁹

Staffing for turnpike patrol and gaming enforcement in casinos are operational decisions made by the PSP's command staff. These positions are fully funded by the Turnpike Commission and Pennsylvania's Gaming Fund, respectively. Similarly, enforcement of the state's liquor laws, while overseen and administratively housed by the PSP, are conducted by liquor control enforcement officers, who are funded through the State Stores Fund.

In total, when considering all "capped" and "uncapped" positions, the PSP's authorized complement, as of December 31, 2019, is 4,719 positions. Exhibit 10 further delineates this breakout of PSP enlisted members.

¹⁹ Other positions excluded from the cap include troopers who patrol six bridges within the Delaware River Joint Toll Bridge Commission's authority.

Exhibit 10

PSP Enlisted Complement*

(As of December 31, 2019)

Troopers	Authorized	Filled	Vacant
General Complement (Troops A-T**)	4,549	4,368	181
Gaming Enforcement	141	137	4
Liquor Control Enforcement	17	16	1
Delaware River Bridge Enforcement	<u>12</u>	<u>12</u>	<u>0</u>
Total	4,719	4,533	186

Note: */Does not include the commissioner and three deputy commissioners, nor does it include cadets enrolled at the PSP Academy.

**/Troopers assigned to Troop T are excluded from the statutory cap.

Source: Developed by LBFC staff from information obtained from the PSP.

At the time of our 2001 report, the PSP enlisted complement was 3,940. As discussed later in this report, there have been several additional duties assigned to the PSP, but there has not been a corresponding increase to the PSP's cap since 2001. See Exhibit 11 for a chronology of the statutory cap.

Exhibit 11

**Chronology of the Statutory Cap
on PSP Enlisted Personnel**

Year	Legislation	Enlisted Member Cap Est.
1905	Act 227 created the Department of State Police. It authorized four companies in the force.	228
1919	Act 179 reorganized the Department of State Police. It authorized five troops in the force.	415
1921	Act 386 added a school troop to the force.	421
1935	Act 379 added a Detective Division to the force.	508
1937	Act 455 consolidated the existing State Police and State Highway Patrol into one agency called the Motor Police Force.	1,600
1949	Act 425 now referred to the force as the Pennsylvania State Police.	1,800
1953	Act 254 increased the cap.	1,900
1955	Act 257 retained the then current cap but excluded troopers assigned to the Pennsylvania Turnpike from the calculation.	1,900
1961	Act 444 provided for further increases in the cap:	
	FY 1961-62	2,000
	FY 1962-63	2,100

Exhibit 11 Continued

1966	Act 6 of the 1966 Special Session repealed the statutory cap and replaced it with a provision requiring a minimum complement of 2,100 and a maximum complement of 2,350.	2,100 to 2,350
1967	Act 48 repealed the minimum/maximum provisions of Act 1966-6 and replaced it with another series of statutory caps:	
		FY 1967-68 2,650
		FY 1968-69 2,950
		FY 1969-70 3,250
		FY 1970-71 3,550
1971	Act 163 again increased the cap.	3,790
1972	Act 349 repealed Act 1967-48 and established a new cap.	3,940
1991	Act 12 provided for "resident troopers" who were not counted toward the statutory maximum complement. The program expired in 2012*	3,940
2001	Act 100 again increased the cap.	4,310
2013	Act 43 repealed Act 2001-100, retained the then current cap but excluded troopers assigned to Del. River Joint Toll Bridge Comm., Gaming Enforcmnt., and Liquor Control Enforcmnt. from the calculation.	4,310

* Act 1991-12 empowered the State Police Commissioner to "enter into agreements with boroughs and first and second class townships for the furnishing of police protection by one or more resident state troopers." These Officers were assigned to municipalities that did not have an organized police department and that agreed to pay the entire cost of PSP services they received. This provision expired on December 31, 1992.

Source: Developed by LBFC staff from an examination of Pennsylvania state statutes.

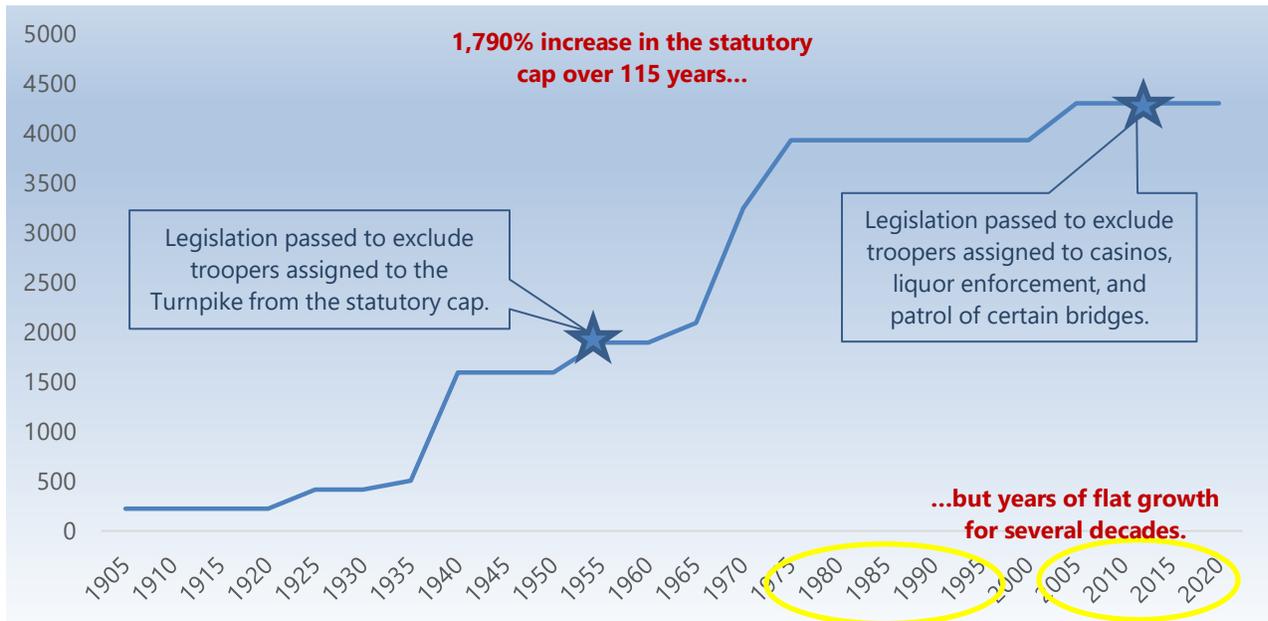
As shown in Exhibit 11, when just looking at capped positions, the PSP has grown substantially from its original 228 authorized enlisted positions. Today, the cap remains at 4,310 enlisted positions—an increase of 1,790 percent over 115 years. While this increase is substantial, the PSP is obviously a substantially different and more professional police force than that which existed 115 years ago. As a result, it can be somewhat misleading to only look at the periodic growth of the force.

In Exhibit 12, we plotted the PSP's complement cap in five-year increments. When viewed from this perspective, a much more problematic trend is apparent. For example, while there was substantial complement growth during the 1960s and early 1970s, there were no increases in the complement from 1975 through 2001. Furthermore, when factoring in the exclusion of Troop T in 1955, this growth period revealed a substantial strengthening of the PSP's ranks, which has not been duplicated in recent decades.

There was a provision for “resident troopers” in 1991, who would not be counted against the cap; however, this initiative was short-lived because the provision expired the following year. As a result, with the PSP’s last statutory complement increase in 2001 (not including exclusions formalized in 2013), the PSP is now entering its 19th year without an increase to its statutory complement.

Exhibit 12

**PSP Enlisted Personnel Caps
over Five-Year Increments**



Note: Other positions are also excluded from the cap, including the commissioner, deputies, and cadets.

Source: Developed by LBFC staff from an examination of Pennsylvania state statutes.

It is important to reiterate that the above exhibit only represents enlisted positions that are authorized through the statutory cap. Moreover, the exhibit assumes that the positions were fully staffed, i.e., with no vacancies. In actuality, the PSP has never reached full complement because vacancies exist as members retire, go out on military leave, or are injured and on medical leave.

In the issue areas that follow, we will discuss some other contextual factors that impact the PSP’s ability to serve and protect the public. In particular, factors related to population, police incidents, expanding municipal police coverage, and budgetary influences.

B. Changes in Pennsylvania's Population

When reviewing the PSP's complement it is also important to review population trends. For example, if Pennsylvania's population is increasing, then by extension there will likely be a corresponding need for additional PSP services, namely patrol troopers.

While it is important to examine these trends, most experts caution against applying strict per capita ratios as the sole means of allocating law enforcement personnel. According to the International Association of Chiefs of Police (IACP), there is currently no national standard on how many officers there should be per capita.

Further, per capita ratios do not take into account significant population variations. For example, urban areas may see populations swell significantly during daytime business hours. Seasonal fluctuations in tourist communities, environmental differences, patrol areas, and weather patterns are also not taken into account when using the per-capita approach.²⁰ As a result, while we reviewed various trends in populations, we did not calculate a per capita ratio for PSP enlisted personnel because there is too much geographic variability to make meaningful comparisons.

Pennsylvania Population Estimates and Trends

The United States' Census Bureau is the federal government's largest statistical agency, and it performs one of the most crucial government services, the census count. As mandated by the United States Constitution, on every tenth year ending in zero, the Census Bureau must count every resident based on where they reside on April 1.²¹ Census data, which is readily available and regularly updated, serves as a reliable source for tracking Pennsylvania's population.

We obtained population counts of Pennsylvania's 67 counties from the 2000 and 2010 census, along with the Census Bureau's Population Estimates during non-census years. The Census Bureau's Population Estimates Program (PEP) produces estimates of the population for the United States. PEP annually utilizes current data on births, deaths, and migration to calculate population change since the most recent decennial census.

²⁰ Wilson, Jeremy and Weiss, Alexander, Policing, *Police Staffing Allocation and Managing Workload Demand: A Critical Assessment of Existing Practices*, February 25, 2014.

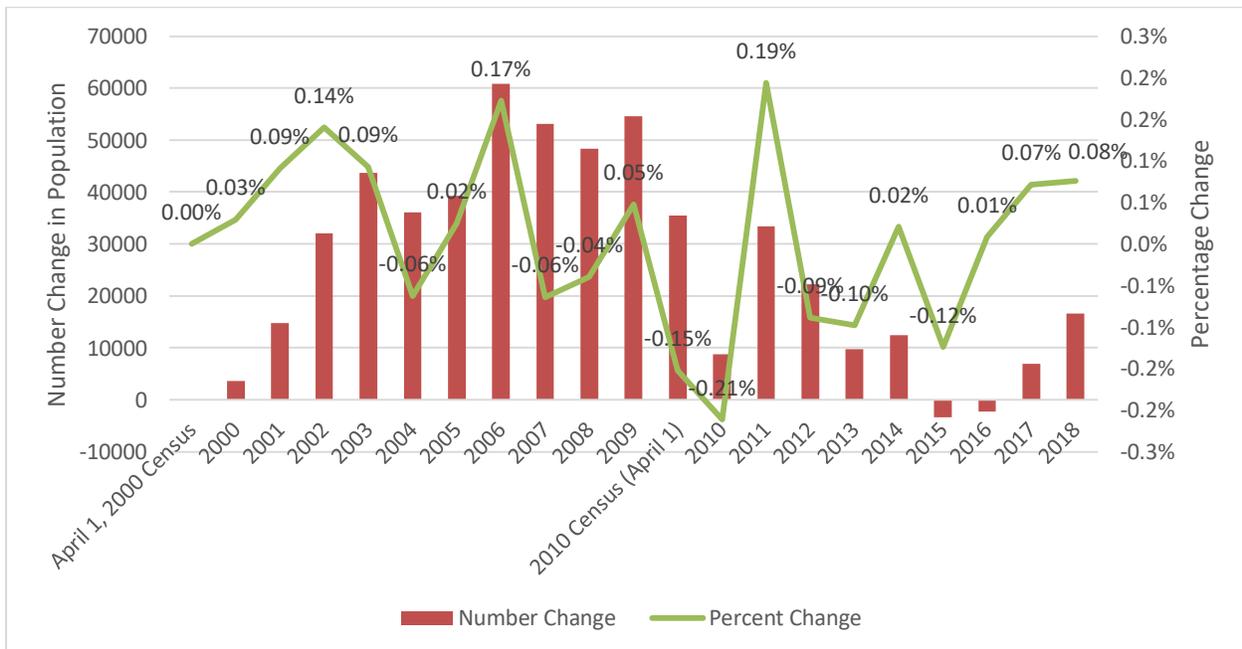
²¹ Article I, Sections 2 and 9.

Pennsylvania has become increasingly “urbanized” after the 2000 census. The Census Bureau categorizes urban areas into two groups. “Urbanized areas” consist of 50,000 or more people and “urban clusters” consist of at least 2,500 and less than 50,000 people. “Rural” encompasses all population, housing, and territory not included within an urban area. In 2000, 77 percent of Pennsylvania residents lived in an urban area, and the number of Pennsylvanians living in urban areas increased from 5.6 percentage points between 2000 and 2010.²² As discussed later, this trend is expected to continue with the 2020 census.

From the April 2000 Census to the July 2018 population estimate, there has been a four percent increase in the overall total population. However, as referenced in Exhibit 13, there are years where Pennsylvania had a decrease in year-to-year growth. For example, from 2003-2004 there was a decrease of 0.06 percent. Similarly, there were decreases in the following years: 2006-2007 (0.06 percent decrease); 2007-2008 (0.04 percent decrease); 2009-2010 (0.15 percent decrease); 2011-2012 (0.09 percent decrease); 2012-2013 (0.10 percent decrease); and 2014-2015 (0.12 percent decrease).

Exhibit 13

**Annual Change in Pennsylvania’s Population
2000 – 2018**



Source: Developed by LBFC staff from data obtained from the United States Census.

²² Pennsylvania State Data Center, *Pennsylvania’s Urban and Rural Population*, October 11, 2012.

According to the 2018 population estimate, Pennsylvania's population reached over 12.8 million residents, making it the fifth most populous state in the country. This is a relatively small increase from the 2010 census figure of 12.7 million. Philadelphia, Allegheny, and Montgomery remained Pennsylvania's most populous counties throughout this time period.

The growth of the state's general population minimizes an important trend in Pennsylvania's overall composition, which is its aging population. Pennsylvania's elderly population grew at a rate over 20 times that of the state's general population, an increase of 16.3 percent from 2010 to 2017. The total population age 65 years and over grew from 15.4 percent (1.96 million persons) of Pennsylvania's total population in 2010 to 17.8 percent (2.27 million persons) of the state's population in 2017.²³

County Populations Trends. Interestingly, counties with the highest percent population loss were all concentrated in the Western and Northcentral part of Pennsylvania. From the 2000 census to the July 2018 population estimate, 35 counties experienced population loss. Cameron County led the pack with a 32 percent decrease in population, followed by Elk County (16 percent decrease), and Cambria County (15 percent decrease). All three counties are located in the Western part of the state. Cameron County and Elk County are also bordering counties.

The drop in population in the Western part of the state can be attributed to deaths exceeding births, technology replacing workers, as well as the weather and the availability of jobs.²⁴ Allegheny County, which has recently capitalized on employment growth in research and development and health care, saw an increase in population, while the majority of the neighboring counties have seen a decline in population due to a continued decline in manufacturing employment.²⁵ This trend of employment correlating with population is consistent throughout the state.

A study done by researchers at the Pennsylvania State University reveals Pennsylvania employment trends correlated with population changes. For example, the Southeast portion of the state experienced job growth compared to the remainder of the state, which had a mixed employment growth.²⁶

Unlike population decreases, which concentrated in mostly one region, population increases from the 2000 census to the July 2018 population estimate are more dispersed (see Exhibit 14). However, the majority of population growth throughout the state is concentrated in the Eastern,

²³ Penn State Data Center, *Population Characteristics and Change 2010-2017*, July 10, 2018.

²⁴ Davis, Alex, Bradford Era, *Cameron County Sees Biggest Population Loss*, April 25, 2018.

²⁵ Penn State News, *Analysis of Post-recession Job Trends Suggests Existence of 'Two Pennsylvanias'*, June 11, 2018.

²⁶ Alter, Theodore, et al, Center for Economic and Community Development, *Pennsylvania Employment on the Move: 2001-17*, April 2018.

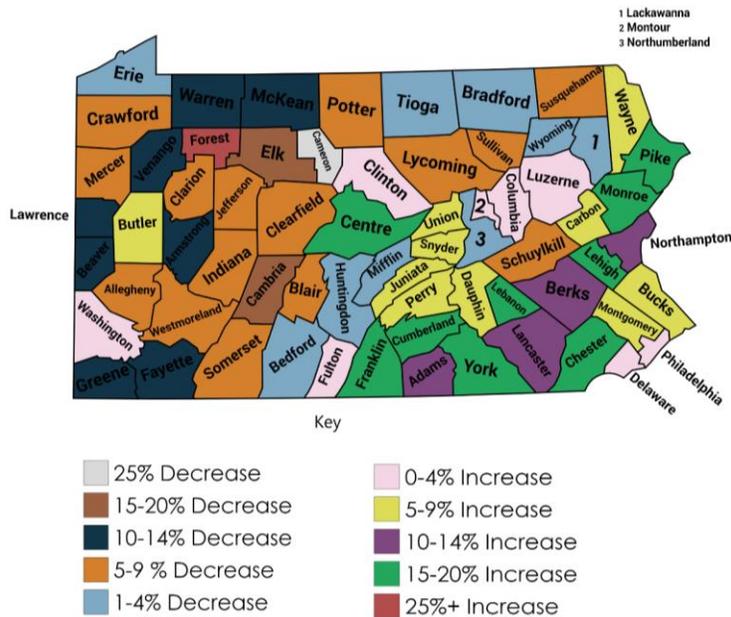
Southcentral, and Southeastern counties. Forest County is the only outlier.

Forest County, located in the northwestern part of the state, had the largest percent population increase (31.0 percent). All counties bordering Forest, however, had a population decrease of five percent or more. The increase of population in Forest County may be due in large part to the construction of a state correctional institution which opened in October 2004.²⁷ Forest was the least populous county in 2000. As of July 2018, it is now the third least populous county. Cameron County is now the least populous county in Pennsylvania, followed by Sullivan County.

Second to Forest, Monroe County led all Pennsylvania counties in population percentage increase from 2000 to 2018, increasing by 18 percent. Pike and Chester Counties both had a 17 percent population increase in terms of largest percent change in population for the time period.

Exhibit 14

Pennsylvania Population Change 2000 - 2018



Source: Developed by LBFC staff with data from obtained from the United States Census.

²⁷ See <https://www.cor.pa.gov/Facilities/StatePrisons/Pages/Forest.aspx>

Population Trends within PSP Troop Areas

There are 88 PSP stations that are organized into 16 troops, including Troop T, which is dedicated exclusively to patrolling the Pennsylvania Turnpike. The only counties that do not have a PSP station are Montour, Mifflin, and Union.

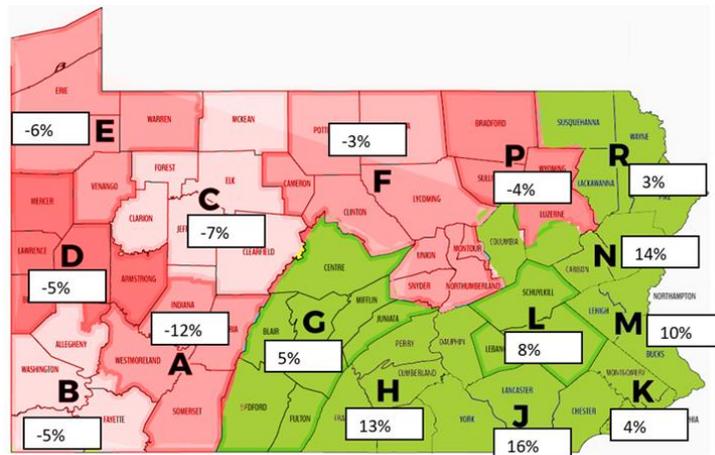
Similar to population trends across Pennsylvania, troops located in the Western part of the state had the most significant decreases in population since the 2000 census. As illustrated in Exhibit 15, Troop A had a 12 percent decrease in population, Troop B a five percent decrease, Troop C a seven percent decrease, Troop D a five percent decrease, and Troop E a six percent decrease, and all are located in the Western part of the state.

The troops with the most increase in population are located in the Central and Eastern parts of the state. Troop J had the greatest increase of population with 16 percent, Troop K a four percent increase, Troop L an eight percent increase, Troop M a 10 percent increase, and Troop N a 14 percent increase.

The only troops located in the Central and Eastern parts of the state that had a decrease in population from the 2000 census until the most recent estimate are Troop P (4 percent decrease) and Troop F (3 percent decrease).

Exhibit 15

Population Change within PSP Troops 2000 – 2018



Source: Developed by LBFC from United States Census data.

Pennsylvania Population Projections and Impact for the PSP

The Center for Rural Pennsylvania developed population projections for the commonwealth and its 67 counties²⁸ for 2015, 2020, 2025, 2030, 2035, and 2040. To predict the population, their projections are based upon mortality, fertility, survival, and migration rates. The projections did not take into account recent employment or business activity trends. According to the study, Pennsylvania's population projections are as follows:

Pennsylvania continues to grow at a steady but fairly stable rate and there is nothing to indicate that this won't continue up to the next Census of 2020. There is estimated to be little or even no growth leading up to 2030, in part because Pennsylvania has a low birth rate with an increasingly older population, although migration to the area should remain stable.

Almost 90 percent of the population increases during the 2010 to 2040 period is expected in urban counties, and the remaining 10 percent will occur in rural counties. As a result, we should expect to see that the state's population will continue to become more urban, increasing from about 73 percent in 2010 to about 74 percent in 2040.

Population in rural counties will decrease from about 27 percent to about 26 percent during this same period. The Southeast region of the state is expected to have the largest increase in population, gaining more than 891,000 during the 30 year period. The Southcentral region is expected to gain more than 184,000 during this same period. Other regions of the state are expected to have more modest gains (Southwest - 127,000; Northeast - 123,000; Northcentral - 66,000; and Northwest - 28,000).

Based on these projections, it is apparent that PSP-provided law enforcement services will also continue to evolve. For example, as more of Pennsylvania's population shifts to urban municipalities, which typically have their own police services, there may not be as great a need for PSP-provided coverage to those specific areas. However, as discussed in the following section, measuring this impact may be challenging.

²⁸ Center for Rural Pennsylvania, *Rural Population Projections*, March 2014.

C. PSP-Provided Police Coverage to Municipalities

Law enforcement structures vary substantially from state-to-state. For example, some states, like Florida and California, rely on sheriffs to operate large county-based offices as the primary means of municipal police service. These law enforcement structures are not seen in Pennsylvania, which instead uses a structure of either municipal police departments or the PSP for police coverage.

Pennsylvania Local Police Structure.

Pennsylvania's municipal police organizations fall into one of four types:

1. A locally authorized full-time police force.
2. A locally authorized part-time police force.
3. A regional police force, which is shared among several participating municipalities.
4. PSP-provided coverage.

There are some variations to the above (see also Appendix B for additional information on Pennsylvania's law enforcement structure). For example, municipalities may also contract with a neighboring municipality to provide law enforcement services.

Our research could not locate a specific statute that explicitly requires the PSP to provide police services to municipalities that do not have a police force. Instead, we found that Pennsylvania statutes generally provide assumptions that the PSP will use its broad authority to provide police coverage. For example, 71 P.S. §250(d) states that PSP troopers have the power and duty "whenever possible, to cooperate with counties and municipalities in the detection of crime, the apprehension of criminals, and the preservation of law and order throughout the State." This language authorizes the PSP to provide police services to municipalities whenever possible and to do so statewide. It does not, however, require the PSP to act as the police department in communities that do not have their own police forces.

Similarly, under 42 Pa. C.S. §8951, an assumption that PSP will act as the police for the municipality can be found in the definition of the term "chief law enforcement officer." According to this provision, a municipality's chief law enforcement officer is the following:

The head of a duly constituted municipal law enforcement agency which regularly provides primary police services to a political subdivision *or, in the absence of any*

such municipal law enforcement agency, the commanding officer of the Pennsylvania State Police installation which regularly provides primary police services to the political subdivision [Italics emphasis added].

As we found in our 2001 report, the above provision, which was enacted in 1982, indicates a practice and/or presumption that evolved over the years, since there was no apparent pre-existing statutory requirement for the PSP to provide these services.

In a political subdivision that has its own full-time police department, the PSP's policy is to refer calls it receives from citizens to the local police department that has jurisdiction in the caller's locale. However, the PSP also provides back-up, support services, and a myriad of other specialty functions to these municipalities (e.g., Special Emergency Response Teams or SERT). In the event it is an emergency situation, the PSP will respond to assist, as well as refer the incident to the responsible police department. If it is not an emergency situation, the local police department is expected to handle the matter, however, if that local department requests PSP assistance, it will be provided.

In summary, there is no specific statutory requirement for the PSP to provide service to local municipalities that lack a police force, it is an assumed responsibility that has evolved from the PSP's statewide law enforcement authority. The PSP has a long history of providing law enforcement assistance, and stated simply, if a municipality requires assistance, the PSP will provide law enforcement assistance.

Since 2001, the PSP Provides Full-time Police Services to 65 Additional Municipalities.

We reviewed municipal policing statistics, which we obtained from the Pennsylvania Department of Community and Economic Development, Center for Local Government Services (CLGS). The CLGS maintains municipal level data, including law enforcement coverage, on each of Pennsylvania's 2,560 municipalities.²⁹ Using this data, we compared it to similar data and analysis that was contained in our 2001 report.

As shown in Exhibit 16, there were 2,560 municipalities in Pennsylvania as of December 2019. Of those municipalities, 1,298 relied fully on the PSP for police coverage. An additional 424 municipalities had part-time PSP coverage. In total, the PSP provided either full-time or part-time coverage for 67.3 percent of the commonwealth's municipalities.

²⁹ Municipal numbers can vary from year-to-year. For purposes of this analysis, we captured data as of December 2019. We did not independently audit the reliability and validity of the data we obtained; however, we believe the data is from a best-known source and is therefore sufficiently reliable to be used in this report.

Exhibit 16

**Number of Municipalities Receiving Full-Time
or Part-Time PSP Police Coverage**
(2001 and 2019)

	No. of Municipalities	Full-Time PSP	Part-Time PSP	Full-Time Local
2001	2,574	1,233	555	786
2019	2,560	1,298	424	838
Difference	-14	+65	-131	+52

Source: Developed by LBFC staff from information obtained from the CLGS and from prior LBFC work product.

It is important to remember that the above statistics are merely a point-in-time analysis. Over the past 19 years, municipalities have merged, police departments closed, and/or switched between local, PSP, and regional policing. As a result, a simple comparative analysis of the increase/decrease between these periods does not reveal the full dynamics of these policing changes. Moreover, not every municipality is the same in terms of population, demographics, tax base, crime, and land area. These variations can, and do, add significant complexity to a purely mathematical analysis.

Full-time Local/Regional Police to Full-Time PSP Coverage. We looked further at the issue of increasing PSP-provided full-time police coverage to municipalities. At first glance, an increase of 65 municipalities may not seem overly dramatic; however, keep in mind that disbanding a municipal police force is often viewed as a drastic measure by many local governments. Based on our research on this issue, the single common denominator among all municipalities that disbanded their local police forces was the increasing cost of sustaining a local police force. Stated simply, it is far more cost-effective to rely on the PSP, which will provide law enforcement coverage without additional charge to the municipality.

We reviewed the changes between full-time PSP, part-time PSP, and full-time local police coverage on a troop-by-troop basis. For example, Red Lion Borough was part of a regional police force in York County; however, in 2014, Red Lion left the regional force and instead opted for PSP full-time coverage from Troop J. In 2015, officials noted that regional police coverage would cost the borough between \$1 million to \$1.5 million, nearly 50 percent of the borough’s entire budget, thus officials opted for PSP coverage.³⁰

³⁰ While this coverage is provided by the PSP, residents of the municipality pay state taxes as most residents do, but do not pay anything additional for the PSP-specific coverage.

Similarly, Troop L has provided full-time police services to Maxatawny Township following the breakup of a regional police force in January 2013. Officials there noted that a local force with a chief and six full-time officers, would be \$965,000 for the first year. Further, that estimate did not include the cost of police cars, weapons and uniforms. The budget, which is about \$340,000 more than the township's share of the regional police budget, would require a 2-mill increase in property taxes. Taxes would be \$200 a year more on a property assessed at \$100,000. The move would have increased property taxes, which were \$3 million for general purposes, by 67 percent.³¹

As an example of how municipalities can contract with one municipality for coverage and then leave coverage, consider the events that occurred with Connoquenessing Borough. Prior to 2004, Connoquenessing Borough contracted with Evans City to provide police protection. However, the borough determined that the arrangement was too costly, terminated the contract, and now relies on PSP coverage.³² Action such as this can impact the providing municipality, as it may then be left with too many officers and legacy costs for its needs. As a result, a ripple effect can occur where those officials then have to evaluate if they can afford to pay those ongoing legacy costs without the added revenue.

Rural areas of the state, which can have lower median household incomes may find it particularly difficult to justify a local police department. For example, Troop C had the highest number of municipalities that previously only relied on the PSP for part-time service. With Forest being a rural county and the median household income being \$40,600,³³ (second lowest in the state), it may be hard to justify having a standing local police force, especially to cover a larger rural geographic area.

Troop P, which covers Sullivan County, is another example of a troop with a large coverage area. There were 13 municipalities in Troop P's area that transitioned from part-time PSP coverage to full-time coverage. The median household income for Sullivan County is \$43,800 (sixth lowest in the state). Additionally, Cameron County, which has a median household income of \$41,300 (fourth lowest in the state) is largely covered by Troop F. Troop F had nine municipalities that transitioned from part-time PSP coverage to full time coverage.³⁴

Conversely, we also found examples that contradicted these trends. For example, Lower Macungie Township, outside of Allentown, has never had its own police force. With a population of 30,000 and a median household income of over \$80,000 a year, the township is not small, rural or impoverished. In 2012, township leaders undertook a study to consider

³¹ <https://www.mcall.com/news/local/mc-xpm-2013-03-12-mc-maxatawny-township-police-20130312-story.html>

³² <http://connoquenessingboro.com/wp-content/uploads/2016/03/Comprehensive-Plan.pdf>

³³ <https://www.countyhealthrankings.org/app/pennsylvania/2019/measure/factors/63/data?sort=sc-2>

³⁴ *Ibid.*

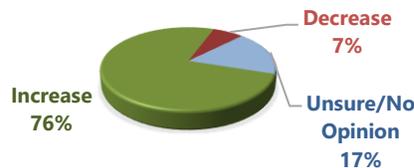
creating a local police department. The analysis found that the average cost of a police force in the surrounding municipalities, disregarding cities like Allentown and Easton, was \$193 per person, per year and therefore opted out of creating a local force. Lower Macungie is the second-largest municipality served by PSP.³⁵

The increase in municipal police coverage by the PSP was also confirmed in a survey we conducted of all PSP station commanders. In that survey, we asked commanders if there had been an increase or decrease in PSP-provided coverage to municipalities. Our results are presented in Exhibit 17.

Exhibit 17

LBFC Survey of PSP Station Commanders

*Question: In your experience at this station, has there been an increase or decrease in the amount of PSP-assigned coverage provided to local municipalities?**



Selected Comments by PSP Station Commanders Regarding Municipal Coverage:

- The cost for municipal police coverage is rising and more are relying on PSP.
- Local Departments either have one part-time member or no coverage. Local Departments run with minimum staffing, if any, a lot of the time.
- Many local municipalities which were previously providing 24/7 police coverage have decreased the size of their departments through attrition and due to a decreasing tax base are unable to hire full-time officers and are competing for a limited pool of part-time officers.
- The numbers have definitely increased as a result of decreased municipal police coverage and more mandated work such as school and critical infrastructure checks/Interstate Highway Zone clearances, and the general increase in criminal activity. Arrests for impaired driving and drug possession/sales have risen to all-time highs.
- Several of the smaller Police Departments have disbanded or merged with other police departments. It seems to be a continual process of covering these areas throughout the years.
- We have both full-time and part-time Police Departments in our County. Looking back at 2016 to current time in 2019, we have seen an across the board increase in the number of incidents we are handling in every local police department's coverage area.
- Local PDs constantly disbanding, or local PDs unable to handle complex incidents (homicides) and relying on PSP to take over.
- Over the past nine years working at the same station, there has been one municipality that has lost their police force, and PSP has had to cover this as a primary area. Additionally, three other full-time municipalities have experienced a decrease in their number of officers, and need PSP to cover their areas when shifts are unmanned.

³⁵ <https://why.org/articles/half-of-pa-municipalities-rely-fully-on-state-police/>

Exhibit 17 Continued

- Since my arrival here as a trooper in 2002, PSP coverage has increased. Many of the part-time local departments have disbanded and the part-time departments that are still in operation are not held accountable by anyone, so they can pick and choose what they will take or not take investigation-wise. Most do not have a schedule, so they will intentionally end their shifts so they do not have to handle criminal cases or work during busy times.
- This station specifically has had an increase in PSP police coverage through the last several years due to several municipal police departments being abolished or going to part-time for various reasons. Most recently, this station has assumed East Pittsburgh Borough as a primary area of responsibility as the East Pittsburgh Police Department was abolished. This is inner city policing which presents significant demands on the Patrol Unit and Crime Unit. Additionally, Rankin Borough has been reduced to a part-time department and this station covers Rankin Borough on the midnight shift which doubles the needs because PSP rides two in a patrol vehicle on midnight shifts.
- We have seen an increasing number of times where local police departments are failing to adequately staff patrol officers to successfully cover their municipalities, requiring a PSP response to handle their critical incidents and field questions regarding non-emergency type calls.

Note: */Does not include commanders from Troop T because those stations do not have municipal police coverage responsibilities.

Source: Developed by LBFC staff.

As shown in Exhibit 17, 76 percent (56 of 74 commanders responding) reported that there had been an increase in the amount of municipal coverage from their stations. Only seven percent (5 of 74) reported a decrease, while 17 percent (13 of 74) were unsure or had no opinion. These first-hand observations confirm the contextual issue of the PSP providing police coverage to municipalities without additional revenue to offset the expense.

D. Incidents Have Increased Since 2001

Law enforcement agencies use "incidents" as one of the primary means of measuring demand for police services. An incident is generally defined as an act or situation that is reported by a member of the general public or is observed by a police officer that requires a police response. Most incidents require a patrol response.

The PSP collects incident data using the Record Management System (RMS). This system captures a multitude of data for a variety of response types. There are dozens of incident types ranging from serious offenses, such as homicide and rape, to rather commonplace incidents such as false alarms. Analyzing trends in the PSP incidents provides a measure of the overall activity of the agency.

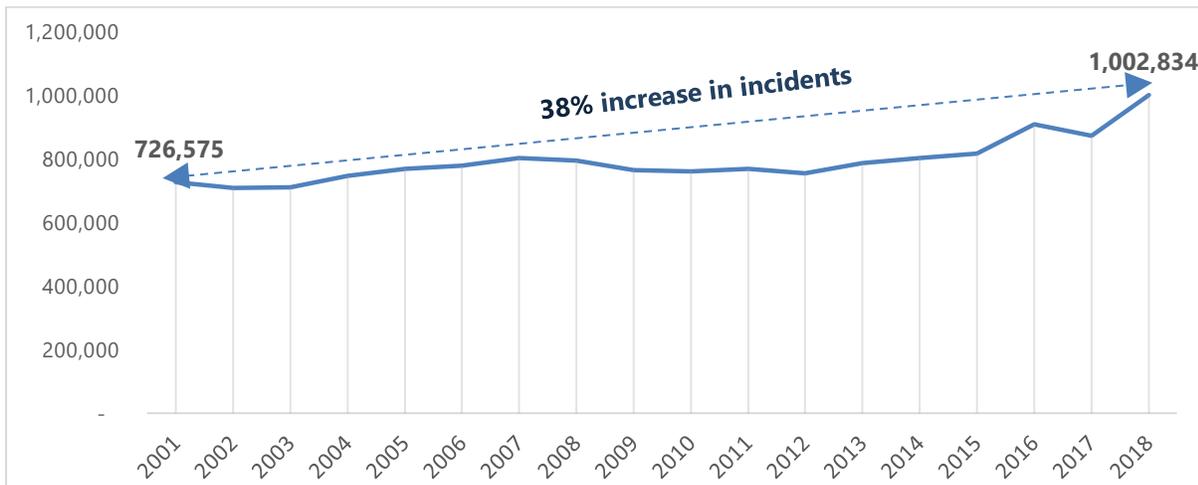
PSP Incident Data from 2001 to 2019

Our 2001 report found that the PSP responded to 607,184 incidents in calendar year 2000. However, the PSP used a different incident management system at that time, which was known as the Automated Incident Management System (AIMS). Further, the number we reported in 2001, which was data from calendar year 2000, excluded certain referrals and incidents that did not require a patrol response. Consequently, the actual number of incidents was slightly higher.

The PSP has since fully migrated to RMS, and as a result, certain incident codes that were used in AIMS are no longer used in RMS; therefore, comparisons between the two systems are not completely uniform. Nevertheless, we obtained PSP data on the total number of incidents from 2001 through 2018 to provide context on the growth of incidents since our last report.³⁶ See Exhibit 18.

Exhibit 18

PSP Incidents (2001- 2018*)



Note: *Data from 2001 through 2015 is from the PSP's AIMS system, which has since been discontinued. 2016 data is from AIMS and RMS. Data from 2017 forward is from RMS. Different classification codes are used between the systems, thus, year-to-year comparisons may be inaccurate. Nevertheless, the information is presented to provide a general perspective about the growth in incidents. Includes Troops A – T and includes traffic stops.

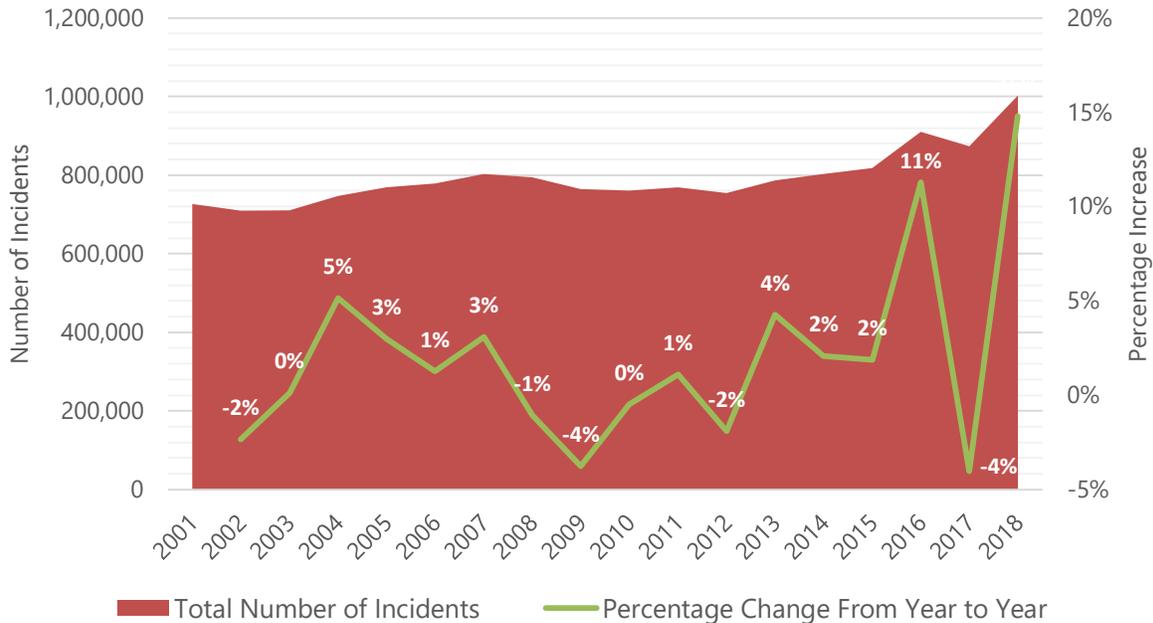
Source: Developed by LBFC staff from information obtained from PSP.

³⁶ Incident data was reported to us by the PSP. We did not audit or verify this information; however, some of this data is reported to the federal government and as such we believe the data is reliable for purposes of this report.

As shown in the exhibit, overall, the number of incidents increased from 726,575 in 2001 to more than 1 million incidents by 2018, or an increase of 38 percent over the period reviewed. This percentage increase denotes a significant growth in activity, which can be partly explained by additional duties assigned to the PSP (e.g., gaming enforcement, etc.) as well as the general increase in municipalities now fully patrolled by the PSP. While this increase is significant, it is also important to note that throughout this period, there were periods of decreasing incidents. Specifically, there was a decrease in incidents from 2001 to 2002, 2007 to 2008, 2008 to 2009, 2011 to 2012, and 2016 to 2017. Exhibit 19 highlights these percentage changes.

Exhibit 19

PSP Incidents/Percent Change Year-to-Year
 (2001- 2018*)



Note: *Data from 2001 through 2015 is from the PSP's AIMS system, which has since been discontinued. 2016 data is from AIMS and RMS. Data from 2017 forward is from RMS. Different classification codes are used between the systems; thus, year-to-year comparisons may slightly inaccurate. Nevertheless, the information is presented to provide a general perspective about the growth in incidents.

Source: Developed by LBFC staff from information obtained from PSP.

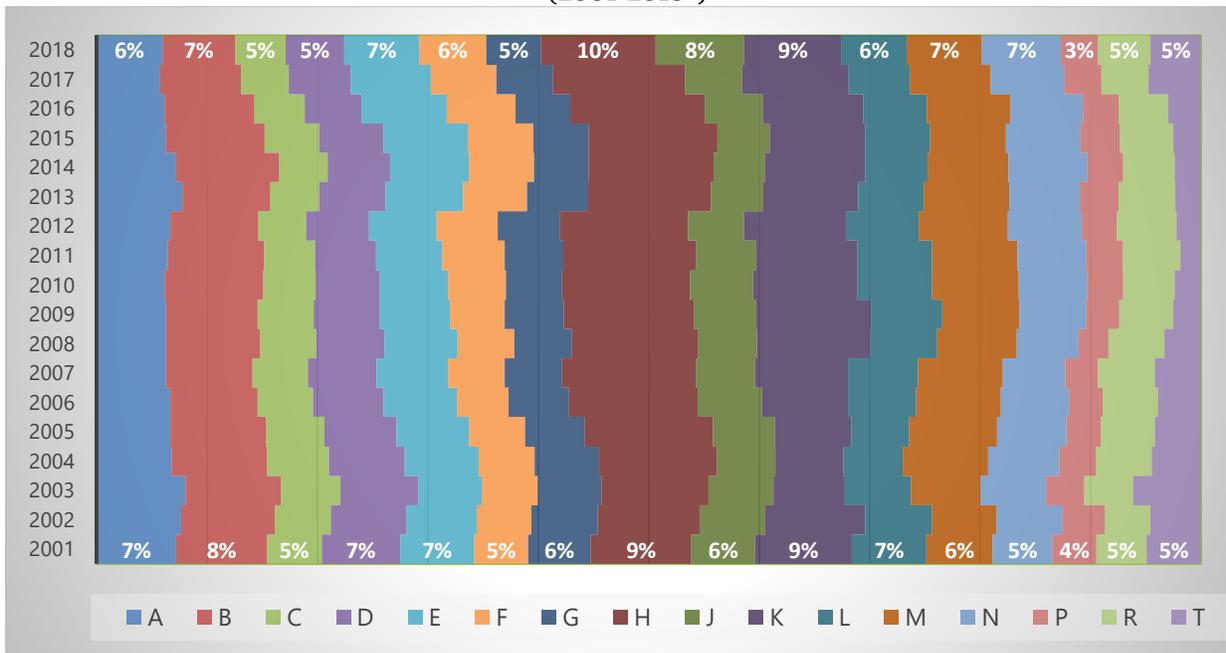
Troop Level Analysis of Incidents

We also reviewed the above data on a troop level basis. Out of all troops, Troop H had the greatest percentage of incidents every year from 2001-2018. Since 2003, Troop H has accounted for at least 10 percent of all incidents within all Troops (A-T). This occurrence is likely attributable to the population growth in that area. From 2000-2018, the counties within Troop H have had a population increase. For example, Perry County grew by five percent, Dauphin County grew by nine percent, Adams County grew by 11 percent, Cumberland County grew by 15 percent, and Franklin County grew by 16 percent. The overall average growth rate in Pennsylvania for this same period was only four percent.

Troop P had the least amount of incidents among all troops from 2001-2018, averaging three percent per year. It comes as no surprise that from that same approximate period (2000-2018) most counties within Troop P have had population decreases or the population has remained stable. For example, Sullivan County (-8 percent), Wyoming County (-4 percent), Bradford County (-3 percent), and Luzerne County (no change) all had a lower growth rate than the Pennsylvania average of four percent. Exhibit 20 highlights each troop's percentage of total incidents from 2001- 2018. Although this exhibit contains a substantial amount of data, by viewing the shaded areas vertically, it is possible to discern year-to-year variations among the troops.

Exhibit 20

Percentage of Total PSP Incidents by Troop
 (2001-2018*)



Note: *Data from 2001 through 2015 is from the PSP's AIMS system, which has since been discontinued. 2016 data is from AIMS and RMS. Data from 2017 forward is from RMS. Different classification codes are used between the systems; thus, year-to-year comparisons may slightly inaccurate. Nevertheless, the information is presented to provide a general perspective about the growth in incidents. Includes Troops A – T and includes traffic stops.

Source: Developed by LBFC staff from information obtained from PSP.

2018 Incident Types

Beyond the year-to-year trends in incidents, we also reviewed incidents for the most recent year of data (2018). We purposefully limited our analysis to just 2018 because of changes between incident management systems. The PSP uses many different incident codes for tracking activity. In Exhibit 21, we present the main incident categories. We also segregated the data by field Troops (A-R), Troop T, and incidents which were handled by PSP offices or bureaus. See also Appendix C for additional detail.

Exhibit 21

Summary of PSP Incidents by Type
(CY 2018)

Incident Type	Troops A-R	Troop T	Offices/Bureaus	Total
Miscellaneous	186,127	7,176	2,657	195,960
Checks	167,394	15,193	1,135	183,722
Vehicle Related	87,434	2,410	332	90,176
Collisions	83,362	5,526	101	88,989
Requests for Assistance	66,145	2,101	11,689	79,935
Traffic Related	74,946	1,676	180	76,802
Interstate Highway	58,764	10,438	7	69,209
Motor Carrier Safety	38,954	2,925	23	41,902
Megan's Law	34,732	5	22	34,759
Alarms	29,224	2	24	29,250
Theft	23,837	54	1,367	25,258
Drugs/Alcohol/Narcotics	10,547	107	12,580	23,234
Desk	12,930	3	6	12,939
Warrants	6,630	66	887	7,583
Criminal	6,545	12	109	6,666
Assaults	6,373	9	41	6,423
Robbery/Burglary	5,420	0	16	5,436
Sex Offenses	4,241	3	11	4,255
Death	3,691	1	2	3,694
Escort	2,298	18	208	2,524
Protection From Abuse	2,386	0	5	2,391
Animals	2,190	1	3	2,194
Firearms/Explosives	1,715	2	438	2,155
Interdiction	1,412	6	638	2,056
Fire	1,690	0	4	1,694
Checkpoints	1,108	1	3	1,112
Child Related	912	0	1	913
Gambling/Gaming	32	0	881	913
Exploratory	251	0	74	325
Organized Crime	58	0	239	297
Threats	190	0	0	190
Grand Total	921,538	47,735	33,683	1,002,956*

Note: *Does not include traffic stops; thus, this total differs from previous exhibits.

Source: Developed by LBFC staff from information obtained from the PSP.

E. Additional Mandated Activities

“Additional mandated activities” is a broad term, but it has very tangible implications to the PSP’s staffing concerns. Additional mandated activities are activities that have been assigned to the PSP either by federal or state statute, the courts, or as a matter of policy, either internally within the PSP or by the Governor. Oftentimes, additional mandated activities

are assigned without an increase in funding or personnel; consequently, these activities ultimately must be filled using existing PSP personnel, which impacts patrol and other operations.

The issue of additional mandated activities was a concern in both of our previous reports on the PSP's complement cap (1996 and 2001). In 1996, we reported that since the cap's last increase in 1972, 42 additional statutory mandates alone had been added to the PSP. Further, in 2001, we found that 14 additional mandated activities had been assigned to the PSP.

Mandated Activities Have Increased Substantially Since 2002

Since 2001 we identified 55 additional mandates assigned to the PSP.

PSP commanders are keenly aware of the operational impacts that additional mandated activities have on the Department. As such, with assistance from the PSP Bureau of Research and Development, we identified all additional activities that have been assigned to the PSP since our last report was released.

In total, we were able to identify at least 55 additional mandates that have been assigned to the PSP since 2002. In fairness, not all of these additional mandates were unfunded. For example, the largest of these mandates was gaming enforcement. As mentioned elsewhere, this activity is fully funded by casino operators in Pennsylvania.

Exhibit 22 highlights these additional activities. It should be noted that a number of these activities were driven from changes at the federal level after the 2001 terrorist attacks. For example, the Joint Terrorism Task Forces, Weapons of Mass Destruction (WMD) Response Teams, and the Pennsylvania Criminal Intelligence Center/Statewide Fusion Center, among others, had origins as a result of the 2001 attacks.

Exhibit 22

**Summary of Additional Mandated Activities
Assigned to the PSP
(2002- 2019)**

- Gaming Enforcement
- Hazardous Device and Explosives Section (HDES) - West
- Toxicology Testing Services
- Mandated Sexual Assault Evidence Data Collection and Reporting
- Laboratory Information Management System Prelog
- Human Remains Detection (HRD) Canine Program
- Drug Law Enforcement Division, Strike Force Units
- Drug Law Enforcement Division, Interdiction Units
- Drug Law Enforcement Division, Financial Investigation/Asset Forfeiture (FI/AF)
- Drug Enforcement Administration (DEA) Task Force Officers
- Homeland Security Investigations Task Force Officers
- Fugitive Apprehension Unit Task Forces
- Auto Theft Task Forces
- Prison Rape Elimination Act (PREA) Certification
- Liaison with the Pennsylvania Commission on Crime and Delinquency
- Pennsylvania Crime Stoppers Program
- Western Pennsylvania All Hazards Fusion Center
- Intelligence Liaison Officer Program
- Risk Vulnerability Assessment Teams (RVAT)
- Critical Infrastructure Protection Unit, PaCIC
- Operation Safe highways interdiction thru Effective Law Enforcement and Detection (SHIELD) Program
- Strategic National Stockpile (SNS) Program
- Missing and Endangered Person Advisories (MEPAS)
- Records Management System (RMS) Core Team
- Statewide Radio Network
- Six-State Trooper Projects
- Collision Analysis and Reconstruction
- Automated Work Zone Speed Enforcement
- PA Aggressive Driving Enforcement and Education Program (PAADEEP)
- Selective Traffic Enforcement Against Drunk Driving Program (STEAD-D)
- Fingerprinting of Applicants for the Pennsylvania Department of Human Services
- Megan's Law Administration
- Protection From Abuse Database (PFAD) Administration
- Clandestine laboratory Response Teams (CLRT)
- Computer Crime Task Force
- Department Watch Center
- Drug Recognition Expert Program
- Fraudulent Driver's License Investigations
- Interstate Highway Patrol Coverage – City of Philadelphia
- PennDOT Motor Carrier Enforcement Program
- Pennsylvania Criminal Intelligence Center (PaCIC / Statewide Fusion Center)
- Weapons of Mass Destruction (WMD) Response Teams
- National Incident Management System (NIMS) Implementation Program
- PSP Incident Management Team
- Nuclear Biological and Chemical Officer Program (NBC)
- Statewide Operational Intelligence Task Forces
- FBI Joint Terrorism Task Forces
- FBI Safe Streets (Gang) Task Forces
- Maritime Unit / Port Security (Vessels in Philadelphia and Erie)
- ATF / Gun Violence Task Force

Exhibit 22 Continued

- eTrace Firearm Tracing Program
- BATS – ATF Bomb Arson Tracking System Program
- Overdose Information Network (ODIN)
- PAUCRS National Incident Based Reporting System (NIBRS)
- Specialized Extrication Teams

Source: Developed by LBFC staff from information obtained from the PSP.

We tried to quantify how many troopers are needed to cover these additional duties. Unfortunately, we were hampered by two issues. First, some of the information necessary to complete the analysis is highly sensitive and cannot be shared beyond the PSP. In particular, staffing information and related workload measures for federal task forces and intelligence gathering activities cannot be shared.

Secondly, not all of these duties are full-time or part-time activities, and some are the result of pilot projects. For example, automated work zone speed enforcement requires the use of enlisted personnel, but that activity has only recently started within the commonwealth and it remains a five-year pilot program (see Section V). The PSP will receive a portion of the fines for automated work zone monitoring; however, that money is dedicated for funding future cadet classes.

In the end, while it was impossible for us to measure the net effect these additional duties have had on the PSP's complement cap, it is only logical to assume that continuing to add unfunded mandated activities to the PSP will ultimately come at the expense of patrol operations. Further, as was the case in the past, such practices ultimately force the PSP to become more reactive in its patrol functions, rather than proactive.

F. State Budgetary Influences

As discussed in the Background Section of this report, the PSP is one of the larger agencies of the commonwealth. As might be expected given its unique operational and public safety mandates, funding the PSP is a significant expense for the commonwealth. As a result, when reviewing the PSP's complement cap, it is important to understand the significance of the PSP's budget, because the availability of funding more directly controls the size of the PSP complement.

Changes in PSP Funding Sources

Funding for the PSP comes primarily from two sources: the state's General Fund and the MLF. There are also a number of other special funds, such as the State Stores, Gaming, and DNA Detection Funds that pay for PSP operations. These special funds are used for dedicated aspects of PSP operations. For example, as mentioned previously, the PSP's liquor control enforcement efforts are paid through the State Stores Fund, and the PSP's operations at Pennsylvania-based casinos are paid through the Gaming Fund. Finally, the PSP also receives funding from the federal government, and there are certain augmentations to the PSP's budget from the sale of vehicles, fees, or other revenue enhancements.

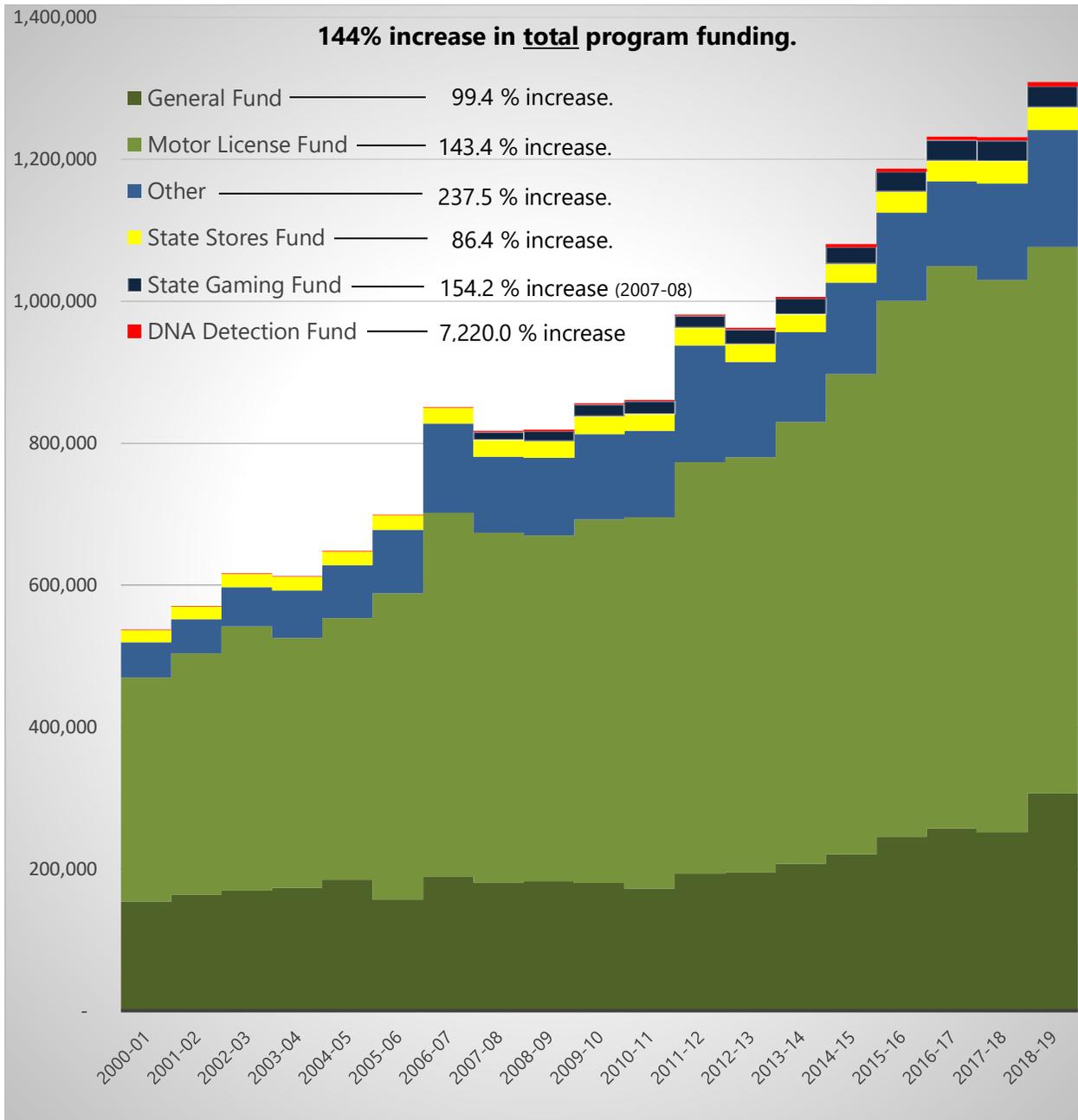
Since 2001, PSP program funding has increased by 144 percent.

At the time of our last study (FY 2000-01), program funding for the PSP totaled \$536.3 million. Since that time, PSP program funding has grown considerably to \$1.3 billion, or an increase of 144 percent over the period. In fact, with the exception of four fiscal years, the PSP is one of the few state agencies that has received year-after-year increases in program funding (the exceptions being FYs 2003-04, 2007-08, 2012-13, and 2017-18).

As shown in Exhibit 23, we reviewed the PSP's program funding from FY 2000-01 through FY 2018-19. We found dramatic increases in certain funding sources.

Exhibit 23

PSP Program Funding
 (\$000)



Source: Developed by LBFC staff from review of Governors' Executive Budgets.

As shown above, the General Fund and the MLF are the two largest sources of funding to the PSP, with the MLF constituting 59 percent of total PSP funding in FY 2018-19. The MLF is one of the largest special

funds; its primary source of revenue is from liquid fuel taxes, as well as licenses and fees on motor vehicles. The PSP is the second largest recipient of funding from the MLF, the first being the Department of Transportation.

It is also worth noting the dramatic growth in funding from the DNA Detection Fund. This special fund was in its infancy during our 2001 report, as the PSP were just developing its DNA laboratory. The DNA Detection Fund was initially created in 1995, and reestablished in 2002. The funding is used to fund a DNA databank and database, and fees are collected from certain criminal offenders.³⁷ As shown above, although this funding is minor in terms of total PSP funding, nevertheless, funding from the DNA Detection Fund grew by a staggering 7,222 percent.

Other notable observations include the following:

- Funding from the State Stores Fund increased by 86 percent. As noted previously, appropriations from this fund are used to cover the costs of the PSP's liquor control enforcement responsibilities. It is important to highlight that this component is administratively overseen by PSP enlisted personnel. The actual enforcement is conducted by civilian liquor control enforcement officers.
- With Pennsylvania's expansion into legalized slot machine gaming and casinos, the PSP began to see funding from the State's Gaming Fund in FY 2007-08, which is when the first slot casinos began to open at race tracks. Pennsylvania's gaming law requires the PSP to maintain a presence at all licensed facilities. The costs associated with this presence are paid through the Gaming Fund. Since FY 2007-08, PSP funding has increased by 154.2 percent, although the state has also expanded into table games and now satellite casinos.
- Funding from "other" sources increased by 237.5 percent. The majority of this funding is from federal sources. The PSP receives federal funding for homeland security grants, motor carrier enforcement, and law enforcement preparedness to name a few. Augmentations are also included in the "other" category, which include funding from the Pennsylvania Turnpike Commission for providing patrol services on the Turnpike. The PSP also receives augmentation program funding via criminal history record checks.

³⁷ Command staff within the Bureau of Forensics noted to us that collecting crime lab user fees overall is a significant concern. In FY 2017-18, only about nine percent of fees that were invoiced were actually collected. The PSP is working with its partners and Clerks of Courts to improve these collections and its lab user fees. These changes should help to offset the PSP's lab costs. The labs are primarily staffed with civilian personnel; consequently, this area was outside the scope of our review.

- Finally, as shown in the above exhibit, while funding from the General Fund and the MLF has increased by 99.4 percent and 143.4 percent, respectively, the ratio of funding between these two funds has (until recently) shifted to the MLF. For example, in FY 2000-01 29 percent of the PSP's funding was from the General Fund and 59 percent was from the MLF. By FY 2015-16 the ratio had evolved to 21 percent General Fund and 64 percent MLF. Our March 2017 report titled, *PA State Police Costs to Provide Safety on Public Highways* (conducted pursuant to House Resolution 2016-622) reviewed this issue. At that time, we reported that while Act 89 increased funding to the MLF through higher liquid fuels tax, more and more of the funding was going to support PSP operations and not to highway and bridge funding as was initially intended. As a result, Act 85 of 2016 was enacted which reduces the PSP's appropriation by four percent each year through FY 2027-28.³⁸ In that year, the PSP's appropriation from the MLF will be capped at \$500 million per year. As discussed later in this report, the impact of this funding restriction will present challenges to fully funding the PSP and the need for additional troopers.

³⁸ As a result of this legislation, in FY 2018-19 the ratio between the General Fund and the Motor License Fund is now 23 percent and 59 percent, respectively.

SECTION IV PSP ENLISTED COMPLEMENT NEEDS



Fast Facts...

- ❖ *Assessing the PSP's complement levels involves understanding the relationship between authorized, actual, and available positions--and the PSP's effective vacancy rate. For three consecutive years, the PSP has had a very high effective vacancy rate.*
- ❖ *In allocating troopers, the PSP uses a methodology based on quantifiable metrics that also determines troopers' obligated/unobligated time. Ideally, the ratio between these two rates should be 50/50.*
- ❖ *The PSP is currently at its 50/50 goal, but that is unsustainable in the future. Trooper retirements will outpace new cadets by as many as 411 positions in the next five years. Other "non-capped" responsibilities could benefit from an additional 116 positions.*

Overview

Within this section of the report, we discuss the intricate complexities surrounding the PSP's enlisted member staffing. Law enforcement staffing is unlike other workforce assessments, in part because public safety cannot be easily quantified or measured. Further, with respect to the PSP, additional complexity is derived from the statutory cap on enlisted personnel, as well as the "exclusions" from the cap for certain specialized responsibilities. As a result, when evaluating the PSP's complement, or manpower needs, the analysis can be very confusing, and often lacks the precision that might be expected if the PSP operated like a manufacturing unit.

Most important to understanding the PSP's manpower needs is the distinction between authorized, actual, and available positions. Authorized positions are how many troopers the PSP is permitted to have, or that can be funded at any given time. Authorized positions include "capped" (i.e., subject to the statutory limit on enlisted positions) positions and those positions excluded from the cap. As of December 31, 2019, that number stands at 4,719 positions. Because not all positions are filled, however, it is necessary to evaluate the PSP's actual and available complement. Actual positions are essentially filled positions or positions for which a trooper is trained and "on the books." But, not all troopers are *available* for duty because they may be injured or may be deployed on military duty. These positions remain on the PSP's roster, yet from an operational standpoint, the position is vacant. This ratio is often referred to as the PSP's effective vacancy rate, because it includes actual vacancies and those unavailable for duty. Unfortunately, the PSP has had three consecutive years of very high effective vacancy rates, which has caused the Department to shoulder increasing workloads with fewer available troopers.

Another critical influence on the PSP's manpower assessment is how the PSP deploys its enlisted personnel. In this respect, the PSP uses complicated methodologies known as the State Trooper Allocation Formula (STAF) and the Criminal Investigation Unit Staffing Formula (CISF). These two formulas work in tandem and serve as a quantifiable basis for deploying both patrol troopers and criminal investigators, which are the main duties of the Department. We reviewed these methodologies and

found them to be reasonable and appropriate practices for allocating enlisted personnel, which was also confirmed by the Commission on Accreditation for Law Enforcement Agencies (CALEA).

A key component of STAF is the ratio of obligated/unobligated time. These terms are confusing to most readers. Obligated time is essentially reactive police work—this includes responding to incidents, training, court time, etc. Unobligated time is the time that a trooper has remaining after obligated time is accounted. Increased unobligated time leads to proactive patrol time, which leads to better response times, and more preemptive policing. The PSP strives to balance obligated/unobligated time at 50 percent, respectively. Currently, department-wide, obligated times are at the designated goal of 50 percent. The PSP reached this goal through strategic investments in technology, the addition of troopers in 2001 (and again with gaming expansion in 2007), as well as the hiring of hundreds of civilian police communication operators (PCOs), which moved troopers back to patrol.

While reducing obligated time is a laudable achievement of the PSP, that condition is unsustainable in the near future. Simply put, the PSP faces a situation in the next five years whereby more troopers will be retiring than new replacement cadets/troopers can be channeled through training requirements at the PSP Academy. We found as many as 411 cadets/troopers will be needed to maintain today's complement levels. Without new troopers to replace retiring troopers, obligated rates will undoubtedly increase. In turn, response times and officer safety are negatively impacted.

We also looked at complement levels that are excluded from the statutory cap, which include patrol on the Pennsylvania Turnpike, troopers assigned to Pennsylvania-based gaming facilities, and liquor control enforcement.³⁹ Here too, it is important to note that with the exception of Troop T, these are specialized positions, meaning their ranks are primarily filled from the patrol function. Based on conversations with commanders in these areas, an additional 116 troopers are needed to aid these mandated responsibilities. However, because all trooper positions, whether "capped" or "uncapped," begin as cadets, ensuring an adequate supply of recruits through the PSP Academy will be of primary importance to meeting this need.

³⁹ Shared patrol of six bridges within the authority of Delaware River Joint Bridge Toll Commission are excluded from the statutory cap on enlisted personnel.

Issue Areas

A. Enlisted Member Vacancies

The statutory cap on the PSP is a confusing and perplexing issue. For example, while the cap limits the number of positions (generally for Troops A-R and certain specialized positions), there are also exclusions allowed for patrolling the Turnpike, certain bridges within the Delaware River Joint Toll Bridge Commission, overseeing Liquor Control Enforcement, and housing troopers at Pennsylvania gaming facilities. As such, the PSP's "total authorized" enlisted positions will always be greater than the statutory cap.

Authorized, Actual, and Available Enlisted Positions

From an operational standpoint, the PSP strives to be fully staffed, or to be as close to the total authorized positions as possible. However, this goal is a difficult objective to meet because funding is not always available to reach that level. Moreover, throughout the year older troopers are retiring from service, and there may be a lag between when cadets are trained and eligible to fill those authorized positions. As such, the PSP also tracks enlisted complement by "actual" positions, or the actual number of troopers that are currently employed.

The PSP is a dedicated workforce with some of the lowest sick leave usage among all commonwealth employees.⁴⁰ Nevertheless, many troopers face potentially life-threatening situations or work demanding schedules in difficult environments, which can place them at high risk of injury. As a result, at any given time, there are a number of troopers who are not available for duty because of an injury, or they may be on active military leave/deployment (see also Appendix E).⁴¹ These troopers, however, still count against the PSP's actual complement. Consequently, it is important to consider the PSP's available complement, which represents the actual complement less troopers who are not available for duty for other reasons (i.e., injury, deployment, etc.). The percentage of troopers who are not available for duty typically falls between 3.9 percent and 4.4 percent of the actual complement.

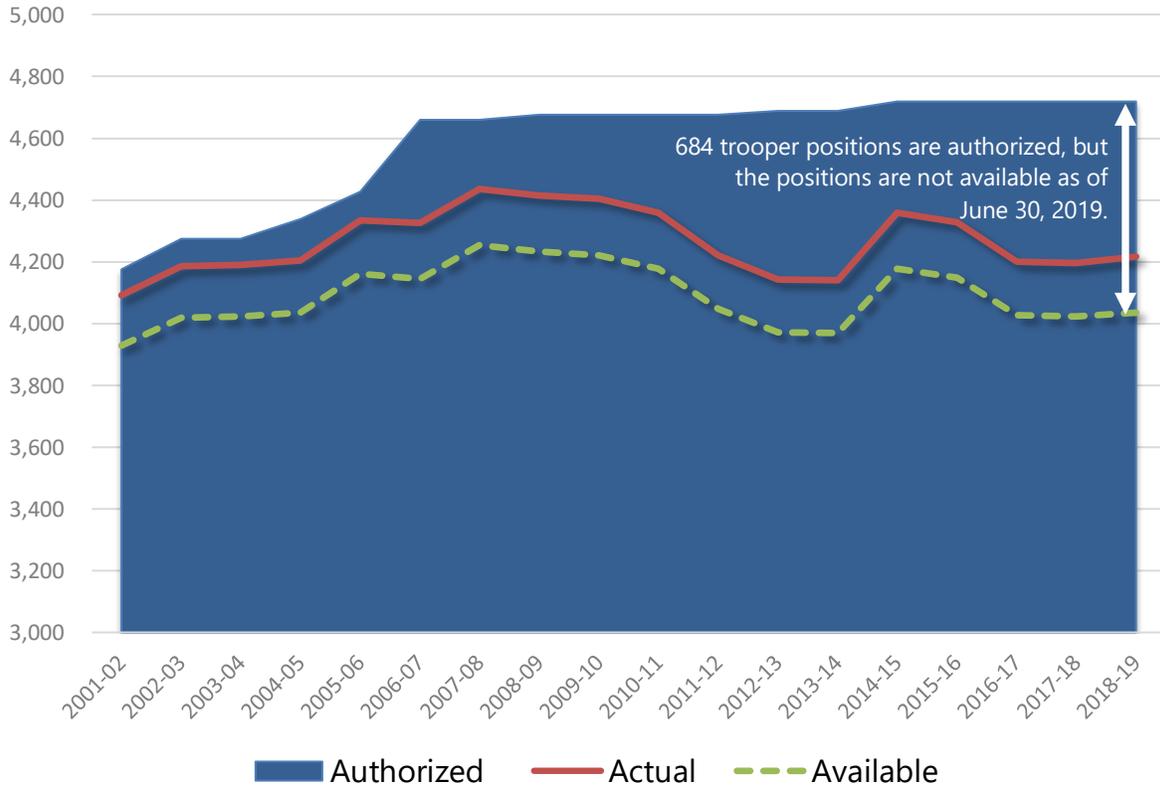
⁴⁰ According to the 2019 *Governor's Annual Workforce Report*, members of the PA State Troopers Association (the labor union representing Pennsylvania troopers) used 2.8 days of sick leave per year, the lowest of all commonwealth employee unions. The average was 8.4 days.

⁴¹ Military duty is an issue that is especially acute for the PSP. In 2004 there were 75 members on active military duty. In 2019 that number had risen to 214, a 185 percent increase.

We reviewed the PSP’s authorized, actual, and available enlisted complement rates from 2001 through June 30, 2019. As shown in Exhibit 24, the blue shaded area represents the total authorized positions, which is the maximum number of enlisted positions allocated to the PSP (i.e., statutorily capped positions plus other non-capped positions). The red line indicates actual trooper positions, or those positions that the PSP currently has filled. Finally, the green dashed line represents the available positions, or the number of positions which are currently on duty. The difference between authorized positions and available positions is also known as the PSP’s “effective vacancy rate.”

Exhibit 24

PSP Authorized, Actual, and Available Enlisted Complement
 (FY 2001-02 – FY 2018-19)



Source: Developed by LBFC staff from information obtained from the PSP.

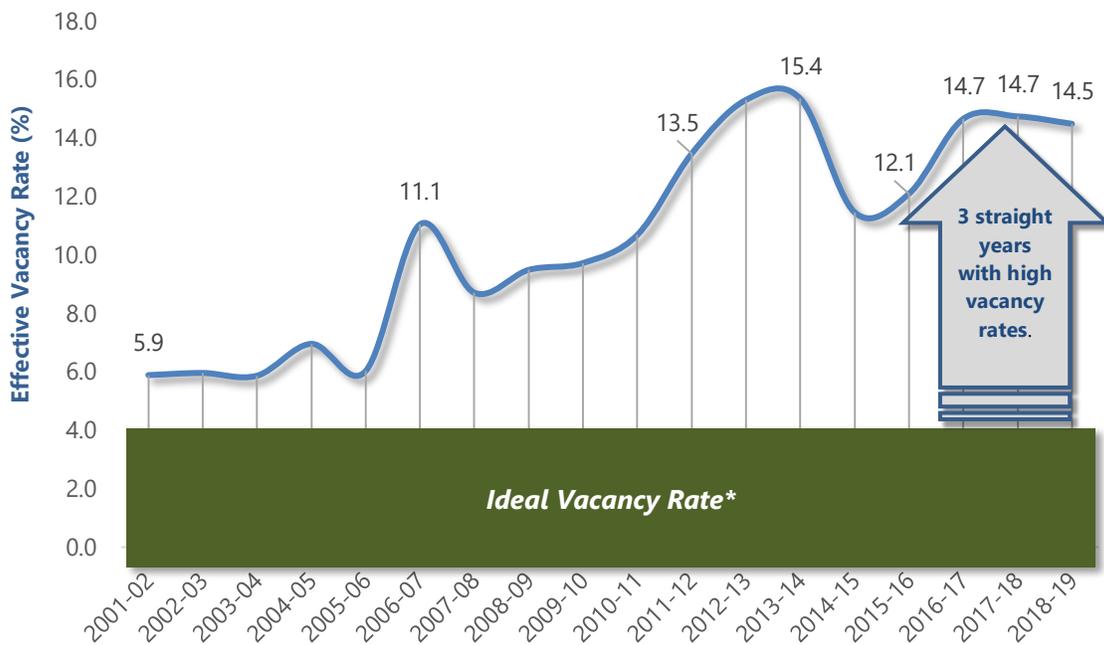
In an ideal situation, the red and green lines should be close to the top of the blue shaded area. In that scenario, the PSP would be at, or very near, full complement with a low effective vacancy rate. As shown in the exhibit, this was the case during the timeframe of 2001 through 2006. However, more recently, a troubling situation is apparent, which is that

the number of trooper positions that are actually filled and available for duty is decreasing. Stated differently, the PSP's effective vacancy rate is increasing.

Exhibit 25 details the PSP's effective vacancy rate. As shown by the upward trend in vacancies, the PSP is continuing to shoulder workloads with fewer available troopers. This trend is troublesome, and especially so given that for the past three consecutive years, the PSP has had an effective vacancy rate in excess of 14 percent.

Exhibit 25

PSP Effective Vacancy Rates (FY 2001-02 through FY 2018-19)



Note: */ The ideal vacancy rate is 0; however, that rate is unrealistic because based on historic averages 3.9 percent to 4.4 percent of enlisted members have been unavailable for duty because of illness, injury, etc.

Source: Developed by LBFC staff from information obtained from the PSP.

As shown in the exhibit, the PSP's peak year for effective vacancies was FY 2013-14, when it rose to 15.4 percent. The lowest point was 5.9 percent in FY 2001-02, which was very good considering that approximately four percent of enlisted personnel are generally unavailable for duty because of injury or illness. The ideal vacancy rate, highlighted in green above, represents these expected (but ideally minimized) vacancies.

B. Trooper Allocation Methodology

As discussed in other sections of this report, the size of the PSP enlisted force has been subject to caps, which are set in statute. The PSP Commissioner, with the Governor's approval, distributes the enlisted force (that is within the cap) throughout the commonwealth as is most efficient to preserve the peace, prevent and detect crime, and police highways. The PSP's Bureau of Research and Development is integrally involved in this process through its administration of the State Trooper Allocation Formula (STAF) and Criminal Investigation Unit Staffing Formula (CISF).⁴² Understanding how these systems work is fundamental to understanding how the PSP manages workload demands.

The PSP Commissioner, with the Governor's approval, distributes troopers statewide.

Complicated staffing methodologies are used to aid this distribution.

The assignment of troopers for positions at headquarters, as well as certain field positions, such as staff services, vice, polygraph, auto theft, and weight detail, are determined by the PSP Commissioner. Enlisted members assigned to these positions are, thus, not available for patrol or criminal investigation functions.

Once headquarters enlisted personnel and field overhead and specialty positions are assigned, the Department's Bureau of Research and Development applies the two formulas to determine the number of troopers that will be allocated to each station for each patrol unit and criminal investigation unit. The total number of troopers available to conduct patrol and criminal investigation work are viewed as one group for allocation purposes. Thus, the two allocation formulas, one for the allocation of patrol troopers and the other for the allocation of criminal investigators, are run in tandem. Each of these allocation formulas is discussed further below.

State Trooper Allocation Formula (STAF)

Since the 1960s and 1970s, the PSP has always maintained some system for allocating its patrol resources. The systems have taken on differing levels of sophistication. For example, during the 1960s and 1970s the PSP used Fixed Troop and Station Complement Tables, which were used by the Commissioner in conjunction with the Bureau of Research and Development to develop allocation tables based upon his assessment of the staffing needs of each station. This process was relatively rigid and was not based upon standard allocation criteria. Regular reviews did not occur, and several changes could be made in one year, or several years could pass before any changes were made.

⁴² This practice is consistent with standards set by the Commission on Accreditation for Law Enforcement Agencies (CALEA), of which the PSP is an accredited member agency.

As the PSP continued to evolve and more specialized assignments were developed, the PSP began to focus on patrol zones for purposes of trooper deployment and patrol scheduling. Patrol zones are set up on either an area or a line zone basis. Area zones are based on some geographic feature or road network. Line zones are sections of an interstate or a limited access four-lane highway. As a basis for calculation, the PSP established a theoretical objective of one patrol trooper per patrol zone, 24 hours a day.

As we noted in our previous studies, the objective of one trooper for every patrol zone, 24 hours a day was never attained. On this matter, we noted in our 2001 report the following:

At one time, the Bureau of Research and Development calculated that approximately 1,700 additional patrol troopers would be needed in order for the PSP to meet the goal of one trooper per patrol zone, 24 hours a day. This calculation did not take into account the additional supervision which would also be needed. This calculation was based on 513 county patrol zones and 62 line zones with day and afternoon shifts staffed with one trooper and the midnight shift staffed with two troopers for a total of 16,100 shifts needed, which equates to a need for 3,659 troopers. With 2,007 troopers on staff at that time, that resulted in a need for 1,652 additional troopers.

Non-patrol police functions which must be staffed, combined with the lack of an increase in authorized complement, made it impossible for the PSP to meet the goal of one trooper per patrol zone. Furthermore, the patrol zone concept did not have the flexibility of keeping up with the changing workloads within each station. As a result, the patrol zone concept was no longer acceptable as a means for allocating patrol troopers, and in 1992, the PSP implemented a new manpower allocation strategy, the State Trooper Allocation Formula (STAF). The important take-away from this discussion is that calculating the exact number of troopers is incredibly complex and must include the professional judgment of commanders.

Before discussing STAF in more detail, it is important to recall that STAF applies only to patrol troopers at Troops A-R. Troop T is not included in STAF as its complement numbers are not subject to the statutory cap. Additionally, as discussed previously, field specialty positions, such as vehicle fraud investigator, weight detail member, and accident reconstruction specialist, are not included.

Application of the STAF Formula. In distributing patrol troopers, STAF uses a time-based workload measure. When the STAF is applied to the stations, it results in an “obligated time percentage rate” for each station. “Obligated time” is the basic measure upon which STAF operates, and it is a key concept to consider when evaluating future trooper complement levels.

Obligated time is an important measure of trooper time. Higher obligated time ratios keep troopers from conducting proactive patrol.

Obligated time is essentially a calculation of how busy a trooper is performing assigned duties—or stated differently—obligated time is time that is not spent on active patrol because the trooper is *obligated* to perform certain work-related duties (e.g., responding to incidents, doing paperwork, or appearing in court, etc.).

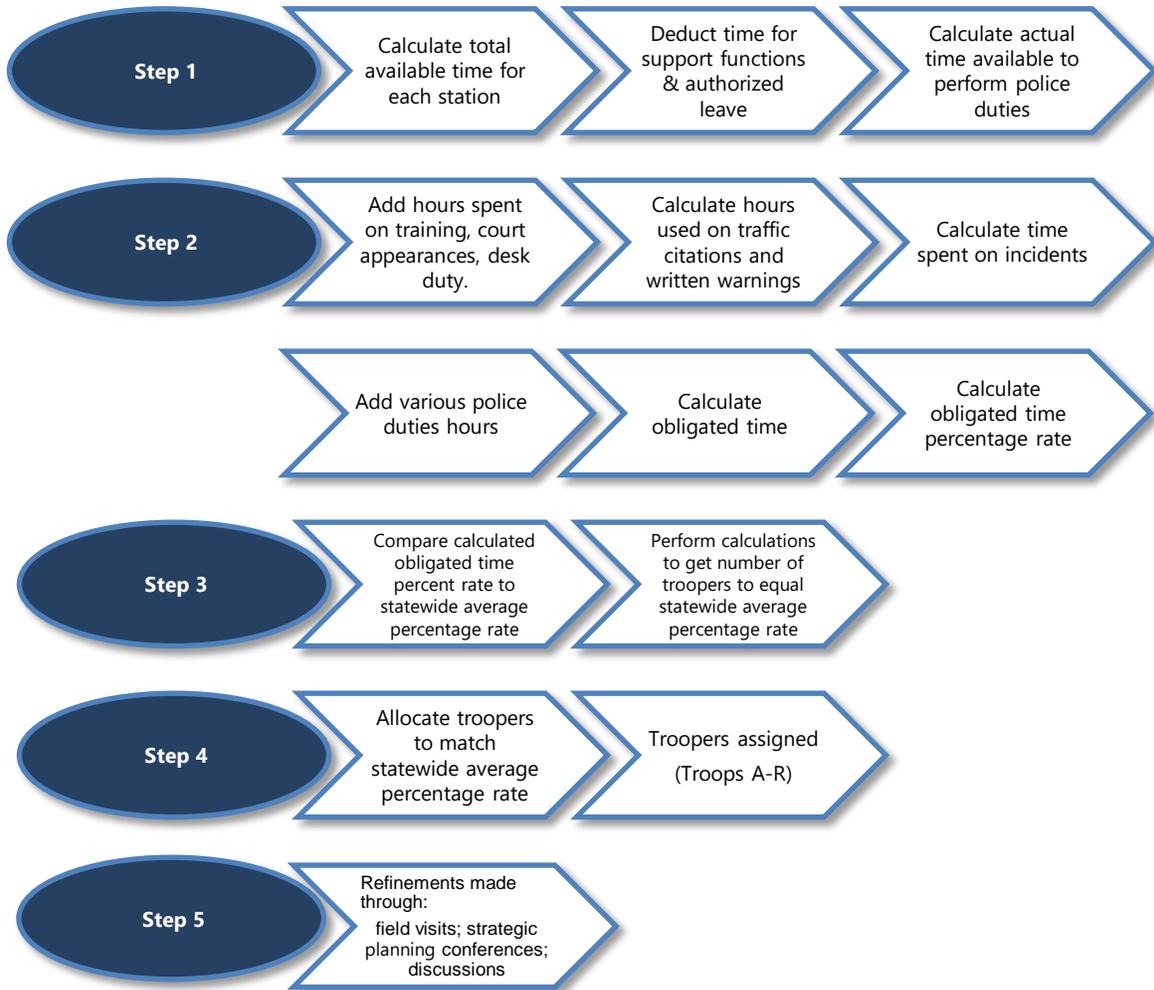
We will discuss the concepts of obligated and unobligated time in the section that follows; however, first it is important to discuss the operating parameters of STAF and how troopers are allocated to stations.

To decide how many troopers are to be assigned to each station, the Bureau of Research and Development calculates the statewide average percentage rate of obligated time and compares this percentage rate to each station’s ratio of the same factors. Based on this comparison, Bureau staff then determine how many troopers should be added or subtracted from the station’s patrol complement. Patrol supervisors are also not included in the calculations because they are assigned based on the PSP’s guidelines for supervisory span-of-control.

The Bureau of Research and Development computes STAF quarterly, but only reassigns positions on an annual basis. The vacancies are realigned each time a cadet class graduates or transfers occur to equally disburse the vacancies across the state. If a station has more troopers than the formula identifies as necessary, these extra troopers are eliminated through attrition or voluntary transfers. The flow chart shown in Exhibit 26 illustrates the methodology behind STAF at a high level.

Exhibit 26

State Trooper Allocation Formula



Source: Developed by LBFC staff using information obtained from the PSP.

Obligated Time and Unobligated Time Percentages.

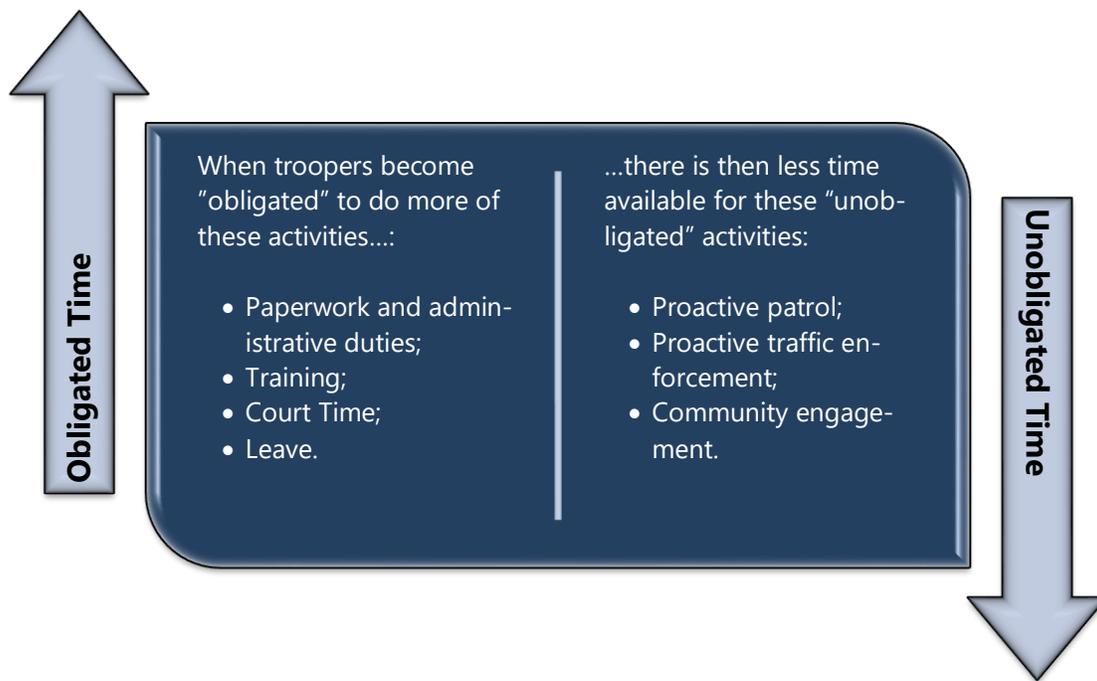
When discussing obligated and unobligated time it is important to remember that a key activity for any law enforcement officer is proactive patrol. Having as much time as possible for proactive patrol allows troopers to respond quickly to incidents and to provide an omnipresence of law enforcement, which limits criminal activity.

These concepts are oftentimes confusing to those outside of law enforcement because they seem contrary to one another. For example, one might expect that an officer's time should be 100 percent obligated (i.e., the day is completely filled with activity). However, it is important to remember that law enforcement work is unlike other occupations where

productivity is measured through output or production. Law enforcement is specific to ensuring the public's safety and a key component of public safety is active patrol and response. Consequently, if an officer's time is 100 percent obligated, then the officer is unavailable to respond to a 9-1-1 call about a burglary, or to respond to a crash on an interstate highway. When viewed from this perspective, it is apparent that an obligated percentage which is lower allows that officer to have more time available for public safety—or "unobligated time"—which is what the public expects of law enforcement. Exhibit 27 highlights this unique relationship.

Exhibit 27

Relationship Between Obligated Time and Unobligated Time



Source: Developed by LBFC staff.

Obligated time is calculated as a percentage of an officer's total work time or patrol shift. Unobligated time is not calculated using specific metrics, but is instead the balance of time that is not obligated. In the case of the PSP, obligated times are calculated specifically for those troopers assigned to the patrol units at stations in Troops A-R. As mentioned previously, obligated time is the basic measure upon which STAF operates.

In calculating the total amount of "obligated time," the PSP uses four factors:

1. The number of incidents and type of incidents to which the PSP respond.
2. The number of hours spent at court appearances, in training, and issuing traffic citations and warnings.
3. The amount of leave that was used and time off for labor-negotiated contracted holidays.
4. "Special considerations," which take into account conditions such as large geographical areas, unusual terrain, and minimum staffing requirements.

The PSP must also make a determination of the total time available for troopers to perform their patrol duties. In order to determine total time available, the average number of days worked per year for a trooper is calculated. This calculation begins with 365 days a year and subtracts the days the average trooper is not available for patrol functions. As shown on Exhibit 28, the PSP calculates that each trooper is available for patrol duty, on average, 219 days per year.

In 2001, we reported that this same number was 220 days. We inquired about this difference and PSP staff indicated that the difference was due to the increased training requirements of enlisted members, which increased from five to seven days. However, this two-day increase in training days was offset by a change in the troopers' labor contract which reduced the number of holidays from 13 to 12.

Exhibit 28

Average Number of Days a Trooper is Available for Duty
(per year)

On average, each patrol trooper is available for patrol duty 219 days per year.

Calculated as follows:	Days Per Year
Days off per pay period = 4 x 26 pay periods/year	104
Average Leave	23
Holidays	12
Average Training Days	<u>7</u>
Total	146

365 (days in a year)
- 146 (obligated days)
219 days.

Source: Developed by LBFC staff from information obtained from the PSP.

After calculating the average number of days a trooper is available for patrol duties, staff within the Bureau of Research and Development estimate how much time in a typical day a trooper has for patrol duties. This calculation is based on an eight-hour day/40-hour week, but subtracts certain obligated duties. Exhibit 29 highlights these activities, which when totaled equals 1.5 hours. Consequently, in terms of actual patrol time (or unobligated time) that time is already reduced by 1.5 hours because every trooper is obligated to perform certain duties. This number will then be further reduced by response to incidents, citations, and warnings.

Exhibit 29

Patrol Trooper Obligated Duties

On average, each patrol trooper is available for patrol duty (i.e., unobligated time) 6.5 hours per day.

Calculated as follows:	Time Per Day
Lunch	30 Minutes
Roll Call	15 Minutes
Post Operation Vehicle Service	15 Minutes
Station Duties	15 Minutes
Vehicle Inspection	<u>15 Minutes</u>
Total	1.5 Hours

8 hours (patrol shift)
- 1.5 hours (obligd. duties)
6.5 hours

Source: Developed by LBFC staff from information obtained from the PSP.

Once the obligated time and the total time available for each trooper is determined, the obligated time percentage rate is calculated for each trooper. This number also factors in time spent answering incident calls. The PSP uses sophisticated time allotments for a variety of incident types (e.g., aggravated assault, disorderly conduct, robbery, etc.) These allotments are based on actual data and include time to respond to the incident, investigate the incident, prepare necessary reports, and conduct any supplemental investigations. The PSP validates and makes adjustments to these incident time allotments every three to four years. The data is highly sensitive and is therefore not discussed further in this report.

There is no universally accepted criteria for the ratio of obligated/unobligated time.

The PSP have set the ratio at 50/50, which based on our research and analysis is reasonable.

As each patrol trooper's obligated time percentage rate is calculated, similar calculations are performed for each station to arrive at a station's obligated time percentage. However, as the organizational segment becomes larger, there is less precision to the numbers because they are aggregated. For this reason, obligated percentage rates are not calculated at the troop or area level, although for comparative purposes an overall Department-wide obligated percentage is calculated.

There is no universally accepted criteria for what obligated/unobligated rates should be. Historically, the PSP has set an equal balance between the two, i.e., 50 percent obligated and 50 percent unobligated. Research from the International City/County Management Association Center for Public Safety Management, which we reviewed for this study, suggests that no more than 60 percent of an officer's time should be obligated.⁴³ However, we found that a slightly different methodology was used in reaching this conclusion; therefore, comparisons between the two are not accurate.

In the end, the operational decisions on obligated time goals are made by the PSP Commissioner, based on data and input from his commanders. From our review of the process, an acceptable and reasonable basis is in place to calculate obligated percentages and make operational decisions based on the results. Absent any new evidence to the contrary, we concur with the PSP's operational goal of having troopers' ideal obligated time rate be 50 percent.

Criminal Investigation Unit Staffing Formula

A described in the Background Section of this report, another important PSP mission is to effectively investigate crime and reduce criminal activ-

⁴³ McCabe, James, Ph.D., "An analysis of police department staffing: How many officers do you really need?," ICMA/CPSM Public Safety White Paper.

ity. The majority of PSP efforts in criminal law enforcement are investigative functions performed at the station or troop level for crimes of violence and property crimes.

At the statewide level, specialized investigators are used for those investigations involving illegal drugs and narcotics, organized crime, white-collar crime, public corruption, arson, and criminal personality profiling. Investigations of these activities involve covert operations, intelligence gathering and reporting, surveillance, and expertise in a specified field. Because these areas are highly sensitive and involve confidential information, we excluded these activities from our review. It is worth mentioning, however, that in 2001 the PSP maintained a separate bureau for drug law investigations. That responsibility has since been folded into the Bureau of Criminal Investigation (BCI).

The PSP conducts criminal investigations anywhere in the commonwealth where there is no organized police agency. Further, investigative support, specialized investigations, and technical assistance are provided to any full-time or part-time municipal police department on request. The Department also assists with investigations involving out-of-state and federal agencies as required/necessary.

As is the case for patrol troopers, the PSP also uses an allocation formula to determine the number of criminal investigators (CIs) to be assigned to each station. Unlike patrol troopers, however, CI is a specialized position. PSP personnel informed us that all troopers must first obtain three years' experience as a patrol trooper before applying for a CI position.

The CI staffing formula is different from STAF in that the focus is not solely on obligated time, but rather on incidents and the weighted proportion of those incidents relative to Department-wide weighted incidents. Like STAF, CI unit staffing only applies to stations in Troops A – R because Troop T has no CI unit.

According to the PSP's Bureau of Research and Development, the ultimate goal of CI staffing is twofold:

- (1) To determine the appropriate balance of CI to patrol troopers. This goal is accomplished by conducting comparative analysis of CI work to patrol work. Consequently, if the annual statewide average percentage change in CI work is equal (or nearly equal) to the annual, aggregate percentage change in patrol unit workload (as measured in obligated time from STAF), the total number of positions allocated statewide will remain static. Conversely, if the CI workload is greater than the growth in patrol unit

workload, the total number of positions may be increased in CI and patrol will decrease (reallocating positions from patrol to CI).

- (2) To allocate the established CI members identified above to the various criminal investigation sections within Troops A – R. This process is done annually.

As a result, the CI staffing formula plays an important role in balancing the pool of troopers between CI and patrol. If CI caseloads increase faster than patrol work, then the Department will assign more positions to CI. Those positions, however, are ultimately taken from patrol. These adjustments are carefully calculated, and must also occur within the overall tide of promotions and retirements.

The PSP provided us with the total number of CIs that are allocated statewide; however, because this number is sensitive, we are not publishing the number in this report. Nevertheless, to provide further evidence for the need for additional troopers, we can say that the number is less than what we found in 2001, despite the increase in incidents since 2001 and the merging of the drug law responsibilities. Command staff from the Bureau of Criminal Investigation (BCI) noted that there are currently 47 vacancies within the criminal investigation units. They indicated that filling those positions alone would greatly enhance BCI's ability to satisfy its goals and objectives. However, because CI is a specialized function, those positions would need to be pulled from patrol, meaning that 47 patrol positions would then need to be backfilled.

C. PSP Obligated Time Rates Have Improved

One of the primary objectives of SR105, which authorized this study, was to update information reported in our 2001 PSP complement study. In that report, we reviewed the PSP's obligated time percentages by station and noted that many of the stations had obligated rates in excess of 50 percent—a troubling condition in 2001. In conducting this current study, we similarly obtained and reviewed obligated time percentages by station and found that the PSP's obligated rates have improved. However, as discussed in the sections that follow, comparisons between 2001 and 2019 are slightly skewed because of changes in the methodology, as well as other advancements and investments made by the PSP.⁴⁴

Comparison of 2001 Obligated Rates to 2019

In Exhibit 30, we compared the PSP's 2001 obligated time percentage to the current (2019) obligated percentages by PSP station. When reviewing these percentages it is important to remember that a lower obligated time is better than a higher obligated time. This notion seems contrary to many, but a lower obligated time rate means that a trooper has more time available for proactive patrol. In turn, proactive patrol leads to better response rates and lower crime—the ultimate desired outcome—through the omnipresence of law enforcement.

As highlighted in the exhibit, PSP stations that were above the 50 percent obligated time threshold are highlighted in **red**. We also calculated the straight percentage point difference between 2001 and 2019. As shown in the exhibit, the PSP has improved the obligated rates at many stations, and oftentimes by more than double-digit decreases in obligated rates. On the surface, this outcome is positive. However, as we will discuss in the narrative that follows, while this improvement is better overall, it does not mean that additional troopers are not warranted because conditions have changed rather dramatically over the past two decades.

⁴⁴ Senate Resolution 105 directed us to update the information found in our 2001 report, of which the ratio between the PSP's obligated/unobligated time was a significant issue. Although comparisons between 2001 and 2019 may not be completely accurate, we concluded it was important to present the reader with this comparison to show the improvements made by the PSP.

Exhibit 30

PSP Obligated Percentages

2001 and 2019

Note: Stations in red are above the PSP's targeted 50% obligated time percentage.

Location	2001 (Percentage)	2019 (Percentage)	2001 to 2019 Percentage Point Difference	Change from 2001 (Better/Worse/No Change)
Troop A				
Greensburg	66	50	-16	Better
Ebensburg	70	49	-21	Better
Indiana	67	53	-14	Better
Kiski Valley	60	47	-13	Better
Somerset	73	52	-21	Better
Troop B				
Washington	48	48	0	No Change
Belle Vernon	68	48	-20	Better
Pittsburgh	-	43	n/a	n/a
Uniontown	67	51	-16	Better
Waynesburg	62	48	-14	Better
Troop C				
Punxsutawney	63	45	-18	Better
Clarion	60	45	-15	Better
Clearfield	70	54	-16	Better
DuBois	45	46	1	Worse
Lewis Run	-	40	n/a	n/a
Ridgway	51	44	-7	Better
Marienville	-	43	n/a	n/a
Troop D				
Butler	87	53	-34	Better
Kittanning	61	53	-8	Better
Mercer	71	50	-21	Better
Beaver	68	49	-19	Better
New Castle	64	44	-20	Better
Troop E				
Erie	71	55	-16	Better
Corry	66	43	-23	Better
Franklin	60	46	-14	Better
Girard	80	50	-30	Better
Meadville	77	46	-31	Better
Warren	63	44	-19	Better
Troop F				
Montoursville	68	50	-18	Better
Coudersport	50	36	-14	Better
Emporium	41	28	-13	Better
Lamar	55	43	-12	Better
Mansfield	55	46	-9	Better
Milton	69	51	-18	Better
Selinsgrove	61	47	-14	Better
Stonington	52	40	-12	Better

Exhibit 30 Continued

Troop G					
Hollidaysburg	55	47	-8		Better
Bedford	61	48	-13		Better
Huntingdon	59	48	-11		Better
Lewistown	44	51	7		Worse
McConnellsburg	41	45	4		Worse
Rockview	59	47	-12		Better
Troop H					
Harrisburg	63	51	-12		Better
Carlisle	61	50	-11		Better
Chambersburg	75	47	-28		Better
Lykens	67	48	-19		Better
Newport	60	49	-11		Better
Gettysburg	60	51	-9		Better
Troop J					
Lancaster	63	51	-12		Better
Avondale	63	46	-17		Better
Embreeville	56	45	-11		Better
York	58	50	-8		Better
Troop K					
Philadelphia	83	49	-34		Better
Media	64	48	-16		Better
Skippack	60	52	-8		Better
Troop L					
Reading	65	49	-16		Better
Jonestown	53	52	-1		Better
Frackville	68	47	-21		Better
Hamburg	78	50	-28		Better
Schuylkill Haven	68	55	-13		Better
Troop M					
Bethlehem	74	49	-25		Better
Dublin	79	50	-29		Better
Trevoise	63	44	-19		Better
Fogelsville	63	51	-12		Better
Belfast	51	51	0		No Change
Troop N					
Hazleton	54	48	-6		Better
Bloomsburg	51	41	-10		Better
Fern Ridge	64	50	-14		Better
Leighton	57	44	-13		Better
Stroudsburg	-	50	n/a		n/a
Troop P					
Wyoming	80	46	-34		Better
Laporte	41	36	-5		Better
Shickshinny	79	38	-41		Better
Towanda	67	44	-23		Better
Tunkhannock	62	46	-16		Better

Exhibit 30 Continued

Troop R				
Dunmore	65	52	-13	Better
Honesdale	86	50	-36	Better
Blooming Grove	82	57	-25	Better
Gibson	68	54	-14	Better

Department Total	64	50
Stations above 50%	68	20
Max Oblgtd. % Rate	87	57
Min Oblgtd. % Rate	41	28

Source: Developed by LBFC staff from information obtained from the PSP and prior work product of the LBFC.

As shown above, in 2001, the Department’s total obligated rate was 64 percent, which means that a typical PSP patrol trooper spent on a typical shift, 64 percent of time on administrative tasks (training, desk calls, leave, etc.) and/or responding to incidents. Further, 91 percent (68 of 75 stations) of the PSP’s stations had an obligated rate that was above 50 percent, with the highest rate being Troop D - Butler (station) at 87 percent.

By 2019 these same statistics improved. For example, the Department’s obligated rate was at its goal of 50 percent, a decrease of 14 points. Further, only 20 stations, or 25 percent of all stations (now 79 total), were above 50 percent obligated rates. The highest station, Troop R – Blooming Grove, was just 57 percent obligated.

In total, in all but three stations (McConnellsburg, Lewistown, Dubois) obligated times were better than in 2001. Two other stations (Belfast and Belle Vernon) had no change in obligated rates from 2001 to 2019.

Improved Obligated Rates Are Linked to Several Organizational Changes.

The PSP improvements in reducing obligated time are impressive, and the Department should be commended for these efforts. In speaking with PSP representatives and reviewing related materials for this study, there are several overriding factors that have contributed to the PSP’s improved rates. These factors include: technology investments, which have improved officer efficiency; and investments that were made in human resources, specifically troopers and civilian police communication officers. Further, operational changes have also contributed to improved obligated rates.

Technology Investments. At the time of our 2001 report, the PSP was undergoing an information technology (IT) revitalization that had not been seen since the 1970s. These technology improvements were driven from an IT strategic plan that was completed during the late 1990s. The strategic plan, which was collectively developed with the help of an IT consultant, identified weaknesses in the PSP's business processes and developed a pathway to make the agency, specifically patrol troopers, more efficient through the introduction of technology.

Technology conditions have improved since 2001, and significantly so since our 1996 report.⁴⁵ For example in 1996, we found that many troopers were purchasing their own computers and developing their own IT solutions to improve business processes. Today, a trooper can perform many of the functions that were previously performed only at the station from within their patrol car. In turn, this enhanced technological capacity has improved obligated time rates as troopers can remain on patrol for more of their shifts.

We spoke with representatives from the PSP's Bureau of Research and Development about technology investments and the impact it has had on obligated times. They noted the following:

The PSP has streamlined many of its reporting practices through the implementation of technological solutions and by easing reporting requirements for minor non-criminal incidents. These improvements subsequently resulted in corresponding adjustments (i.e., decreases) in the amount of time allocated in STAF for report preparation for many incidents.

Undoubtedly, technology investments made by the PSP (and the commonwealth in general) have paid substantial dividends to the PSP in terms of improved trooper efficiency. In turn, this improved efficiency has reduced obligated time (e.g., filling out reports, etc.) and increased unobligated time.

Human Resource Investments. As discussed in Section III of this report, the PSP last received an increase in enlisted complement in 2001; however, there have also been additional troopers added to the ranks by excluding certain specialties from the cap, especially gaming enforcement. Undeniably, while most of the complement increases went to staffing Pennsylvania's new casino industry, the 100+ additional officers that were added following our 2001 study also had a positive impact in

⁴⁵ By technology conditions we are not including police communications. Reportedly, there are ongoing concerns with emergency radio systems in the commonwealth. This issue is outside the scope of our objectives and subsequently we performed no analysis of this area.

Troops A-R's obligated time. Stated simply, more troopers equates to more available time for proactive patrol.

Additionally, as we noted in 2001, and especially so in 1996, during those times, troopers needed to spend an inordinate amount of time covering communication desk duties. As discussed in the Background Section, communication desk duties are assigned to civilian Police Communication Operators (PCOs), who have responsibility for taking calls and dispatching troopers. In our 1996 study, we estimated that as many as 50 percent of the communications shifts had to be covered by a trooper, which equated to as many as 276 troopers being pulled from patrol.

Adding civilian employees to the PSP has relieved troopers from having to perform desk communication duty. The net effect: more troopers are on patrol and lower obligated time rates have resulted.

By 2001, the situation had improved; however, we found that as many as 170 troopers were still required to perform desk communication duties. Obviously, this obligated time duty responsibility impacted the higher rates we reported in 2001.

Today, owing to large increases the PSP received in its civilian complement of PCOs several years ago, desk duty is rarely performed by troopers. PSP staff reported to us that in 2012, 100 additional PCOs were hired to supplement the PSP's existing complement. This increase had the net effect of returning 100 troopers back to patrol duty, which in turn contributed to the improved obligated times seen in 2019.

Further, representatives from the Bureau of Research and Development noted to us that with respect to troopers covering communication desk duties, the condition has improved so substantially that they no longer factor in desk duty when calculating STAF. Specifically, staff noted the following:

We no longer include desk duty in our calculations...troopers are now seldom required to work desk duty (unless a PCO or two is on vacation, or there is a vacancy for a PCO which seldom happens); therefore, the number of desk hours handled by troopers is very limited and would have little or no impact on STAF if the hours were included in the formula.

Consequently, in 2001 the PSP went from calculating STAF with a variable that had a rather significant impact on obligated time—to currently no longer considering that variable. Accordingly, it is not entirely accurate to compare 2001 and 2019 obligated percentages because of this formula change.

Station Changes and Crime Trends. As shown in previous Exhibit 30, there are four additional stations in 2019 that did not exist in 2001. Additional stations improve response times, which can have a positive impact on obligated rates. This occurrence is also true where the

stations may be “minimally staffed.” This operational term refers to stations that may not have the level of activity to ordinarily support the number of troopers assigned to that station. However, because of officer safety concerns, as well as contracted labor agreements, the PSP still must assign a minimum number of troopers to be operational. Two of the four stations which are currently operational, and that were not operational in 2001, are minimally staffed stations.⁴⁶ In addition to these station changes, the PSP is also continually evaluating patrol zone coverage and response times, to ensure that forces are deployed as efficiently as possible. These systematic changes improve obligated rates.

Finally, crime trends at each of the stations impact obligated time. To this point, PSP representatives noted the following:

The aggregate volume of criminal activity within the PSP’s service area has decreased by roughly 15% during the last 20 years, further reducing overall obligated time. Although the overall volume of incidents handled by the PSP has increased somewhat considerably over the last 20 years, increases in staffing/complement and improvements in efficiency have had the net effect of reducing overall obligated time rates and providing troopers with more unobligated time for proactive activities.

As we noted in Section III, although overall incidents have increased, the nature of those incidents is less severe in nature. This trend is positive for the PSP as it allows troopers to respond and investigate crimes more quickly.

D. Expected Enlisted Retirements Could Impact the Department

Law enforcement is a dangerous line of work. Officers are subject to injury or death, work in high stress environments, and must provide coverage 24 hours a day, seven days a week. Pennsylvania law (Act 1968-111) allows police and fire officials to bargain collectively with their public employers concerning the terms and conditions of their employment. Under the law, “terms and conditions” includes an employee’s compensations, hours, working conditions, retirement, pensions and other benefits. To properly exercise these rights, officers must select a labor organization or other representative to negotiate on their behalf.

⁴⁶ Specific station complement numbers are considered to be sensitive information; consequently, we are not listing those stations here.

When considering the need for additional troopers, another operational impact that needs to be considered is how many troopers are expected to retire under the terms of the troopers' labor contract. Within this issue area, we explore this matter and its impact on the need for additional troopers.

Retirement Benefits Contribute to the PSP Being a Relatively “Young” State Agency

For purposes of Act 1968-111, enlisted members are covered by the Pennsylvania State Troopers' Association (PSTA).⁴⁷ Like all labor unions, the PSTA has negotiated various contracts with the commonwealth, covering pay, working hours, retirement, etc. A key provision of PSTA's employment contract is one which allows troopers to retire at 20 years of service with 50 percent of their salary and benefits, or at 25 years of service they are eligible to retire with 75 percent of their salary and benefits.⁴⁸

As of December 31, 2000, 16.7% of troopers had between 0-5 years of service.

As of December 31, 2019, that same metric has increased to 38.4%.

Because most troopers retire within this 20-25 year service window, the PSP tends to have a younger and “greener” (i.e., less field experience) workforce. The greenness of the PSP is a trend that has substantially increased since our last report. To demonstrate this trend, we compared troopers' age and years of service as of December 31, 2000, and December 31, 2019. However, because of differences in how data was presented in 2000, and how data was collected in 2019, we were unable to make similar age range comparisons between 2000 and 2019.

Nevertheless, as shown in Exhibit 31, today's troopers have significantly less experience (measured by years of service with the PSP) than in 2000. As of December 31, 2000, 16.7 percent of the PSP force had between 0-5 years of service. Nineteen years later that same metric has more than doubled—38.4 percent of the PSP's enlisted force now has five or fewer years of service. Obviously, some of this increase is due to the fact that there are more troopers than in 2000, and the unique employment characteristics of becoming a trooper. For instance, the only path to becoming a trooper is to start at the PSP Academy as a new cadet. This exclusivity in hiring practices is different from other state agencies that may hire employees with private sector experience. By way of comparison, as of July 2018, the average years of service for all state employees under the Governor's jurisdiction was 11.6 years.⁴⁹

⁴⁷ The commissioner and three deputy commissioners are not members of the PSTA, nor are cadets.

⁴⁸ Most commonwealth employees are eligible for retirement without penalty after attaining 35 years of service.

⁴⁹ 2019 Governor's Annual Workforce Report, pg. 3.

Furthermore, compared to 2000, the PSP has a greater percentage of the force that are approaching retirement eligibility. For example, as of December 31, 2000, 4.4 percent of the force was within the ideal retirement window of 21-24 years of service. As of December 31, 2019, that same metric increased to 9.3 percent.

Exhibit 31

Trooper Years of Service and Age Group
 (As of December 31, 2019 and December 31, 2000)

Years of Service	Age	2019*	2000*
0-5	21-25	315	
	26-30	865	
	31-35	462	N/A
	36-40	120	
	40-44	16	
Subtotal (Percent of Total):		1,778 (38.4%)	690 (16.7%)
6-10	28-30	101	
	31-35	410	
	36-40	168	N/A
	41-45	56	
	46-50	17	
Subtotal (Percent of Total):		752 (16.2%)	1,694 (40.9%)
11-15	32-35	114	
	36-40	408	
	41-45	237	N/A
	46-50	97	
	51-55	29	
Subtotal - Percent of Total:		885 - 19.1%	703 - 17.0%
16-20	37-40	62	
	41-45	211	
	46-50	258	N/A
	51-55	86	
	56-59	11	
Subtotal - Percent of Total:		628 - 13.5%	639 - 15.4%
21-24	41-45	31	
	46-50	306	N/A
	51-55	93	
	56-59	3	
Subtotal - Percent of Total:		433 - 9.3%	184 - 4.4%
25+	46-50	64	
	51-55	75	N/A
	56-59	21	
Subtotal - Percent of Total:		160 - 3.5%	227 - 5.5%
Grand Total		4,636	4,137

Today troopers have fewer years of service than in 2000.

As many as 1,221 troopers are either eligible (or will become eligible) to retire in the next five years.

Note: *Totals include cadets, who are not technically troopers until they graduate from the PSP Academy.

Source: Developed by LBFC staff from information obtained from the PSP and prior work product of the LBFC.

In the end, this trend implies that while the PSP is a relatively young force with fewer years of experience (compared to 2000), this trend is likely to continue for the next three-to-five years as more troopers become eligible for retirement and are replaced with even younger troopers.⁵⁰ This point was also highlighted by the responses we received from our survey of station commanders. When asked if station commanders believed that staffing challenges would be better or worse in the upcoming years, nearly 70 percent (58 of 83 respondents) indicated that it would be worse. Only 5 percent (4 of 83 respondents) believed that it would be better, and the rest (25 percent) were either unsure or offered no opinion (see Appendix F).

Insufficient Capacity Exists to Replace Retiring Troopers

As demonstrated in the previous exhibit, as of December 31, 2019, 1,221 troopers (26.3 percent) are either currently eligible to retire or will become eligible for retirement in the next five years. This fact presents two challenges to the PSP. First, the loss of experienced troopers leaves a potential experience gap. Obviously, in the unique field of law enforcement, experience is unquestionably important both for officer safety and for training new officers.

Second, and perhaps most critically, the PSP lack sufficient capacity at the PSP Academy to train and replace that many (potential) retiring troopers. In support of this conclusion, we reviewed the graduating class size of each cadet class since 2001.⁵¹ We found that between March 12, 2001, and September 6, 2019, there have been 48 cadet classes. Similarly, during this time, a total of 4,886 cadets enrolled and 3,881 cadets graduated and became troopers—a total graduation rate of 79 percent.⁵² The average graduating class size was 81 troopers.

Projecting these figures over the next five years reveals a larger problem. In speaking with PSP representatives, we learned that while the PSP does have a regional training facility, that specific facility is not the best location for training cadets because it lacks the necessary space and capacity for cadet training. During our study, we toured the PSP's Academy, and we met with command staff. Based on our review, we agree that the PSP

⁵⁰ We did note that in comparing PSP enlisted member ages to 2001, there was an increase in troopers' age. For example, in 2000 there were 16 troopers who had 0-5 years of service and were ages 36-40. In 2019, there were 120 in this same category, and 16 troopers who were 40-44. This trend may indicate these troopers are entering the PSP with some prior experience in law enforcement or the military.

⁵¹ Cadet classes are numbered sequentially. We reviewed the graduating class sizes of the 109th through the 156th classes.

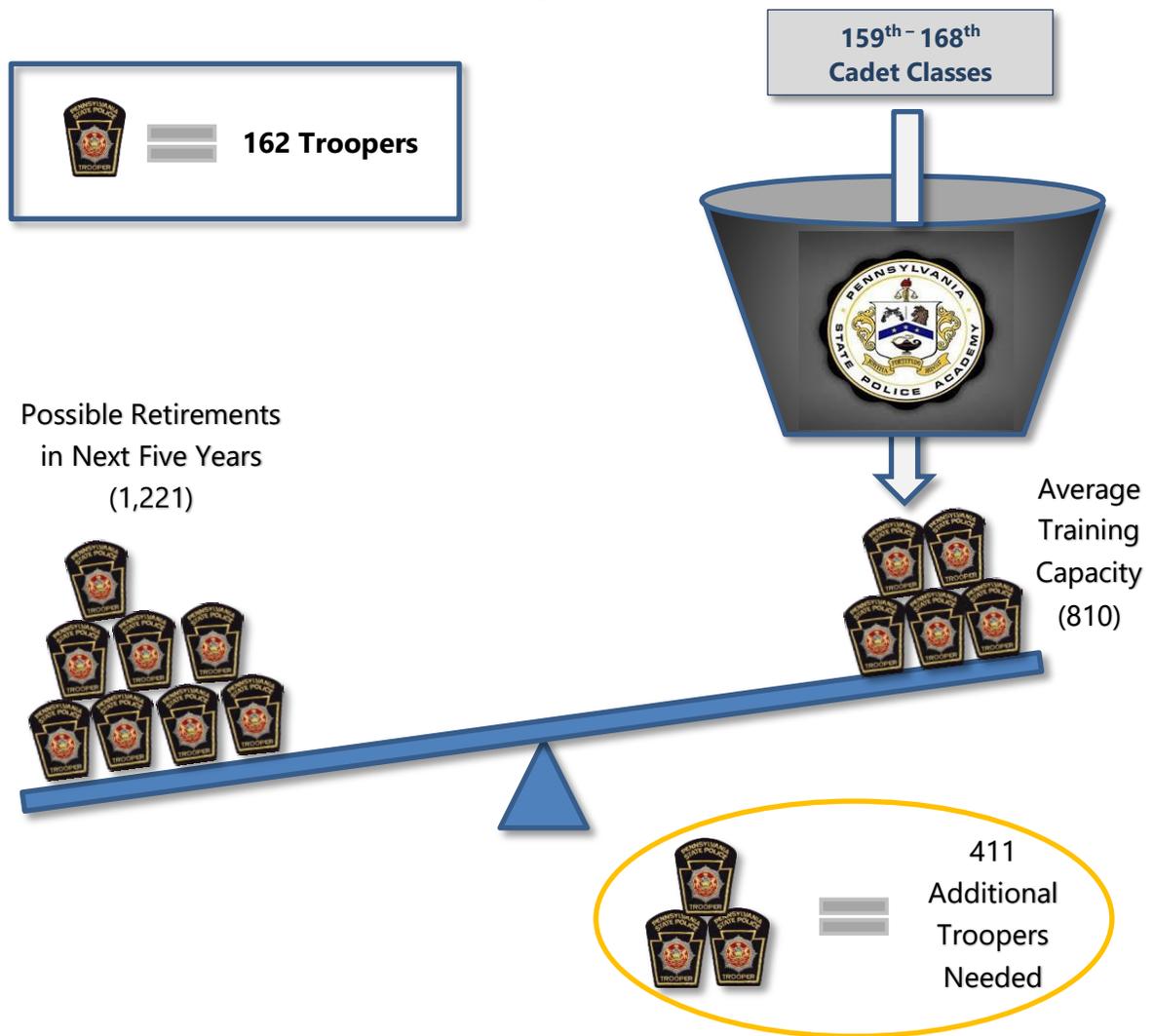
⁵² The 157th class graduated from the PSP Academy on December 13, 2019. At the time of our analysis we did not have graduation information available on this class. The PSP currently has the 158th class enrolled at the PSP Academy.

Academy (and not the regional training location) is the better location and process for effectively and efficiently training cadets.

Accordingly, knowing that cadet training is a 28-week process, assuming sufficient funding exists, the PSP can train approximately two classes a year at the PSP Academy. Furthermore, knowing the average graduation class size over the past 19 years is 81 troopers that equates to approximately 162 troopers per year, based on past practices. Therefore, with 1,221 troopers projected to retire in the next five years—and the PSP Academy only able to process 810 new troopers (162 x 5 years)—that leaves the PSP short approximately 411 troopers. Exhibit 32 illustrates this issue further.

Exhibit 32

Number of Possible Retirements vs. PSP Academy Capacity
(Five Year Projection)



Source: Developed by LBFC staff from information obtained from the PSP.

The above projections are based on training averages over 19 years and are only estimates. Actual retirements and cadet graduations will vary in any given year. It should be noted that while the average graduating class size is 81 troopers, there have been periods where much larger classes have completed training.⁵³ For example, the largest class was the 124th class, which had 161 cadets graduating. Another large class was the 131st class, which coincidentally had 131 cadets graduating. These classes were anomalies in the data we reviewed. There have also been smaller classes, such as the 114th and the 125th classes, which each had only 38 cadets. More recently, class sizes have been around 90-104 cadets. Overall, the median graduating class size was 90; consequently, we believe using the average of 81 cadets graduating is a reasonable basis from which to make these projections.⁵⁴

E. Enlisted Needs Beyond the Statutory Cap

As we noted throughout this report, the statutory cap on enlisted personnel has historically been a control placed upon patrol troopers in Troops A-R. As also discussed, through various statutory exemptions, the PSP is able to exceed the cap for certain designated law enforcement functions that have been assigned to the PSP. These functions include, patrolling the turnpike, law enforcement coverage in Pennsylvania-based casinos, oversight of the liquor control enforcement function, and to a smaller extent, patrolling six bridges within the Delaware River Joint Toll Bridge Commission authority.⁵⁵

As part of our study, we met with the command staff from each of these major operational areas and sought to determine if additional troopers were needed for these non-capped positions. As discussed in the sections below, among the three primary “excluded” PSP operations (i.e., Troop T, gaming enforcement, and liquor control enforcement); an additional 116 troopers are needed.

⁵³ The size of a cadet class is also driven by budgetary considerations (i.e., how many cadets the agency can afford to process). Consequently, while we could have estimated larger cadet classes, from a historical perspective, funding has not always been present to fund larger classes.

⁵⁴ Although not always the case, cadet classes could overlap one another, which would also accelerate the pool of new troopers to the field.

⁵⁵ These positions are assigned to three stations within Troop M and are considered part of the patrol function. These stations each receive additional troopers above the STAF allotment to accommodate these added patrol functions. Because these positions are additional duties assigned to specific stations for which additional trooper positions are also allocated, and the New Jersey State Police also provide patrol coverage, we excluded these positions in our evaluation.

Troop T

The first operational duty to be excluded from the statutory cap, and the one that remains the largest, is patrol coverage on the Pennsylvania Turnpike. Started in 1937, through authorization from Act 1937-211, as amended, the Pennsylvania Turnpike was envisioned as a major new limited access highway, which would be administered by the Pennsylvania Turnpike Commission (PTC or Commission). Act 1937-211 also provided that the Turnpike is to "be policed and operated by such force of police, toll-takers and other operating employees as the Commission may in its discretion employ." At the request of the PTC in 1940, the Governor directed the PSP to provide police services on the Turnpike.

The Governor assigned the PSP to patrol the Turnpike pursuant to an Attorney General's opinion, 1940-357, which cited provisions of the Administrative Code of 1929, as amended, stating that the power and duty of the Pennsylvania State Police shall be:

- To assist the Governor in the administration and enforcement of the laws of the commonwealth, in such manner, at such times, and in such places, as the Governor may from time to time request.
- With the approval of the Governor, to assist any administrative department, board or commission, of the state government, to enforce the laws appertaining to such department, board, or commission, or any organization thereof.
- To enforce the laws regulating the use of the highways of this commonwealth

In addition to speed enforcement, Troop T investigates all accidents occurring on PTC property, assists disabled vehicles, provides security for the service plazas and interchanges, and investigates any criminal activity along the Turnpike System, although this duty may also involve criminal investigative assistance from nearby PSP stations/troops.

Operationally, Troop T has nine stations, which include the Troop T headquarters located in the PTC's headquarters in Highspire. The total enlisted complement for Troop T as of December 31, 2019, was 238 enlisted members; however, only 223 positions were actually filled.⁵⁶

In 2001, we similarly reported that Troop T operated from nine stations. However, in 2001, the authorized complement was 228 members, with 214 positions actually filled. As Troop T staff noted to us (and is typical

⁵⁶ Because of operational security concerns we are not releasing how these positions are deployed within Troop T.

within all PSP troops) the number of filled positions fluctuates throughout the year. For example, in 2016 the enlisted allotment was 238 positions, with only 196 assigned. Nevertheless, using 2001 as a base point, there has been an increase in authorization of 10 members, or 4.4 percent. Most Troop T positions are backfilled from transfers from other patrol troops/stations; however, in 2016, Troop T received four newly graduated troopers directly from the PSP Academy.

In reviewing Troop T operational statistics over just a three-year period (2016-2018), there has been an increase in criminal incidents (20 percent), crashes (7 percent), DUIs (28 percent), and drug incidents (79 percent).⁵⁷ Another high priority for Troop T members is work zone management. Over the same three year period, Troop T reported a 64 percent increase in hours worked in work zones.

The PTC fully reimburses the PSP for the costs of Troop T operations. In addition to salaries and benefits, the PSP bills the PTC for the costs of administrative overhead, automobile mileage, and related equipment. Charges are computed and invoiced to the PTC, which then reimburses the PSP. These funds appear as a budgetary augmentation in the *Governor's Annual Executive Budget*.

Troop T – Turnpike will need as many as 36 additional enlisted positions. Most of these personnel will be assigned to a new station.

Since 2001 costs have grown considerably for Turnpike coverage. In FY 2000-01, the PTC reimbursed the PSP \$22 million for Troop T costs. In FY 2018-19, these same costs had risen to \$51 million, a 131 percent increase over the period. Salaries and benefits for enlisted personnel are the primary reasons for this increase. Officials we spoke with at the PTC noted that patrol staffing for the turnpike is an operational decision made by the PSP, and the PTC simply reimburses the PSP for the cost per invoicing agreements.

Looking forward, Troop T command staff noted that in terms of additional manpower commitments, a satellite station is projected to be needed in the Western part of the state. This station is necessary to cover increased traffic from the Mon-Fayette Expressway project. The station is expected to need 22 additional enlisted personnel. Further, 14 additional troopers (specifically five corporals and nine troopers) will also be needed to supplement patrol activities at existing Troop T stations. In total, 36 additional enlisted positions will be needed.

⁵⁷ These figures were reported to us by Troop T command staff. We did not audit this information, but we believe the information to be reliable for the purposes of this report.

Gaming Enforcement

With the passage of the Race Horse Development and Gaming Act (Act) of 2004, Pennsylvania embarked into a new industry. While primary responsibilities for administering the Act are assigned to the Pennsylvania Gaming Control Board (PGCB), since the first casinos opened in 2006 the PSP has been providing law enforcement coverage at each of the casinos.

These services are provided through the PSP's Bureau of Gaming Enforcement (BGE), which was a bureau that did not exist at the time of our 2001 complement study. The primary duties of the BGE are to provide on-site law enforcement at Pennsylvania casinos, and to assist the PGCB and the Pennsylvania Horse Racing Commission (PHRC) in the licensing process by fingerprinting, photographing and/or conducting criminal history background checks on gaming and racing applicants, vendors and licensees.

During calendar year 2019, PSP fingerprinted 13,408 applicants as part of this background process and processed the resulting records for use by the PGCB and PHRC. Fingerprinting and response to possible criminal acts or security concerns are conducted by onsite staff at each of the gaming facilities. BGE staffing levels provide for a dedicated number of members per site at each facility, plus eight members at BGE headquarters, for a total of 140 enlisted members.⁵⁸ Funding for the BGE budget is ultimately provided by casinos via Act requirements. However, BGE command staff noted that when there are calls for police service, and no dedicated BGE members are on duty, patrol troopers from the respective stations are diverted to casinos from county patrol zones. These responses are not reimbursed by the casinos.

Troopers assigned to a casino facility encounter a wide range of criminal activities. In 2019, there were 3,254 criminal incidents investigated and 2,448 arrests. For example, fictitious/counterfeit money is passed daily in the casinos, and violations range from unsuspecting people in possession of a single bill to well-organized groups or individuals producing sophisticated bills. Command staff noted to us that 673 forgery/counterfeit incidents occurred in 2019. Troopers work closely with the U.S. Secret Service identifying the individuals responsible, assisting the casinos with deterring these acts, and investigating when a loss occurs. BGE command staff also noted an increase in high-quality fraudulent identifications from underage individuals attempting to gain access to the gaming floor. The PSP is working with the U.S. Department of Homeland Security to investigate and shut down these access points.

Theft and a significant number of alcohol- or drug-related offenses, which frequently involved fights between patrons or assaults on patrons,

⁵⁸ Because of operational security concerns, we are not releasing the number of troopers assigned to each facility.

were cited as other areas where troopers were needed to resolve incidents. Assignment to BGE is considered to be a specialized position; therefore, newly graduated troopers from the Academy must first complete three years in the field before they are eligible for transfer to BGE. This is a somewhat different relationship than Troop T, which could receive troopers directly from the Academy.

Gaming expansion will require as many 67 additional troopers.

Similar to the relationship the PSP has with the PTC, costs for casino enforcement are paid from the Gaming Fund. FY 2018-19 actual reimbursements to the PSP from the Gaming Fund were \$29.1 million. As we noted previously, gaming enforcement was not a PSP-assigned activity in 2001, but as we depicted earlier in Exhibit 23, program funding from the Gaming Fund has increased over 152 percent since its authorization; however, the Pennsylvania's gaming industry "footprint" has also substantially increased.

Looking forward, BGE command staff noted that an increase in casino staffing is needed as were additional BGE troopers for new category four casinos.⁵⁹ Although these facilities are still coming online, BGE foresees 20 additional troopers will be needed to meet the expected operational needs. Further, a new category two license casino is scheduled to be opened later in 2020, which will require additional BGE troopers. In total, among all current licensed and soon-to-be opened facilities, at least 67 additional troopers are needed in the near future.

Liquor Control Enforcement

As was the case in 2001, liquor control enforcement remains a bifurcated process in Pennsylvania. In 1987, as result of Act 14, enforcement of the Pennsylvania Liquor Code was transferred from the Liquor Control Board to the PSP. In response to this transfer, the PSP created the Bureau of Liquor Control Enforcement (BLCE).

The BLCE's mission is to maintain or improve the quality of life for the citizens of the commonwealth through education and ensuring compliance with the provisions of the Liquor Code, Title 40, and related statutes.

Enforcement of the state's liquor laws falls upon the PSP, but more directly through Liquor Control Enforcement (LCE) officers, who are civilians and not enlisted members of the PSP. LCE officers attend separate training, which is shorter in duration. Enforcement officers may arrest on-view, except in private homes, any person in violation of certain provisions of the Pennsylvania Criminal Statutes. Enforcement officers also investigate and issue citations to licensees for violations of the Liquor

⁵⁹ Pennsylvania law recognizes casinos by a specific category of operation. Category four casinos are generally smaller satellite casinos

Code, other laws of the Commonwealth relating to alcoholic beverages, or any regulations of the Board adopted pursuant to the laws.

The Office of Chief Counsel for the PSP represents BLCE in all proceedings before the Office of Administrative Law Judge or any other adjudicatory body. Although there are PSP enlisted members assigned to BLCE, they serve primarily in a command capacity over the LCE officers.

Current enlisted staffing in the Bureau of Liquor Control Enforcement is adequate, but 13 additional enlisted positions would aid enforcement.

There are currently 17 enlisted members assigned to BLCE. This number has remained relatively unchanged since our 2001 report when there were 18 authorized positions. There are currently 171 LCE officers; however, because these positions are not enlisted members, we did not review the adequacy of this complement.

BLCE is organized into nine districts. BLCE command staff noted to us that while current enlisted staffing is adequate, 13 additional enlisted personnel would be beneficial. Specifically, one additional enlisted member per district, as well as four additional enlisted members for its Compliance, Auditing and Gambling Enforcement (CAGE) unit. As with BGE, enlisted positions within the BLCE are specialized positions. Most BLCE enlisted positions are also of supervisory rank.

BLCE is partially funded from the State Stores Fund and the General Fund. Enlisted personnel and LCE officers are paid from the State Stores Fund, but attorneys are paid through the General Fund and the Office of General Counsel. In FY 2000-01, we found the PSP was reimbursed \$17.1 million for its efforts. In FY 2018-19, the State Stores Fund reimbursed the PSP \$32 million, an increase of 86 percent. Here again, salaries and benefits for enlisted and LCE officers contributed to this increase.

SECTION V COST CONSIDERATIONS AND OTHER ISSUES RELATED TO THE STATUTORY CAP ON THE PSP



Fast Facts...

- ❖ *First-year costs for a cadet/trooper are \$145,782. This includes 28 weeks of cadet training, and 24 weeks as a newly graduated trooper.*
- ❖ *Personnel and benefit costs for enlisted members are a significant expense for the PSP. These costs contributed to the increase in training costs.*
- ❖ *The statutory cap on the PSP was a useful control in 1905, but today the budget process is a more efficient control. While the statutory cap is unnecessary, there are several other more immediate concerns facing the PSP, including capacity at the Academy, and how to fund the agency after ongoing cuts from the Motor License Fund continue.*

Overview

Within this section of the report, we discuss the cost considerations surrounding an expansion of the PSP's enlisted complement, as well as more immediate concerns. As noted previously, troopers are highly trained law enforcement officers, who all begin as cadets at the PSP Academy in Hershey, Pennsylvania. As might be expected of a highly trained and professional workforce, personnel and operating costs for cadets/troopers are an expensive concern for the commonwealth.

We found that first-year costs in training a cadet/trooper are \$145,782. This figure includes all wage/salary, benefit, and equipment costs for training a cadet over 28 weeks at the PSP Academy, and then deploying him/her as a patrol trooper for 24 weeks, where he/she will obtain additional field experience. This figure is a conservative estimate as it does not include administrative costs in processing cadet applications, testing, as well as field trainer costs. Although comparisons to our 2001 report and the projected trooper costs may not be precise, today's estimate is an approximate 108 percent increase from our FY 2001-02 estimate. This increase was driven by large increases in salaries/wages and benefits.

Using the average graduating class size (81 cadets) over the past 48 cadet classes, we calculated that a typical cadet class may cost as much as \$11.8 million in the first year. The PSP is projecting larger cadet classes, with as many as 120 cadets, in the next few classes. This projection is a wise move, given the large number of retirements that will likely besiege the PSP ranks within the next five years. Further, while \$11.8 million is a substantial cost to the PSP, it is more than offset by the savings resulting from retiring troopers. To that point, we found that the average total compensation per year for all PSP troopers (salary/benefits/overtime) is \$185,187.

While we believe there is a need for additional troopers, especially to meet the expected retirements and the increasing additional mandates assigned to the PSP, there are more immediate and pressing concerns. These concerns are not linear, i.e., one leading to the next, but are instead the most immediate issues that require attention.

First, the current capacity of the PSP Academy is outdated and undersized for the PSP's needs. Our calculations found that the PSP could have a net loss of as many as 411 troopers in the next five years. Stated differently, the PSP cannot train cadets as fast as it may lose troopers to

retirements within the next five years. Moreover, the current PSP Academy lacks sufficient and adequate housing for cadets. Working with the Department of General Services, the PSP has an Academy expansion plan in development, and if the new Academy is constructed it will expand capacity to 240 cadets—more than double the existing capacity. The PSP's renovation/construction plan must remain a high priority concern for the future strength of the Department.

Second, there is an ongoing funding problem with the PSP. Recent mandated cutbacks—at a rate of four percent per year—in Motor License Fund (MLF) revenue will create a need for a new PSP funding source. Further, because PSP costs have historically increased at a rate that is faster than the Consumer Price Index, in addition to the loss of MLF funding, additional revenue will also be needed to meet the PSP's total program funding needs. The PSP has at least one new funding source through a five-year pilot project that monitors traffic speeds in certain dedicated work zones. The PSP will receive a portion of any fine revenue, and a further portion of that revenue is dedicated specifically for cadet training. However, for PSP funding purposes this program is only for three years, and based on fiscal estimates we obtained, will generate a total of approximately \$15.1 million over three years. As such, this funding will only provide funding for approximately 104 cadets/troopers, under our assumptions.

Finally, while we believe there is a need to increase the statutory cap on enlisted members from its current 4,310 positions, it is difficult to calculate what that exact number should be. This condition was present in our original 1996 complement study, the 2001 follow-up study, and again in this report. As a result, we believe there is little need for the statutory cap, particularly because a more effective means of controlling the growth of the PSP is through the annual budget process. Moreover, at no time in recent history was the PSP actually at its statutory cap. In a brief survey we coordinated through the PSP, we found that most state police agencies rely on the budget process to control complement, rather than a statutory cap. Along these lines, we conclude that a more helpful means of monitoring the PSP's complement would be to require periodic complement reviews on a three-year or five-year basis.

Issue Areas

A. Costs Associated with Adding Troopers to the PSP's Complement

Our third objective sought to determine cost estimates that would be associated with increasing troopers under the cap, or increasing troopers not restricted by the complement cap. In answering this objective, keep in mind that the PSP is a unique agency in terms of personnel, and specifically, troopers. Unlike other agencies that may fill vacancies as necessary (subject to budget considerations), the PSP hires only cadets that are then trained to fill patrol positions. As such, all trooper positions—whether controlled by the statutory cap or excluded from the cap—begin as cadets at the PSP Academy. Accordingly, to answer this objective, we calculated the first-year costs to train a PSP cadet, and then add that cadet to the ranks as a trooper for the remainder of the year.

First-Year Training Costs are at Least \$145,000 per Cadet/Trooper

We chose to specifically calculate first-year costs for a cadet/trooper, as opposed to just training cost, because personnel costs are a significant portion of the estimate, and the costs increase rather significantly between a cadet and a newly enlisted trooper.

In calculating the first-year costs to train and equip a cadet/trooper, there are a number of variables that must be considered. These variables are briefly outlined as follows:

- Cadet training is 28 weeks, during which time cadets are paid hourly wages, plus benefits. After graduation, cadets are then promoted to the rank of trooper, and they receive increases in salary and benefits, per the labor agreement between the commonwealth and the PSTA.
- Except for a few odd occasions when cadet classes were held away from the PSP Academy, all cadet housing and boarding occurs at the PSP Academy in Hershey and these costs are paid as an ongoing expense of operating the PSP Academy. Those costs are not included in our calculations because the commonwealth owns the PSP Academy. Additionally, there are other indirect costs incurred in training cadets. For example, travel and lodging costs for field instructors who must travel to the PSP

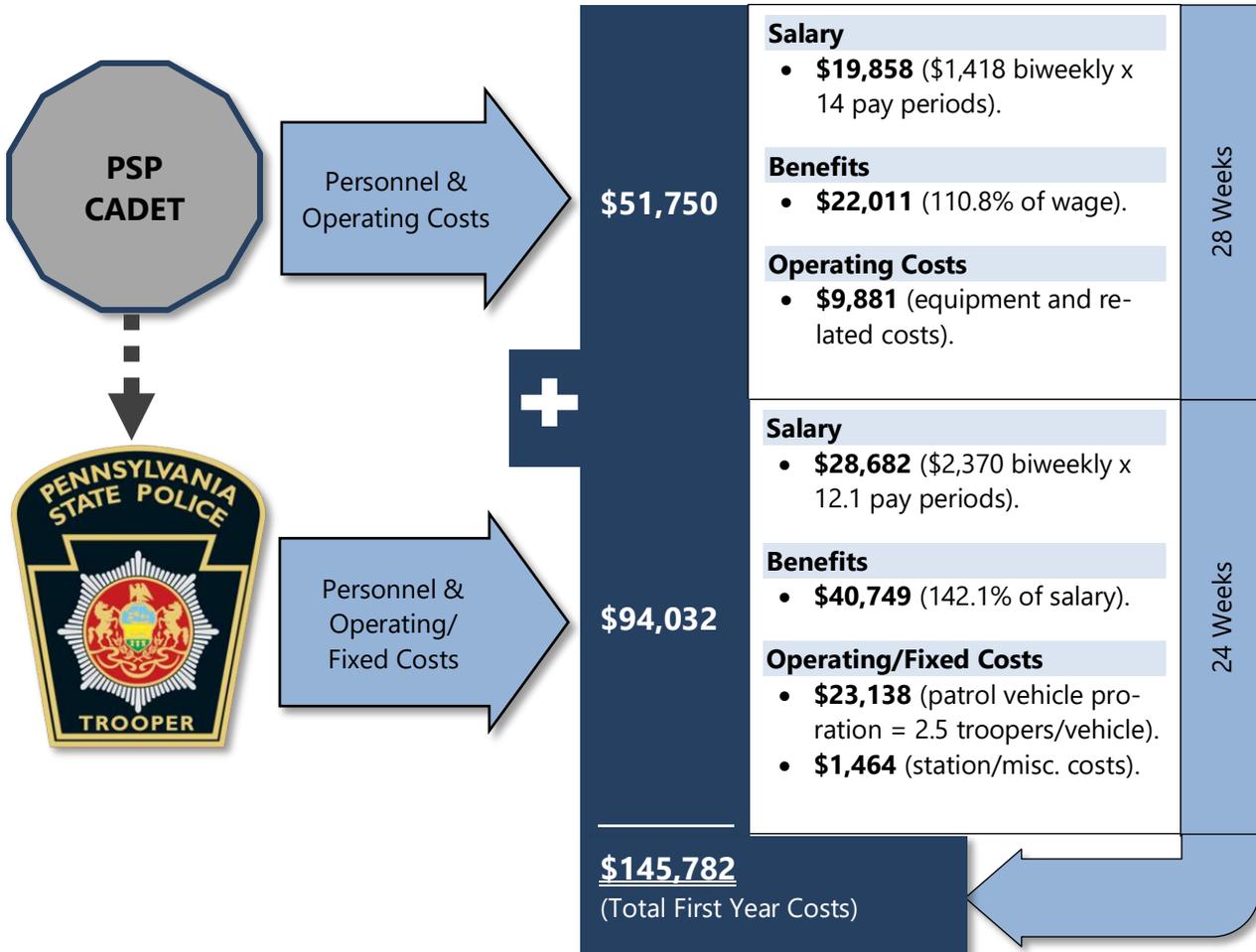
Academy to assist in training are also not included in our calculations.

- During cadet training, operational costs are incurred by the PSP for specialized equipment cadets will need (e.g., firearms, ammunition, uniforms, body armor, etc.). We obtained a listing of these items from the PSP—and while we list the total cost of these items—as a matter of officer safety, we are not disclosing the specifics of how troopers are outfitted for duty.
- After graduation, cadets are prorated certain operating and fixed asset costs (e.g., vehicles and station space). Each police vehicle is specially equipped for the PSP, at a cost of approximately \$57,844 per vehicle. This includes costs for lights, radios, IT equipment, as well as specific operational gear. Certain specialized troopers and commissioned officers have vehicles assigned to them; however, first-year troopers share vehicles at a ratio of approximately 2.5 troopers per vehicle.

Knowing the above, we calculated the first-year costs to train and equip a PSP cadet/trooper to be \$145,782. These costs are outlined further in Exhibit 33.

Exhibit 33

First-Year Costs to Train and Equip a Cadet/New Trooper*
 (FY 2019-20)



Note: */Costs do not include indirect costs such as trainer salaries, administrative processing, etc.

Source: Developed by LBFC staff from information obtained from the PSP.

On a per cadet/trooper basis, salary and benefits total \$111,300, or 76 percent of the total first year cost of \$145,782. Much of this cost is attributed to increases in benefits, and specifically a trooper's benefits. For example, benefit cost for a cadet is approximately 110 percent of the bi-weekly wage, a significant amount. However, after a cadet becomes a trooper, benefits increase to 142 percent of salary—an increase of 85 percent over a cadet's benefit cost.

Similarly, there are distinct differences between wage/salary costs between cadets and troopers. For instance, cadets receive a wage of \$1,418

per pay period. Once cadets graduate and become troopers, they are salaried employees and are paid \$2,370 per pay period (\$61,260/year), or a 67 percent increase in pay. Troopers are also eligible for overtime; cadets are not paid overtime.

We did not factor in overtime costs for first-year troopers. According to the *FY 2018-19 Governor's Annual Workforce Report*, members of the PSTA earned (on average) \$7,245 in overtime. Overtime is based on a trooper's salary, which varies based on years of service with the PSP. Consequently, first-year troopers (who would have zero years of service) would also have a lower salary; thus, earning less overtime than the average for PSTA members.

The average cadet class is estimated to be over \$11.8 million in first-year costs, but retiring troopers offset some of these costs. Using a conservative fiscal approach, with first-year costs of \$145,782, we estimated that each cadet class costs at least \$11.8 million in the first year. We based this assumption on 81 cadets, which is the average graduating class size over the past 19 years. More recently, the PSP is projecting cadet classes of 120 cadets; consequently, the costs may be as much as \$17.5 million (120 x \$145,782).

Additionally, these are just training costs for those cadets that actually graduate and become troopers. It does not include administrative costs for recruitment, testing, and selection. Again, these costs are difficult to quantify. It is important to understand that the process to become a cadet is lengthy and highly selective.⁶⁰ For example, for a recent cadet class, the PSP received 6,755 online applications. These applications were winnowed down through a series of written exams, oral exams, physical agility testing, and background screenings. Consequently, even using the PSP's upper projected cadet class size of 120 cadets that represents just 1.7 percent of the total applications that were received. With such an extensive (and necessary) screening process, when factoring these indirect administrative costs, the actual cadet class costs are even higher.

While these costs are significant, they are offset by the fact that as new troopers are entering the ranks, others are also retiring. Further, because those that are retiring are paid at a higher rate than those that are entering the ranks, this turnover results in a cost-savings to the PSP. For example, if 81 new troopers entered the ranks at a cost of \$11.8 million, but 100 troopers also retired with total salaries, benefits, and overtime cost of

⁶⁰ It should be noted that our analysis is strictly limited to the existing pathway of becoming a trooper, which includes training at the PSP Academy and not at a municipal police officer training and education course.

\$18.5 million,⁶¹ then the PSP had a net savings of \$6.7 million in personnel costs.

Training Costs Have Increased Significantly Since 2001

As part of our 2001 report, we similarly calculated the first-year costs of training a cadet/trooper. At that time, we calculated those costs to be \$70,051.⁶² Because of changes in how costs are tabulated, we could not make an exact “apples-to-apples” comparison between FY 2001-02 and FY 2019-20. Nevertheless, despite fiscal variances between these periods, we could at least make a reasonable comparison between the two periods to identify why costs have grown so significantly.

As noted above, FY 2019-20 first-year training costs were estimated to be \$145,782. This figure represents a 108 percent increase over the FY 2001-02 costs of \$70,051. Again, the growth in first-year costs is attributed to personnel costs, and especially benefit costs. For example, while operating costs increased by 91 percent from FY 2001-02, which can be largely traced to increases for items such as vehicles, equipment, etc., personnel costs increased by 125 percent over the same period. More significantly, benefit costs alone increased by 142 percent since FY 2001-02.

For comparative purposes, we obtained the Consumer Price Index (CPI) over the same period. CPI is a means of adjusting dollar value and is widely used to measure inflation. We found that from 2000 to 2019, CPI had a growth rate of approximately 2 percent per year. Overall, there has been a 48 percent increase in CPI from 2000-2019. As such, salary and benefit costs have greatly outpaced CPI.

B. Options for Future Consideration

For over a century, the statutory cap on the PSP’s enlisted personnel has been a long-standing and unique aspect of the PSP. However, just as the PSP no longer relies upon horses and relay signs, new considerations must be evaluated to ensure that the PSP is able to position itself as the leading law enforcement agency in the commonwealth. Within this final

⁶¹ According to the *Governor’s Annual Workforce Report*, in FY 2018-19, the average total compensation package for a PSTA member was \$185,187. This figure includes salary, benefits, and overtime. As a result, 100 retiring members at \$185,187 equals \$18,518,700.

⁶² Our actual estimate was \$106,426, which included \$36,375 in instructor fees, lodging, and recruitment costs. We deducted these costs from that total because we were unable to replicate those cost estimates in FY 2019-20.

issue area, we list several options for policymakers and the PSP to consider. These options are based on observations and research we conducted throughout the course of this study.

1. Expand and Renovate the PSP Academy

As discussed further below, the current PSP Academy lacks the capacity to meet the expected training needs of the PSP in the coming years. Consequently, before any discussion of the statutory cap is evaluated, the commonwealth needs to provide the necessary funding and resources to expand and renovate the PSP Academy.

As we documented in Section IV, within the next five years PSP trooper retirements are expected to outpace the rate at which new cadets can be trained. Without the capacity to replace those retiring troopers, the PSP will be unable to meet current service expectations, let alone meet the growing service demands.

If the PSP lacks sufficient training capacity at the Academy, it will be unable to meet the growing service demands.

The present PSP Academy is located just north of Hershey on a 34-acre tract. The PSP Academy has occupied this location since 1960, and it has been continuously developed over the years to serve instructional, administrative, housing, and campus support functions. The PSP Academy includes exterior training areas, including parade grounds and physical training areas, firing ranges, parking for staff, cadets, transient in-service trainees, multiple fleet vehicles, and guests. Additionally, the PSP's Bureau of Emergency and Special Operations (BESO) is co-located on the site. BESO's Mounted Unit is also housed on the PSP Academy grounds, and includes a large area for stables, training, turn-out rings, and equine-related feed and manure management practices.

According to the PSP, many of the existing structures comprising the core instructional areas are original to the Academy's beginnings on-site. While some additions and upgrades have been made to the Academy over the past sixty-plus years, the Academy's building systems and overall configuration are extremely inefficient. Furthermore, many systems are beyond projected service life and are restrictive for contemporary academic purposes. Similarly, dormitories for cadet housing are acutely substandard and not configured to meet the current cadet demographic.⁶³

This latter aspect is especially significant because the PSP Academy was built at a time and era when only men were permitted to be cadets. To this point, the PSP Academy command staff noted to us that cadet demographics are changing—something which we also confirmed in our research. More females are entering the ranks, and more cadets (men

⁶³ Pennsylvania Department of General Services, *PA State Police Academy Complex and BESO Modernization Program Development Study*, November 27, 2019.

and women) are entering the PSP with a college education and are older. PSP officials noted the following:

Recruits are largely attending the [PSP] Academy after receiving a higher education degree, having expectations attendant to that of a college graduate, both regarding the live/work environment as well as the technology and amenities supporting high-level instruction. Modern, efficient, and highly effective environments are necessary to support the expected level of achievement for the PSP. Gender balance is a key factor as more females are now cadets. Further, a greater range of gender and sexual considerations for cadets' factor into future housing and campus life needs.⁶⁴

We toured the facility and found that while the facility itself was clean and contained adequate outdoor facilities for the cadets, the dormitories are austere and not in keeping with today's standards and needs. To be clear, our observation is not that the PSP Academy requires a "Taj Mahal"-type dormitory space, but it does require sufficient and adequate space that can accommodate more cadets generally, and a wide-range of cadets, including some of whom that may not identify with a specific gender.⁶⁵

Working with the Department of General Services, the PSP has undertaken a project development plan for a new PSP Academy. The new facility would remain in Hershey, which is a logical consideration given its close proximity to PSP headquarters, the driving course, and other outdoor training facilities. Although the design phase is still ongoing, the new PSP Academy will have new cadet housing facilities, as well as other administrative improvements, which will expand existing capacity. The PSP's project plan anticipates that the new PSP Academy will be able to house 240 cadets at a time, which means that as many as 480 cadets could be processed and trained each year. This increase would more than double the current PSP Academy's capacity and help to better position the PSP for future complement/staffing needs.

The design and planning phase is expected to continue for another year. Once all approvals are obtained, construction is expected to take another two years. Current construction estimates are approximately \$191.8 million. Although this is a significant investment in the PSP, we firmly agree that a new facility is warranted and must be in place soon, if the PSP is expected to continue to meet the growing demands placed upon the

⁶⁴ Pennsylvania Department of General Services, *PA State Police Academy Complex and BESO Modernization Program Development Study*, November 27, 2019.

⁶⁵ The new PSP Academy needs to be constructed according to a number of commonwealth-wide regulations, orders, and policies. For example, PA Code, Chapter 67b requires any new building to include, where feasible, universal single occupancy restrooms. Under Chapter 67c, any new building shall include at least one nursing mothers' room.

agency. However, in addition to expanding its training capacity, a larger question is also looming as to how to fund the increasing costs of the PSP.

2. Funding Concerns Could Hamper Future Complement Expansion

With respect to the PSP's funding, there is a gathering fiscal storm which has the potential to impact the PSP's complement. This fiscal storm is the result of ongoing mandated cuts in PSP funding from the Motor License Fund (MLF), which in turn will shift more funding to the state's General Fund. Moreover, with recent calls to expedite this funding shift, if the General Fund cannot fully absorb the added PSP costs, cutbacks will be necessary. Under this scenario, there is little practicality for increasing the PSP's complement.

Since our last report, PSP costs have grown faster than the Consumer Price Index. Ongoing mandated cuts in Motor License Fund funding creates a funding issue for the PSP whereby cutbacks may be necessary. In this scenario, there is little practicality for increasing the complement absent a consistent funding stream.

As we depicted in Section III, program funding for the PSP has increased 144 percent since FY 2000-01. This increase was necessary to meet the PSP's growing personnel and operational expenses. Over the intervening years, there has been an incremental shift in PSP funding, with more funding coming from the MLF and less from the General Fund. That trend stopped with the passage of Act 2016-85, which mandated that transfers from the MLF to the PSP be reduced by four percent per year through FY 2027-28, at which time the transfer will be capped at \$500 million.

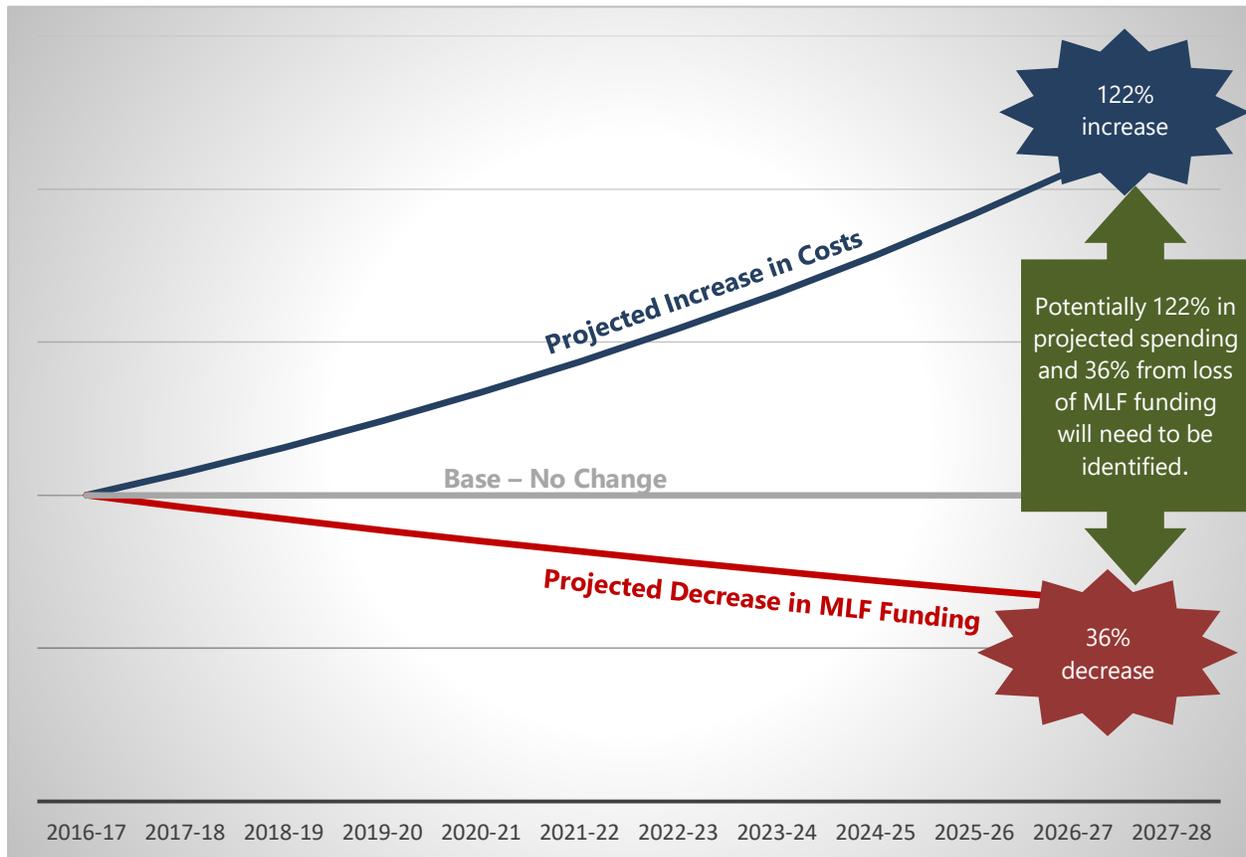
In FY 2016-17, the peak year for MLF transfers, the PSP received more than \$792 million; consequently, when finally reaching the capped \$500 million in FY 2027-28, the PSP will have lost more than \$292 million in MLF funding—all of which will need to be replaced by the General Fund, or some other source. However, keep in mind—the PSP is an expensive function of state government—with personnel and operating costs that have historically exceeded that of the Consumer Price Index. As a result, the actual impact of these decreasing transfers will be much greater. For example, although MLF transfers will decrease by four percent per year, the PSP's costs will continue to grow as a result of its high personnel and benefit costs. Subsequently, other funding sources will need to be identified to make up for the four percent MLF loss, plus the PSP's incremental cost increases going forward. This concern will be especially problematic after FY 2027-28 when the MLF transfers are capped.

To illustrate this concern, we used the historical growth in the PSP's spending and plotted that against the projected decreases in MLF funding through FY 2027-28. For example, using the average yearly increase in actual program funding from FY 2000-01, through FY 2018-19, reveals that PSP funding has grown by approximately 7.5 percent per year. While past projections are not indicative of the future, assuming that the PSP continues on that trajectory (which is reasonable even without a

complement increase) then the compounding effect of that growth from FY 2016-17 (the base year when MLF restrictions began) through FY 2027-28 is 122 percent. Similarly, comparing the compounding effect of the four percent decrease in MLF funding from FY 2016-17 through FY 2027-28, reveals that there will be an approximate 36 percent decrease in MLF funding to the PSP. Exhibit 34 below, highlights these trends.

Exhibit 34

Compounding Effect of the PSP's Funding Shift
(FY 2016-17 thru 2027-28)



Source: Developed by LBFC staff from Governor's budget documents.

Although this exhibit is merely a projection, and actual program funding could be curtailed or even expanded, the net effect remains the same—at a time when the PSP needs to expand its complement, it is also facing a potentially serious funding concern. This condition was also affirmed by the PSP Commissioner, who recently noted the following:

Without replacement funding from the Legislature, there would be no money to fund three cadet classes a year to

train troopers to replace the 150-300 who retire annually. Further, overtime costs would rise, and safety equipment couldn't be purchased.⁶⁶

Automated Work Zone Speed Enforcement. One new funding source has been identified for the PSP; however, the full extent of the funding remains to be seen. Act 86 of 2018 created an Automated Work Zone Speed Enforcement (AWZSE) program through which the Pennsylvania Department of Transportation (PennDOT), the Pennsylvania Turnpike Commission (PTC), and the PSP will work with a third-party system administrator to monitor traffic speeds in construction zones.

AWZSE is intended to be a five-year pilot program. The PSP is responsible for reviewing and affirming select violations. Violation notices that have been reviewed and confirmed by the PSP will include an official seal and text affirming the violation. The PSP will also provide field speed and quality control testing on the devices. Under the law, a speed violator in a designated work zone will first receive a warning. A second violation will result in a \$75 fine, and a third violation and all subsequent violations will result in a \$150 fine. The AWSZE remains in a testing phase, but is scheduled to go live beginning on March 9, 2020.

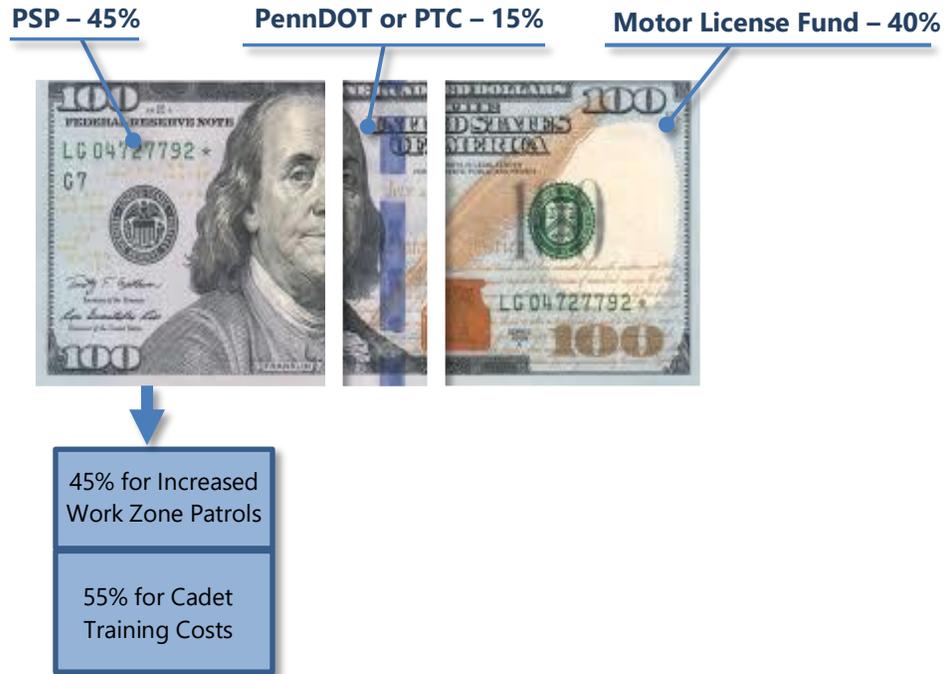
Revenue from the program is intended to pay the system administrator's costs. Any revenue derived after paying program costs follows a complex split between PennDOT, PTC, and the PSP. Specific to the PSP, during the first three years of the program, the PSP receives 45 percent of the remaining fine revenue. Of that amount, 55 percent is dedicated for cadet training (including recruiting, training, and equipping). The remaining 45 percent is dedicated for increased PSP presence in work zones. Exhibit 35 further delineates these funding ratios.

⁶⁶ Pennsylvania House of Representatives, Transportation Infrastructure Task Force, *Build to Lead*, October 2019.

Exhibit 35

Ratio of AWSZE Revenue Distribution
(Year One through Year Three)

- After all program costs are paid, any remaining revenue shall be divided as follows:



Source: Developed by LBFC staff from review of Act 86 of 2018.

In years four and five of the pilot program, any revenue derived from the AWZSE does not revert to the PSP or the MLF, but is allocated by PennDOT or the PTC for improvement projects and countermeasures to improve the safety in highway work zones. Funds may also be used to increase awareness of distracted driving and transportation enhancements.

As stated earlier, the AWZSE program will not be fully activated until March 9, 2020. As a result, we are unsure how much revenue will actually be collected for the PSP's training needs. However, using revenue estimated we obtained from Act 86's original passage, we calculated that the PSP could receive as much as \$15 million for cadet training over three years (see Exhibit 36).

Exhibit 36

AWZSE and PSP Estimated Funding

(\$ Millions)

	Year 1	Year 2	Year 3	Year 4	Year 5
Total Estimated Revenue ^{a/}	\$ 74.6	\$ 22.7	\$ 22.9	\$ 23.1	\$ 23.2
Less Estimated Expenses ^{b/}	(20.6)	(19.0)	(19.6)	(20.1)	(20.7)
Net Revenue	\$ 54.0	\$ 3.7	\$ 3.3	\$ 3.0	\$ 2.5
Potential PSP Funding	\$ 24.3	\$ 1.7	\$ 1.5	No Additional Revenue to PSP	
For Cadet Training	13.4	.9	.8		
For Work Zone Patrol	10.9	.7	.7		

Total PSP Funding Year 1 – Year 3: \$27.5m
Total Cadet-Specific Funding: \$15.1m

Notes: ^{a/}Includes revenue from all fines whether on Turnpike or a PA highway. Fines are to be deposited into a restricted revenue account within the Pennsylvania Treasury.

^{b/}Expenses include vendor costs, credit card surcharges, and uncollectible revenue.

Source: Developed by LBFC staff from fiscal note estimates for Senate Bill 2018 - 172.

As a reminder, the above estimates are only projections. Actual fines do not begin until March 4, 2020, and actual fines may deviate from the estimates. According to the Act, the PSP is to receive quarterly transfers; consequently, the earliest any funding would be obtained would be July 2020. It is also important to note that revenue drops off rather significantly after Year One. For example, Year One net revenue is estimated to be \$54.0 million, of which the PSP would receive \$24.3 million. Year Two revenue then drops to \$3.7 million, of which the PSP would receive \$1.7 million. The reason for this decline is because of the increased awareness motorists will have about the program following a warning or first citation. It is likely that motorists will be more aware of their speeds when traveling through work zones.

Finally, while the projected \$15.1 million for cadet training is a start toward funding new cadets, it must be placed within the context of the PSP's overall budget, which is over \$1.3 billion. As a result, the total projected cadet funding for three years is just a little over one percent of the

PSP's total budget for one year. Moreover, as we previously documented, with first year trooper costs at \$145,782, the projected total AWZSE funding for cadets will fund approximately 104 cadets. As we projected over the next five years, there are as many as 411 trooper positions that will need to be filled just to keep the PSP at the current complement level.

3. Eliminate the Statutory Cap on the PSP's Enlisted Complement

A central question asked by SR 105 is if there is a need for increasing the statutory cap on the Pennsylvania State Police (enlisted) complement. As we demonstrated in Section IV, given the additional mandates placed upon the PSP, the increased incidents, growing retirements within the PSP, and increased municipal coverage, there is clearly a need for additional troopers. Without these positions, response times and service delivery will suffer. Further, additional patrol troopers—the backbone of the department—are needed so that other positions can be backfilled, such as Troop T patrol, criminal investigations, gaming enforcement, and liquor control enforcement. Finally, regardless of the career path that a trooper takes within the PSP, they all begin as cadets at the PSP Academy; therefore, a statutory cap may limit the future capacity of the Department.

In 1905, a statutory cap on the PSP's enlisted complement was a good "check and balance" for a new type of law enforcement agency. Today, it is unnecessary, but periodic complement reviews to evaluate the PSP obligated/unobligated ratios are beneficial.

With these considerations in mind, it is impossible to calculate the exact number of additional troopers that are needed, and by extension, determine the best "sweet spot" for setting the PSP's statutory cap. There are simply too many variables in play because the PSP has so many varying duties, obligations, and services that it must provide to ensure public safety. Moreover, research on law enforcement staffing indicates that staffing is really a matter of ensuring public safety and officer safety, within the constraints of available funding and service expectation. Accordingly, a larger question emerges from our analysis, which is the following:

- *Is there a need for the statutory cap on enlisted members?*

The short answer to that question is no. Based on our review, we can find no reasonable basis for maintaining the statutory cap on the PSP. Moreover, in the long-term, having a cap likely restricts the PSP's strategic planning capability because it must always factor the arbitrary nature of the cap in its operational needs. Further, in the short term—and perhaps more importantly—the cap could be an issue that impacts officer safety. For example, if troopers are dispersed too thinly, or over a wider geographic territory, they are then unavailable to quickly provide backup when needed.

In support of our conclusion, consider the following points. First, in our review of the PSP's statutory cap over the past century, we could not identify a period when the PSP was actually staffed at the maximum cap. This observation was affirmed by senior PSP officials, who anecdotally noted that there were periods when staffing was close to the cap, but it never actually reached the cap.

There is no distinction between a statutorily-capped trooper and one that is excluded from the cap. Each trooper receives the same basic training. The only distinction is an administrative/budgetary one.

Second, the distinction between "capped" positions (i.e., those under statutory control) and "excluded" positions (i.e., those excluded from the cap) is illogical. As of December 31, 2019, there were approximately 409 enlisted positions, which were excluded from the cap. However, as we already noted, there is no distinction in how those positions started with the PSP—they all began as cadets at the PSP Academy. Consider the following example: a new trooper right out of the PSP Academy will likely be assigned to Troops A-R. After three years, he or she may rotate to Troop T, or to a casino—an uncapped position. While that trooper's job responsibilities will change, at the core, he or she is a law enforcement officer assigned to protect the public. The only distinction is an administrative/budgetary one, which is essentially just the PSP's reimbursement for providing the mandated service.

Third, and related to the above, with respect to the maximum threshold for the statutory cap, the issue is more of a financial nature. For example, the cap can be set at any number of traditional patrol and specialized positions, but if there is no funding to pay for those positions, then the cap is irrelevant. Consequently, a more logical way of controlling size of the PSP's complement is through the budgetary process.

Finally, based on our research of other state police agencies, a statutory maximum on enlisted members is an uncommon practice. We surveyed member organizations of the International Association of Chiefs of Police, State and Provincial Police Planning Officers Section.⁶⁷ Out of the eleven agencies that responded, only one state, Louisiana, had its state police complement set by statute. Consistent with our conclusion above, seven states had their complement set through the budgetary process. The Ohio State Police did not have a maximum complement cap, but did have a minimum threshold, which was set at 880 members. Interestingly, the Kentucky State Police, noted that they did not budget positions at all, but instead were appropriated funds for which wide latitude was given in using the funds. Kentucky officials noted the following:

It is important to note that our budget does not recognize "positions." We receive a set amount of dollars based on the amount of salary (and other categories) calculated in [the agency staffing] snapshot. Because a

⁶⁷ The PSP, as a member organization of the International Association of Chiefs of Police, helped to coordinate the query of other member states.

retiring trooper might earn two times the amount of an entry level cadet, we could hire two cadets for the amount of salary we paid a retiring trooper. Or the commissioner could decide to hire one cadet and buy one cruiser, or repair a building, or fund an education program, etc. The commissioner can use the funds however he chooses after they are awarded in the budget bill.

Periodic Complement Reviews May be a More Suitable Approach for Monitoring the PSP's Complement. To be clear, while we believe the statutory cap is a rather archaic means of complement control for the PSP, we do see value in periodic complement reviews. As documented by our first complement review, which was conducted a generation ago, the PSP is an ever-evolving law enforcement agency, which must constantly change and adapt with societal, economic, and political influences. What does not change, however, is the public's need for highly skilled, trained, and prepared troopers. Along these lines, instead of an arbitrary statutory cap on enlisted personnel, we recommend that the General Assembly require periodic complement reviews every three to five years. These reviews should evaluate the PSP and its ratio of obligated/unobligated time, as well as other concerns such as funding, training capacity, and expected retirements.

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Appendix A - Senate Resolution 105

PRINTER'S NO. 708

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. **105** Session of
2019

INTRODUCED BY STEFANO, FOLMER, BAKER, J. WARD, K. WARD, YUDICHAK
AND TARTAGLIONE, MAY 2, 2019

REFERRED TO LAW AND JUSTICE, MAY 2, 2019

A RESOLUTION

1 Directing the Legislative Budget and Finance Committee to
2 conduct a study of the statutory cap on the Pennsylvania
3 State Police complement and issue a report of its findings
4 and recommendations to the Senate.

5 WHEREAS, The Legislative Budget and Finance Committee
6 conducted a study on the statutory cap on the Pennsylvania State
7 Police complement in 1996 and a follow-up study on the need for
8 additional Pennsylvania State Troopers in 2001; and

9 WHEREAS, This Commonwealth has seen a growing population and
10 changed demographics since 2001, when the last study was
11 completed; and

12 WHEREAS, The Pennsylvania State Police have reported a 3.3%
13 increase annually of incidents handled; and

14 WHEREAS, The Pennsylvania State Police provide full-time or
15 part-time coverage for 66% of municipalities, 60% of roadways,
16 82% of land area and 26% of total population in this
17 Commonwealth; and

18 WHEREAS, The Pennsylvania State Police are dedicated to the
19 protection of this Commonwealth and its residents; therefore be

Appendix A Continued

1 it

2 RESOLVED, That the Senate direct the Legislative Budget and
3 Finance Committee to conduct a study of the statutory cap on the
4 Pennsylvania State Police complement and issue a report of its
5 findings and recommendations; and be it further

6 RESOLVED, That the study update, as appropriate, the
7 information found in the follow-up study on the need for
8 additional Pennsylvania State Troopers completed in 2001; and be
9 it further

10 RESOLVED, That the study assess whether or not there is a
11 need for increasing the statutory cap on the Pennsylvania State
12 Police complement, as well as whether or not there is a need for
13 additional troopers that do not fall under the statutory cap;
14 and be it further

15 RESOLVED, That the Pennsylvania State Police, Pennsylvania
16 Liquor Control Board, Pennsylvania Gaming Control Board,
17 Pennsylvania Turnpike Commission and any other necessary
18 agencies cooperate with the Legislative Budget and Finance
19 Committee as needed to complete the study; and be it further

20 RESOLVED, That the Legislative Budget and Finance Committee
21 issue its report to the Senate within 14 months of the adoption
22 of this resolution.

Appendix B – Components of Pennsylvania’s State-wide Law Enforcement Structure

State Level

The Pennsylvania State Police (PSP) – PSP mission, structure, staffing, and responsibilities as described in this report.

The Office of Attorney General (OAG) – The OAG is established by the Commonwealth Attorneys Act of 1980 as an independent office headed by the state Attorney General, an elected position provided for by the Pennsylvania Constitution, Article IV, Section 4.1. The Attorney General is the chief law enforcement officer of the commonwealth and, with the OAG, is responsible for the prosecution of crimes prosecuted by the commonwealth, including organized crime, public corruption, some civil litigation on behalf of some, not all, commonwealth agencies and some civil enforcement of commonwealth laws, pertaining to consumer protection and charities. The Attorney General also represents the commonwealth in any and all action brought by or against the commonwealth and reviews all proposed rules and regulations by commonwealth agencies. The Attorney General also serves on the Board of Pardons, joint Committee on Documents, Hazardous Substances Transportation Board, Board of Finance and Review, Pennsylvania Commission on Crime and Delinquency, Civil Disorder Commission, and the Municipal Police Officers Education and Training Commission.

County Level

Law enforcement responsibilities at the county level are generally limited in the commonwealth. Only two counties, Allegheny (which includes the City of Pittsburgh), and Philadelphia (Pennsylvania’s only first class city), have full-time police departments. None of the other 65 counties have full-service police departments.

The County Sheriff is an elected county officer provided for by the state constitution and is technically the chief law enforcement officer of the county. The sheriff’s primary responsibilities are to the courts; however, the sheriff is still the keeper and conservator of public peace and order and, as such, retains all arrest powers he/she had at common law with regards to the investigation of crimes, along with the authority to enforce the criminal law as well as the vehicle laws of Pennsylvania.

Pennsylvania’s counties are divided into nine classes. Philadelphia County is authorized to create a police force under the statutory provisions concerning first class cities, 53 P.S. §12231-12236. Philadelphia has a home rule charter. Counties of the second class and second class A are permitted to create a full service police force, 16 P.S. §4501(a). Counties of the third through eighth classes are permitted to hire police officers, 16 P.S. §§2511-2512, but these counties do not have full-service police departments. The police officers hired by these counties only patrol and enforce rules concerning county parks and recreational facilities.

Municipal Level

Pennsylvania has 2,560 municipalities comprising 56 cities, 957 boroughs, 93 first class townships, 1,453 second class townships, and one town. In Pennsylvania, all municipalities, regardless of classification or size, have the authority to create a municipal police department. Only certain types of municipalities, however, are required to provide police services. A municipality that has police services may provide such services using its own police department, contracting with another municipality's police department, or participating in a regional police department. Municipalities without full-time police services and those without any local police services receive coverage partially or solely through the PSP. First class cities, second class cities, and second class A cities are required to provide police services within their municipal jurisdictions. Third class cities, first class townships, second class townships, and boroughs are authorized, but not required, to provide police services. These municipal governments also have the authority to enter into cooperative agreements specifically for police services. As of December 2019, 1,273 or 49.7 percent, of the Commonwealth's 2,560 municipalities were providing either full-time, part-time, regional, or contractual municipal police services.

Municipal police officers have the power and authority to enforce all general laws of the Commonwealth of Pennsylvania as well as the ordinances and regulations of the municipalities that employ them and may, upon view, arrest without warrant upon probable cause all persons committing certain criminal violations.

As of December 2019, there were 18,301 full-time municipal police officers and 4,524 part-time municipal police officers statewide. The cities of Philadelphia and Pittsburgh accounted for 7,506 or 41 percent of the full-time municipal police officers statewide. Areas without local police protection rely on services from the PSP and/or from contracting with nearby police departments or from regional police departments. In many areas of the state, the PSP, while not superseding local officers, supplement local police efforts as needed. This is especially true in the rural areas and along state highways. The PSP also assists jurisdictions with part-time forces during times when no municipal officer is on duty.

The position of constable is also involved in law enforcement at the local level. Like the position of county sheriff, this is an elected public officer position. While the constable has law enforcement powers, persons elected to this position primarily serve the court and perform such actions as directed by the court (i.e. serve writs, arrest warrants, as well as other processes in civil matters).

Finally, Pennsylvania law refers to numerous officials who are called police (i.e. special school police, auxiliary police, and fire police) and numerous other officials (i.e. forest fire wardens, health officers, and Liquor Enforcement Officers) who have limited authority to arrest persons, serve, process, or perform other duties commonly associated with police officers. Also, Wildlife and Waterways Conservation Officers have police authority that extends beyond their agency-specific powers. When WCOs are acting within the scope of their employment, the officers have statutory power and authority to pursue, apprehend, or arrest any individual suspected of violating any provision of the state Crimes Code or any other offense classified as a misdemeanor or felony. Moreover, DCNR Rangers "have all power and prerogatives conferred by law upon members of the police force of cities of the first class, including full arrest powers (except in Vehicle Code violations).

Regional Police

In 1975, Pennsylvania adopted a consolidation standard of the National Advisory Commission on Criminal Justice Standards and Goals that for the improvement of police services in Pennsylvania, every local government and local police department should study the possibilities of combined and contracted police services and, where appropriate, implement such services. This concept of regional policing is gaining favor among municipal leaders who are faced with declining revenue sources. There are currently 43 regional police departments in the Commonwealth of Pennsylvania. Most regional police departments are created to strengthen existing police services in administration, supervision, training, investigation, patrol, specialty services, and share the cost among several communities.

The Governor's Center for Local Government Services (GCLGS) provides both technical and financial assistance to municipal police departments interested in regionalization. There is also grant funding through the Department of Community and Economic Development's (DCED) Municipal Assistance Program (MAP).

Consolidation of police services requires the abolishment of political subdivision boundaries for police services and the unification of existing police forces into one regional police department. The distinctive characteristic of this method of policing is the operation of the police agency outside the direct control of any one single municipality. The police department is responsible to a policy board or police commission consisting of elected officials from each participating municipality. This board appoints the chief, evaluates the chief's performance, sets policies, and adopts the budget.

Pennsylvania's Constitution, Article IX, Section 5 provides a legal and constitutional basis for consolidation of police services in the Commonwealth. Article IX, Section 5 states as follows:

A municipality by act of its governing body may, or upon being required by initiative and referendum in the area affected shall, cooperate or agree in the exercise of any function, power or responsibility with, or delegate or transfer any function, power or responsibility to, one or more other governmental units including other municipalities or districts, the federal government, any other state or its governmental units, or any newly created governmental unit.

The legal process for the cooperation and consolidation of public services in the Commonwealth is set forth as the Intergovernmental Cooperation subchapter of the General Local Government Code at 53 Pa.C.S. §§2301-2317. This law provides, in general, that two or more local governments in this Commonwealth may jointly cooperate, or any local government may jointly cooperate with any similar entities located in any other state, in the exercise or in the performance of their respective governmental functions, powers or responsibilities. Local governments or other entities so cooperating are authorized to enter into any joint agreements as may be deemed appropriate for those purposes. Using this authority, municipalities have formed regional police departments.

According to data compiled by DCED, a total of 43 regional police departments, located in 25 counties, were operating in Pennsylvania as of December 2019. These 43 departments served a total of 122 municipalities. While the majority of these departments cover two municipalities, there are quite a few that cover four or more municipalities.

Source: Developed by LBFC staff from review of materials obtained from the Department of Community and Economic Development.

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Appendix C - Summary of Incidents Handled by the PSP in 2018

<u>Incident Type</u>	Troops A Through R	Troop T (Turnpike)	Offices/Bureaus	PSP Total
ALARMS				
ALARM FALSE FAULT	23,294	1	21	23,316
ALARM FALSE NO FAULT	5,930	1	3	5,934
Subtotal	29,224	2	24	29,250
ANIMALS				
ANIMAL CRUELTY	340	0	0	340
ANIMAL LOST - FOUND	1,450	1	3	1,454
DOG LAW VIOLATION	400	0	0	400
Subtotal	2,190	1	3	2,194
ASSAULTS				
ASSAULT - AGGRAVATED	1,194	0	7	1,201
ASSAULT - ATTEMPTED HOMICIDE	50	0	0	50
ASSAULT - ENDANGERING RECKLESS/WELFARE	631	3	4	638
ASSAULT - SIMPLE	4,113	6	26	4,145
INDECENT ASSAULT	385	0	4	389
Subtotal	6,373	9	41	6,423
CHECKS				
DOMESTIC - OTHER	15,307	28	23	15,358
DOMESTIC SECURITY CHECK	63,786	14,911	1,021	79,718
DOMESTIC SECURITY CHECK - CIKR	4,797	134	12	4,943
DOMESTIC SECURITY CHECK - SCHOOL	57,611	12	55	57,678
HOUSE CHECK	3,269	0	1	3,270
WELFARE CHECK	22,624	108	23	22,755
Subtotal	167,394	15,193	1,135	183,722
CHECKPOINTS				
CHECKPOINT DUI	171	1	0	172
CHECKPOINT OTHER	52	0	0	52
CHECKPOINT REGULATORY	885	0	3	888
Subtotal	1,108	1	3	1,112
CHILD RELATED				
CHILD CUSTODY INVESTIGATION	171	0	0	171
CORRUPTION OF MINORS	572	0	1	573
KIDNAPPING - ABDUCTION	29	0	0	29
LOCK OUT - CHILD INSIDE	140	0	0	140
Subtotal	912	0	1	913

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COLLISIONS				
MVC - COMMONWEALTH VEHICLE	650	40	3	693
MVC - DELAYED REPORTING	436	9	2	447
MVC - DUI - ALCOHOL	2,071	24	1	2,096
MVC - DUI - ALCOHOL & DRUGS	269	4	0	273
MVC - DUI - DRUGS	682	4	0	686
MVC - DUI - FATAL	77	3	0	80
MVC - DUI - HIT AND RUN	483	9	0	492
MVC - DUI - INJURIES	857	24	1	882
MVC - DUI - NON-REPORTABLE	724	82	2	808
MVC - FATAL	387	9	0	396
MVC - GONE ON ARRIVAL	4,660	75	5	4,740
MVC - HIT AND RUN NO INJURIES	8,049	373	9	8,431
MVC - HIT AND RUN W/INJURIES	476	18	0	494
MVC - INJURIES	12,776	730	12	13,518
MVC - INJURIES AND ENTRAPMENT	485	21	1	507
MVC - NON-REPORTABLE	25,066	2,176	34	27,276
MVC - PRIVATE PROPERTY	932	11	7	950
MVC - PSP VEHICLE NO INJURIES	665	29	4	698
MVC - PSP VEHICLE W/INJURIES	35	4	0	39
MVC - REPORTABLE NO INJURIES	23,470	1,881	20	25,371
MVC - SCHOOL BUS NO INJURIES	84	0	0	84
MVC - SCHOOL BUS W/INJURIES	28	0	0	28
Subtotal	83,362	5,526	101	88,989
CRIMINAL				
CRIMINAL INTELLIGENCE	63	0	0	63
CRIMINAL MISCHIEF	6,482	12	109	6,603
Subtotal	6,545	12	109	6,666
DEATH				
DEATH - ACCIDENTAL	207	0	0	207
DEATH - HOMICIDE	94	0	0	94
DEATH - NATURAL	1,391	0	0	1,391
DEATH - OVERDOSE	363	0	0	363
DEATH - SUICIDE	503	0	0	503
DEATH - UNKNOWN	283	0	1	284
SUICIDE - ATTEMPT OR THREAT	850	1	1	852
Subtotal	3,691	1	2	3,694
DESK				
DESK COMMUNICATIONS NOTATIONS - MISC	9,156	2	0	9,158
DESK GENERATOR NOTATIONS	3,762	1	6	3,769
DESK TOWER LIGHT FAILURE FAA NOTIFICATION	12	0	0	12
Subtotal	12,930	3	6	12,939

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DRUGS/ALCOHOL/NARCOTICS				
BUREAU OF LIQUOR CONTROL ENFORCEMENT	351	0	11,992	12,343
DRUG - FOUND INCL. PARAPHERNALIA	1,231	9	119	1,359
DRUG - MARIJUANA ERADICATION	53	0	0	53
DRUG - OVERDOSE	722	1	4	727
DRUG - POSSESSION	5,568	86	143	5,797
DRUG - POSSESSION WITH INTENT TO DELIVER	797	4	158	959
DRUG - SALE/MANUFACTURE	743	0	77	820
PRESCRIPTION DRUG TAKE BACK PROGRAM	198	0	0	198
PUBLIC DRUNK	611	4	82	697
TOBACCO SALE TO MINOR	6	0	0	6
UNDERAGE DRINKING	267	3	5	275
Subtotal	10,547	107	12,580	23,234
ESCORT				
ESCORT - OTHER	1,027	9	208	1,244
ESCORT - SUPER LOAD - OVERSIZE	1,213	9	0	1,222
ESCORT SPENT NUCLEAR FUEL/ORAM	58	0	0	58
Subtotal	2,298	18	208	2,524
EXPLORATORY				
EXPLORATORY BCI NUMBER	24	0	54	78
EXPLORATORY GAMBLING/ORG CRIME NUMBER	6	0	6	12
EXPLORATORY NARCOTICS NUMBER	150	0	12	162
EXPLORATORY VICE NUMBER	71	0	2	73
Subtotal	251	0	74	325
FIRE				
FIRE - ACCIDENTAL	440	0	0	440
FIRE - ARSON	323	0	1	324
FIRE - INVESTIGATION	165	0	1	166
FIRE - OTHER	36	0	0	36
FIRE - UNDETERMINED	543	0	1	544
FIRE MARSHAL TELEPHONE ASSIST	183	0	1	184
Subtotal	1,690	0	4	1,694
FIREARMS/EXPLOSIVES				
BOMB THREAT	29	0	1	30
BOMB/EXPLOSIVE DEVICE FOUND	14	0	0	14
EXPLOSIVE STORAGE	2	0	0	2
FIREARMS ACT VIOLATIONS	1,439	2	437	1,878
SHOOTING - ACCIDENTAL	101	0	0	101

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SHOOTING - OTHER	56	0	0	56
WEAPONS ON SCHOOL PROPERTY	74	0	0	74
Subtotal	1,715	2	438	2,155
GAMBLING/GAMING				
GAMBLING	7	0	3	10
GAMING	7	0	152	159
GAMING - CHEATING	1	0	68	69
GAMING - POSSESSION OF CHEATING DEVICE	0	0	1	1
GAMING - REFERRED TO PGCB	0	0	3	3
GAMING - SELF EXCLUSION	4	0	282	286
GAMING - THEFT OF VOUCHERS/CREDITS	2	0	155	157
GAMING - UNDER AGE 21 OFFENSE	11	0	217	228
Subtotal	32	0	881	913
INTERDICTION				
INTERDICTION - HIGHWAY	1,350	6	449	1,805
INTERDICTION - HOTEL	4	0	11	15
INTERDICTION - SHIPPER	54	0	164	218
INTERDICTION - TERMINAL	4	0	14	18
Subtotal	1,412	6	638	2,056
INTERSTATE HIGHWAY				
INTERSTATE HIGHWAY - CLEAR LINE ZONE	51,160	3,956	7	55,123
INTERSTATE HIGHWAY - STATIONARY PATROL	7,604	6,482	0	14,086
Subtotal	58,764	10,438	7	69,209
MEGAN'S LAW				
MEGAN'S LAW - ADDRESS VERIFICATION	55	0	0	55
MEGAN'S LAW - INITIAL REGISTRATION	432	0	0	432
MEGAN'S LAW - INVESTIGATION	271	0	1	272
MEGAN'S LAW - NOTIFY COMMUNITY	97	0	0	97
MEGAN'S LAW - VERIFICATION/UPDATE	33,877	5	21	33,903
Subtotal	34,732	5	22	34,759
MISCELLANEOUS				
911 HANG UP CALL	12,290	11	31	12,332
ATTEMPT LOCATE PERSON - VEHICLE	1,840	0	0	1,840
BACKGROUND INVESTIGATION	1,028	0	2	1,030
BAD CHECKS	303	0	1	304

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CANCELLED BY COMPLAINANT/DUPLICATE CALL	46,550	146	167	46,863
CIVIL - LARGE GATHERING	113	0	0	113
DISORDERLY CONDUCT	1,551	12	121	1,684
DISTURBANCE/NOISE COMPLAINT	9,821	10	63	9,894
ESCAPE - OTHER	223	0	1	224
FALSE REPORTS	233	7	7	247
FARE EVASION	0	1,284	0	1,284
FOUND ITEM	2,120	193	23	2,336
HARASSMENT - COMM - STALK - OTHER	10,002	19	161	10,182
ITEMS THROWN AT MOVING VEHICLE	57	5	0	62
LABOR DISPUTE	14	0	2	16
LANDLORD - DIVORCE - PROPERTY	3,531	1	12	3,544
LOST ITEM - NCIC	337	3	0	340
LOST ITEM - NON NCIC	1,443	38	104	1,585
MISSING PERSON	578	1	4	583
MUNICIPAL POLICE OFFICERS EDUCATION & TRAINING COM	4	0	1	5
OTHER	1,098	187	118	1,403
PATROL CHECK	32,340	4,732	22	37,094
POLICE INFORMATION	14,127	140	596	14,863
PRISON ESCAPE	34	0	0	34
PSP INVESTIGATION	413	0	6	419
RUNAWAY	235	0	0	235
SCATTERING RUBBISH	527	1	1	529
SEE OFFICER	32,505	292	210	33,007
SPECIAL DRIVERS LICENSE EXAM	131	5	1	137
SPEECH	5,444	21	118	5,583
STATEWIDE RADIO	585	0	0	585
SUSPICIOUS PERSON	3,504	10	22	3,536
TDD TEST	491	0	1	492
TERRORISTIC THREATS	1,203	2	19	1,224
TESTING TYPE CODE	70	0	43	113
TRESPASSING	1,213	0	798	2,011
UNLAWFUL USE OF COMPUTER	28	0	2	30
WORK RELEASE - YOUTH HOME - MENTAL HEALTH	26	0	0	26
WORK ZONE PRIMARY #	115	56	0	171
Subtotal	186,127	7,176	2,657	195,960
MOTOR CARRIER SAFETY				
MOTOR CARRIER SAFETY	35,783	2,919	23	38,725
MOTOR CARRIER SAFETY - ANNUAL SCHOOL BUS INSP	1,013	6	0	1,019
MOTOR CARRIER SAFETY - COMPLIANCE REVIEW	15	0	0	15
MOTOR CARRIER SAFETY - PERMIT SEIZURE	23	0	0	23

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MOTOR CARRIER SAFETY - SCHL BUS/VEH SPOT CHECK	846	0	0	846
MOTOR CARRIER SAFETY - SUPERLOAD WEIGH/INSPECT	1,274	0	0	1,274
Subtotal	38,954	2,925	23	41,902
ORGANIZED CRIME				
ORGANIZED CRIME	14	0	126	140
ORGANIZED CRIME - CHILD PORNOGRAPHY	33	0	105	138
ORGANIZED CRIME - GENERAL INVESTIGATION	2	0	1	3
ORGANIZED CRIME - MONEY LAUNDERING	5	0	7	12
ORGANIZED CRIME - POLITICAL CORRUPTION	4	0	0	4
Subtotal	58	0	239	297
PROTECTION FROM ABUSE				
PFA ORDER SERVICE	1,028	0	2	1,030
PFA VIOLATION	1,305	0	2	1,307
PFA VIOLATION IN PROGRESS	53	0	1	54
Subtotal	2,386	0	5	2,391
REQUESTS FOR ASSISTANCE				
MENTAL HEALTH ACT	2,800	7	8	2,815
REFER TO OTHER AGENCY - PD	21,299	57	309	21,665
REQUEST ASSIST - C.P.S.T. INSPECTION	1,864	16	15	1,895
REQUEST ASSIST - FINGERPRINTS	3,191	0	9,193	12,384
REQUEST ASSIST - LOCAL PD	12,386	42	251	12,679
REQUEST ASSIST - OTHER AGENCY	23,091	1,978	1,742	26,811
REQUEST ASSIST - SPECIALIZED SERVICES	1,151	1	161	1,313
REQUEST FOR CLEAN	363	0	10	373
Subtotal	66,145	2,101	11,689	79,935
ROBBERY/BURGLARY				
BURGLARY OR ATTEMPTED BURGLARY	5,148	0	6	5,154
ROBBERY - BANK	14	0	0	14
ROBBERY - BUSINESS/RESIDENCE	138	0	0	138
ROBBERY - OTHER	120	0	10	130
Subtotal	5,420	0	16	5,436
SEX OFFENSES				
INDECENT EXPOSURE	174	3	3	180
RAPE - ATTEMPTED - NOT IN PROGRESS	568	0	0	568
SEX OFFENSE - ANONYMOUS REPORT	86	0	1	87

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SEX OFFENSE - PROSTITUTION	22	0	1	23
SEX OFFENSE - SEXUAL ASSAULT	3,391	0	6	3,397
Subtotal	4,241	3	11	4,255
THEFT				
IDENTITY THEFT	908	1	4	913
THEFT	12,840	32	767	13,639
THEFT - FRAUD/FORGERY	5,021	13	522	5,556
THEFT - RECEIVING STOLEN PROPERTY	337	8	35	380
THEFT - RETAIL	3,361	0	15	3,376
THEFT - VEHICLE	1,370	0	24	1,394
Subtotal	23,837	54	1,367	25,258
THREATS				
THREATS - ACTOR NOT ON SCENE	142	0	0	142
THREATS - ACTOR ON SCENE	48	0	0	48
Subtotal	190	0	0	190
TRAFFIC				
HAZARDOUS/UNUSUAL HWY CONDITION	15	1	0	16
ROAD CONDITIONS - ALERT CONDITION W	543	4	1	548
ROAD HAZARD - ANIMAL - DEBRIS	27,669	397	55	28,121
TRAF VIOL FLEE/ELUDE	495	6	2	503
TRAF VIOL-DUI ALCOHOL	8,014	53	10	8,077
TRAF VIOL-DUI ALCOHOL & DRUG	562	8	0	570
TRAF VIOL-DUI ALCOHOL W/DRUG POSSESSION	293	2	2	297
TRAF VIOL-DUI DRUG	2,527	23	2	2,552
TRAF VIOL-DUI DRUG & ALCOHOL W/DRUG POSS	379	1	2	382
TRAF VIOL-DUI DRUG-W/DRUG POSSESSION	2,971	31	5	3,007
TRAFFIC CONTROL	1,954	954	3	2,911
TRAFFIC VIOLATION - OTHER	15,787	148	90	16,025
TRAFFIC VIOLATION/ERRATIC DRIVER	13,737	48	8	13,793
Subtotal	74,946	1,676	180	76,802
VEHICLE RELATED				
ABANDONED VEHICLE	2,781	79	4	2,864
DISABLED MOTORIST	54,790	1,868	168	56,826
DISABLED MOTORIST ON ROAD	6,897	203	21	7,121
LICENSE/REGISTRATION SEIZURE	8,547	56	29	8,632
OVERDUE MOTORIST	29	3	0	32
SUSPICIOUS VEHICLE	2,568	3	2	2,573
TOWED VEHICLE	2,675	167	15	2,857

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UNATTENDED VEHICLE TAG	918	27	0	945
VEHICLE FRAUD INSPECTION/INVESTIGATION	1,850	0	10	1,860
VEHICLE FRAUD INSPECTOR- GENERAL ASSISTANCE	896	0	1	897
VEHICLE RECOVERED	130	4	78	212
VEHICLE REPOSSESSION	5,353	0	4	5,357
Subtotal	87,434	2,410	332	90,176
WARRANTS				
WARRANT - FUGITIVE OUTSIDE AGENCY	2,177	40	792	3,009
WARRANT - MISDEMEANOR/FELONY	1	0	0	1
WARRANT - SUMMARY TRAFFIC	4,331	23	90	4,444
WARRANT OTHER AGENCY NOTIFY SVC IN PSP AREA	121	3	5	129
Subtotal	6,630	66	887	7,583

Source: Developed by LBFC staff from information obtained from the PSP.

Appendix D – Demographic Information about the PSP’s Complement

Race and Gender Composition of the State Police Complement - Including Civilians

(As of December 31, 2019)

	Enlisted/Civilian Complement	Number	Percentage
Gender	Male	5,055	80.1
	Female	<u>1,258</u>	<u>19.9</u>
	Total (Includes cadets)	6,313	100.0
Race	Non-minority	4,707	74.6
	Minority	<u>1,606</u>	<u>25.4</u>
	Total (Includes cadets)	6,313	100.0

Race and Gender Composition of the State Police Complement - Excluding Civilians

(As of December 31, 2019)

	Enlisted Personnel	Number	Percentage
Gender	Male	4,226	93.2
	Female	<u>307</u>	<u>6.8</u>
	Total (Includes cadets)	4,533	100.0
Race	Non-minority	3,940	86.9
	Minority	<u>593</u>	<u>13.1</u>
	Total (Includes cadets)	4,533	100.0

Source: Developed by LBFC staff from information obtained from the PSP.

Appendix E – Number of Enlisted Members on Active Duty in the United States Armed Forces

Year^{a/}	Count
2004	75
2005	77
2006	86
2007	109
2008	115
2009	126
2010	114
2011	108
2012	119
2013	131
2014	129
2015	149
2016	168
2017	180
2018	204
2019	<u>214</u>
Grand Total	2,104

Note:

a/ The same employee could have been out every year or multiple years.

Source: Developed by LBFC staff from information obtained from the PSP and the Office of Administration.

Appendix F – Survey Results of PSP Station Commanders

1. In your opinion, are the number of enlisted personnel currently assigned to your specific station sufficient?

Answer Choices	Responses	Percentage
Yes	12	14.5
No	69	83.1
Unsure/No Opinion	2	2.4
Total Responses	83	100.0

2. In your experience at this station, has there been an increase or decrease in the amount of PSP-assigned coverage provided to local municipalities?

Answer Choices	Responses	Percentage
Increase	58	69.9
Decrease	5	6.0
Unsure/No Opinion	20	24.1
Total Responses	83	100.0

3. On a scale of 1 to 5 (1 being not significant to 5 being very significant) in your opinion, how significant are staffing challenges in reference to the PSP and your specific station?

	1. Not Significant	2.	3.	4.	5. Very Significant	Weighted Average
The PSP (#)	0	1	7	25	48	4.48
The PSP (%)	0.0%	1.3%	8.6%	30.9%	59.3%	
Your Station (#)	0	1	11	24	47	4.41
Your Station (%)	0.0%	1.2%	13.3%	28.9%	56.6%	

4. With respect to current staffing (enlisted or civilian) and your station, please describe what you believe to be the most critical challenges, if any. (Open-ended)

Most Important/Repeated Word(s)	Occurrence*	Selected Answers with Most Important/Repeated Word(s)
1. Coverage	25(30.2%)	<ul style="list-style-type: none"> The increasing number of additional duties placed on the PSP, the increasing number of municipalities relying on PSP for full or part-time coverage, and the availability of members for back-up, or emergencies are the greatest challenges we currently face. The critical challenge and what concerns me the most as a commander is the safety of our Troopers. It is imperative that we maintain enough coverage to adequately police our areas of responsibility and more importantly provide assistance / back up to fellow Troopers during "high-risk" traffic stops / call.
2. Staffing	24(28.9%)	<ul style="list-style-type: none"> Due to the increase in drug related activity and DUIs we need to remain proactive in our enforcement efforts. Troopers are less inclined to remain proactive if our staffing is such that they cannot expect to have back-up respond in a timely manner. Our station has 3 members with military obligations, two of which are on long term deployments. Adequately staffing and ensuring we have sufficient coverage in times when Troopers are away on leave, away at training or deployed for Department mobilizations.
3. Time	22 (26.5%)	<ul style="list-style-type: none"> The current staffing level for civilians at our station is adequate. The most challenging issue is on the enlisted side. I am concerned for officer safety as well as providing a quality service to the public with minimal response times. The most critical challenge is scheduling Troopers to work and cover patrol zones while balancing giving them time off.

5. With respect to the challenges identified above, do you foresee those challenges becoming better or worse in the upcoming years?

Answer Choices	Responses	Percentage
Better	4	4.8%
Worse	58	69.9%
Unsure/No Opinion	21	25.3%
Total Responses	83	100.0%

6. What specific actions do you believe could be taken to address any identified challenges? (Open-ended)

Most Important/Repeated Word(s)	Occurrence*	Selected Answers with Most Important/Repeated Word(s)
Increase	31(37.3%)	<ul style="list-style-type: none"> In the event that the complement of PSP would be increased, it would significantly impact the amount of Troopers available to work in the patrol unit and dedicate the appropriate amount of time to the community. Continue to increase cadet funding and put more classes through. Have the class graduations coincide with the heavy retirement months (January, April, and July).
Troopers/Members	21(25.3%)	<ul style="list-style-type: none"> Planning to replace Troopers who are eligible to retire. Generally timeframes are developed when we graduate from the Academy so proper planning can be used to determine who is eligible to retire and plan to replace them at that time. The State Police is highly trained to manage the changes in criminal activity. Essentially we just need more Troopers. Prior to filling specialized positions fill the patrol vacancies first. Part time secondary functions should elicit more input from stations prior to the member being absent from staffing.
Station	20(24.1%)	<ul style="list-style-type: none"> I understand that it is not an easy fix; however, we should be staffed to meet allocation. If we cannot be staffed to the allocated number, Troop stations should be staffed at a higher percentage than other organizations within PSP.

7. Please feel free to share any other concerns you may have about staffing. (Open-ended)

Most Important/Repeated Word(s)	Occurrence*	Selected Answers with Most Important/Repeated Word(s)
Stations	13(31.7%)	<ul style="list-style-type: none"> Overall I feel as though the Department has done a pretty good job addressing the staffing levels. I have noticed a positive difference in the staffing complement at my station and this has resulted in increased morale, higher productivity by members and decreased sick leave usage by personnel. Additionally there is a high rate of turn over for first line supervision and there are people in places that are not vested in the area that they work in causing stations to not run effectively as they could. Any help in these matters would be a positive thing.
Troopers/Need	12(29.3%)	<ul style="list-style-type: none"> As the number fall the moral declines. We need to think about patrol before filling special units like mounted unit for parades etc. We need to increase our minimums per station, especially the small stations with minimum manpower. We need enough PCOs to cover all shifts so Troopers are not routinely working desk duties and we need to make certain time intensive positions full-time. Our focus, above all else, needs to be officer safety. I don't feel that is the priority currently. We need to be fiscally responsible but we need to be safe as well.
Work	11(26.8%)	<ul style="list-style-type: none"> Staffing in a sense is the number one way to reduce morale. When Troopers put in for vacation and cannot get that day due to manpower it reduces the morale and most importantly work production.

Note:

*/Out of 83 total responses.

Source: LBFC survey of PSP station commanders.

Appendix G – PSP Response



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA STATE POLICE
1800 ELMERTON AVENUE
HARRISBURG, PA 17110

COLONEL ROBERT EVANCHICK
COMMISSIONER

March 9, 2020

Ms. Patricia A. Berger, Esq.
Executive Director
Legislative Budget and Finance Committee
400 Finance Building, 613 North Street
Post Office Box 8737
Harrisburg, Pennsylvania 17105

Dear Ms. Berger:

A copy of the study conducted by the Legislative Budget and Finance Committee, pursuant to Senate Resolution 2019-105, has been received by the Pennsylvania State Police (PSP). On behalf of the men and women of the PSP, I would like to convey my sincere gratitude to the members of the Legislative Budget and Finance Committee for their professionalism and collaboration in working with the members of my staff who assisted with the study. We sincerely appreciate the opportunity to review the study and provide feedback that may be beneficial to the Committee and other members of the General Assembly.

Based on our review of the study, the PSP finds the document and the methodology used to arrive at the conclusions therein to be thorough and comprehensive. I am pleased by the study's assessment of the dedication of PSP personnel and the commitment to service that drives our agency. It is a constant struggle to maximize efficiency, as this agency takes on additional mandated responsibilities. I appreciate the Committee's efforts to highlight the additional mandates, provide context, and elaborate on funding challenges.

It is important to bear in mind when reading the study that comments attributed to an individual may not provide a true account of the statewide issue, reflect the opinion of the majority of Troopers, or articulate the official position of the Department.

The efforts of the Legislative Budget and Finance Committee and staff providing valuable management information is sincerely appreciated. It remains my personal goal to continually strive to enhance the operational and organizational efficiency of the Pennsylvania State Police.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Evanchick".

Colonel Robert Evanchick
Commissioner